
**CONSOLIDATED BUILDING BY-LAW OF THE
CITY OF COTE SAINT-LUC**

At a Regular Monthly Meeting of the Municipal Council of the City of Côte Saint-Luc, held at the City Hall, 5801 Cavendish Boulevard, on November 4, 1991, at which were present:

His Worship the Mayor Bernard Lang, Eng., presiding
Councillor D. Berku, B.C.L.
Councillor M. Brownstein, B. Comm., B.C.L., L.L.B.
Councillor I. Goldberg
Councillor H. Greenspon, C.A.
Councillor R. Kovac
Councillor A.J. Levine, B.Sc., M.A.
Councillor G.J. Nashen
Councillor R. Schwartz, C.A.

ALSO PRESENT:

Mr. J.G. Butler, C.A., City Manager
Mrs. D. Bélanger-Fauteux, Eng., M.B.A., Asst. City Manager
Mr. M. Robitaille, Eng., City Engineer
Mrs. J. Habra, City Clerk, acted as Secretary of the meeting.

IT IS ENACTED AND ORDAINED as By-Law No. 2088 entitled "CONSOLIDATED BUILDING BY-LAW OF THE CITY OF CÔTE SAINT-LUC" as follows:

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CHAPTER 1

INTRODUCTORY PROVISIONS

1-1 Title Of The By-Law

The present By-Law shall be known as the "Building By-Law" or "By-Law No. 2088"

1-2 Buildings Affected

All buildings and structures, except bridges, viaducts and tunnels, shall be erected, modified, repaired, transported or occupied only in compliance with the requirements of the present By-Law.

Nevertheless, the work of erecting, modifying, repairing or transporting any building or structure for which a permit was issued prior to the coming into force of the present by-law, may be completed in conformity with the provisions of By-Law No. 127 mentioned in article No. 11-2 and hereby repealed.

1-3 Alteration Or Repair Of Existing Buildings

Any alteration or repair of an existing building or structure shall be made in conformity with the requirements of the present By-Law. Such repairs or alterations shall be made with the same materials as those of which the building or structure was built, provided such materials conform with the requirements of this By-Law as regards quality and working stresses.

The number of storeys of an existing building shall not be increased, unless the entire building, as well as the new portion, conforms entirely with the requirements of the present By-Law.

1-4 Change In Occupancy Of Existing Buildings

If it is proposed to change the occupancy of a building, such building must conform to the requirements of the present By-Law for the proposed occupancy.

Any change of occupancy resulting in an increase in the number of persons in any part of any floor shall be permitted only if the exits are made to conform to the requirements of the present By-Law.

1-5 System Of Measure

All dimensions given in the present By-Law are in metric measure. The approximate equivalent in the British system is provided for convenience only.

1-6 French And English Text

To the extent permitted by law, the French and English versions shall have equal force and effect.

1-7 Concerned Territory

The present By-Law shall apply to the entire territory of the City of Côte Saint-Luc.

CHAPTER 2

ADMINISTRATION

2-1 Enforcement Of Building By-Law

It shall be the duty of the Director to enforce the present By-Law.

2-2 Duties Of The Director

For the purpose of the present By-Law, the Director or a building inspector under his direction shall have the following duties:

- a) to approve the delivery of permits for erecting, modifying, repairing, transporting, demolishing any building, as well as for occupying it, in conformity with the provisions of the present By-Law and other applicable By-Laws and also keep record in consecutive order of all permits delivered;
- b) to decide upon all questions pertaining to the interpretation of the provisions of this By-Law, in any case relating to the mode of construction, the quality and use of materials, and the occupancy of buildings;
- c) to proceed at all times to the inspection of structures in course of construction, in order to verify whether they are built in conformity with the permits delivered and whether the plans and specifications are adhered to, as well as to the inspection of existing structures when the enforcement of By-Laws requires it;
- d) to cause any structure to be evacuated which might be a danger to the life of the occupants, and also cause any repair to be made, which is required to ensure the security of such structure;
- e) to cause the necessary measures to be taken in order that the City may recover from the owner involved, the expenses incurred in the carrying out of the measures mentioned in the preceding paragraph;
- f) to cause any occupancy prohibited by the present By-Law in any part of the City to cease;
- g) to stop or cause to be stopped the erection of any structure built in contravention of the present By-Law after its coming into force;

2-3 Cooperation of fire Department

It is the duty of the municipal Fire Department to report to the Director any violation of the provisions of the present By-Law and to collaborate in the enforcement of the said By-Law.

2-4 Procedure To Be Followed By The Director

Whenever the Director verifies that the provisions of the present By-Law have not been complied with, he shall immediately notify in writing the owner or his agent, representative or employee.

Where the failure to comply relates to a structure under construction or a prohibited occupancy, such construction or occupancy shall cease immediately upon receipt of the said notice, and shall not begin again until the provisions of the By-Law are complied with. In all other cases, the notice shall allow a period of ten (10) days to comply with the By-Law.

Failure to comply with the notice of the Director shall constitute an infringement of this By-Law and shall expose the contravening party to the penalties set forth in this By-Law.

2-5 Right Of Entry

The Director or a building inspector under his direction, shall have the right, on presentation of proper identification, to visit any premises and to enter any building or any construction in course of erection, alteration, repair, moving or demolition, to ascertain that no provision of Municipal By-Laws applying thereto is being or has been infringed.

He shall also have the right to enter any building for purposes of inspection or when there is reason to believe that the building is in a dangerous or faulty condition through fire, accident or other causes, or that the building is used for purposes other than those for which it was designed.

It shall be unlawful for any person to prevent or obstruct any of such officials in or from carrying out their official duties under this By-Law.

2-6 Tests Of Materials And Appliances And Tests Of Buildings

When required by the Director, any materials used in erection or repair, whatever they may be, shall be tested to determine their character and quality. Appliances and devices, as well as new materials and new modes of construction, may also be submitted to tests to determine their degree of efficiency.

The tests shall be made in an approved laboratory and certified reports of the tests shall be given to the Director. The tests shall be conducted at the expense of the manufacturers or suppliers of the materials or appliances submitted to tests, or at the expense of the owner.

When the tests show that any building material does not meet the minimum requirements of By-Laws, the Director may either forbid the use or reduce the allowable working stresses of such materials.

2-7 Unoccupied Or Incomplete Construction

Every structure which is unoccupied or incomplete shall be properly secured or closed, in order to prevent any accident, or it shall be demolished.

2-8 Dangerous Or Damaged Structures

Any structure or part of a structure, already erected, or in course of construction, which is dangerous to person or property, or is dangerous for the purposes for which it is utilized or designed, or is unduly exposed to fire through defects in the construction, or has insufficient exits, shall be immediately altered or repaired to conform to the requirements of the present By-Law, or shall be demolished.

When the Director has given notice in writing of a dangerous condition, all use or occupancy of the structure or part of structure shall cease immediately, until the requirements of the Director have been complied with.

If the owner or occupant fails or neglects to comply with the notice, the Director shall report the matter immediately to the Council so that the necessary legal proceedings may be taken. The Director may also, if authorized to do so by Council, place guards around the structure, have the work required by the notice carried out and have the cost paid by the responsible parties.

If a dangerous or damaged structure requires repairs exceeding in cost fifty per cent (50%) of its assessed value, it shall be repaired to conform to all the requirements of the By-Laws or it shall be demolished.

2-8-1

The provisions of Article 2-8 shall not apply to the construction or rebuilding of the house on lot 1053766 at 7051 & 7053 Guelph Rd. insofar as the requirements to install an automatic sprinkler system therein is concerned;

In all other respects, the terms of the aforesaid Article 2-8 shall apply in full force and effect to the reconstruction or rebuilding of the house on the said lot.

2-9 Emergency Measures

In the event that a structure or part of structure, by reason of immediate danger of collapse, constitutes a certain or imminent danger to the life and safety of the public, the Director may order the immediate demolition of the faulty structure or part of the structure, or he shall cause such measures as he shall deem necessary to be taken to eliminate the causes of danger and ensure the protection of the public. Such work shall be at the expense of the owner.

If the Director is of the opinion that the structure in danger of collapse cannot be immediately demolished or removed, he may order the immediate evacuation or closing of the same, until such work as he deems necessary has been carried out.

The Director may require the assistance of any municipal department when he deems its assistance to be necessary to ensure the protection of the public.

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CHAPTER 3

LINES AND LEVELS, STREETS AND SIDEWALKS

3-1 Lines And Levels

Every person who proposes to erect a structure or to extend an existing structure along the street shall be bound to ask the City Engineer, or in his absence, the Director or any other person authorized to do so by the City, for the lines and levels of the street.

A certificate of these lines and levels shall be prepared in duplicate by the person authorized to do so by the City, and one of these copies shall be delivered to the interested party.

It shall be the responsibility of the owner to see that pegs, stakes and other marks of lines and levels set by the person authorized to do so by the City are kept in place until the building works are completed.

The owner shall, at the time of the issuance of his building permit, deposit the sum stipulated in this By-Law for the cost involved in obtaining the required Certificate of Lines and Levels.

3-2 Verification Of Lines And Levels And Provisional Inspection Of Foundation

As soon as the excavation for foundations is completed and before these foundations are started, the owner shall notify the Director, or in his absence, the building inspector who, during the next two (2) working days, shall inspect the work in order to verify whether the lines and levels prescribed have been adhered to.

Before proceeding with tarring, veneering or plastering foundation walls, the owner shall notify the building inspector, who, within the next two (2) working days, shall inspect the said foundation walls and verify whether the plans submitted have been adhered to. When a two (2) working day delay has elapsed, after the notice herein above mentioned has been given, the owner may resume the erection of the structure provided any deficiencies noted in the aforesaid inspections have first been corrected and inspected.

3-3 Use Of Streets

a) Temporary

Permits for the utilization of parts of the street to place apparatus and deposit building materials may be granted by the City Engineer only in case of absolute necessity and on the following conditions:

1. The portion of the street which may be used shall not exceed one third of the width of the roadway between the curbs. The applicant shall at all times maintain the free flow of surface water.
2. The public sidewalk shall be kept free of any obstruction. In cases where it shall be necessary to lay a temporary sidewalk, the floor of such sidewalk shall be capable of carrying a load of 68.04 kg per 0,09 sq. m. (150 lbs per sq. ft.). The sidewalk shall be provided with a railing and ramp.
3. Temporary sidewalks shall be provided with a waterproof roof at least five (5) centimetres (2 inches) thick. The height of the roof under the rafters shall be at least 2,43m (8 ft.). The width of the temporary sidewalk shall, when possible, be equal to the width of the permanent sidewalk.
4. The applicant shall cause the deposits of materials and installations on the street to be adequately illuminated during the night.

5. Damages to the roadway and sidewalk resulting from such occupation shall be repaired at the expense of the applicant.
6. The applicant shall cease such use of the street within forty-eight (48) hours after the notice from the City Engineer or the Director.

b) Permanent

No permanent encroachments of public streets by overhead or underground passage, underground vault or any use whatsoever of the surface thereof shall be made without special permission of the Council to that effect. Such a permission shall be granted upon report of the City Engineer, or in his absence, of the Director and upon payment of a rent equivalent to the rate determined for a temporary use, and may be revoked at any time. The tenant shall be responsible for any accident or damage to persons, or to public or private property, caused by the existence of such use, and shall indemnify the City for any lawsuit, judgement or claim against it, including costs, resulting from such accidents or damage.

