

Minutes of the regular council sitting of the Municipality of the Township of Harrington held at the Lost River community center located at 2811, route 327 on April 11<sup>th</sup>, 2023, at 7:00 p.m.

Present and forming a quorum under the chairmanship of Mayor Gabrielle Parr, councillors Chantal Scapino, Julie James, Daniel St-Onge, Robert Dewar and Gerry Clark.

The assistant director general and assistant clerk-treasurer Mathieu Dessureault is present.

### **Agenda**

- 1. Opening of the sitting**
- 2. Adoption of the agenda**
- 3. Points of information of the mayor**
- 4. Points of information of the councillors**
- 5. Question period**

- 6. Approval of minutes**

6.1 Regular sitting of March 13<sup>th</sup> 2023

- 7. Notice of motion and by-law**

7.1 Notice of motion – By-law #297-2023 concerning demolition of buildings

7.2 Filing - By-law project #298-2023 concerning demolition of buildings

7.3 Adoption - By-law project #298-2023 concerning demolition of buildings

7.4 Date of the public consultation meeting – by-law project #297-2023 concerning the demolition of buildings

- 8. Financial and administrative management**

8.1 Filing of the report of authorized expenses by the general direction and the directors of departments

8.2 Acceptance of accounts payable and accounts paid for the month of March 2023

8.3 Filing of the March 2023 financial report

8.4 Nomination – Acting mayor and mayor substitute at the MRC d'Argenteuil

8.5 Signature authorization – Caisse Desjardins d'Argenteuil

8.6 Filing of the declaration of pecuniary interests

8.7 Appointment of a selection committee for the hiring of an assistant director of public works

## **9. Public security**

9.1 Fire safety risk coverage plan – 2022 fire safety service activity report

## **10. Public work**

10.1 Authorization of a project submission by the MRC d'Argenteuil, aimed at sharing a professional resource in civil engineering hired by the MRC, within the framework of component 4 - Support for intermunicipal cooperation of the Regions and Rurality Fund of the Ministère des Affaires municipales et de l'Habitation

10.2 Authorization of a project submission by the MRC d'Argenteuil, aimed at sharing a professional resource in civil engineering hired by the MRC, within the framework of component 4 - Support for intermunicipal cooperation of the Regions and Rurality Fund of the Ministère des Affaires municipales et de l'Habitation – Harrington and Mille-Isles

10.3 Purchase and spreading of 35% calcium chloride – Multi Routes inc.

10.4 Purchase of a water reservoir kit – Mechanical sweeper

10.5 Gas Tax Program and Quebec contribution (TECQ) for 2019-2023

## **11. Question period**

## **12. Closing of the sitting**

### **1. Opening of the sitting**

The mayor Gabrielle Parr welcomes everyone. The quorum being established, she declares the regular sitting open at 7:00 p.m. and adds that the recording of the sitting is in progress.

2023-04-R096

### **2. Adoption of the agenda**

It is moved by councillor Robert Dewar

And carried that the agenda be adopted as presented.

**ADOPTED UNANIMOUSLY**

### **3. Points of information of the mayor**

The mayor Gabrielle Parr informs those present about certain files and the activities in which she participated during the month of March 2023.

### **4. Points of information of the councillors**

Councillors inform those present about certain files and the activities in which they participated during the month of March 2023.

## **5. Question period**

The mayor answers the questions addressed to her by the citizens present at the sitting.

## **6. Approval of minutes**

2023-04-R097

### **6.1 Regular sitting of March 13<sup>th</sup>, 2023**

**TAKING NOTICE** that a copy of the minutes was given to each member of the municipal council;

**CONSEQUENTLY,**

It is moved by councillor Richard Francoeur

And carried to adopt the minutes of the regular sitting of the municipal council held on March 13<sup>th</sup>, 2023.

**ADOPTED UNANIMOUSLY**

## **7. Notice of motion and by-law**

### **7.1 Notice of motion – By-law #297-2023 concerning demolition of buildings**

**WHEREAS** with article 445 of the *Municipal Code of Quebec*, councillor Daniel St-Onge gives notice of motion for the presentation, at a future council sitting, of a by-law relating to the demolition of buildings;

**WHEREAS** with article 445 of the *Municipal Code of Quebec*, copies of the project by-law are made available to the public during this current council sitting as well as on the municipality's website;

**WHEREAS** with article 445 of the *Municipal Code of Quebec*, the person in charge of access to documents of the Municipality will deliver a copy of the by-law project to any person who requests it within two (2) calendar days preceding the holding of the sitting at which it will be adopted;

**WHEREAS** with article 445 of the *Municipal Code of Quebec*, the director general mentions that the costs associated with the implementation of this by-law will be taken from the budget of the general fund 2023.

By-law project #297-2023 concerning the demolition of buildings is presented by councillor Daniel St-Onge to the citizens present.

## **7.2 Filing – By-law project #297-2023 concerning the demolition of buildings**

By-law project #297-2023 concerning the demolition of buildings has been filed.

### **BY-LAW PROJECT #297-2023 CONCERNING THE DEMOLITION OF BUILDINGS**

**WHEREAS** under sections 148.0.2 and following of the *Act respecting land use planning and development* (CQLR, c. A-19.1), a municipality must adopt a by-law on the demolition of buildings;

**WHEREAS** by-law number 192-2012 on permits and certificates is in effect on the territory of the Municipality of the Township of Harrington and requires a demolition certificate before proceeding with it;

**WHEREAS** a by-law on the demolition of buildings can prove useful for urban planning regulations, in particular for the protection of built heritage and the reuse of cleared ground;

**WHEREAS** the Municipal Council wishes to allow citizens to be heard regarding demolition requests affecting the built heritage of the municipality;

**WHEREAS** the municipal Council deems it appropriate to supervise building demolition projects on its territory;

**WHEREAS** a notice of motion for this by-law was given at the regular sitting held on April 11<sup>th</sup>, 2023;

**FOR THESE REASONS,**

**THE COUNCIL OF THE MUNICIPALITY OF THE TOWNSHIP OF HARRINGTON ENACTS THE FOLLOWING:**

#### **DECLARATORY AND INTERPRETATIVE PROVISIONS**

##### **ARTICLE 1**

The preamble is an integral part of these rules.

