

REGLEMENT CONSTRUCTION

CONSTRUCTION BYLAW

03-93

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CHAPTER I

STATED PROVISIONS

By-law title
The present by-law is identified as construction by-law #000-00 of the Municipality of Low.

1.1

Objectives of the by-law
The present by-law has the objective of promoting the common welfare and the safety of persons and immovable by fixing a number of standards and rules to follow for building or the modification of all construction ^{or} ~~at~~ part of construction in order to ensure safety and public health.

1.2

Coming into force and amendments
The present by-law comes into force according to the law and conforms to the act respecting land use planning and development and cannot be modified or repealed except by the established procedures of the by-law.

1.3

Repealed by-law
All contrary provisions to this by-law contained in all other municipal by-laws are hereby entirely abolished. These obligations ~~are~~ ^{will} not affect procedures that have been taken ~~under~~ ^{under} the authority of by-laws being repealed, which continue under said repealed by-laws until final judgment and execution.

1.4

Area of application
The present by-law applies to the territory under the jurisdiction of the Municipality of Low.

1.5

1.6

Persons affected by this by-law

All moral person of public rights or private rights and all physical persons are affected by this by-law.

1.7

Validity

The Municipal Council has adopted the present by-law in its entirety and equally part by part, chapter by chapter, article by article, paragraph by paragraph, sub-paragraph by sub-paragraph in order that if part of a chapter, an article, a paragraph, a sub-paragraph of this by-law should or would be declared null or inapplicable by the court or other instances for whatever reason it may be, the other provisions of this by-law would continue to be applied.

1.8

The by-laws and the laws

No article of this by-law may have the effect of exempting any person from the application of a Canadian or a Quebec law or of a by-law adopted under their jurisdiction.

1.9

Storage of the by-law

A true copy of this by-law and all its amendments must be kept in permanence at the office of the Municipality of Low.

EXPLANATORY PROVISIONS

CHAPTER II

2.1

Explanation of the text

The heading titles used are an integral part of this by-law for all intents and purposes. In case of a contradiction between the text and the headings, the text prevails.

Unless otherwise stated or unless the context indicates a different meaning, the expressions, terms and words used in the present by-law must be understood in the usual meanings.

Whatever the verb tense used in any provisions of this by-law, the provision is held to be in force at all times and in all circumstances where it is applied.

In this by-law, the authorization to do something has all the necessary powers to this end.

The word "whoever" within the present by-law includes all corporate bodies or physical persons.

2.2

Definition and terminology

Unless otherwise stated, the words or expressions in this by-law have the meaning and significance which they were conferred by Chapter II of the Municipality of Low, zoning by-law.

As well, the aforementioned rules are supplemented by the administrative requirements related to the application of the National Building Code of Canada (1990) (C.C.R.C. No. 323800) and all its amendments.

2.3

Precedents of the bylaw

In the case of a disagreement between the regulations of this by-law and those of National Building Code of Canada, its amendments and its administrative requirements, the requirements of this by-law take precedence.

ADMINISTRATIVE PROVISIONS

CHAPTER III

3.1

Terms of application

In terms of application of Chapter III of the urbanization by-law #000-00 relative to the issuing of permits and certificates by-laws #000-00 applies to this by-law and forms an integral part when this Chapter has been reproduced in total.

3.2

Terms for issuing a construction permit

Under reserve of the articles in this by-law, the terms for issuing construction permits are expressed in the urbanization by-law #000-00 relating to the issuance of permits and certificates.

GENERAL PROVISIONS

CHAPTER IV

4.1

Excavation in a public road allowance

It is forbidden to do any type of excavation within the allowance of a municipal public road, unless previously having obtained an authorization certificate from the building inspector of the Municipality of Low.

The claimant must absolve the Municipality in writing of all costs for damages incurred during the execution of such work.

4.2

Exterior siding (covering) prohibited

The following materials are prohibited as exterior siding of walls on all new buildings or on all existing building which were not finished

- a) used tin
- b) asphalt shingles
- c) tar paper or tar paper with a gravel finish imitating stones or brick
- d) insulating materials, pressed board, particle board not covered by an exterior finishing material.