3-4 Access Ramp In City Sidewalk

All driveways shall be served by an access ramp of equal width in the City sidewalk. When a driveway is built, enlarged, reduced or cancelled, the access ramp in the City sidewalk shall be built, enlarged or reduced so that the depressed portion thereof shall be the same width as the driveway or cancelled at the owner's expense.

3-5 Street Excavations

1. It is prohibited to make excavations in any street, lane, place, park, square, parcel of land or in any other places which are part of the City's public domain, without having obtained from the City in the form of a permit, an authorization to that effect, subject to the conditions of the present article.
2. The person or his agent requesting such a permit, shall at the same time that he applies for the permit, deposit with the City the amount as specified by the City Engineer or his authorized representative, in accordance with the rates set forth herein. The deposit will be used to cover the cost of maintenance and repair of the property, including the cost of inspection, supervision and administration. In the case of a proposed excavation by a public utility, the City may make other arrangements with respect to the required deposit or waive it entirely at the discretion of the City.
3. Authorization shall be requested in writing in each case and such request shall include:
 1. the name, occupation and address of the applicant;
 - b) the undertaking by the latter that he agrees to carry out all works in accordance with the requirements of the City, and all Provincial, Federal and Municipal by-laws in a workmanlike manner, and to assume responsibility for all damages which might result from the works, even if such works are carried out by sub-contractors or agents; that he shall save the City harmless from all claims made against it, and that he agrees to reimburse all sums of money which the City may be called upon to pay or may pay before or after judgement, in principal, interest, indemnity and costs.
 - c) a plan indicating the exact location where the work is to be carried out, the dimensions of the proposed excavation, the means to be used, and the duration of the work.

- a) The registered owner of the immovable for whose benefit the excavation is required, shall be jointly and severally liable with the permit holder for any damages which might result from the works, and for any payments due or to become due in virtue of these provisions.
1. No one shall commence excavation work on any part of the public domain without giving the City at least 24 hours written notice of the start of the proposed work. The City shall have the right to delay the commencement of the excavation work if deemed advisable.
 2. A permit granted hereunder shall automatically lapse after the expiry of six (6) months from the date of issuance.
 3. Once a cut has been opened, the permit holder shall complete his works and close the excavation within five (5) calendar days, failing which the permit shall expire and the City may deal with the excavation in the manner it deems expedient, any charges being made at the expense of the permit holder.
 4. All excavations shall be made at the hours and on the days determined by the City, in the manner and within a period so determined.
 5. Should it become necessary to make an immediate excavation as a result of an accident occurring in an underground installation, or in the event public safety should require it, the request for authorization and the deposit shall be made within a maximum period of forty-eight (48) hours following the beginning of the work.
 6. Should the person making an excavation or his agent, fail to meet his obligations, the City may have any necessary work carried out at the expense of the contravener. Such cost shall be added to the regular costs and the contravener, whether the applicant or his agent, shall also be liable to the penalty prescribed in this By-Law.
 7. All repairs to pavement, sidewalk and City property, shall be made by the City, and paid with the deposit as specified in the preceding articles. In the case that such repair works, maintenance, inspection and supervision shall cost more than the amount deposited, the City shall charge the difference to the interested parties. In calculating the charges, the City Engineer or his representative shall take into consideration the restoration of the pavement, sidewalk and City property, to their original condition.
 8. When the cost of the repair work has not required the use of the whole amount deposited, the balance shall be returned to the person having made the deposit, but only six (6) months after completion of the said repair works and following the authorization of the City Engineer.
 9. The complete works (opening and backfilling of excavations, sewer connections, etc.) shall be done in accordance with the instructions or requirements of the City or its authorized representative or representatives.
 10. All excavations made on private property close to the public domain may be the subject of a request by the City for a deposit in sufficient amount to guarantee the cost of any work which may be needed on public property as a result of such excavations, on account of the anchoring methods used or for any other reasons.

The main contractor, his agent or sub-contractors shall take all necessary precautions in order to prevent any caving-in or settlement of the ground in the public domain or any damage to the structures erected thereon.
 11. The permit holder shall comply in all respect with the regulations of the Province of Quebec and City by-laws, as regards traffic signals, barricades, flashers, detours and protection of the public.

12. After completion of the work, the person who has obtained the required authorization shall inform the City in writing, that the work has been completed. Such person shall not be freed from the obligation to ensure maintenance of the surface of the filled up excavation until the date and hour set by the City Engineer in his acknowledgement of receipt.

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CHAPTER 4

PERMITS

4-1 Application For Building Permit

No one shall erect any new structure, or restore, alter, repair, modify, arrange, occupy, use, move or demolish any existing structure without a written permit issued by the Director.

No one shall do or complete any such work in whole or in part in any manner or detail different from the conditions on the front or on the back of the permit issued or from the plans and specifications relating to such permit which had been approved by the Director.

The certificate issued by the City as evidence of the issue of the permit shall be placed in a conspicuous place on the site of the construction and maintained in position until the works are entirely completed.

Every application for a permit must be submitted in the form and in the manner prescribed by the City, and be signed by the owner, or his representative under a written authorization, failing which the application shall be incomplete and invalid.

The application shall give the name, surnames, address and phone number of the owner, the architect, the Engineer, the contractor, the tenant and the mortgage company, the cadastral number, the dimensions of the lots and the buildings, together with the details of the proposed works, the probable time required for their execution, and the estimated cost for the execution of the works. Every application shall also include a copy of the valid license and file numbers of the above mentioned contractor as issued by the Régie de Construction du Québec.

The above application shall be accompanied by the following documents in triplicate:

- a) A plot plan showing the exact dimensions of the lot or lots to be built upon, the existing and proposed structures, the front, rear and side setbacks and the layout of the immediately adjoining structures, the location of the access ramps in the City sidewalk, the plan of the parking area including parking spaces and parking aisles, the location of any obstacle such as fire hydrant, lamp post, electrical transmission line, telephone line or cable distribution line and finally, the location of all servitudes on the above mentioned lot or lots. This plan may not be required in the case of repairs not changing the outer layout of the structure concerned, or it may be required with less information depending on the request.
- b) Plans, elevations, sections, sketches and specifications, prepared and signed by an architect, engineer or any person allowed to do so by law, in order to have a complete understanding of the proposed construction or alteration and of the proposed use of the lot or of the projected buildings. The above plans must be drawn to scale and show all building parts to be built in detail. As an example but without limitation, the following plans may be required:
 - Architectural plans
 - Structural plans
 - Mechanical plans (plumbing, heating, air conditioning and ventilation)
 - Electrical plans
 - Sprinkler plans
 - Landscaping plans.
- c) All other plans or documents required in order to have a complete understanding of the proposed works.
- d) A certificate of lines and levels.

The Director may waive some of the required documents if he is of the opinion that certain documents are not required in order to have a complete understanding of the project.

The construction of a building must include the following works; the levelling of the lot, landscaping including grass, and paving the parking aisles and spaces.

The person obtaining a permit shall take all necessary precautions to ensure that all vehicles, trucks and equipment engaged in the construction work and travelling over City streets to and from the construction site, do not create nuisance on the streets by leaving behind trails, tracks or litters of mud, earth, stone, bricks, debris, or any other kinds of building materials. The City may remove and abate such nuisances daily from its streets, and the holder of the permit shall be liable to the City for the cost of such clean-up work.

4-2 Public Services

No building permit shall be issued for a building and it shall be prohibited to erect any building on streets where water mains and sewers have not yet been installed, unless it is first shown to the satisfaction of the City Council that the proposed structure will be provided with a supply of drinking water and a type of sewer that are sanitary, suitable and adequate.

No building permit shall be issued for a building, and it shall be prohibited to erect any building on any lot which does not front on an existing public street.

4-3 Cadastral Subdivision

No building permit shall be issued unless the lot for which the building permit is issued conforms to the zoning By-Law.

4-4 Delivery Of Permit

Within a delay of one (1) month from the date of deposit of the completed building permit application along with the specifications and working drawings in accordance with the present by-law, the Director shall deliver the building permit requested if the proposed work is found to be in conformity with the requirements of the present By-Law, the zoning By-Law, other applicable City By-Laws and the laws and regulations of the Provincial and Federal Governments. If an application is rejected, the Director shall notify the applicant in writing and/or the owner in writing of his decision and if requested, shall give the reasons for such rejection.

In either case, the Director shall return to the applicant one of the copies of the plans and documents annexed to the application. The other series of copies shall remain the property of the City.

Notwithstanding the foregoing, in the case of all new buildings and in the case of modifications, alterations, repairs or additions that are visible from the street, a perspective and/or elevation drawing must be approved by Council prior to the submission of the building permit application along with the specifications and the working drawings.

4-5 Permit For Temporary Structure

No work for a temporary structure shall be undertaken until a permit for same shall have been obtained, in the manner as determined by Articles 4-1, 4-2, 4-3 and 4-4 above.

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4-6 Construction Site And Fencing Of Works

- a) For the purpose of this article "Works" includes but are not limited to; excavation, demolition, major exterior renovations, changes of more than one (1) foot in site grade or any other situation that the Building Inspector deems a potential danger to the Public.
- b) A building permit shall entitle the builder to install and maintain construction equipment, materials, fencing and any other equipment necessary during the execution of Works.
- c) Prior to commencement of Works and until Works are completed, the entire site shall be fenced for the protection of the Public.
- d) Required construction Works fencing shall be constructed entirely of solid materials (metal or wood) and a minimum of 1,83m (6 ft.) in height. Fencing shall be well maintained and the site shall be entirely enclosed until completion of Works.
- e) Equipment, materials and fencing shall be removed after the Works are completed within a 10 day delay.

Notwithstanding the foregoing, fencing installed prior to the coming into force of this by-law that is incompatible with the requirements of this article, must be rendered conforming to the present article by May 1, 2013.

4-7 Certificate Of Location

The owner, contractor or their duly authorized representative shall supply to the City a certificate of location or a dated and signed letter drawn up by a land surveyor, immediately after the foundations have been poured. The certificate of location or the letter shall confirm that the foundation walls respect the zoning and construction By-Laws. The continuation of the works shall be suspended after the foundations have been poured.

The owner, contractor or their duly authorized representative must obtain written approval by the City, to restart the works.

If the owner, contractor or their duly authorized representative should continue the construction before having obtained the written approval mentioned in the above paragraph, an injunction may immediately be taken by the City in order to stop the said works, without prejudice to any other recourse, and if part of the construction proves not to conform to the City by-law it shall be demolished.

Finally, a certificate of location duly prepared by a land surveyor showing the completed building with all its projections, shall be submitted to the City before the issuance of the occupancy permit, or at the latest within ten (10) days following the completion of the works, whichever comes first.

4-8 Modifications To The Plans And Specifications Submitted And Approved For The Building Permit.

No modifications may be made to a building during the course of construction by the owner or builder contrary to the plans and specifications of the building approved at the date the building permit was issued by the City.

An owner or builder who proposes to modify the plans and specifications during construction must file with the City a new application for a permit indicating in a precise manner the modifications proposed.

No work may be commenced on the proposed modifications to the plans and specifications already approved by the City until a new permit is issued therefor.

4-9 Permits Of Occupancy

The owner in whose name the building permit was issued shall not permit any building or structure which has been erected, altered, repaired or moved under a permit issued under this By-Law to be occupied or utilized until a permit of occupancy has been delivered.

When the works are completed, the owner or contractor, depending on who obtained the building permit, shall send a written request to the Director for a final inspection of the building or structure.

If the work is found to be in conformity with the requirements of the By-Laws applicable thereto, after the above final inspection, the Director shall deliver the permit of occupancy within fifteen (15) days from the deposit of the application.