##### **ARTICLE 2**

This by-law bears the title of “By-law #297-2023 concerning the demolition of buildings”.

##### **ARTICLE 3**

Definitions:

“Committee”: The committee set up by the Council in accordance with the provisions of these regulations.

“Council”: The municipal council of the Municipality.

"Demolition": Intervention that results in the destruction of more than 50% of the volume of a building, without regard to the foundations, including its removal or displacement.

“Immovable”: Building, construction or work of a permanent nature erected on land and everything that is an integral part of it.

“Heritage building”: an immovable cited in accordance with the Cultural Heritage Act (chapter P-9.002), located in a heritage site cited in accordance with that act or listed in an inventory referred to in the first paragraph of section 120 of that act.

“Dwelling”: A dwelling within the meaning of the Act respecting the Administrative Housing Tribunal (CQLR, c. T-15.01).

“Municipality”: The Municipality of the Township of Harrington.

“Town planning regulations”: The regulations adopted by the Municipality under the Act respecting land use planning and development (CQLR, c. A-19.1).

“Applicant”: The owner of the building targeted by the demolition permit application or his duly authorized representative.

**APPLICATION OF THE BY-LAW**

**ARTICLE 4**

Any designated official, appointed according to the provisions of Permits and Certificates By-law number 195-2012, is responsible for the application and compliance with this by-law and is authorized to issue statements of offence.

**SUBJECT INTERVENTION**

**ARTICLE 5**

All demolition work on a building is prohibited unless the owner of the building has previously obtained authorization in accordance with this by-law. The first paragraph does not apply to the following buildings, if they do not qualify as a heritage building:

- a) a building that a person demolishes or causes to be demolished to comply with an order of a competent court;
- b) a burnt or damaged building destroyed to more than 50% of its volume, not taking into account its foundations;
- c) an immovable to be demolished to enable the Municipality to carry out a municipal purpose;
- d) an immovable used for agricultural use;

- e) an accessory or complementary building as defined by the Municipality's urban planning by-laws;
- f) a temporary building within the meaning of the urban planning by-laws;

The fact that the immovable is not subject to this by-law under the second paragraph does not exempt the applicant from the obligation to obtain the necessary certificate of authorization before proceeding with the demolition under the By-law respecting permits and certificates number 195-2012.

## **DEMOLITION COMMITTEE**

### **ARTICLE 6**

Is created the Demolition Committee whose function is to authorize demolition requests and to exercise any other power conferred by chapter V.0.1 of the Act respecting land use planning and development (CQLR, c. A-19.1) .

### **ARTICLE 7**

The Committee is made up of three (3) members of the Municipal Council appointed by resolution of the latter for a period of one (1) year and whose mandate is renewable.

### **ARTICLE 8**

The mandate of a member ceases or is temporarily interrupted in the following cases:

- a) if he ceases to be a member of the Council;
- b) if he has a direct or indirect personal interest in a matter referred to the committee;
- c) if he is unable to act.

In the preceding cases, the Council appoints a member for the unexpired period of the mandate of his predecessor or for the duration of his impediment or for the duration of the hearing of the case in which he has an interest, depending on the case.

### **ARTICLE 9**

The Chairman is appointed by the Council from among the Committee members it appoints. He chairs the Committee meetings.

The clerk-treasurer acts as secretary to the Committee. He prepares, among other things, the agenda, receives correspondence, draws up the minutes of each meeting and follows up on the Committee's decisions.

### **ARTICLE 10**

The quorum of the committee is two members.

Decisions are taken by majority vote. Each member has one vote and cannot abstain.

### **ARTICLE 11**

The Committee meets, as needed, when one or more compliant authorization requests, including the payment of the fees required for the study and processing of said request, are submitted to the municipality.

#### **ARTICLE 12**

The secretary, in consultation with the committee members, calls a meeting to study the request(s).

#### **REQUEST FOR CERTIFICATE OF AUTHORIZATION**

#### **ARTICLE 13**

A written request for a demolition authorization certificate must be sent to the Municipality, accompanied by any document required by this by-law and the deposit of the amount required in article 17.

#### **ARTICLE 14**

All requests must be made in writing, on a form or by letter, and be accompanied by the documents relevant to the Committee's decision-making, but must at least be accompanied by the following elements:

- a) the name, address and telephone number of the applicant or their authorized representative;
- b) the identification and location of any property or building that is the subject of the application;
- c) photographs of the immovable covered by the application;
- d) the description of any other existing construction on the building;
- e) the current and projected use of the building;
- f) the reasons for the demolition;
- g) if it is a building comprising housing units, their number, the state of occupancy at the time of the request and the possibilities of rehousing the occupants;
- h) the schedule of the planned work including, in particular, the date and deadline for the demolition;
- i) an up-to-date certificate of location;
- j) a layout plan of any proposed building and development;

The request must be signed by the applicant or his duly authorized representative.

#### **ARTICLE 15**

The applicant for a demolition authorization certificate must deposit, at the time of his application, the sum of three hundred dollars (\$300) to cover the costs of studying and issuing his authorization certificate.

These fees are non-refundable, regardless of the decision of the Committee.

#### **ANALYSIS PROCESS**

#### **ARTICLE 16**

As soon as the Committee receives a demolition authorization request, it must post a notice easily visible to passers-by on the immovable covered by the request.

In addition, he must immediately cause a public notice of the application to be published.

Any notice referred to in this article must reproduce the text of article 17 of this by-law.

When the immovable concerned is a heritage immovable, a copy of this notice must be sent without delay to the Minister of Culture and Communications.

#### **ARTICLE 17**

Any person who wishes to oppose the demolition must, within 10 days of the publication of the public notice or, failing that, within 10 days of the posting of the notice on the immovable concerned, make known in writing his reasoned opposition to the clerk-treasurer of the Municipality.

#### **ARTICLE 18**

Before rendering its decision, the Committee must consider the objections received.

It must hold a public hearing if the application for authorization relates to a heritage building.

It may, in any other case, hold a public hearing if it deems it appropriate.

### **COMMITTEE DECISION**

#### **ARTICLE 19**

The Committee must refuse the request for authorization if the required fees have not been paid.

#### **ARTICLE 20**

The Committee grants the authorization if it is convinced of the advisability of the demolition taking into account the public interest and the interest of the parties.

