



**DRAFT BY-LAW NUMBER 384-2026**

**REGARDING THE OCCUPANCY AND MAINTENANCE OF BUILDINGS**

PROJET DE RÈGLEMENT

**Resolution #2026-02-R028**

**Adoption of DRAFT BY-LAW NUMBER 384-2026 regarding the occupancy and maintenance of buildings**

**IT IS MOVED BY:** Councillor Daniel St-Onge

**AND CARRIED TO** adopt the Draft By-law number 384-2026 regarding the occupancy and maintenance of buildings.

**ADOPTED UNANIMOUSLY**

**PROVINCE OF QUEBEC  
MUNICIPALITY OF THE TOWNSHIP OF HARRINGTON  
MRC OF ARGENTEUIL**

**DRAFT BY-LAW NUMBER 384-2026 regarding the occupancy and maintenance of buildings**

**WHEREAS** the *Cultural Heritage Act*, as amended by Bill 69 (assented to on April 1, 2021), requires that a By-law concerning the occupancy and maintenance of buildings be in force for all Municipalities by April 1, 2026.

**WHEREAS** such a By-law must contain standards aimed at preventing the deterioration of heritage buildings, protecting them from the elements, and preserving the integrity of their structure.

**WHEREAS** Sections 145.41 to 145.41.7 of the *Act respecting land use planning and development* (RLRQ c. A-19.1) confer powers on Municipalities with regard to the occupancy and maintenance of buildings.

**WHEREAS** the Municipality of the Township of Harrington wishes to preserve heritage buildings within its territory.

**WHEREAS** a notice of motion for this Draft By-law was given by Mr. Gerry Clark at the regular sitting of the Council held on February 16, 2026, and the Draft By-law was tabled and presented at that same sitting.

**WHEREAS** a public consultation meeting will be held to present the Draft By-law.

**WHEREAS** the Draft By-law is presented in accordance with the Municipal Code of Québec.

**WHEREAS** a copy of this By-law has been provided to the members of the Council in accordance with the provisions of the Municipal Code of Québec (RLRQ, c. C-27.1).

**WHEREAS** a copy of the By-law is available for public consultation at the beginning of the meeting.

**WHEREAS** the members of Council declare that they have read the said By-law and waive its reading.

**CONSEQUENTLY**, the Municipality of the Township of Harrington decrees as follows:

## **CHAPTER 1**

### **Declaratory, administrative, and interpretive provisions**

#### **Section 1.1: Declaratory provisions**

##### **1.1.1: TITLE of the By-law**

This By-law is entitled “By-law on the Occupancy and Maintenance of Buildings” and is numbered 384-2026.

##### **1.1.2: Purpose of the By-law and territory covered**

This By-law sets out standards for the maintenance and occupancy of certain buildings in the territory of the Municipality of the Township of Harrington with a view to preventing their deterioration, ensuring their protection against the elements, and preserving the integrity of their structure.

##### **1.1.3: Subject properties**

This By-law applies to any heritage property designated in accordance with the *Cultural Heritage Act* (chapter P-9.002), located on a heritage site designated in accordance with that Act or listed in an inventory referred to in the first paragraph of section 120 of that Act.

##### **1.1.4: Conflict with other By-laws or laws**

Compliance with this By-law does not exempt the person from complying with any other provincial or federal law or By-law or any other By-law of a Municipality applicable in this case.

##### **1.1.5: Adoption Part by Part**

The Municipal Council of the Township of Harrington hereby declares that it adopts this By-law chapter by chapter, section by section, and article by article, paragraph by paragraph, so that if any part of this By-law is declared null and void by a court, such a decision shall have no effect on the other parts of the By-law, except in cases where the meaning and scope of the By-law or one of its provisions would be altered or modified.

#### **Section 1.2: Administrative provisions**

##### **1.2.1: Administration and enforcement of the By-law**

The administration and enforcement of this By-law are entrusted to any person hereinafter referred to as the “designated official,” in accordance with the provisions of the current *Bylaw on Permits and Certificates* of the Municipality of the Township of Harrington.

##### **1.2.2: Powers of the designated official**

The powers of the designated official are set out in the current *By-laws on Permits and Certificates* of the Municipality of the Township of Harrington.