The permit of occupancy shall specify for what purposes the building or structure may be utilized, the number of persons who may be accommodated on the different floors in cases where this number is limited by provisions of By-Laws or by the plans and specifications approved and, when necessary, the live load which each floor or part of floor may bear with security.

In warehouses, factories, and all other buildings submitted to heavy loads, the owner shall be bound to post in conspicuous places, the live loads in pounds per square foot which each floor or part of floor is allowed to carry.

A permit of occupancy may also be delivered for a part of a building that has not been fully completed at the date of occupancy, subject to:

- a) the structure of the building being completed up to and including the roof;
- b) the enclosing walls of the building being completed to the roof, including the exterior finish;
- c) the walls enclosing the space to be occupied being completed, including balcony guards;
- d) all required fire separations and closures being completed on all storeys to be occupied, from the uppermost level down to grade level and below to lower storeys;
- e) all required exits being completed and fire separated, including all doors, door hardware, self-closing devices and all required balustrades and hand-rails being completed from the uppermost floor to be occupied down to grade level and below to lower storeys;
- f) all shafts, including closures being completed to the roof and having the required fire separation as well as the required fire protection up to and including the floor/ceiling assembly of the storey above the storey to be occupied;
- g) measures having been taken to prevent access by the public to parts of the building and site that are incomplete or still under construction, and to install proper signs clearly identifying these areas;
- h) floors, halls, lobbies and required means of egress being kept free of loose material and other hazards;
- i) the required fire separations being completed and all closures being installed for those service rooms which must be in operation;
- j) all required mechanical, plumbing, sprinkler and electrical equipment, fixtures, systems and rooms being installed and/or completed and operational;

- k) required fire alarm system (emergency communication system), smoke alarms, standpipe, fire department connections, stairwell pressurization, emergency power and fire pumps being complete and operational up to the roof;
- l) required pressurized water extinguishers having been installed on all storeys to be occupied;
- m) garage(s) and basement(s) being completed and protected by required sprinkler system(s), complete with fire department connections, and free of all and any combustible structure and/or material;
- n) required fire-fighting access routes being provided and accessible;
- o) required elevator service being operational when the level of the third storey is ready to be occupied; however, when a fire elevator is required in a building, it shall be operational before any permit of occupancy may be issued;
- p) all requirements and demands of the Permanent Fire Prevention Committee being met.

The permit of occupancy will be issued for a given storey only once all of the dwellings located thereon will be completed. Also, the permit of occupancy will be issued in the following order: starting from the ground floor level, and thereafter consecutively for each storey in ascending order, to the roof level.

4-10 Limited Life Of Permits

- a) A permit other than occupancy permit shall become null and void if the work authorized therein has not commenced within six (6) months from the date of its issuance.
- b) The work commenced in accordance with an issued permit must continue without interruption until its final completion.
- c) The permit shall become null and void if the work authorized therein, after it started, is interrupted for more than three (3) consecutive months.
- d) The permit shall become null and void if the work authorized therein, after it started, is not completed within:
 - i) three (3) months for the following works:
 - CHAPTER 1-modification
 - CHAPTER 2-demolition
 - CHAPTER 3-antenna
 - CHAPTER 4-fence/hedge
 - CHAPTER 5-garden shed
 - CHAPTER 6-sign
 - CHAPTER 7-swimming pool
 - CHAPTER 8-driveway
 - CHAPTER 9-all other minor work.
 - ii) twelve (12) months, for the construction or extension of single family dwellings & duplexes;
 - iii) eighteen (18) months for the construction or extension of a multi-family, commercial, public or industrial building.

- e) A person whose building permit becomes null and void under paragraphs a), c) and d) must not recommence the construction before filing a new application for a building permit, within a delay of thirty (30) days from the date that the permit expired. This new application shall be subject to provisions of all By-Laws in force on the date it is filed, and upon payment again of all applicable permit fees.

After the permit has expired without a new application being filed within the thirty (30) day delay above mentioned, or after the expiration of the first renewal of the permit, if the work authorized therein has not been completed, the City may demand the demolition of the construction works covered by the building permit.

A lot on which an excavation has been done according to a building permit, must be returned to its previous state if there is no constant progression in the works one (1) month after the said excavation has been substantially completed.

4-11 Keeping Of Records On File

Copies of the permits including corrections which may have been made thereto, notices, records of inspection, approved plans and specifications including amendments which may have been made thereto, complaints, correspondence, and all other related records shall be kept on file by the Director.

Plans and specifications may be destroyed five (5) years after the date of delivery of the permits of occupancy if the Director deems it advisable.

4-12 Charges For Permits

The charges enumerated in this article, as well as the related fees and deposits, must be paid before delivery of the permit.

The cubic content of the building will include all of the space enclosed by the building and foundation, and also all of the space contained under the roof. This cubic content information must be indicated on the completed form submitted as an application for a permit.

The gross area of the building will be the sum of all the indicated floor areas, calculated from the exterior of the building. The gross area as well as the construction cost of the building must be indicated on the completed form submitted as an application for a permit.

1. Single and Multi-Family Buildings:

Single-family, duplex, row house, townhouse, garden apartments and apartments: Five Hundred dollars (\$500) for the first dwelling unit, plus One Hundred dollars (\$100) per additional dwelling unit (up to 50) and Fifty dollars (\$50) per dwelling unit after 50.

2. Commercial, Industrial and Special Buildings:

Commercial, Industrial and Special Buildings, for every 9,29 sq. m. (100 sq. ft.) of gross area or fraction thereof: Five dollars (\$5.00) with a minimum of Five Hundred dollars (\$500.00).

3. Demolition:

- a) Demolition of single-family or duplex residential buildings or part thereof: Two Hundred and Fifty dollars (\$250.00).
- b) Demolition of multiple-family residential buildings or part thereof: Two Hundred and Fifty dollars (\$250.00) per dwelling unit affected.
- c) Demolition of other buildings or part thereof: Two Hundred and Fifty dollars (\$250.00) plus Five dollars (\$5.00) per 92,9 sq. m. (1000 sq. ft.) of gross area plus Fifty dollars (\$50.00) for each storey affected.

d) Minor demolitions, such as garage, garden shed, or antenna: Two Hundred and Fifty dollars (\$250.00).

4. Additions and Alterations:

Additions, alterations or repairs (other than maintenance) of all buildings shall be calculated in accordance with the following rates:

- b) \$5.00 per \$1,000 for the first \$50,000 of estimated work cost, minimum \$25.
- c) \$250. for the first \$50,000 plus \$3.00 per \$1,000 for the segment of estimated work cost from \$50,001 to \$100,000.
- d) \$400. for the first \$100,000 plus \$1.00 per \$1,000 for the segment of estimated work cost from \$100,001 to \$200,000.
- e) \$500. for the first \$200,000 plus \$0.50 per \$1,000 for the segment of estimated work cost for \$200,001 and over.

5. Other Structures:

The erection of a structure or structures excluding buildings and temporary structures, including but not limited to fences, swimming pools, driveways and rinks: for every One Thousand dollars (\$1000.) value or fraction thereof: Five dollars (\$5.00), with a minimum of Thirty dollars (\$30.00).

6. Moving of a Building:

The moving of a building where it entails the use of one or more streets: Two Hundred dollars (\$200.00).

7. Lines and Levels:

The owner shall deposit the sum of Four Hundred and Fifty dollars (\$450.) for the cost involved in obtaining the required Certificate of Lines and Levels. It is understood that this sum represents a deposit only, and the difference will either be paid by or refunded to the owner, upon receipt of the actual cost involved.

8. Use of Streets:

Fees to be paid for the use of streets shall be in proportion to the frontage of the parcel of land occupied by the building under construction or renovation, and shall be per foot frontage, per day at the rate of Fifty cents (\$0.50).

9. Access Ramp in City Sidewalk:

The deposit for an access ramp in a City sidewalk is a deposit only. If the costs of constructing, enlarging or canceling an access ramp in a City sidewalk are more, the owner shall pay the difference. If the actual charges are less, the owner will be refunded the difference. The deposit for an access ramp in a City sidewalk will be calculated by adding 1,52m (5 ft.) to each side of the width of the proposed driveway, plus any length of sidewalk to be restored, to give the total length, which will be multiplied by Forty dollars (\$40.) plus fifteen percent (15%) for administration, to give the required deposit.

10. Street Excavations

The deposit for street excavations including service connection cuts is a deposit only. If the costs of repairing the street pavement and/or City sidewalk are more, the owner shall pay the difference. If the actual charges are less, the owner will be refunded the difference. The owner shall deposit the sum of One Thousand dollars (\$1000.) per cut for the cost involved in repairing the City street and sidewalk.

11. Damage to City Property

All builders shall, at the time of issue of a building permit, deposit a sum of money as guarantee against damage to City streets and installations, above and below ground on City property, as well as costs associated with the clean-up and removal of materials in contravention of the City Nuisance and Excavation By-Laws.

All costs, including but not limited to the cost of any repairs, maintenance, clean-up, resulting from damage to City-owned property caused by any builder, or their employees, or agents, or by any sub-contractor, labourers or suppliers of material with whom they are dealing at that time, shall be deducted from this deposit, and the balance shall be returned on completion of the works, and following the written authorization of the Director.

For single-family dwellings and duplexes, the deposit shall be One Thousand dollars (\$1,000.) per building unit, with a maximum of Ten Thousand dollars (\$10,000) per street. In the case of apartments and other structures larger than single-family dwellings and duplexes, the deposit shall be Ten Thousand dollars (\$10,000.).

12. Plumbing

Plumbing fixtures, house sewers, water pipes, oil burners, house drains, floor drains, oil and grease traps and similar fixtures: Twenty Five dollars (\$25.00) plus Eight dollars (\$8.00) per fixture.

13. Sign

The erection of a sign or signs: Fifty cents (\$0.50) per 0,09 sq. m. (1 sq. ft.) of sign area, or a minimum fee of Twenty-Five dollars (\$25.00) as the case may be.

CHAPTER 5

RESPONSIBILITY

5-1 Approval By Other Governments

When approval is required from a Federal or Provincial authority due to an existing Federal or Provincial law, then that approval must be indicated on the plans submitted or in an authorized document from that respective party.

5-2 Responsibility

It is entirely the owner's responsibility to execute or have executed all construction work so that it conforms with the present By-Law.

Neither the obtaining of the building permit, the approval of the plans and/or specifications, or inspections made by the proper authorities will relieve the owner from his responsibilities to execute or have executed the work prescribed by the present By-Law. It is prohibited to commence any work, including excavation or displacement of soil before the issuance of the permit.

Any information given by the City or Director relative to the application of the present By-Law or all inspections made by the City or Director in the course of his or her work do not oblige or engage the responsibility of the City or Director.

5-3 Obligations Of The Owner

All owners must:

- a) permit the Director access to all of the building or site, at reasonable times, to apply the present By-Law;
- b) obtain, if necessary, all permits and/or authorizations in regards to the proposed projects;
- c) inform the City of the alignment of the construction and the level of the street if he or she proposes to erect a building;
- d) advise the Director at least forty-eight (48) hours in advance before the commencement of construction;
- e) advise the Director when a foundation has been excavated or when a foundation has been put in place and before the foundations are started or before the refilling of an excavation or trench;
- f) advise the Director of all requirements asked for by the present By-Law when necessary;
- g) advise the Director in writing if he or she is proposing to change the usage of the proposed building, and shall not change such usage without the written approval of the Director that such proposed new usage is in conformity with the requirements of the By-Laws of the City.