Before deciding on a request for authorization for demolition, the Committee must consider in particular:

- a) the condition of the immovable covered by the application;
- b) deterioration of the architectural appearance, aesthetic character or quality of life of the neighborhood;
- c) cost of restoration;
- d) damage caused to tenants;
- e) housing needs in the surrounding area;
- f) the possibility of relocation of tenants;
- g) Its heritage value, including the history of the building, its contribution to local history, its degree of authenticity and integrity, its representativeness of a particular architectural trend and its contribution to a whole to be preserved.



## **ARTICLE 21**

The Committee may, if it deems it necessary for a better understanding of the request, ask the applicant to provide, at his own expense, any additional details, any information or any report prepared by a professional.

## **ARTICLE 22**

When the Committee grants the authorization, it may impose any condition relating to the demolition of the building. It may in particular determine the conditions for the rehousing of a tenant when the building includes one or more dwellings.

## **ARTICLE 23**

The decision of the Committee concerning the demolition must be substantiated and transmitted without delay to any party in question, by registered mail.

## **APPEAL**

### **ARTICLE 24**

Any person may, within 30 days of the Committee's decision, appeal this decision to the Council.

The council may, on its own initiative, within 30 days of a committee decision authorizing the demolition of a heritage building, adopt a resolution expressing its intention to review this decision.

Any member of the council, including a member of the committee, may sit on the council to hear an appeal brought under the first paragraph.

### **ARTICLE 25**

The appeal must be made by a written and reasoned request which must be received at the office of the clerk-treasurer of the Municipality no later than the thirtieth day following the day on which the decision was rendered.

### **ARTICLE 26**

The Council may confirm the Committee's decision or render any decision that the latter should have taken.

## **ISSUANCE OF CERTIFICATE**

### **ARTICLE 27**

No demolition authorization certificate may be issued by the person designated under this by-law before the expiry of the 30-day period provided for in article 24 nor, if there has been an appeal under this article, before the Council has rendered a decision authorizing the demolition.

If the decision concerns a heritage building, a certificate of authorization can only be issued following the expiry of the 90-day period following receipt by the MRC of the notice of the municipal decision.

## **PROVISIONS CONCERNING BUILDINGS COMPRISING ONE OR MORE DWELLINGS**

### **ARTICLE 28**

The applicant must send a notice of the application to each of the tenants of the building, if applicable.

### **ARTICLE 29**

If a person wishes to acquire this immovable in order to preserve its residential rental character, he may, as long as the Committee has not rendered its decision, intervene in writing with the clerk-treasurer to request a delay in order to undertake or pursue steps to acquire the building.

### **ARTICLE 30**

If the Committee considers that the circumstances justify it, it postpones the pronouncement of its decision and grants the intervener a period of at most two months from the end of the hearing to allow the negotiations to reach a conclusion. The Committee may postpone the pronouncement of its decision for this reason only once.

### **ARTICLE 31**

A landlord who has been granted a demolition permit may evict a tenant to demolish a dwelling.

However, a tenant may not be forced to vacate his dwelling before the later of the following eventualities, either the expiry of the lease, or the expiry of a period of three months from the date of issuance of the certificate of authorization.

### **ARTICLE 32**

The landlord must pay the tenant evicted from his dwelling an indemnity of three months' rent and his moving expenses. If the damages resulting from the harm suffered by the tenant amount to a higher sum, he may apply to the Administrative Housing Tribunal to have the amount fixed.

The indemnity is payable on departure of the tenant and the moving expenses, upon presentation of supporting documents.

## **PROVISIONS CONCERNING HERITAGE BUILDINGS**

### **ARTICLE 33**

If a person wishes to acquire an immovable to preserve its heritage character, he or she may, as long as the Committee has not rendered its decision, intervene in writing with the clerk-treasurer to request a delay in order to undertake or continue to purchase the building.

### **ARTICLE 34**

The Committee must consult the local heritage council before making a decision relating to a heritage building.

## **WORK EXECUTION**

### **ARTICLE 35**

When the Committee grants the authorization, it can set the deadline within which the demolition work must be undertaken and completed.

He may, for a reasonable reason, modify the fixed time limit, provided that a request to do so is made to him before the expiry of that time limit.

### **ARTICLE 36**

If the demolition work is not undertaken before the expiry of the deadline set by the Committee, the demolition authorization is without effect.

If, on the expiry date of this period, a tenant continues to occupy his dwelling, the lease is automatically extended and the landlord may, within one month, apply to the Administrative Housing Tribunal to set the rent.

### **ARTICLE 37**

If the work is not completed within the time fixed, the Council may cause it to be carried out and recover the cost of the work from the owner. These costs constitute a priority claim on the land where the building was located, in the same way and according to the same rank as the claims referred to in paragraph 5° of article 2651 of the Civil Code; these costs are secured by a legal hypothec on this land.

## **INSPECTION**

### **ARTICLE 38**

At all times during the execution of the demolition work, a person in authority on the premises must have in his possession a copy of the certificate of authorization. A Municipal official designated by the Council may enter, at any reasonable time between 7 am and 7 pm, on the premises where this work is being carried out in order to verify whether the demolition complies with the Committee's decision. Upon request, the official of the Municipality must give his identity and show the certificate, issued by the Municipality, attesting to his capacity.

Is liable to a maximum fine of \$500:

1° anyone who prevents a municipal official from entering the premises where the demolition work is being carried out;

2° the person in authority responsible for carrying out the demolition work who, on the premises where the work is to be carried out, refuses to show, at the request of a municipal official, a copy of the certificate of authorization.

## **FINES AND PENALTIES**

### **ARTICLE 39**

The fact of complying with this regulation does not remove the obligation to comply with any other law or any other regulation applicable in this case, in particular the Act respecting the Administrative Housing Tribunal.

### **ARTICLE 40**

Without prejudice to other recourses that may be exercised by the Municipality, anyone who proceeds or has the demolition of a building proceeded without having previously obtained a demolition authorization or contrary to the applicable conditions is liable; in addition to costs, a fine of at least \$5,000 and at most \$25,000.

The Municipality may also ask the court to order this person to reconstitute the building thus demolished and, failing that, to authorize the municipality to proceed with the reconstitution and recover the costs of the owner, in application of article 148.0.17 of the Act respecting land use planning and development.