4.3

Construction of a land fill site

No foundation of any building will be implanted on land fill site which was used for the following activities:

- old dump or dump sites
- land which was filled with organic material such as saw dust, demolition material, industrial and/or commercial waste
- land which was used for storage of chemical products

4.4

Reconstruction of a destroyed building

The reconstruction or repairing of a destroyed building or a building that has become dangerous or

a building that has lost at least one half of its value entered on the evaluation role as a result of a fire or any other cause must be done in conformity with the by-laws in force at the time of such reconstruction or repair.

4.4.1

Delay for the reconstruction

The repairs must be started within twelve (12) months of the date of which the damages were caused. However, this delay may be extended due to a police investigation or if ordered by the insurance.

4.5

Setting up of a business in a residential building

A business which is authorized in a zone will not be set up in a residential dwelling unless it is in conformity with the following regulations:

a) that whatever business is lodged or permitted in a zone conforms to the municipal zoning by-

law

b) that it be separated from the dwelling by a

well insulated partition and that the access to all the rooms of the dwelling be independent without having to circulate through the

business to reach them. Nevertheless, an access to the dwelling from the business will

be allowed under the condition that this access is given by a corridor and/or a stair

c) that it has a separate distinct entrance from the residential part of the building

d) that the part of the building to be used for commercial means authorized in the zone has a

minimum height of 2.7 metres (8'8" feet)

(height, measured between the floor and the

finished ceiling).

4.6

Swimming pools

Fences around swimming pools are obliged to conform to the following articles:

4.6.1

Safety

All pools must be fenced. All land owners or all tenants of a property with a private or semi-private pool having a permanent or a removable pre-fabricated installation must install or have installed at the same time of the construction or installation of a pool, a fence of not less than 1.20 metres (4 feet) high and not any higher than 2 meters (6.6 feet) within the limits of the lot, the fence must completely surround the space reserved for the pool.

In no case can the fence be less than 1 meter (3.6 feet) from the exterior edge of the pool.

If part of the area is not accessible because of the ¹²⁴lie of the land, the fence may be omitted or stopped after inspection and approval by the building inspector.

All access doors or gates to the fenced pool must have an automatic safety lock holding them closed. It must be installed out of the reach of children.

4.7

Number of exits per residential building

All new residential buildings or all residential buildings in which the number of rooms is increased or all buildings which become residential and are not entirely fire proof must have not less than two (2) separate ground level exits placed by sturdy stairs accessible from basements and upper floor lodgings.

4.8

Access to apartments

Each apartment must be accessible without going through another apartment.

Basement apartments

4.9

When the zoning by-law permits within a zone, one or more apartments may be laid out and the basement of a dwelling providing:

- a) each apartment has access to an individual entrance and an individual or communal exit, it also must have windows which can be opened;
- b) each apartment is equipped with a toilet and a

washroom;

- c) that the foundation is protected from water seepage by a drainage system around the exterior walls of the said foundation.

Apartment in cellars

4.10

When the zoning by-law permits within a zone one or more apartments may be laid out in the cellar of a dwelling providing:

- a) each apartment has access to an individual entrance and an individual or communal exit, it also must have windows which can be opened;
- b) each apartment is equipped with a toilet and a

washroom;

- c) that the foundation is protected from water seepage by a drainage system around the exterior walls of the said foundation.

4.11

Protection of foundation walls

The foundation walls of a main building must be water proof. These walls must be covered with a water proof coating from the base to ground level.

4.12

Smoke detectors

Each apartment within a new dwelling or addition of an apartment to a main building existing before the coming into force of this by-law, must be equipped with at least one smoke detector per floor of each apartment.

4.13

Anchoring of Main Buildings

All new main buildings shall be anchored to the foundation so as to resist the force of wind.

4.14

Bridges

The construction of all new bridges allowed on a local street, collector street or right of way serving more than one (1) building lot ^{at PDS} spanning a water course must be the object of a construction permit request. The construction of these bridges must be carried out in a manner which will allow for safe passage and to permit the passage of public safety vehicles as well as road maintenance vehicles.

4.14.1

Obtaining of a Construction Permit for a Bridge

The obtaining of a construction permit for a bridge does not remove the obligation to obtain all other permits which may be required by virtue of all other laws or by-laws of Quebec or Canada.

An engineer's plan must accompany the request for a permit for a bridge. This plan must demonstrate the principal components and characteristics of this bridge.