5-4 Documents At The Site

During the construction period, the holder of a permit shall keep on the site, for reference, one copy of all the plans and specifications stamped and approved by the City, submitted to the City for the obtention of the permit.

CHAPTER 6

NATIONAL BUILDING CODE OF CANADA

6-1 National Building Code Of Canada 1990 Edition

The provisions and prescriptions of the National Building Code of Canada 1990 edition as revised to January 1991 subject to Articles 6-3, 6-4, 6-5 hereof, and save for any provisions thereof contradictory or inconsistent herewith, and save for part 7 thereof, are hereby declared to apply to the entire territory of the City of Côte Saint-Luc for all buildings therein, and form an integral part of the present By-Law as if recited at length herein, subject to the modifications listed in article 6-2 of the present By-Law.

6-2 Modifications To The National Building Code Of Canada

The following articles of the National Building Code of Canada, are hereby modified for the City of Côte Saint-Luc as follows:

6-2-1 Locks for Doors of Apartment Buildings

Article 3.3.1.12 of the said code is hereby amended by the addition of the following paragraphs, namely:

1. Every door to an apartment building must be equipped with a lock or device so access to the building cannot be obtained without:
 - a) a key, in the case of a door that has to be opened and closed manually; or
 - b) a magnetic card or special key, in the case of a door that opens automatically by inserting the card or key in a device; or
 - c) a remote control device or electronic opener that opens a door automatically;

The owner of the building shall at all times maintain the lock or device in good working order.

6-2-2 2,13m (7 ft.) High Ceiling

Notwithstanding Article 3.6.1.1 sentence 2) of the said code, it shall be permissible to have a 2,13m (7 ft.) high ceiling for 35% of the floor area, and a 2,29m (7 ft. 6 in.) high ceiling for 65% of the floor area in the kitchen of apartment 707 in the building located at 5740 Rembrandt Avenue.

6-2-3 Heat Pumps, Air Conditioning and Refrigeration

Section 6.2 of the said code is hereby amended by the addition of the following paragraphs, namely:

- a) Permit required:
 1. It is prohibited to install heat pumps, air conditioning or refrigeration equipment without a permit except for portable air conditioning equipment which is installed in or through a window opening or a wall of a building.
 2. Upon payment of the permit fees, the Director shall deliver the permit required to any person who submits to him a written application for such purpose on the form(s) provided by the City indicating the type and capacity of the equipment and, if applicable, its maximum and average water consumption, provided all applicable By-Laws of the City are complied with.

- b) Accessory Equipment Required by Heat Pumps, Air Conditioning and Refrigeration Equipment which is to use Water:
1. As soon as the equipment is installed, the holder of the permit shall, at his cost, provide it with:
 2. A shutoff valve and a regulator in order that the control of the water flow will be automatic, and
- c) an economizer, in cases where the total capacity of the equipment exceeds 18,000 BTU/hr (5.3 kW) or 8 litres of water per minute, so as to reduce water consumption to less than 10% of what it would be without an economizer, subject to the provisions of Article 6-2-3 b) 2) hereof.
- f) In cases where the equipment is intended for the conservation of food, the permit holder shall provide it with an economizer only if the total capacity exceeds 84,000BTU/hr (24.6 kW) or 32 litres of water per minute.
- d) Place of Installation
1. Subject to this Article, heat pumps, air conditioning and refrigeration equipment, whether using water or a gas, is authorized in open areas on the sides provided it is located behind the front facade of the adjacent buildings, or behind a building provided free access to the building or to the rear yard is not obstructed thereby, or it may be incorporated into the building. Shrubs must be installed to hide air conditioning and refrigeration equipment if visible from the public street.

Heat pumps, air conditioning and refrigeration equipment, whether using water or a gas, is also authorized on any balcony in multi-family dwellings.
 2. Nevertheless, no such heat pumps, air conditioning or refrigeration equipment, except for portable air conditioning equipment which is installed in or through a window opening or a wall of a building, may be installed if visible from a public street.

Notwithstanding paragraph 2 above, heat pumps, air conditioning or refrigeration equipment may be visible from the street when installed on balcony of multi-family dwellings.
 3. The intensity of the disturbing noise produced by any heatpump, air conditioning or refrigeration equipment constitutes a nuisance when the noise level in dBA produced by such apparatus exceeds by more than 5 dBA the noise level in dBA recorded of the background noise.
 4. The intensity in dBA of the disturbing noise level is determined as follows:
 - a) before any reading, the sound level meter must be calibrated with a sound calibrator;
 - b) the environment noise should be measured at any point along the property line of the lot on which the apparatus is located by a sound level meter on fast response, for a period of time of observation of a minimum of 15 minutes to a maximum of 20 minutes. The City inspector shall note at the end of each minute the intensity of the noise level in dba recorded by the sound level meter. Then the average of the intensity of the noise level in dba recorded during the time of observation will constitute the background noise level in dba;

- c) When the apparatus is in function, the disturbing noise level shall be measured for a period of time of observation of a minimum of 5 minutes. The City inspector shall note at the end of each minute the intensity of the noise level in dba recorded by the sound level meter. Then the average of the intensity of the noise level in dba recorded during the time of observation will constitute the disturbing noise level in dba;
- d) all apparatus with a disturbing noise level which will exceed by more than 5 dba the background noise level recorded, shall be considered as not conform with the provisions of the present by-law. In no case the disturbing noise level shall be greater than 65 dba during the daytime (7:00 a.m. to 7:00 p.m.) and 60 dba during the nighttime (7:00 p.m. to 7:00 a.m.). If the disturbing noise level exceeds the maximum noise level permitted in dba, the owner of such apparatus must then find a way to reduce the intensity of the disturbing noise level in dba recorded of his apparatus, to an acceptable noise level in dba to conform with the provisions of the present by-law".
- e) Prohibitions
 - 1. It shall be prohibited:
 - a) to install a piece of equipment in such a way that a gas or liquid of such a nature as to alter the quality of water may penetrate the water distribution system of the City, or to keep a piece of equipment thus installed;
 - b) to install a piece of equipment so that the water already used may come in contact with the water from the waterworks or to keep a piece of equipment thus installed;
 - c) to use for the operation of the equipment a gas or a liquid which is toxic, flammable, irritant or corrosive, if such gas or liquid can come in contact with water from the waterworks;
 - d) to use water from a well or from any source other than from the waterworks.

6-2-4 Separation of Storage Garages

Article 9.10.9.16 sentence 1 of the said code is hereby amended by changing the number 1.5 in the last line to 2.

Article 9.10.9.16 sentence 2 of the said code is hereby amended by changing the number 1 in the last line to 2.

Article 9.10.9.16 sentence 3 clause (a) of the said code is hereby amended by the addition in the second line between "provides" and "an" the following phrase, namely:

"a fire separation of not less than one (1) hour and"

6-2-5 Factory-Built Chimneys

Article 9.21.1.2 of the said code is hereby amended by the additions of the following paragraph, namely:

"the use of factory-built chimneys is permitted for apartment and commercial buildings. In other types of residential buildings, the use of factory-built chimneys is permitted in the interior of the building only, and provided the exterior portion of the chimney above the roof is of a compatible colour, painted or encased with a suitable material.

6-2-6 Construction of Chutes

Article 3.5.3.3.(1) of the said code is hereby amended by the addition of clause F):

3.5.3.3.(1) F) Garbage chutes connecting two (2) or more storeys shall have a minimum diameter of 0,61m (24 in.) and not less than 0,57m x 0,57m (22 1/2 in. x 22 1/2 in.) inside measurement, and shall be constructed of 18 U.S. gauge stainless steel, or 16 U.S. gauge rolled sheet aluminum, consisting of two sections per storey. Each storey of chute shall have an expansion joint. Chutes to be supported and anchored at each floor.

6-2-7 Fire Protection

Article 3.5.3.3 (2) of the said code is hereby amended by the addition of clause C):

3.5.3.3.(2) C) The metal flue of any chute shall be entirely closed by walls made of two thickness' of 0,10m (4 in.) brick or 0,20m (8 in.) concrete blocks from bottom of chute to finished roof line.

6-2-8 Intake Openings for Linen or Refuse Chutes

Article 3.5.3.3.(4)(a) of the said code is hereby amended by adding the words "with a minimum opening of 0,40m (16 in.) x 0,40m (16 in.) " between the words "chute" and ", and".

6-2-9 Cleaning of Chutes

Article 3.5.3.3.(8) of the said code is hereby replaced by the following:

3.5.3.3 (8) One flushing spray head, connected to the hot water system shall be installed at the top of garbage chutes and at every fourth storey as well as on the top floor.

6-2-10 Chute Terminal Room

Article 3.5.3.3.(10) of the said code is hereby replaced by the following:

3.5.3.3.(10) Refuse chutes shall discharge into a special room that is impervious to moisture, equipped with a water connection and floor drain for washing down purposes, having automatic continuous ventilation and a self closing fire door (Underwriters Laboratory of Canada approved) snugly fitted to its frame. The interior dimensions of the garbage room shall not be less than 4,57m x 7,62m (15 ft. x 25 ft.) or it may be smaller if it is proven that a smaller room is adaptable with the proposed garbage disposal system.

6-3 Electrical Entries And Circuits

The electrical entry for each dwelling for one-family and two family buildings shall have a minimum capacity of 200 amps, and the panelboard shall provide for the immediate connection and distribution of at least twenty-four (24) circuits for each dwelling.

The use of aluminum wiring for electrical entries and circuits is prohibited in all buildings.

All other electrical requirements shall be in accordance with the provisions of the Quebec Code of Electricity as enforced by the Board of Electrical Examiners of the Province of Quebec.

6-4 Asbestos

The use of asbestos materials that readily release asbestos fibres into the air, is prohibited in all constructions.

6-5 Garbage Chutes And Domestic Incinerators

6-5-1 Preamble

Apartment buildings shall be provided with adequate means of garbage disposal either through chutes or incinerators.

However, incinerators shall be permitted only in buildings where the amount of refuse is more than 453,6kg (1000 lbs.) per day, as estimated under the standards of the Incinerator Institute of America.

6-5-2 Conversion of Incinerators to Garbage Chutes

Existing incinerators may be converted to garbage chutes provided that each of the following conditions is met:

- a) That the existing incinerator is in good repair.
- b) That the process of conversion does not, in any way, diminish existing efficiency of equipment as regards fire protection.
- c) That all material used be non combustible except plastic bags.
- d) That an automatic sprinkler be installed above the garbage receptacle, shielded by a metallic deflector.
- e) That provision be made for disinfecting and deodorizing the walls of the chute by chemical means, which shall be done once a week.
- f) That the dimensions of the movable garbage container installed at the base of the chute is not smaller than said chute.
- g) That the storage area for full bags of garbage (refuse) while awaiting pick-up, should be located in self-contained isolated, sprinklered fireproof area, adjacent to the converted incinerator room.

6-5-3 Domestic Incinerators

Where an incinerator serves an apartment building for refuse disposal, the following requirements shall apply:

1. Permit and plans:

A permit must be obtained from the City prior to the construction, alteration or installation of an incinerator. The plans submitted with the permit application must:

- a) be drawn to scale, signed by the engineer or the architect responsible thereof and submitted in three (3) copies;
- b) show and describe clearly, by means of specifications, if need be, the work, materials and auxiliary equipment;
- c) show, in relation to the incinerator, the location of the street and of the neighbouring buildings together with their elevation;
- d) indicate the hourly capacity of the incinerator, and the calculation of same;
- e) state the nature and source of wastes.