## **COMING INTO FORCE**

### **ARTICLE 41**

This by-law comes into force in accordance with the law.

2023-04-R098

### **7.3 Adoption - By-law project #297-2023 concerning the demolition of buildings**

**WHEREAS** under articles 148.0.2 and following of the *Act respecting land use planning and development* (RLRQ, c. A-19.1), a municipality must adopt a by-law on the demolition of buildings;

**WHEREAS** by-law number 192-2012 on permits and certificates is in effect on the territory of the Municipality of the Township of Harrington and requires a demolition certificate before proceeding;

**WHEREAS** a by-law on the demolition of buildings can prove useful for urban planning regulations, in particular for the protection of built heritage and the reuse of cleared ground;

**WHEREAS** the municipal Council wishes to allow citizens to be heard regarding demolition requests affecting the built heritage of the municipality;

**WHEREAS** the municipal Council deems it appropriate to supervise building demolition projects on its territory;

**WHEREAS** a notice of motion for this by-law was given at the regular sitting held on April 11<sup>th</sup>, 2023;

**CONSEQUENTLY,**

It is moved by councillor Chantal Scapino

And carried that the municipal council adopt by-law project #297-2023 concerning the demolition of buildings.

**ADOPTED UNANIMOUSLY**

**BY-LAW PROJECT #297-2023 CONCERNING THE DEMOLITION OF BUILDINGS**

**WHEREAS** under sections 148.0.2 and following of the *Act respecting land use planning and development* (CQLR, c. A-19.1), a municipality must adopt a by-law on the demolition of buildings;

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**FOR THESE REASONS,**

**THE COUNCIL OF THE MUNICIPALITY OF THE TOWNSHIP OF HARRINGTON ENACTS THE FOLLOWING:**

**DECLARATORY AND INTERPRETATIVE PROVISIONS**

**ARTICLE 1**

The preamble is an integral part of these rules.

**ARTICLE 2**

This by-law bears the title of “By-law #297-2023 concerning the demolition of buildings”.

**ARTICLE 3**

Definitions:

“Committee”: The committee set up by the Council in accordance with the provisions of these regulations.

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“Applicant”: The owner of the building targeted by the demolition permit application or his duly authorized representative.

## **APPLICATION OF THE BY-LAW**

### **ARTICLE 4**

Any designated official, appointed according to the provisions of Permits and Certificates By-law number 195-2012, is responsible for the application and compliance with this by-law and is authorized to issue statements of offence.

## **SUBJECT INTERVENTION**

### **ARTICLE 5**

All demolition work on a building is prohibited unless the owner of the building has previously obtained authorization in accordance with this by-law.

The first paragraph does not apply to the following buildings, if they do not qualify as a heritage building:

- a) a building that a person demolishes or causes to be demolished to comply with an order of a competent court;
- b) a burnt or damaged building destroyed to more than 50% of its volume, not taking into account its foundations;
- c) an immovable to be demolished to enable the Municipality to carry out a municipal purpose;
- d) an immovable used for agricultural use;

- e) an accessory or complementary building as defined by the Municipality's urban planning by-laws;
- f) a temporary building within the meaning of the urban planning by-laws;

The fact that the immovable is not subject to this by-law under the second paragraph does not exempt the applicant from the obligation to obtain the necessary certificate of authorization before proceeding with the demolition under the By-law respecting permits and certificates number 195-2012.

## **DEMOLITION COMMITTEE**

### **ARTICLE 6**

Is created the Demolition Committee whose function is to authorize demolition requests and to exercise any other power conferred by chapter V.0.1 of the Act respecting land use planning and development (CQLR, c. A-19.1) .

### **ARTICLE 7**

The Committee is made up of three (3) members of the Municipal Council appointed by resolution of the latter for a period of one (1) year and whose mandate is renewable.

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The mandate of a member ceases or is temporarily interrupted in the following cases:

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The quorum of the committee is two members.

Decisions are taken by majority vote. Each member has one vote and cannot abstain.

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The Committee meets, as needed, when one or more compliant authorization requests, including the payment of the fees required for the study and processing of said request, are submitted to the municipality.

#### **ARTICLE 12**

The secretary, in consultation with the committee members, calls a meeting to study the request(s).

#### **REQUEST FOR CERTIFICATE OF AUTHORIZATION**

#### **ARTICLE 13**

A written request for a demolition authorization certificate must be sent to the Municipality, accompanied by any document required by this by-law and the deposit of the amount required in article 17.

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All requests must be made in writing, on a form or by letter, and be accompanied by the documents relevant to the Committee's decision-making, but must at least be accompanied by the following elements:

- (a) the name, address and telephone number of the applicant or their authorized representative;
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- d) the description of any other existing construction on the building;
- e) the current and projected use of the building;
- f) the reasons for the demolition;
- g) if it is a building comprising housing units, their number, the state of occupancy at the time of the request and the possibilities of rehousing the occupants;
- h) the schedule of the planned work including, in particular, the date and deadline for the demolition;
- i) an up-to-date certificate of location;
- j) a layout plan of any proposed building and development;

The request must be signed by the applicant or his duly authorized representative.

#### **ARTICLE 15**

The applicant for a demolition authorization certificate must deposit, at the time of his application, the sum of three hundred dollars (\$300) to cover the costs of studying and issuing his authorization certificate.

These fees are non-refundable, regardless of the decision of the Committee.

#### **ANALYSIS PROCESS**

#### **ARTICLE 16**



As soon as the Committee receives a demolition authorization request, it must post a notice easily visible to passers-by on the immovable covered by the request.

In addition, he must immediately cause a public notice of the application to be published.

Any notice referred to in this article must reproduce the text of article 17 of this by-law.

When the immovable concerned is a heritage immovable, a copy of this notice must be sent without delay to the Minister of Culture and Communications.

### **ARTICLE 17**

Any person who wishes to oppose the demolition must, within 10 days of the publication of the public notice or, failing that, within 10 days of the posting of the notice on the immovable concerned, make known in writing his reasoned opposition to the clerk-treasurer of the Municipality.

### **ARTICLE 18**

Before rendering its decision, the Committee must consider the objections received.

It must hold a public hearing if the application for authorization relates to a heritage building.