SPECIFIC PROVISIONS APPLICABLE TO MOBILE HOME

CHAPTER V

5.1 Installation standards for mobile homes

These provisions are applicable to a mobile home considered as a principal dwelling having been installed on a designated piece of land.

5.2 Bed

If a foundation does not exist, a platform must be installed in order that rain water or surface runoff cannot accumulate under the building.

5.1.1.1 Dimensions of the Bed

The area of the platform shall exceed the length and width of all mobile homes by at least 600mm (2 feet).

5.1.1.2 Preparation of Excavation On site to create the Bed

The area where the platform will be created must be excavated to a depth of at least 200 mm (8"). When the supports of the building are in place, a layer of crushed stone or gravel of at least 50 mm (2") must be spread and levelled.

A vapour barrier membrane of at least 6 millimetres must cover the layer of gravel and crushed stone. This vapour barrier membrane must be covered by a minimum of 150 mm. (6") of crushed stone or gravel.

5.1.1.3 Drainage of the bed

On a sloped area, a drain must be installed to ensure an efficient drainage of the platform area.

5.1.2 Skirt

All mobile homes not installed on a foundation must have a skirt around from the base of the home to the ground.

5.1.2.1 Materials

The skirt must be built with water proof exterior material. The wood in contact with the ground must

be pressure treated.

5.1.2.2

Ventilation

The skirt must be ventilated in order to eliminate the accumulation of humidity.

5.1.2.3

Vents

The vents must be installed on skirts in a manner which prevents the snow, rain and animals from entering. The vents must be installed on all sides of the skirt. The surface area of the vents must be calculated to a proportion of 0.1 sq. metres per 50 square metres of skirt.

5.1.2.4

Access door in skirt

Each skirt must have an access door to allow for maintenance. The minimum size of the access door are 0.5 meter (1.5') by 0.7 meter (2.3').

5.1.3

Anchoring

Each mobile home must be secured to the ground by anchors. For mobile homes sitting on permanent foundations, said home must be anchored to the foundation.

5.1.3.1

Protection of the anchoring system against corrosion

All parts of the anchoring system must be protected against corrosion. All anchor brackets and rods must have a minimum diameter of 12 mm (1/2").

5.1.3.2

Attaching of anchors

The anchors must be placed near the opening made for this purpose in the foundation (frame). The minimum number of anchors for each long wall of the

mobile home is four (4).

However, for mobile homes provided at the factory with a system of shoe fittings and cables passing over the roof, for support against the wind, the number of anchors required is 3 on each long wall.

5.1.4

Fastening system

The fastening system must be adjustable in order to control the tension created due to frost.

Authorized fastenings are rods or anchoring cables which are embedded in the ground with brackets, in moulded concrete or by an arrowhead anchor, or a corkscrew type anchor or by links connected to formed piers buried in the ground.

The steel rods must be equipped or made with an eye and each fastener must be adjustable.

5.1.5

Additions

It is prohibited to build an addition to any mobile home without previously having obtained a construction permit from the building inspector.

Unless it was specifically allowed for during the construction of the "mobile home", additions and auxiliary constructions must not be attached to the unit structure. The attachment of the addition of the main building must be done either with tie beams or a covered vestibule.

5.1.6

Moving

In the event that the "mobile home" must be moved, the addition and/or auxiliary construction must be taken away within two (2) weeks from the moving of the mobile home.

SPECIFIC PROVISIONS APPLICABLE TO FLOOD PRONE AREAS

CHAPTER VI

6.1 20 year flood recurrence area

6.1.1.1 Drinking water supply

No drinking water supply other than a public water system or an artesian well may be situated within a flooding zone for any new building erected after February 11, 1984.

6.1.1.2 Sanitary installation (out houses, septic systems)

Individual sanitary installation are prohibited for any new buildings within a flooding zone.

6.1.1.3 Sewer systems

The sewer systems ⁱⁿ within a 20 years ^{flood zone} ~~receiving~~ ~~-flooding zone~~ must be installed in a manner to avoid back ups.