2. Location:

The incinerator must be installed in a room, the use of which is limited exclusively for combustion equipment and waste storage.

A clearance of 1,52m (5 ft.) at least, in front of 2 or 3 adjacent faces of the incinerator, must be left so that it may be cleaned and loaded.

6-5-4 Operation of Incinerators

Incinerators shall be operated in accordance with the requirements of By-Laws 3868 and 4288 of the Montreal Urban Community concerning measures to prevent excessive air pollution.

A permit to build, install or alter an incinerator shall be obtained from the Director or his representative.

Before issuing a permit, however, the Director or his representative shall ascertain that the plans, sketches and details of the incinerator or other fuel burning equipment conform with the standards established by the Montreal Urban Community and have been approved by the Director of the Air Purification Department of the said Montreal Urban Community failing which, no permit shall be issued.

6-6 Emergency Lanes And Evacuation Routes

6-6-1 Definitions

Emergency Lane; means a Priority Lane as set out herein.

Emergency Vehicle; includes all vehicles used by the fire department, Public Security, Emergency Medical Services, ambulances, and other vehicles licensed to transport persons to a hospital, vehicles used by persons examining the premises for possible leaks of natural gas, a vehicle used by an officer of the Montreal Police Department, any other vehicle designated and being at the time used for purposes of public safety.

Evacuation Route; means a continuous path of travel provided as a means of access or egress under authorized circumstances, with controlled entry or passage, it may serve for vehicles and pedestrians alike, must connect to a public thoroughfare but are not intended to serve as a means of access to certain facades of a given building.

Principal Entrance; that means of access to a building or locale which serves as the primary access and egress route.

6-6-2 Emergency Lanes

a) The owner or owners of all buildings situated in the City, except for single family residences, purely residential buildings of less than three (3) stories in height, or having a total superficial area of less than 600 square metres (600m²) shall provide such building with a priority lane for emergency vehicle access:

i) to the building face having a principal entrance and

ii) to each building face having access openings for fire fighting, as required in the National Building Code of Canada 1990 art. 3.2.5.1. and 3.2.5.2

b) Every building to which this by-law applies shall be provided with direct access from the outside on a minimum of two sides.

c) Access routes shall be located so that the principal entrance and every access opening shall be located not less than 3m and not more than 15m from the closest portion of the access route required for emergency vehicle use, measured horizontally from the face of the building and not from the balconies.

d) The portion of a roadway or yard provided as a required emergency vehicle access route shall;

i) have a clear width of not less than 8m

ii) have a centreline radius of not less than 12m

iii) have an overhead clearance of not less than 5m

iv) have a change of gradient of not more than 1 in 12.5 over a minimum distance of 15m

v) be designed to support the expected loads imposed by fire fighting equipment and be surfaced with asphalt, concrete, or other similar material designed to permit accessibility under all climatic conditions.

vi) have turnaround facilities for any dead end portion of the access route more than 90m

vii) be connected with a public thoroughfare and provide a continuous path of travel from the public, thoroughfare to all access openings of the building.

viii) where the same emergency lane serves two neighbouring buildings on the same or adjoining properties, all of the provisions of this by-law shall apply with respect to each of the said buildings.

e) Building owners shall clearly indicate the designated emergency lanes by the use of signs in accordance with Schedule 1 hereto, forming part hereof as if recited at length herein. These signs may include the use of arrows, to delineate the designated emergency lane.

Notwithstanding the foregoing, signs installed prior to the coming into force of this bylaw that reference Fire Prevention Bylaw 626 may remain. All new or replacement signs installed after the coming into force of this bylaw must refer to the current bylaw 2088-7 as indicated in Schedule 1.

f) The building owner must provide a sufficient number of signs such that the distance between signs may not exceed 30m. The building owner is obliged to maintain the emergency lanes free of any obstructions that might interfere with or obstruct the use of these lanes by emergency vehicles.

g) The building owner must maintain and provide snow removal promptly following the end of the snowfall, or sooner, if the accumulated snow is of sufficient depth to impede access by emergency vehicles or by the persons accompanying them. Such clearances of snow from the emergency lanes may be done during the night when the depth of accumulated snow so requires.

h) The signs indicating the designated emergency lane shall be the equivalent of a "No Parking" sign under the provision of By-law 110, and shall carry and be subject to the same consequences, penalties and provisions, as if designated as such in By-law 110.

6-6-3 Evacuation Routes

a) The City may designate and establish portions of a roadway or of a yard or of privately owned property as an evacuation route to permit entry into or exit from the City in or during an emergency, or when otherwise necessary as a result of the usual access routes being unsafe or unusable:

b) The City shall indicate the designated evacuation routes by the use of signs as shown on Schedule 2 hereto, forming part hereof as if recited at length herein.

c) No person other than the owner thereof may enter the privately owned portion of an evacuation route unless the City has declared that an emergency exists. It must no longer be used when the City declares that the emergency has ended.

d) Any sign designating an evacuation route shall be the equivalent of a "No Parking" sign under the provision of Traffic By-law 110 or any amendment thereto, and shall carry and be subject to the same consequences, penalties and provisions, as if designated as such in Traffic By-law 110 or any amendment thereto.

CHAPTER 7

PLUMBING

7-1 Registration Of Plumbers

Every plumber and fitter intending to do any work in the City shall, before the commencement of the work, register at the Department of Building Inspection.

Such registration shall include his name, the name and corporate status of his business, the address where the work is to be done, and a brief statement of the nature of the work to be done.

Every such plumber and fitter shall be responsible for the compliance with the terms of this By-Law by his employees, agents, and sub-contractors.

7-2 Permit Required

- a) It is forbidden to construct, modify, replace, repair, alter, extend, or to allow or to permit to be constructed modified, replaced, repaired, altered, or extended, a plumbing or an oil-pipe fitting system, or any part thereof, unless a permit to authorize such work has first been issued by the Director. No permit shall be required for minor repairs, as defined herein.
- b) At the time of the issue of the permit, the Director shall also deliver to the applicant a placard as evidence that the permit has been issued. This placard shall be posted by the applicant in a conspicuous place on the exterior of the structure where the work is being done. It shall not be removed therefrom until all the work authorized by the permit has been completed.
- c) The application for such permit shall be submitted in writing on the form supplied by the Director, and shall be signed by the Owner of the property where the work is to be done, or by his representative authorized in writing to do so, and by the master plumber or master-fitter, as the case may be, who is responsible for the performance of the work.

7-3 Application For A Permit

- a) The application for the permit, referred to in the immediately preceding article hereof, shall be accompanied by two (2) sets of plans and specifications, describing fully and in complete detail the proposed work, to be signed by the same persons who have signed the application.
- b) The Director will return to the Applicant one (1) set of the plans and specifications, as approved.
- c) The plans must be drawn to scale, in indelible ink, on cloth or drawing paper, or they may be copies or prints of same, and shall consist of such floor plans and sections as may be necessary to show clearly all plumbing work to be done; they must also show the partitions and the methods of ventilating and lighting the rooms or compartments where fixtures are to be installed. The said plans shall, moreover, indicate diagrammatically the lay-out, arrangement, location and sizes of sewers, drains, stacks and branches, together with all fixture connections.
- d) The filing of such plans may not be required in the case of buildings in which new stacks or new drains are to be added.
- e) When a permit has been issued, no alteration or change shall be made from the plans or specifications contained in the application as approved by the Director, without the written authorization of the Director.

- f) Drawings and descriptions of plumbing or oil-piping systems in buildings erected prior to the adoption of this By-Law may be required whenever the Director deems it necessary to properly examine any proposed modification, replacement, alteration or extension thereof. In this case, duplicate copies thereof shall be filed with the Director as part of the application for the permit.

7-4 Application Of The Present Article

- a) This Article shall apply to buildings which may hereafter be erected as well as to new installations in existing buildings. It shall likewise be enforced in any building whenever the Director may deem it necessary in order to prevent or abate a nuisance.
- b) Materials, joints, connections, traps, clean-outs, valves, accessories, and any component of a plumbing or an oil-pipe fitting system, as well as the size and lay-out of piping not specified in this By-Law, which the Director shall deem to be of equivalent efficiency or likely to give the same results as those sought to be obtained by this By-Law, may be used upon the written approval of the said Director.
- c) The execution of any plumbing or oil-pipe fitting work shall be done so as not at any time to become a nuisance or to be prejudicial to the welfare, safety or health of any person executing the same, or of any other person.

7-5 Sewers And Drains

- a) Independent house sewers.

Every building shall be separately and independently connected with the public sewer in front of such building; if the building is located on a corner lot, it may be connected to the adjoining cross-street public sewer.

The house sewers may, however, be laid side by side, in the same trench, one on each side of the dividing line between the two lots on which the buildings are to be erected, provided their connection to the public sewer be at least 0,91m (3 ft.) apart.

For large buildings, the Director may require more than one sewer connection to the public sewer and may permit that a group of buildings belonging to the same institution or establishment have a sewer connection in common or a private sewer connection to a public sewer.

If there be no public sewer in front of a building etc., the house sewer shall be connected with any other approved public sewer or to an approved cesspool, or sewage disposal tank.

All sewer connections from the public sewer to the building line shall be installed, at the owner's expense, by the plumber who has obtained a permit to do the work.

All perforations of the public sewer for the introduction therein of the first connection shall be done only with the use of diamond drills.

- b) Of What Material Sewer to be Made

- i) In residential occupancies the following are permitted:
- g) Thermo-plastic PVC building sewer pipe conforming to the requirements of CSA standard B-182-IM and B.N.Q. 3624-135.
- h) Reinforced concrete building sewer pipe conforming to the requirements of CSA standard A257M, B.N.Q. 2622-120 and ASTM C.76-60.
- i) Asbestos-cement non-pressure sewer pipe where the diameter is 0,15m (6 in.) or greater conforming to the requirements of ASTM C.428-71. Gaskets shall conform to ASTM D.1869.

- j) Extra heavy cast iron, and shall be installed by a plumber.
- k) For house sewers of a diameter of 0,20m (8 in.) or over, it shall be lawful to use cast iron water mains, according to the specifications of the Canadian Standards Association, 45,7kg (150 lbs.) with caulked joints, or PC-4 joints, and they shall also be installed by a plumber.
- ii) In industrial, commercial and public occupancies, the following are permitted:
 - l) Thermo-plastic PVC building sewer pipe conforming to the requirements of CSA standard B-182-IM and B.N.Q. 3624-135.
 - m) Asbestos-cement non-pressure sewer pipe where the diameter is 0,15m (6 in.) or greater conforming to the requirements of ASTM C.428-71. Gaskets shall conform to ASTM D.1869.
 - n) Reinforced concrete sewer pipe for sanitary and combined flows where the diameter is 0,45m (18 in.) or greater conforming to the requirements of CSA standard A257M and B.N.Q. 2622-120.
 - o) Reinforced concrete sewer pipe for storm flows where the diameter is nine inches or greater conforming to the requirements of ASTM C.76-70.
- c) Minimum Fall and Diameter

House sewers shall not be less than 0,12m (5 in.) in diameter and shall have a uniform fall towards the public sewer of at least 1 to 100 and shall not be of smaller diameter than the diameter of the largest pipe connected thereto.