It may, in any other case, hold a public hearing if it deems it appropriate.

## **COMMITTEE DECISION**

### **ARTICLE 19**

The Committee must refuse the request for authorization if the required fees have not been paid.

### **ARTICLE 20**

The Committee grants the authorization if it is convinced of the advisability of the demolition taking into account the public interest and the interest of the parties.

Before deciding on a request for authorization for demolition, the Committee must consider in particular:

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When the Committee grants the authorization, it may impose any condition relating to the demolition of the building. It may in particular determine the conditions for the rehousing of a tenant when the building includes one or more dwellings.

## **ARTICLE 23**

The decision of the Committee concerning the demolition must be substantiated and transmitted without delay to any party in question, by registered mail.

## **APPEAL**

### **ARTICLE 24**

Any person may, within 30 days of the Committee's decision, appeal this decision to the Council.

The council may, on its own initiative, within 30 days of a committee decision authorizing the demolition of a heritage building, adopt a resolution expressing its intention to review this decision.

Any member of the council, including a member of the committee, may sit on the council to hear an appeal brought under the first paragraph.

### **ARTICLE 25**

The appeal must be made by a written and reasoned request which must be received at the office of the clerk-treasurer of the Municipality no later than the thirtieth day following the day on which the decision was rendered.

### **ARTICLE 26**

The Council may confirm the Committee's decision or render any decision that the latter should have taken.

## **ISSUANCE OF CERTIFICATE**

### **ARTICLE 27**

No demolition authorization certificate may be issued by the person designated under this by-law before the expiry of the 30-day period provided for in article 24 nor, if there has been an appeal under this article, before the Council has rendered a decision authorizing the demolition.

If the decision concerns a heritage building, a certificate of authorization can only be issued following the expiry of the 90-day period following receipt by the MRC of the notice of the municipal decision.

## **PROVISIONS CONCERNING BUILDINGS COMPRISING ONE OR MORE DWELLINGS**

### **ARTICLE 28**

The applicant must send a notice of the application to each of the tenants of the building, if applicable.

### **ARTICLE 29**

If a person wishes to acquire this immovable in order to preserve its residential rental character, he may, as long as the Committee has not rendered its decision, intervene in writing with the clerk-treasurer to request a delay in order to undertake or pursue steps to acquire the building.

### **ARTICLE 30**

If the Committee considers that the circumstances justify it, it postpones the pronouncement of its decision and grants the intervener a period of at most two months from the end of the hearing to allow the negotiations to reach a conclusion. The Committee may postpone the pronouncement of its decision for this reason only once.

### **ARTICLE 31**

A landlord who has been granted a demolition permit may evict a tenant to demolish a dwelling.

However, a tenant may not be forced to vacate his dwelling before the later of the following eventualities, either the expiry of the lease, or the expiry of a period of three months from the date of issuance of the certificate of authorization.

### **ARTICLE 32**

The landlord must pay the tenant evicted from his dwelling an indemnity of three months' rent and his moving expenses. If the damages resulting from the harm suffered by the tenant amount to a higher sum, he may apply to the Administrative Housing Tribunal to have the amount fixed.

The indemnity is payable on departure of the tenant and the moving expenses, upon presentation of supporting documents.

## **PROVISIONS CONCERNING HERITAGE BUILDINGS**

### **ARTICLE 33**

If a person wishes to acquire an immovable to preserve its heritage character, he or she may, as long as the Committee has not rendered its decision, intervene in writing with the clerk-treasurer to request a delay in order to undertake or continue to purchase the building.

#### **ARTICLE 34**

The Committee must consult the local heritage council before making a decision relating to a heritage building.

#### **WORK EXECUTION**

#### **ARTICLE 35**

When the Committee grants the authorization, it can set the deadline within which the demolition work must be undertaken and completed.

He may, for a reasonable reason, modify the fixed time limit, provided that a request to do so is made to him before the expiry of that time limit.

#### **ARTICLE 36**

If the demolition work is not undertaken before the expiry of the deadline set by the Committee, the demolition authorization is without effect.

If, on the expiry date of this period, a tenant continues to occupy his dwelling, the lease is automatically extended and the landlord may, within one month, apply to the Administrative Housing Tribunal to set the rent.

#### **ARTICLE 37**

If the work is not completed within the time fixed, the Council may cause it to be carried out and recover the cost of the work from the owner. These costs constitute a priority claim on the land where the building was located, in the same way and according to the same rank as the claims referred to in paragraph 5° of article 2651 of the Civil Code; these costs are secured by a legal hypothec on this land.

#### **INSPECTION**

#### **ARTICLE 38**

At all times during the execution of the demolition work, a person in authority on the premises must have in his possession a copy of the certificate of authorization. A Municipal official designated by the Council may enter, at any reasonable time between 7 am and 7 pm, on the premises where this work is being carried out in order to verify whether the demolition complies with the Committee's decision. Upon request, the official of the Municipality must give his identity and show the certificate, issued by the Municipality, attesting to his capacity.

Is liable to a maximum fine of \$500:

1° anyone who prevents a municipal official from entering the premises where the demolition work is being carried out;

2° the person in authority responsible for carrying out the demolition work who, on the premises where the work is to be carried out, refuses to show, at the request of a municipal official, a copy of the certificate of authorization.

## **FINES AND PENALTIES**

### **ARTICLE 39**

The fact of complying with this regulation does not remove the obligation to comply with any other law or any other regulation applicable in this case, in particular the Act respecting the Administrative Housing Tribunal.

### **ARTICLE 40**

Without prejudice to other recourses that may be exercised by the Municipality, anyone who proceeds or has the demolition of a building proceeded without having previously obtained a demolition authorization or contrary to the applicable conditions is liable; in addition to costs, a fine of at least \$5,000 and at most \$25,000.

The Municipality may also ask the court to order this person to reconstitute the building thus demolished and, failing that, to authorize the municipality to proceed with the reconstitution and recover the costs of the owner, in application of article 148.0. .17 of the Act respecting land use planning and development.

## **COMING INTO FORCE**

### **ARTICLE 41**

This by-law comes into force in accordance with the law.

### **7.4 Date of the public consultation meeting – By-law project #297-2023 concerning the demolition of buildings**

A public consultation meeting will be held on May 2<sup>nd</sup> 2023 at 3:00 p.m. at the Town Hall, located at 2940, Route 327 on draft by-law number 297-2023 concerning the demolition of buildings.