#### **Section 1.3: Interpretative provisions**

##### **1.3.1: Structure of the By-law**

The numbering system used in this By-law is as follows:

- 1. Chapter
  - 1.1 Section
    - 1.1.1 Article
      - 1. Paragraph
        - a) Subparagraph

When the text of an article does not contain any numbering relating to a paragraph or subparagraph, it is considered to be a clause.

### **1.3.2: Terminology**

Expressions, terms, and words have the meaning and application attributed to them by the *By-laws on Permits and Certificates in force in the Municipality of the Township of Harrington*. If they are not specifically defined, they retain their usual meaning as defined in the dictionary.

Notwithstanding the foregoing, for the purposes of this By-law, the following definitions apply:

**Dilapidation:** the state of something that is not well maintained and cannot be used to perform the functions for which it was intended or designed.

**In good condition:** the state of something that is well preserved and can be used to fulfill the functions for which it is intended or designed.

**Maintenance:** the act of keeping something in good condition.

**Heritage property:** any immovable property (including a building, structure, ruin, or land) located on a heritage site listed or included in an inventory adopted by the MRC of Argenteuil, in accordance with the *Cultural Heritage Act* (RLRQ, c.P-9.002).

**Municipality:** Municipality of the Township of Harrington.

**Constituent parts of a building:** includes where applicable, the roof, frame, columns, beams, joists, exterior and/or interior walls, foundation, architectural elements, doors, windows, chimneys, cornices, eaves, balconies, terraces, stairs, steps, guardrails, weatherstripping, mortar joints, and exterior cladding.

## **CHAPTER 2**

### **PROVISIONS ON OCCUPANCY AND MAINTENANCE**

#### **Section 2.1: Standards to prevent the deterioration of buildings**

##### **2.1.1: Maintaining a building in good condition**

All parts of a building must be kept in good condition and be able to perform the functions for which they were designed.

Maintenance and repair work must not, under any circumstances, alter the heritage character of a building. Such work must preserve the architectural integrity and heritage quality of a building.

### **2.1.2 : Obligations**

All parts of a building must be maintained and repaired in such a way that they remain uniform in appearance and are not damaged.

Exterior surfaces made of wood or metal, where applicable, must be protected by paint, stain, varnish, or any other coating whose use is not prohibited by the By-laws in force in the Municipality of the Township of Harrington.

Maintenance and/or repair work must be carried out as soon as possible.

A main building must be equipped with a functioning heating system, and the indoor temperature must be sufficient to preserve the condition of the building (to prevent damage caused by freezing or moisture, etc.).

## **Section 2.2: Standards for protecting buildings from the elements and preserving their structural integrity**

### **2.2.1: Preserving their structure**

All components of a building, where applicable, must be maintained in such a way as to preserve their integrity and withstand the combined forces of live loads, roof loads, wind pressure loads, snow loads, and other natural elements to which they are subjected, so as not to compromise public safety.

### **2.2.2: Obligations**

All parts of a building must be repaired or replaced so that they retain their stability, strength, or solidity.

All parts of a building, where applicable, must be repaired or replaced to prevent the infiltration of air, water, or snow and to remain watertight.

The exterior envelope of a building (wall and/or roof covering), where applicable, must be free of holes or cracks and must not be uncovered.

All parts of a building must be kept safe and in good condition at all times.

## **Section 2.3: Vacant Buildings**

### **2.3.1: Obligations**

Openings in a vacant building must be closed and locked to prevent access.

A vacant building must be monitored regularly to identify any parts of the building that are not in good condition.

## **CHAPTER 3**

### **INTERVENTIONS BY THE MUNICIPALITY**

#### **Section 3.1: Remedies to carry out the required work**

##### **3.1.1: Notice of non-compliance**

In the event of a violation of this By-law, the designated official may send the owner of the building in question a written notice by certified mail or by bailiff, indicating:

- a) The nature of the non-compliance.

- b) The repair, renovation, or maintenance work required to bring the building into compliance with this By-law.
- c) The deadline for completing the work.

The designated official may require the owner of the building covered by the notice of non-compliance to send the Municipality a report from a competent professional certifying that the building and/or its components comply with this By-law.

### **3.1.2: Deadlines**

The deadline specified in the notice of non-compliance must be respected.

If the work requires the issuance of a certificate of authorization or a permit under the current *Permit and Certificate By-laws* of the Municipality of the Township of Harrington, a complete application must be submitted and comply with the provisions of these By-laws.

If public safety or health is threatened by the situation, the designated official may issue a notice to the owner ordering them to prevent access to the building, and the owner must comply.