House drains shall not be less than 0,10m (4 in.) in diameter and shall have a uniform fall towards the sewer of at least 1 to 50; for drains of 0,12m (5 in.) to 0,30m (12 in.) in diameter inclusive, the fall shall not be less than 1 to 100, and for larger sizes it shall be determined by the Building Inspector.
- d) Notice

No house sewer or drain shall be disconnected, plugged or covered without first giving notice thereof to the Director.
- e) Excavation

Excavations required to be made for house sewers and drains shall be open trench work; tunnelling for distances not greater than 1,82m (6 ft.) is permissible in rear yards, courts, etc.

7-6 Code De Plomberie

Subject to the foregoing, the provisions and prescriptions of the Code de Plomberie, being the regulations adopted in virtue of the Loi sur les Installations de Tuyauterie (R.S.Q.c.l-12.1) and cited as c.l-12.1, r.1, save for any provisions thereof contradictory to or inconsistent herewith, are hereby declared to apply to the entire territory of the City of Côte Saint-Luc for all buildings therein, and form an integral part of the present By-Law as if recited at length herein, subject to the modifications listed in article 7-10 hereof.

Wherever the words "board of examiners" appear, they shall mean the Director.

Wherever the word "inspector" appears, it shall mean a building inspector.

7-7 Sprinkler Systems

- a) Every automatic sprinkler system shall be designed, constructed, installed and tested in accordance with the standards of the Canadian Underwriters' Association.

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- b) Before any sprinkler system is installed, complete working drawings shall be submitted in triplicate for approval by the Plumbing Inspector and the Fire Director. Plans shall be drawn to an indicated scale and shall show all pipe lines, valves, heads and other essential details.
- c) c) Every building that in virtue of the Construction Code (R.R.Q., c.B1-1, r.0.01.01) is not obliged to be equipped with an automatic fire extinguishing ("sprinkler") system, must, in virtue of the present bylaw, be equipped with such a system in accordance with the norms 13, 13D and 13R of the NFPA, 2013 Edition "National Fire Prevention Association, Batterymarch Park, Quincy, MA 02269. USA", or any future amendment thereto.
- d) The obligation to install a sprinkler system as seen in paragraph c) of article 7-7 does not apply to the following buildings:
- A building built in virtue of a construction permit issued before December 1, 1997.
 - A building built in virtue of a construction permit issued before December 1, 1997 undergoing renovation work or an extension affecting less than 15% of the floor area calculated before the said work.
 - A building built in virtue of a construction permit issued before December 1, 1997 undergoing repair or reconstruction work following the total or partial destruction resulting from a Superior Force such as a fire, an earthquake or an act of terrorism.
 - A detached garage for the storage of vehicles.
 - A garden shed with an area of 46.45 square metres (500 square feet) or less

7-8 Multipurpose Piping System

A multipurpose piping system may be installed only in a single family dwelling or in a two-family (duplex) dwelling provided that:

- a) In common water supply connections serving a two-family (duplex) dwelling, 19 litres (5 gallons) per minute is added to the sprinkler system demand to determine the size of common piping and the size of the total water supply requirements;
- b) smoke detectors are provided in accordance with the requirements of the by-laws of the City of Côte Saint-Luc;
- c) all piping in the system conform to the piping specifications of Chapter 3 Standard 13D of the National Fire Protection Association, 1984 edition;
- d) the piping and fittings are permitted by the by-laws of the City of Côte Saint-Luc.

7-9 Materials For Pipes And Fittings For Sprinkler Systems

1. Water supply pipes for sprinkler systems shall be designed to withstand a working pressure of not less than 1166,6 kilopascals (175 psi) and shall be at least the equivalent of the following standards, namely:

<u>Materials and Dimensions</u>	<u>Standards</u>
Ferrous piping (welded and seamless) Welded and seamless steel pipes for ordinary uses for black and hot-dipped zinc coated (galvanized)	ASTM A120
Specification for welded and seamless steel pipe	ASTM A53
Wrought steel pipe	ANSI B36.10
Specifications for electric-resistance welded steel pipe	ASTM A135

Copper tube (drawn, seamless) specification for seamless copper tube	ASTM B75
Specification for seamless copper water tube	ASTM B88
Specification for general requirements for wrought seamless copper and copper - alloy tube	ASTM B251
Brazing filler metal (Classification BCuP-3 or BCuP-4)	AWS A5.8
Specification for solder metal, 95-5 (Tin-Antimony Grade 95 TA)	ASTM B32

2. Fittings used in sprinkler systems shall be of the materials listed in Article 2.10.5 of the Plumbing Code and shall be designed to withstand working pressures of not less than 1166,6 kilopascals (175 psi) cold water pressure, and shall be at least the equivalent of the following standards, namely:

<u>Materials and Dimensions</u>	<u>Standards</u>
Cast iron	ANSI B16.4
Cast iron threaded fittings Class 125 and 250	
Cast iron pipe flanges and flanged fittings	ANSI B16.1
Malleable iron	ANSI B16.3
Malleable iron threaded fittings, Class 150 and 300	
Steel	ANSI B16.9
Factory made wrought steel, Buttweld fittings	
Buttweld ends for pipes, valves flanges and fittings	ANSI B16.25
Specifications for piping fittings of wrought carbon steel and alloy steel for moderate and elevated temperatures	ASTM A234
Pipe flanges and flanged fittings, steel nickel alloys and other special alloys	ANST B16.5
Forged steel fittings, socket welded and threaded	ANSI B16.11
Copper - wrought copper and copper alloy solder-joint pressure fittings	ANSI B16.22
Cast copper alloy solder-joint pressure fittings	ANSI B16.18

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3. "In single-family dwellings, two-family dwellings, and multi-family dwellings, it shall also be permitted to use other types of pipes and fittings as permitted by all respective applicable norms and provided that :
- a) such pipes and fittings have been tested and approved for residential multipurpose piping systems by any one of:
 - i) Underwriters Laboratories of Canada (U.L.C.)
 - ii) Factory Mutual (FM) or
 - iii) Canadian Standards Association (C.S.A.)

And
 - b) the approval be clearly and indelibly marked on each pipe length and on each fitting to be used.
4. The use or installation of any materials which do not comply with the requirements hereof, or any installation of a multipurpose piping system which does not comply with the terms hereof shall constitute an offence for which the contractor whose name appears on the application for the building permit, or if none, the contractor who does the installation, shall be responsible.

7-10 Modifications to the code de plomberie

The following articles of the Code de Plomberie are hereby modified for the City of Côte Saint-Luc as follows:

7-10-1 Articles Repealed

The following articles are not adopted:

1.2.2	1.2.4	1.4.1
1.4.2	1.4.3	2.10.2.(1)(a)iii
2.10.2.(1)(a)iv	2.10.2.(1)(a)v	2.10.2.(3)(c)
2.10.2.(3)(d)	2.10.2.(3)(e)	2.10.2.(4)(a)
2.10.2.(4)(b)	2.10.3.(1)(b)	2.10.3.(1)(e)

7-10-2 Above Ground Drainage System

Article 2.10.3(1)(g) of the said code is hereby amended by the addition of the words "for single and duplex dwellings only" after the words "Section 2.5.6".

7-10-3 Vent Pipe

Article 2.10.4(1)(c) of the said code is hereby amended by the addition of the words "for single and duplex dwellings only" after "(PVC-DWV)".

Article 2.10.4(2)(e) of the said code is hereby amended by the addition of the words "for single and duplex dwellings only" after the words "Section 2.5.6".

7-10-4 Water Supply System

Article 2.10.5(1) of the said code is hereby amended by adding the word "underground" before the words "water services".

Article 2.10.5(1)(c) of the said code is hereby amended by removing "or L".

Article 2.10.5(2)(c) of the said code is hereby amended by removing "or M".

7-10-5 Materials

Table 2.10.A of the said code is hereby amended to reflect the changes made in Articles 7-10-2 to 7-10-4.

7-10-6 Building Drain

Article 4.1.2 sentence (2) of the said code is hereby amended by the addition of the words "or sewer" in the first line between the words "drain" and "may".

7-10-7 Protection from Backflow

Article 4.9.5 sentence (1) of the said code is hereby amended by changing the words "when a municipal By-Law provides for the use of a back water valve, it" to the words "to prevent any backflow of sewage, a back water valve".

7-10-8 Capacity and Pressure of a Water Supply System

Section 6.4 of the said code is hereby amended by the addition of the following paragraph number 8 after paragraph number 7 of Article 6.4.2, namely:

- 6.4.2(8) Furthermore, in all apartment buildings having a height of more than six (6) storeys, an automatic booster pump shall be installed, with necessary valves, on the main water service pipe, to maintain a sufficient and continuous supply of water in all the distribution system.

CHAPTER 8

TELEPHONE BOOTHS

8-1 Telephone Booths

8-1-1

Outdoor telephone booths of approved type may be erected or installed on public or private property upon written application to the Director. The type and location shall be subject to the approval of the Director, who shall then issue permits under the provisions of this By-Law. No permit shall be granted unless the Company undertakes in its application to abide by all the clauses of this By-Law and to assume all the obligations therein specified.

8-1-2

Such permits may be granted only for a period not exceeding twelve (12) months. They expire on the last day of April of each year, at which time they may be renewed. They may be revoked by a Resolution of the City Council at any time, after a previous notification of at least thirty (30) days.

8-1-3

Every booth, the permit for which has been cancelled, must be removed by the Company within fifteen (15) days from the date of the cancellation of such permit, failing which such booth may be removed by the City at the expense of the Company.

8-1-4

The Company shall neither modify any booth or replace it by a booth of another type or model without the consent of the Director.

8-1-5

It shall be prohibited to place or paint on or in any booth any poster, sign, advertisement, advertising or inscription whatsoever, with the exception of those pertaining to the telephone service. Moreover, the Company shall place in a conspicuous location, in each booth, the telephone numbers of the Police and Fire Departments, and also of the ambulances.

8-1-6

The Company shall always maintain every booth in a good state of operation and cleanliness, to the satisfaction of the Director.

8-1-7

The Company alone shall be responsible for all damages caused either to the City or to third parties, by reason of the construction, the presence or use of the said booths, and it shall guarantee the City against all claims for the said damages which might be taken against it by such third parties in principal, interest and costs. Nevertheless the City, upon receipt of such claim from any third party, shall advise the Company so that it may come to an agreement or otherwise exercise its rights. On the other hand, the Company shall have no recourse against the City if the damages are caused to the said booths by snow clearing or removal works.

8-1-8

Nothing in this By-Law shall have the effect of discharging the Company of the obligation of paying all taxes which might legally be levied upon such booths.

8-1-9

Moreover, the Company shall pay to the City, at the application for the permit, or at the renewal of the permit, for each telephone booth the sum of Twenty-Five dollars (\$25.00) in order to cover the expenses to be incurred by the City through the delivery or through the renewal of these permits.

Unofficial
Version

CHAPTER 9

SWIMMING POOLS AND WADING POOLS

9-1

The provisions and prescriptions of the REGULATION RESPECTING SAFETY IN PUBLIC BATHS, cited as c.S-3, r.3 as amended to June 5, 1991 including all schedules with the exception of schedule 6 (hereafter called the "Regulation"), are hereby adopted to apply to the entire territory of the City of Côte Saint-Luc (hereafter called the "City"), subject to the deletions, additions and modifications, which are hereby enacted and adopted for the City, as set out in Article 2 of the present by-law.