## **8. Financial and administrative management**

### **8.1 Filing of the report of authorized expenses by the department directors**

The reports of expenses authorized by the general management and by the directors of services for the month of March 2023 are filed with the council.

### **8.2 Acceptance of accounts payable and accounts paid for the month of March 2023**

It is moved by councillor Daniel St-Onge and carried to approve the accounts and salaries paid for the month of March 2023 and the accounts payable, as presented below, and to authorize their payment.

#### **Paid accounts (checks issued March 2023)**

2023-04-R099

Jean Nicholas Lafleur	16 918.35 \$
Services de Cartes Desjardins	57.45 \$
Hydro-Québec	1 795.45 \$
Canada Post Corporation	7 277.92 \$
Jonathan Rodger	60.00 \$
Neil Swail	40.71 \$
Desjardins Sécurité Financière	5 985.53 \$
France Bellefleur	805.47 \$
Mathieu Dessureault	264.33 \$
Hydro-Québec	1 131.26 \$
Jean-François Desfossés	678.32 \$
France Bellefleur	1 207.03 \$
Patinoire Communautaire Lost River	1 000.00 \$
Lbel Inc.	238.76 \$
Heather-Anne MacMillan	45.36 \$
Hydro-Québec	2 861.35 \$
Retraite Québec	161.30 \$
Aaron Spicer	316.80 \$
Bell Canada	297.93 \$
Financière Banque Nationale	1 279.14 \$
Revenu Québec	36.80 \$
FTQ	4 155.18 \$
Desjardins Sécurité Financière	7 757.98 \$
Bell Mobilité	113.80 \$
CUPE Local 4852	569.15 \$
Waste Management	6 778.97 \$
MRC des Pays-d'en-Haut	1 550.83 \$

#### **Salaries paid (checks issued March 2023)**

Salaires pour les employés	53 747.44 \$
Salaires pour les élus	7 615.73 \$
Salaires pour les pompiers	3 859.57 \$
Salaires pour les élections	9 121.47 \$
Receveur Général du Canada	12 650.13 \$
Ministère du Revenu du Québec	32 831.32 \$
CSST	1 639.80 \$

#### **Accounts to be paid (checks to be issued in April 2023)**

Waste Management	3 635.35 \$
9284-3838 Québec Inc.	131.93 \$
Les Avocats le Corre & Ass.	71.28 \$
Urbacom	3 035.34 \$
Les Ent. D'Électricité R. Prévost	39.97 \$
Prévost, Fortin, d'Aoust	10 215.32 \$
Fédération Québécoise des Municipalités	823.94 \$
Les Sommets Chevrolet Buick	1 500.49 \$
MRC d'Argenteuil	3 488.37 \$
ADMQ	442.65 \$
Lachute Ford	179.59 \$
Consultants Mirtec	17 964.84 \$
Fonds Information Foncière	45.00 \$
Fonds des Biens et des Services	59.56 \$
Hubert Pesant	189.71 \$
Edilex	1 283.70 \$
Service d'Entretien Ménager-M.C.	1 379.70 \$
CRHA	741.03 \$
Hamster L'Apostrophe Plus	147.33 \$
Juteau Ruel Inc.	621.84 \$

Formules Municipales	329.69 \$
CNESST	129.55 \$
Canadian Tire	82.06 \$
Kelly O'Brien	225.00 \$
Fosses Septiques Miron	195.46 \$
Pyromont	248.34 \$
Auto Parts	839.49 \$
H2Lab	334.29 \$
Atelier d'Usinage L.M.G.	478.43 \$
Maxiburo	1 005.00 \$
Wathier Welding Products	212.65 \$
J.B. Dixon Inc.	3 209.31 \$
Turpin Vitres d'Autos	75.19 \$
Service de Pneus M.K. 2005 Inc.	39.67 \$
Service de Recyclage Sterling	310.43 \$
Energies Sonic RN S.E.C.	6 629.99 \$

I, the undersigned, assistant director general and assistant clerk-treasurer, certify that the Municipality of the Township of Harrington has the necessary available funds for the expenses listed above.

\_\_\_\_\_  
Mathieu Dessureault  
Assistant director general

**ADOPTED UNANIMOUSLY**

### **8.3 Filing of the March 2023 financial report**

Assistant Director general Mathieu Dessureault, files the financial report for the month of March 2023.

2023-04-R100

### **8.4 Nomination – Acting mayor and mayor substitute at the MRC d'Argenteuil**

**WHEREAS** the Act respecting municipal territorial organization stipulates that in the event of the mayor's absence, impediment or refusal to act, or of a vacancy in his position, she is replaced on the council of the MRC and on its committees by a substitute designated by the council of the municipality;

**CONSEQUENTLY,**

It is moved by councillor Julie James

And carried:

**THAT** Mr. Gerry Clark be designated as acting mayor and substitute mayor of the Municipality of the Township of Harrington as of April 12<sup>th</sup>, 2023;

**THAT** the municipal council would like to thank Mr. Richard Francoeur for the important work carried out during his mandate as acting mayor, especially for the period of transition to the position of mayor.

**ADOPTED UNANIMOUSLY**

2023-04-R101

**8.5 Signature authorization – Caisse Desjardins d’Argenteuil**

**WHEREAS** it is important to authorize the new mayor as well as the new acting mayor to sign checks, bank bills and all documents relating to bank accounts;

**WHEREAS** it is important to confirm that Mrs. France Bellefleur and Mr. Mathieu Dessureault remain signatories and are authorized to sign cheques, bank drafts and all documents relating to bank accounts;

**CONSEQUENTLY,**

It is moved by councillor Richard Francoeur

And carried that council authorizes the following persons to sign cheques, bank drafts and all documents relating to bank accounts on behalf of the Municipality of the Township of Harrington:

Mrs. Gabrielle Parr, mayor

Mr. Gerry Clark, acting mayor

Ms. France Bellefleur, director general and clerk-treasurer

Mr. Mathieu Dessureault, assistant director general and assistant clerk-treasurer.