### **3.1.3: Work carried out by the Municipality**

If the owner does not carry out the work within the time limit specified in the notice of non-compliance, the Superior Court may, at the request of the Municipality, order the owner to carry out the work or authorize the Municipality to carry out the work and claim the costs from the owner. The application shall be heard and decided on an urgent basis.

The cost of this work constitutes a priority claim on the immovable on which it was carried out, in the same manner and according to the same rank as the claims referred to in paragraph 5 of article 2651 of the *Civil Code of Québec*. This cost is secured by a legal hypothec on the immovable.

### **3.1.4: Notice of deterioration**

If the owner fails to carry out the work within the time limit specified in the notice of non-compliance, the Council may request that the following information be entered in the land register:

- a) The description of the building concerned and the name and address of its owner.
- b) The name of the Municipality and the address of its office, as well as the title, number, and date of the resolution by which the Council requests the entry.
- c) The title and number of the By-law governing the occupation and maintenance of buildings.
- d) A description of the work to be carried out.

No notice of deterioration may be registered in respect of a building that is owned by a public body within the meaning of the *Act respecting Access to documents held by public bodies and Personal Information* (RLRQ chapter A-2.1).

### **3.1.5: Notice of rectification**

When the Municipality determines that the work required in the notice of deterioration has been carried out, the Council must, within 60 days of the determination, request the registration of a notice of rectification in the land register, which contains, in addition to the information found in the notice of

deterioration, the registration number of that notice of deterioration in the land register and a statement that the work described therein has been carried out.

### **3.1.6: Notification of registration in the land register**

Within 20 days, the Municipality shall notify the owner of the property and any holder of a real right registered in the land register of the property of the registration of any notice of deterioration or regularization.

### **3.1.7: List of buildings subject to a notice of deterioration**

The Municipality shall keep a list of buildings for which a notice of deterioration is registered in the land register. It shall publish this list on its website or, if it does not have one, on the website of the regional county municipality whose territory includes its own.

The list contains, for each building, all the information contained in the notice of deterioration.

When a notice of regularization is registered in the land register, the Municipality must remove from this list any reference to the notice of deterioration related to this notice of regularization.

### **3.1.8: Acquisition of a building by the Municipality**

The Municipality may acquire, by mutual agreement or by expropriation, any building for which a notice of deterioration has been entered in the land register for at least 60 days, on which the work required in that notice has not been carried out, and which has one or more of the following characteristics:

- a) It has been vacant for at least one year at the time of service of the notice of expropriation provided for in section 9 of the *Act respecting expropriation*, RLRQ c E-25;
- b) Its state of disrepair presents a risk to the health or safety of persons;
- c) It is a heritage building designated in accordance with the *Cultural Heritage Act* (RLRQ, chapter P-9.002), located on a heritage site designated in accordance with that Act or listed in an inventory of heritage buildings adopted by the MRC of Argenteuil.

Such a building may then be disposed of, for valuable consideration, to any person or, free of charge, to a person referred to in section 29 or 29.4 of the *Act respecting cities and towns*, CQLR c C-19.

## **CHAPTER 4**

### **FINAL PROVISIONS**

#### **SECTION 4.1: Penal provisions and entry into force**

##### **4.1.1 : Violations and penalties**

Anyone who violates or allows a violation of any provision of this By-law commits an offense and is liable to a fine of:

For a natural person: a fine of not less than \$2,000 and not more than \$250,000,

For a legal person: a fine of not less than \$4,000 and not more than \$250,000

In the event of a repeat offense, the amounts of the fines shall be doubled. If, in accordance with the provisions of this By-law, a notice of deterioration of

the building has been entered in the land register prior to its acquisition by a new owner, the prescribed fine for a repeat offense may be imposed regardless of the change of ownership.

If the offense lasts more than one day, the offense committed on each day constitutes a separate offense, and the penalties prescribed for each offense may be imposed for each day that the offense continues, in accordance with this section.

#### 4.1.2 : Entry into force

This By-law shall come into force in accordance with the law.

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Gabrielle Parr  
Mayor

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Steve Deschênes  
Director General

Notice of motion:	<b>February 16, 2026</b>
Adoption of Draft By-law:	<b>February 16, 2026</b>
Public notice – Public consultation assembly:	
Public consultation assembly:	
Adoption of By-law:	
Transmission of certified copy to the MRC:	
Entry into force:	