9-2 Modifications To The Regulation

9-2-1

The following articles of the Regulation shall not apply in the City:

2	22	24	27.1	43	48	49	50	51	52
53	54	55	56	57	58	59			

9-2-2 Interpretation And Application

9-2-2-1

Where any provision of the present By-Law purports to amend, modify, add to, or delete any words or articles of or to the Regulation or of or to the Pool Regulation, such provision shall be interpreted to mean that the article in question is adopted by the City as part hereof as if it had been originally decreed or enacted, or subsequently amended by competent authority in conformity with the terms of such provision of the present By-Law.

9-2-2-2

Article 1 of the said regulation is hereby amended by the addition of the following clauses, namely:

- f) "Pool": means a structure, basin, chamber or tank containing or intended to contain an artificially created body of water, and is used for swimming, recreation, bathing, diving, wading, healing or therapy, religious rituals or other purposes, and includes those buildings, equipment and facilities used in conjunction with its operation.
- g) "Private swimming pool": means a swimming pool which is designed to be used as a facility of or in connection with a single family dwelling and to be used only by the occupants of such dwelling and their bona fide guests.
- h) "Semi-private swimming or wading pool": means a swimming or wading pool other than a private swimming pool or public swimming pool, designed to be used as a facility of or in connection with an apartment building or a group of apartment buildings, or any building or group of buildings containing two or more dwelling units, including a town house project, or a multiple family dwelling, (as these various terms have been defined in City By-Law 2090), and limited in use to the tenants or occupants of such apartment buildings or multiple family dwellings and their bona fide guests.
- i) "Public swimming or wading pool": means a swimming or wading pool other than a private or semi-private swimming pool and, without limiting the generality of the foregoing, includes a swimming pool open to the use of the public, or limited in use to the members of a club or association, or employees of a company, and the bona fide guests of such members or employees, whether or not an entrance or membership fee is charged for its use.

- j) "Director": Director of Building Inspection or one of his assistants.
- k) "Pool area": For an outdoor pool, it has the same meaning as the word "deck" as defined in article 1 (e) of the regulation. For an indoor pool, it means the total floor area of the room in which the pool is situated.

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9-2-2-3 Deleted

9-2-3 Construction

9-2-3-1

Article 3 of the Regulation is hereby amended by the addition of Article 3-1 namely:

3-1 Pools and all appurtenances thereto shall be constructed of materials which are non-toxic to humans, impervious and enduring, which will withstand design stresses, which will provide a watertight structure with a smooth and easily cleaned surface without cracks or joints (excluding structural joints) or to which a smooth easily cleaned surface finish can be applied or attached.

9-2-3-2

Article 4 of the Regulation is hereby amended by the addition of Article 4-1, namely:

4-1 The operating water depth of the shallow end of a swimming pool shall not be less than 0,83m (2 ft. 9 in.).

9-2-3-3

Article 6 of the Regulation is hereby amended by the addition of a paragraph (c), namely:

(c) For private pools only one ladder or stair shall be required for every 30,48m (100 ft.) of pool perimeter.

9-2-3-4

Article 11 of the Regulation is hereby amended by the addition of the words "for semi-private or public pools" before the words "the water depth".

9-2-3-5

Article 12 of the Regulation is hereby amended by the addition of the words "for semi-private or public pools" before the words "a black disc".

9-2-3-6

Article 21 of the Regulation is hereby amended by the addition of Article 21-1, namely:

21-1 Deck lighting shall be away from property lines and shall be directed to strike the deck and glare shall be avoided.

The lighting system shall be maintained in operation after sunset for the duration of the use of the pool. It shall only be turned off after all bathers have left the premises.

The lighting panel in a private installation shall be in a well-protected location within the dwelling on the property on which the pool is located.

Lighting panels for semi-private and public swimming pools shall be installed within the pump and/or filtration building.

No person shall use a swimming pool or permit a swimming pool to be used after eleven o'clock at night or before seven o'clock in the morning, and no person shall permit an outdoor swimming pool to be or remain lighted outside of such hours, and the use or lighting of a swimming pool outside of such hours is hereby defined to constitute a nuisance and an infringement of the present By-law.

9-2-3-7

A semi-private or public pool shall not be accessible to the public outside of opening hours. Should a fence be used for this purpose, the fence shall conform to article 9-2-2.3 (b).

9-2-3-8

Article 23 of the Regulation is hereby amended by the addition of the words "in the case of semi-private or public pools", before the word "when".

9-2-3-9

A telephone shall be installed within the swimming pool area of all semi-private and public pools for use only to call for help in the case of emergencies. Instructions must be placed next to the telephone indicating how to call for emergency help.

9-2-3-10

A breakable glass container with an attachable device to break open the glass, containing a key to an interior door giving access to the pool area must be installed next to such door on the lobby or corridor side for all semi-private pools.

9-2-4 Supervision

9-2-4-1

Supervision and the qualifications of lifeguards and assistant lifeguards shall be in accordance with articles 26 to 28 of the Regulation which is being adopted by the City of Côte Saint-Luc, and shall apply to all semi-private and public swimming pools.

9-2-4-2

a) Article 26 of the Regulation is hereby amended by removing the words "of more than 2 storeys and 8 dwellings" in paragraph 5.

b) Article 26 of the Regulation is hereby amended by the addition of article 26-2, namely:

26-2 Unattended or unsupervised children under the age of 16 shall be forbidden the use of the pool for all semi-private or public swimming or wading pools.

9-2-5 Signs And Safety Equipment

Article 35 of the Regulation is hereby amended by the addition of articles 35-1, 35-2 and 35-3, namely:

35-1 a) Articles 32 to 36 apply to semi-private and public swimming pools.

b) The shallow area in every swimming pool shall be separated from the deep end at water level by a rope of an easily visible colour.

35-2 Safety rules for pools must be posted in detail in English and French, in addition to pictograms and must be prominently displayed on a wall within the pool area for all semi-private and public swimming or wading pools.

35-3 A portable oxygen tank with a pocket mask must be available at all times within easy accessibility of the pool area. The oxygen tank must be verified to be in good working order by a qualified technician at periodic intervals.

9-2-6 Wading Pools

9-2-6-1

A semi-private or public wading pool shall not be accessible to public outside of opening hours. Should a fence be used for this purpose the fence shall conform to article 9-2-2.3 (b).

9-2-6-2

Article 46 of the Regulation is hereby amended by removing the words "a wading pool" and by the addition of the words "semi-private or public wading pools" before the words "shall be".

9-2-6-3

Article 47 of the Regulation is hereby amended by the addition of the words "for semi-private or public wading pools" before the words "a means of".

9-3

The provisions and prescriptions of the "REGULATION RESPECTING PUBLIC WADING AND SWIMMING POOLS", cited as c.Q-2, r.17, as amended to December 21, 1981 together with schedule A thereof, and excluding all other schedules (hereafter called the "Pool Regulation") are hereby adopted to apply to the entire territory of the City, subject to the deletions, additions and modifications which are hereby enacted and adopted for the City as set out in Article 4 of the present By-law.

9-4 Modifications To The Pool Regulation

9-4-1 Interpretation

Paragraphs (g), (h), (i) and (j) of article 9-2-2.1 hereof are hereby added to article 1 of the Pool Regulation as paragraphs (h), (i), (j) and (k) thereof respectively.

9-4-2 Scope Of The Regulation

Article 2 of the Pool Regulation is hereby amended by removing the word "public" in the first paragraph.

9-4-3 Permit

9-4-3-1

Article 3 of the Pool Regulation is not adopted and replaced by the addition of a new article 3, namely:

PERMIT: No person shall construct, alter, or install a swimming pool or a semi-private or public wading pool within the limits of the City unless it conforms with the provisions of this By-Law and unless plans and specifications therefor shall first have been submitted for approval in accordance with the Building By-Laws of the City, and a permit for such construction or alteration issued as hereinafter provided.

No semi-private or public swimming pool shall be operated or permitted to be used within the limits of the City unless an operation permit therefor has been obtained by the owner thereof and unless such permit is in force and effect. Operation permits shall be issued annually by the Director and shall expire on March 31st of each year. A fee of one hundred dollars (\$100) per annum shall be paid to the City for the issuance of an operation permit. An operation permit shall only be issued for a swimming pool which is equipped and capable of being maintained and operated in accordance with

the provisions of this By-Law. The Director shall have the power to revoke an operation permit at any time where the swimming pool for which it has been granted is not being maintained and operated in accordance with the provisions of this By-Law. The Director and/or Building Inspector shall at all times have the right of free access to a swimming pool to inspect the maintenance and operation thereof.

9-4-3-2

Article 4 of the Pool Regulation is hereby amended by removing the words "prescribed in section 3" and removing the "2" and replacing it with a "3" before the word "copies", by removing the word "public" throughout the article, and by the addition of new paragraphs "k" and "l", namely:

- k) The plans and specifications submitted with an application to build shall be dated and shall bear the authorized professional seal and signature of the Engineer or designer.
At least one (1) set of such drawings and specifications shall remain permanently on deposit with the City.
- l) During construction of a swimming pool the Director and/or Building Inspector shall at all times have the right of free access to the site and of inspection of such construction. The Director and/or Building Inspector shall have the right to condemn, and order the suspension of the work and/or the removal of any parts of the construction, or of the work in its entirety, where they do not conform with this By-Law or where they do not correspond to the plans and/or specifications submitted to and approved by the permit therefor issued under this By-Law.

9-4-3-3

Article 5 of the Pool Regulation is hereby amended by removing the word "public" and replacing the words "Deputy Minister" with the word "Director" and the word "regulation" with the word "By-Law".

9-4-3-4

Article 6 of the Pool Regulation is hereby amended by removing the word "public" and removing the words "Deputy Minister pursuant to section 3 and 4" and adding the word "Director" after the words "by the".

9-4-4 Water Supply And Waste Water Disposal

- a) Articles 7, 8, 9 and 10 of the Pool Regulation are hereby amended by removing the word "public" wherever mentioned.
- b) Article 7 of the Pool Regulation is hereby amended by the addition of a new article 7-1, namely:

7-1 The water supply for a swimming pool shall be from the private mains.

No water supply line shall be directly connected to the pool system or shall discharge into the pool below the top of the pool wall. Automatic control valves and manually-operated shut-off valves shall be installed in all water supply lines for semi-private or public swimming pools. Such lines shall terminate in an air gap of not less than 0,15m (6 in.), or two pipe diameters, whichever is larger, from pipe invert to auxiliary tank level. Such tank shall be located in the filtration plant and its level shall be controlled by the automatic valves in the water supply line. Shut-off valves shall control private swimming pool water supply-lines.

Notwithstanding such control, an overflow shall be installed in filtration plants or pump rooms, discharging into the sewer.

9-4-5 Inlets And Outlets

Articles 11, 13, 14, 15, 17 and 19 of the Pool Regulation are hereby amended by removing the word "public" wherever mentioned.

9-4-6 Skimming Of Water Surface

Articles 20 and 22 of the Pool Regulation are hereby amended by removing the word "public" wherever mentioned.

9-4-7 Water Recirculation

9-4-7-1

Article 28 of the Pool Regulation is hereby amended by removing the word "public" wherever mentioned.

9-4-7-2

Article 29 of the Pool Regulation is hereby amended by removing the words "contemplated in section 28" and by the addition of the words "for semi-private or public pools and 8 hours for private pools" after the words "per day".

9-4-7-3

Article 31 of the Pool Regulation is hereby amended by the addition of the words "semi-private or" after the words "in every".

9-4-7-4

Articles 34 & 35 of the Pool Regulation are hereby amended by removing the word "public" wherever mentioned

9-4-7-5

Articles 36 & 37 of the Pool Regulation are hereby amended by the addition of the words "semi-private or" before the word "public" wherever mentioned.