**ADOPTED UNANIMOUSLY**

**8.6 Filing of the declaration of pecuniary interests**

**IN CONFORMITY** with section 358 of the *Act respecting elections and referendums in municipalities*, the assistant director general and assistant clerk-treasurer is filing the declaration of pecuniary interests received from Mrs. Gabrielle Parr, mayor.

2023-04-R102

**8.7 Appointment of a selection committee for the hiring of an assistant director of public works**

**WHEREAS** the director of public works, Neil Swail, combines several tasks, including director of the fire department, responsible for public security, responsible for residual materials services and responsible for asset management, including the management of municipal buildings ;

**WHEREAS** for several years, the government of Quebec has transferred several additional responsibilities to the municipalities;

**WHEREAS** the municipality wishes to ensure continuity in the position of director of public works and that a succession plan must be put in place in order to ensure the maintenance of services to citizens in this strategic position of public works, residual and asset management;



**WHEREAS** it is in the interest of the council to set up a selection committee with the objective of evaluating candidates for this position and to report and recommend it to the council;

**CONSEQUENTLY,**

It is moved by councillor Daniel St-Onge

And carried:

**SET UP** a selection committee for the hiring of the assistant director of public works with the objective of evaluating the applications submitted and reporting and recommending them to the council;

And

**TO APPOINT** mayor Gabrielle Parr, Richard Francoeur, councillor, France Bellefleur, director general, as members of this committee.

**THAT** councillors Julie James and Gerry Clark, as well as Mathieu Dessureault, assistant director general, be appointed as substitute members of the committee, in the absence of mayor Gabrielle Parr and/or councillor Richard Francoeur.

**ADOPTED UNANIMOUSLY**

## **9. Public security**

2023-04-R103

### **9.1 Fire safety risk coverage plan – 2022 fire safety service activity report**

**WHEREAS** the fire safety risk coverage plan implemented by the MRC d'Argenteuil and adopted by cities and municipalities in 2005 and revised in October 2016;

**WHEREAS** the request made by the Ministry of Public Security to the MRC d'Argenteuil for activity reports to monitor the progress of the implementation of the risk coverage plan within each municipal authority;

**WHEREAS** section 35 of the *Fire Safety Act* which stipulates that any local or regional authority and any intermunicipal board responsible for applying the measures provided for in a risk coverage plan must adopt by resolution and send to the minister of public Security, within three months of the end of their fiscal year, an activity report for the previous fiscal year and their plans for the new year in terms of fire safety;

**WHEREAS** the local implementation plans prepared by the MRC d'Argenteuil and transmitted to the Fire Department of the Municipality of the Township of Harrington in order to respond to the request of the ministry of public Security;

**CONSEQUENTLY,**

It is moved by councillor Robert Dewar

And carried:

**THAT** the municipal council adopts the 2022 activity report of the fire department of the Municipality of the Township of Harrington;

**THAT** the 2022 fire department activity report be sent to the MRC d'Argenteuil so that the information in this report can be included in the annual report concerning the MRC d'Argenteuil's fire safety coverage Plan for the year 2022.

## **ADOPTED UNANIMOUSLY**

### **10. Public work**

2023-04-R104

**10.1 Authorization of a project submission by the MRC d'Argenteuil, aimed at sharing a professional resource in civil engineering hired by the MRC, within the framework of component 4 - Support for intermunicipal cooperation of the Regions and Rurality Fund of the Ministère des Affaires municipales et de l'Habitation**

**WHEREAS** the 2020-2024 Partnership “For even stronger municipalities and regions” was concluded on October 30<sup>th</sup>, 2019 with municipal representatives;

**WHEREAS** Bill 47 *An Act to ensure the implementation of certain measures of the 2020-2024 partnership between the Government of Quebec and the municipalities* was assented to at the National Assembly on December 11<sup>th</sup>, 2019, thus creating the Region and Rurality Fund (FRR);

**WHEREAS** the intermunicipal cooperation axis of section 4 - Support for revitalization and intermunicipal cooperation aims to encourage collaboration between municipal organizations by increasing the number of intermunicipal cooperation projects allowing the improvement of services offered to citizens;

**WHEREAS** by intermunicipal cooperation, it is understood in particular the pooling of professional resources, and this, under an intermunicipal agreement;

**WHEREAS** the Municipality of the Township of Harrington has taken note of the Guide for organizations concerning component 4 - Support for intermunicipal cooperation of the Regions and Rurality Fund;

**WHEREAS** the nine (9) constituent municipalities of the MRC d'Argenteuil wish to present an intermunicipal cooperation project within the framework of financial assistance, allowing the sharing of a professional resource, namely a civil engineer, mainly for the culvert management;

**WHEREAS** the MRC d'Argenteuil has multidisciplinary expertise, particularly in civil engineering, land use planning, environment and geomatics capable of coordinating and supporting a local professional resource in civil engineering;

**WHEREAS** according to the rules and standards of the program, with its economic vitality index positioning the MRC d'Argenteuil in the fourth quintile of the MRCs of Quebec, and the participation of the Township of Harrington, which is in the fifth quintile, the financing of this resource could reach 80% of eligible costs (salary, benefits and other), until 2025, up to a maximum amount of \$250,000;

**CONSEQUENTLY,**

It is moved by councillor Richard Francoeur

**THAT** the council of the Municipality of the Township of Harrington authorizes the submission of a project by the MRC d'Argenteuil, aimed at sharing a professional resource in civil engineering hired by the MRC, within the framework of component 4 "Support for intermunicipal cooperation » from the Regions and Rurality Fund of the Ministry of Municipal Affairs and Housing;

**THAT** the council undertakes to participate in the project and assume part of the costs, jointly with the other constituent municipalities of the MRC;

**THAT** council appoints the MRC d'Argenteuil as the organization responsible for the project and asks it to submit a request for financial assistance under this Program.