6.1.2 100 year flood area

6.1.2.1 Building

Within the 100 year flood area, the construction of all buildings except accessory buildings authorized by the zoning by-law of the Municipality must respect the following regulations:

- a) all ground floor must not be located below the water level for the 100 year flood zone.
- b) no openings (windows, vent, door, access to a garage, etc.) is authorized below the 100 year water level.
- c) the main dwelling must be equipped with a sump pump with a pumping capacity of 9000 litres an hour to be used to pump the water which infiltrates.
- d) the main pipe for evacuation of grey water must be equipped with a anti-return valve
- e) no basement apartment may be made where the

basement of any building is below the water level of a 100 year flood zone.

f) the cement used for the foundation must have a

pressure resistance of 3000 PSI at seven (7) days and 4000 PSI at twenty-eight (28) days;

cement block or any other material for

foundations strictly prohibited.

g) the cement foundation must have the necessary

reinforcement to resist the pressure of a gush

of water in the 100 year flood zone.

Sanitary installation

6.1.2.2.1

Sewer systems

The sewer systems within the 100 year flood zone must be installed so as to prevent a back-up and it

must function at all times.

Individual sanitary installations

6.1.2.2.2

Within a 100 year flood zone, septic systems,

consisting of a sealed evacuation pipe, a septic

tank and a weeping bed are authorized. The

installation of a sealed holding tank is

prohibited.

The evacuation for grey water must be equipped with

an anti-return valve.

CHAPTER VII

SPECIFIC PROVISIONS FOR WHARVES

Specific provisions applicable for wharves

7.1

7.1.1

Construction

The construction of wharves must be done in a manner which respects the natural state and aspects of the area and at the same time not to impede the movement of water or be a source of erosion to the banks. These constructions must be accomplished without having to excavate, dredging, grading, filling or any other works of a similar nature which would modify or alter the natural aspect and state of the area.

7.2

Boat wharves

These provisions apply to the construction of all new wharves on the shoreline of a lake or watercourse. Notwithstanding the previous paragraph, the following provisions do not apply to wharves to be used for commercial water planes, marinas and wharves related to public recreational or commercial installations.

7.2.1

Maximum length

The maximum length of all wharves is 12 meters (39'). This length represents the total length of the construction infringing on the water. However, this length may be added to, if at this length the depth of the water does not reach one metre at the end of the wharf. In this case, the wharf length is determined by the depth of the water during the summer season when it is at its lowest level. In this case, the wharf to be enlarged shall be equipped with signals serving to show the wharf location with regards to ensuring the safety of boaters or for safe passage in winter (snowmobiles,

etc.) In no case may the length of the wharf exceed 25% of the lake or water course on which it infringes.

7.2.2 Maximum width

The maximum width of a wharf to be used for boats is 5 meters (16.5').

7.2.3 Anchoring structures

Only wharves on posts, cribs and floating platforms are permitted.

7.2.3.1 Anchoring structure materials

The material used for the anchoring structure of all wharves must not be pressure treated wood. The use of wood such as eastern white cedar, western red cedar, oak, spruce, marine plywood, red pine is acceptable if it is not treated with toxic products.

The use of metal structures is authorized if it is galvanized or aluminum. In no case can treated wood be used in the construction of a wharf.

7.2.3.2 Preparation of cribs

The crib must be filled with stone or rocks. The use of other material is prohibited.

7.2.4 Distance between cribs

For wharves built on cribs, the first crib must be placed 3 meters (10') from the high water line and each consecutive crib must be 3 meters (10') apart.

7.2.5 Location of the wharf (dock)

The dock must be placed in the water front of the lot without infringing on, or extending the existing property lines of the lot.

Obtaining a construction permit for a wharf (dock)
 The fact that a permit has been taken to build a wharf does not mean that a person is not obliged to get all other permits which could be required by virtue of all other laws or by-laws of Quebec or Canada such as the Act respecting water regulations.

7.3

Floating docks

For all new docks to be built after the coming into force of this by-law, the use of metal containers (tanks) for the floating of docks are prohibited. The use of all types of styrofoam as a material to be used to float a dock is also prohibited.

7.4

Construction of boat house - prohibited

The construction of a boat house is prohibited on the shoreline of all lakes and undercourses within the Municipality of Lou.

7.5

CHAPTER VIII

FINAL PROVISIONS

Amendments to this by-law

The provisions of this by-law cannot be modified or repealed only according to law.

8.2

Coming into force of this by-law

This by-law will come into force

conforming to the provisions of the law.

Adopted at the meeting of

By resolution #000-00

Jacques Dussault
Mayor

Liette Hickey
Secretary-
Treasurer