9-4-7-6

Article 36 of the Pool Regulation is hereby amended by the addition of articles 36-1 and 36-2, namely:

36-1 FILTRATION PLANTS

Private swimming pool filtration plants shall allow for chlorination in the recirculating loop which may be carried out by chlorine tablets placed into the strainer or other suitable points of the system. Direct chlorination of the swimming pool water by batches shall not be permitted when the swimming pool is in use.

Heating, ventilating and floor drainage shall be specified for the filtration plant housing. The capacity of such installations shall be sufficient to maintain air pollution due to chemical evaporation below the danger level and also to maintain the plant temperature above the freezing point. Floor drainage shall be sufficient to carry wash water and leakage. Wherever the filtration plant system requires back-washing of filter tanks, the backwash outlet lines shall discharge into wired and trapped sump pits which in turn shall discharge into the public sewer.

Make-up tanks shall be supplied by the supply lines discharging into the tank with an air gap twice the size of the supply pipe diameter and controlled by a float valve.

Make-up water shall be supplied to the swimming pool from the tank bottom outlet and by means of the main recirculating pump and motors.

All filtration plants shall have vacuum and pressure or differential pressure gauges indicating the filter bed resistance to flow.

Piping, valves, sight glasses, strainers and similar facilities shall conform to the plumbing requirements of the Building By-Law of the City.

Power supply and 110/220 volt lighting power shall be supplied to the plant, metered, distributed, fused and otherwise controlled in a manner satisfactory to the "Régie du Bâtiment, Direction Régionale de Montréal".

All electric meters shall have drip-proof housing and shall be securely anchored to the floor or foundation pads.

All electric installations shall be adequately protected against tampering by unqualified persons.

General lighting shall be installed in the filtration plant.

Wherever outdoor equipment is used and no winter protection is carried out, the filtration plant parts subject to damage shall be laid out for easy removal to an indoor location and shall be protected from freezing; all pipe runs shall be capped; power terminals shall be protected and power lines permanently disconnected; and all pipes shall be drained to below frost level.

- 36-2 A Building Inspector of the City may at all times have access to every swimming pool to inspect the same and may take bacteriological samples therefrom whenever he or they deem it necessary or advisable, and every owner of a swimming pool shall grant to such officials free access to the pool for the purposes aforesaid.

9-4-8 Maximum Bather Load

Article 38 of the Pool Regulation is hereby amended by the addition of the words "semi-private or" before the words "public wading".

9-4-9 Filtration By Sand

Article 39 of the Pool Regulation is hereby amended by the addition of the words "semi-private or" before the words "public wading".

9-4-10 Quality Of Water

Articles 58, 59, 60 & 61 of the Pool Regulation are hereby amended by the addition of the words "semi-private or" before the words "public wading" wherever mentioned.

9-4-11 Disinfection

Articles 62, 63, 64, 65, 66 & 67 of the Pool Regulation are hereby amended by the addition of the words "semi-private or" before the words "public wading" wherever mentioned.

9-4-12 Decks

Articles 68, 69 & 71 of the Pool Regulation are hereby amended by the addition of the words "semi-private or" before the words "public wading" wherever mentioned.

9-4-13 Dressing Rooms

Articles 73 & 77 of the Pool Regulation are hereby amended by the addition of the words "semi-private or" before the words "public wading" wherever mentioned.

9-4-14 Sanitary Facilities

9-4-14-1

Article 78 of the Pool Regulation is hereby amended by the addition of the words "semi-private or" before the words "public wading", and the addition of clauses (d) and (e), namely:

- d) Lockers in the case of public swimming pools at the rate of one per bather;

In the case of semi-private swimming pools, the facilities itemized above, with the exclusion of a drinking fountain, may be placed within one or more buildings of a project provided they are readily and directly accessible from the pool area.

9-4-14-2

Articles 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91 & 92 of the Pool Regulation are hereby amended by the addition of the words "semi-private or" before the words "public wading" wherever mentioned.

9-4-15 Final Provisions

9-4-15-1

- a) Article 93 of the Pool Regulation is not adopted.
- b) Every indoor swimming pool or such outdoor swimming pools as can be temporarily housed, its sanitary facilities and also the dressing rooms shall be heated in accordance with this section.

The temperature of the dressing rooms and of the rooms in which sanitary facilities are located shall be kept at a temperature of between 25°C (77°F) and 27°C (80.6°F).

The room temperature in the pool area shall not be kept 1°C lower than or 3°C higher than the temperature of the water.

The temperature of the water shall not be less than 21°C (70°F).

Heating equipment shall be included in the recirculation and filtration loop. Water softening equipment shall be installed wherever the calcium hardness would be capable of blocking heat exchanger piping.

Where hot air unit heaters are used, the air stream shall not be directed against the bathers and such units shall have adjustable louvres.

Ventilating equipment shall produce a sufficient number of air changes to prevent condensation on floors, walls or roof.

Where forced draft ventilation is used, air velocities at duct of fan intakes shall be kept below draft levels.

Minimum window area shall be in accordance with the provisions of the building By-Laws of the City.

9-4-15-2

- a) Articles 98 and 99 of the Pool Regulation are not adopted.
- b) The pool area of semi-private and public swimming and wading pools must be kept locked when not in operation and that a key may only be acquired from persons authorized by the owner to hold it.

9-5 Penalties

Penalties shall be as in Article 11-1 of By-Law 2088.

9-6 Repealed By-Laws

The following By-Laws of the City of Côte Saint-Luc including the By-Laws thereby repealed, are hereby repealed:

483	1041	1160	1326	1534	1740
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CHAPTER 10

INTERPRETATION

10-1 Interpretation

Where the masculine is used in the present By-Law, it shall include the feminine, unless the context dictates otherwise.

The singular shall include the plural and the plural shall include the singular unless the context dictates otherwise.

The headings and titles of chapters and sections are intended for convenience only and shall not be used to interpret the terms hereof.

10-2 Definitions

The following definitions shall apply for the purposes of the present By-Law.

Air-Conditioning Equipment: Equipment which controls the temperature, humidity or cleanliness of the air in a building.

Alterations: Any change, addition or modification of structure or occupancy.

City: City of Côte Saint-Luc.

Company: Shall mean any person, society or corporation operating a telephone service within the City limits.

Director: Director of Building Inspection or one of his assistants.

Economizer: A device to recover water used in an apparatus and use it again for the same purpose.

Heat Pump: A heating device which extracts usable heat from a medium like air or water, and liberates it at a higher temperature. In its reverse mode, it can be used for cooling.

House Sewer, Sewer, or Sewer Connection: That part of the horizontal piping of a plumbing system, beginning at a point 0,91m (3 ft.) from the outer face of the front wall of a building, or the side wall thereof in case of corner lots, and ending at its connection with the public sewer.

Master Fitter, and Fitter: Any person installing, repairing and servicing burners.

Minor Repairs: Any work necessary for the maintenance of a plumbing system, such as the replacement or repairing of old fixtures on existing connections, the forcing out of stoppages and the repairing of leaks, but shall not include any new additions of piping or new connections and fixtures thereto.

Multipurpose Piping System: Piping system within dwellings intended to serve both domestic and fire protection needs.

Outdoor Telephone Booth: or the word "booth" used alone, shall mean any booth containing or intended to contain a telephone for public use and installed in any place, whether on public or private property, with the exception of those booths which are located inside a building and do not communicate directly with the outside or the street. They also include the cables, wires, posts and other accessories required for operating the service.

Owner: Shall include any person, firm or corporation representing the owner with respect to any aspect of the construction, maintenance, or administration of property.

Plumber: Any master-plumber, journeyman plumber, junior journeyman plumber or any apprentice.

Plumbing or Plumbing Works: Any work or operation in connection with a plumbing system.

Plumbing Fixture: Any water supplied receptacle which is directly connected with a plumbing system.

Refrigeration Equipment: Equipment which is intended to lower the temperature of a liquid or of a gas.

Repair: The reconstruction, renewal or reinforcement of any existing part of a building or structure. Does not apply to such minor maintenance work as is necessary to keep a structure in sound condition. (See **Alteration:**).

Sidewalk: A hard surfaced pedestrian way along the side of a street.

Street: A public road, highway or thoroughfare intended for vehicular traffic.

Street Line: The dividing line between private property and City property.

Structure: Well-ordered arrangement of materials used for sheltering, sustaining, supporting or shoring-up.

Waterworks: All of the works, water conduits, equipment and devices used for the supply of potable water in the City.

Environment noise: A combination of usual noises of level in dBA from various sources, including noises which are exterior in origin, more or less regular in character which can be detected within a given period of time of observation of a minimum of 15 minutes to a maximum of 20 minutes, but excluding the noise level of the apparatus in function.

Background noise: A noise level in dBA equivalent to the average of the readings of the environment noise when the apparatus is not in function.

Disturbing noise: A noise level in dBA of an apparatus in function which can be detected as separate from the environment noise and which can be considered as a source of nuisance.

dBA: Means the sound level in decibels obtained when using a sound level meter with the A weighting.

Noise level in dBA: Means the reading of any precision sound level meter which meets or exceeds the American National Standards Institute S1.4-1983, type 2 and relevant sections of the International Electrotechnical Commission Publication 651-1979, type 2 (I).

Apparatus: Designates a heatpump, air conditioning or refrigeration equipment.

CHAPTER 11

OFFENCES AND PENALTIES

11-1 Offences And Penalties

Anyone contravening a provision of this By-Law, or tolerating or permitting such a contravention, commits an infraction and is liable to the following fine, plus costs, and in default of payment of such fine and costs within the delay fixed by the judge, the said judge shall impose the penalties and order the procedures for execution of the judgment as are set forth in the Code de procédure pénale, R.S.Q. c. C-25.1

- a) for a first infraction: a minimum of TWO HUNDRED AND FIFTY DOLLARS (\$250.) and a maximum of ONE THOUSAND DOLLARS (\$1,000.) if the offender is a physical person or a minimum of FIVE HUNDRED DOLLARS (\$500.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a moral person;
- b) for a repeat infraction within two (2) years of the first infraction (Section 236 of the code of Penal Procedure): a minimum of THREE HUNDRED DOLLARS (\$300.) and a maximum of TWO THOUSAND DOLLARS (\$2,000.) if the offender is a physical person or a minimum of SIX HUNDRED DOLLARS (\$600.) and a maximum of FOUR THOUSAND DOLLARS (\$4,000.) if the offender is a moral person.

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Oct. 4, 1994

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Version

CHAPTER 12

TRANSITIONAL

12-1 By-Laws Contrary To The Present By-Law

Where the provision of any By-Law of the City is inconsistent with or contradictory to any provision hereof, the terms of the present By-Law shall prevail.

12-2 Repealed By-Laws

The following By-Laws of the City of Côte Saint-Luc, including the By-Laws thereby repealed, are hereby repealed:

127	131	319	335	346	364
380	388	414	512	526	592
657	696	708	717	838	846
877	893	894	895	923	928
956	995	997	1005	1020	1031
1035	1237	1038	1074	1078	1080
1090	1094	1129	1146	1161	1170
1171	1186	1211	1217	1218	1223
1231	1243	1244	1245	1280	1281
1287	1289	1293	1307	1320	1335
1343	1349	1432	1464	1484	1488
1494	1543	1614	1615	1644	1712
1759	1961	2033	2070		

12-3 Force And Effect Of By-Law

The present By-Law shall come into force according to Law.

MAYOR OF THE CITY OF COTE SAINT-LUC

CITY CLERK