**ADOPTED UNANIMOUSLY**

2023-04-R105

**10.2 Authorization of a project submission by the MRC d'Argenteuil, aimed at sharing a professional resource in civil engineering hired by the MRC, within the framework of component 4 - Support for intermunicipal cooperation of the Regions and Rurality Fund of the Ministère des Affaires municipales et de l'Habitation – Harrington and Mille-Isles**

**WHEREAS** the 2020-2024 Partnership “For even stronger municipalities and regions” was concluded on October 30<sup>th</sup>, 2019 with municipal representatives;

**WHEREAS** Bill 47 *An Act to ensure the implementation of certain measures of the 2020-2024 partnership between the Government of Quebec and the municipalities* was assented to at the National Assembly on December 11<sup>th</sup>, 2019, thus creating the Region and Rurality Fund (FRR);

**WHEREAS** the intermunicipal cooperation axis of section 4 - Support for revitalization and intermunicipal cooperation aims to encourage collaboration between municipal organizations by increasing the number of intermunicipal cooperation projects allowing the improvement of services offered to citizens;

**WHEREAS** by intermunicipal cooperation, it is understood in particular the pooling of professional resources, and this, under an intermunicipal agreement;

**WHEREAS** the Municipality of the Township of Harrington has taken note of the Guide for organizations concerning component 4 - Support for intermunicipal cooperation of the Regions and Rurality Fund;

**WHEREAS** the two (2) constituent municipalities of the MRC d'Argenteuil wish to present an intermunicipal cooperation project within the framework of financial assistance, allowing the sharing of a professional resource, namely a civil engineer;

**WHEREAS** the MRC d'Argenteuil has multidisciplinary expertise, particularly in civil engineering, land use planning, environment and geomatics capable of coordinating and supporting a local professional resource in civil engineering;

**WHEREAS** according to the rules and standards of the program, with its economic vitality index positioning the MRC d'Argenteuil in the fourth quintile of the MRCs of Quebec, and the participation of the Township of Harrington, which is in the fifth quintile, the financing of this resource could reach 80% of eligible costs (salary, benefits and other), until 2025, up to a maximum amount of \$250,000;

**CONSEQUENTLY,**

It is moved by councillor Julie James

**THAT** the council of the Municipality of the Township of Harrington authorizes the submission of a project by the MRC d'Argenteuil, aimed at sharing a professional resource in civil engineering hired by the MRC, within the framework of component 4 "Support for intermunicipal cooperation » from the Regions and Rurality Fund of the Ministry of Municipal Affairs and Housing;

**THAT** the council undertakes to participate in the project and assume part of the costs, jointly with the other constituent municipalities of the MRC;

**THAT** council appoints the MRC d'Argenteuil as the organization responsible for the project and asks it to submit a request for financial assistance under this Program.

**ADOPTED UNANIMOUSLY**

2023-04-R106

**10.3 Purchase and spreading of 35% calcium chloride – Multi Routes inc.**

**WHEREAS** the municipality must renew its contract for the purchase and spreading of 35% calcium chloride for an approximate quantity of 225,000 litres;

**WHEREAS** the municipality proceeded with a request for tenders by invitation and the results, before applicable taxes, are as follows:

Les Entreprises Bourget Inc.	0.4127 \$/litre
Multi Routes	0.375 \$/litre

**WHEREAS** the firm Multi Route inc. provided the best price at \$0.375/litre;

**CONSEQUENTLY,**

It is moved by councillor Gerry Clark

And carried that council grant a contract to Multi Routes Inc. for the purchase and spreading of 225,000 liters of 35% calcium chloride in the amount of \$0.375/litre plus applicable taxes for a total amount of \$97,010.16 \$ taxes included;

**ADOPTED UNANIMOUSLY**

**2023-04-R107**

**10.4 Purchase of a water reservoir kit – Mechanical sweeper**

**WHEREAS** the municipality wishes to speed up the passage of the mechanical sweeper after the melting of the snow;

**WHEREAS** the acquisition of a water reservoir kit for the mechanical sweeper will reduce the dust emitted during use in dry weather;

**CONSEQUENTLY,**

It is moved by councillor Daniel St-Onge

And carried to authorize the purchase of a water reservoir kit for the mechanical sweeper in the amount of \$3,975 plus applicable taxes, from the company J. René Lafonds inc. for a total amount of \$4,570.26 taxes included.

**ADOPTED UNANIMOUSLY**

**2023-04-R108**

**10.5 Gas Tax Program and Quebec Contribution (TECQ) for 2019-2023**

**WHEREAS** the Municipality has taken note of the Guide relating to the terms and conditions of payment of the government contribution under the gas tax Program and the Quebec contribution (TECQ) for the years 2019 to 2023;

**WHEREAS** the municipality must comply with the terms of this guide that apply to it to receive the government contribution which was confirmed to it in a letter from the Minister of Municipal Affairs and Housing;

**CONSEQUENTLY,**

It is moved by councillor Richard Francoeur

And carried:

**THAT** the municipality agrees to respect the terms of the guide that apply to it;

**THAT** the municipality undertakes to be solely responsible and to release the government of Canada and the government of Quebec as well as their ministers, senior officials, employees and agents from any liability with respect to claims, demands, losses, damages and costs of all kinds based on injury to or death of a person, damage to property or loss of property attributable to a willful or negligent act resulting directly or indirectly from investments made with the assistance funding obtained under the TECQ 2019-2023 program;

**THAT** the municipality approves the content and authorizes the sending to the Ministère des Affaires municipales et de l'Habitation of the enclosed of the work programming no. 4 and all the other documents required by the Ministère in order to receive the government contribution which was confirmed to him in a letter from the Minister of Municipal Affairs and Housing;

**THAT** the municipality undertakes to reach the minimum fixed assets threshold imposed on it for the entire five years of the program;

**THAT** the municipality undertakes to inform the Ministry of Municipal Affairs and Housing of any modification that will be made to the work programming approved by this resolution;

**THAT** the Municipality hereby certifies that the work programming number 4, enclosed, includes true costs incurred and reflects the cost forecasts for eligible work.

**ADOPTED UNANIMOUSLY**

#### **11. Question period**

The mayor answers the questions addressed to him by the citizens present at the sitting.

**2023-04-R109**

#### **12. Closing of the sitting**

It is moved by councillor Gerry Clark and carried that the sitting be closed at 7:50 p.m.

**ADOPTED UNANIMOUSLY**

I, Gabrielle Parr, mayor, certifies that the signing of these minutes is equivalent to the signing by me of all the resolutions it contains within the meaning of article 142 (2) of the *Municipal Code of Quebec*.

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**Gabrielle Parr**  
**Mayor**

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**Mathieu Dessureault**  
**Assistant director general**  
**Assistant clerk-treasurer**