

Bylaw 173-2026

relating to the occupancy and maintenance of buildings

MCNGSL-Harrington Harbour



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Appendix A - List of Heritage Buildings

PREAMBLE

WHEREAS the Act to amend the Cultural Heritage Act and other legislative provisions came into force on April 1, 2021;

WHEREAS the Municipality must adopt the by-law relating to the occupancy and maintenance of buildings provided for in section 145.41 of the Act respecting land use planning and development (CQLR, c. A-19.1) no later than April 1, 2026;

WHEREAS this by-law contains standards designed to prevent the deterioration of buildings, to protect them against the weather and to preserve the integrity of their structure;

WHEREAS a notice of motion was given at the sitting of March 20, 2026;

CONSIDERING that a draft by-law was tabled at the sitting of March 20, 2026;

WHEREAS the public notice of consultation was sent on 20 March 2026;

WHEREAS a public consultation meeting was held on March 26, 2026;

WHEREAS the applicable procedure for the adoption of the Regulation has been followed;

The Council hereby enacts the following:

CHAPITRE 1 DECLARATORY AND INTERPRETATIVE PROVISIONS

Section 1.1 Declaratory provisions

1.1.1 Title of the regulations

This by-law is entitled "By-law respecting the occupancy and maintenance of buildings" and bears the number 173-2026.

1.1.2 Purpose of the regulation

The purpose of this Regulation is to govern the occupancy and maintenance of buildings in order to prevent their deterioration, to protect them against bad weather and to preserve the integrity of their structure, in accordance with the powers and obligations provided for in Chapter IV of the *Act respecting land use planning and development* (CQLR, c. A-19.1).

1.1.3 Scope of the Regulations and Subject Jurisdiction

The current by-law, whose provisions are binding on all persons and applies to all buildings, main and accessory, in the territory of the Municipality of the Côte-Nord-du-Golfe-du-Saint-Laurent.

1.1.4 Competition with other regulations or laws

Compliance with this by-law does not exempt you from the obligation to comply with any other law, regulation, code or directive of the provincial or federal government or any other municipal by-law applicable in the case.

1.1.5 Attached documents

The documents are annexed to this Regulation to form an integral part of it

1. Schedule "A" entitled " LIST OF HERITAGE BUILDINGS which lists heritage buildings, i.e. those built before 1940 and which have heritage value"

1.1.6 Part-by-part adoption

The Administrator of the Municipality of the Côte-Nord-du-Golfe-du-Saint-Laurent hereby declares that she adopts this by-law chapter by chapter, section by section and section by section, paragraph by paragraph, paragraph by paragraph and sub-paragraph by sub-paragraph in such a manner that, if any part of this by-law were to be declared null and void by a court, Such a decision shall not affect the other parts of this by-law except in the event that the meaning and scope of the by-law or any of its provisions would be altered or modified.

Section 1.2 Interpretative provisions

1.2.1 Interpretation of the text

Regardless of the verb tense used in any provision of the present Regulations, that provision shall be deemed to be in force at all times and in all circumstances in which it may apply.

Whenever it is prescribed by the regulation that anything shall be done or to be done, the obligation to do it is absolute. However, if it says that something can or can be done, it is optional to do it or not.

In this Regulation, the masculine includes the feminine, unless the text indicates otherwise.

In the current regulation, the singular extends to several persons or to several things of the same species, whenever the context lends itself to this extension.

In this by-law, the authorization to do something includes all the powers necessary for that purpose.

The interpretation of the text of this regulation must comply with the following rules:

1. The use of verbs in the present tense includes the future tense, and vice versa;
2. The use of the singular includes the plural and the use of the plural includes the singular, whenever the context is appropriate;
3. The use of the verb DUTY indicates an absolute obligation; while the use of the verb POWER retains an optional meaning, except in the expression "MAY NOT" which means "MUST NOT";
4. Where two or more provisions of this by-law apply to a use, building, land or other object governed by this by-law, the following rules apply:
 - a) The special provision takes precedence over the general provision;
 - b) The most restrictive provision prevails;
5. Any reference to another regulation or Act is open, i.e., it extends to any amendment that such a regulation or Act may undergo as a result of the coming into force of the current regulation;
6. All the measures present in the current regulation are those of the international system (IS);
7. The table of contents and titles of the chapters, sections and sections of this Regulation are given for the purpose of improving comprehension of the text;
8. The plans, annexes, tables, graphs, figures, illustrations and symbols and any form of expression other than the text itself and contained in this Regulation shall form an integral part thereof for all purposes only.

1.2.2 Method of dividing the by-law

The interpretation of the current regulation must take into account the hierarchy between the divisions of the text: chapters, sections, articles, paragraphs, paragraphs and subparagraphs. By way of illustration, the typography used to distinguish the divisions of the by-law is as follows:

Chapter #
Section #. #
Article
Paragraph
1. Paragraph
(a) Sub-paragraph

1.2.3 Rule of Precedence of General and Specific Provisions

In the event of an inconsistency between two provisions of the current Regulation or between a provision of the current Regulation and a provision contained in another Regulation, the specific provision shall prevail over the general provision.

In the event of an inconsistency between restrictive or prohibitive provisions contained in the current Regulations or in the event of an inconsistency between a restrictive or prohibitive provision contained in these Regulations and a provision contained in any other Regulations, the more restrictive or prohibitive provision applies, unless otherwise specified.

1.2.4 Terminology

For the purpose of interpreting the current by-law, unless the context indicates otherwise, any word or expression has the meaning attributed to it in the by-law in force, including the terminology applicable to urban planning by-laws. If a word or expression is not specifically defined in these regulations, it is understood in its common meaning as defined in the dictionary.

Notwithstanding the foregoing, the following words or expressions have the meanings ascribed to them in these Regulations:

Council : The Administrator of the Municipality.

Dilapidation : A state of deterioration caused by deliberate deterioration or lack of maintenance affecting the structure of the thing and making it impossible to use the thing for which it is intended or designed.

Exterior elements of a building: refers to the exterior components of a building. This expression includes, but is not limited to, a cornice, a terrace, a balcony, stairs, a gutter, a parapet, a crown, ironwork, a dormer, a false attic, a character-defining architectural element, including their cladding.

Maintenance : Action of keeping in good condition.

Building Exterior Envelope : refers to a component of a building that separates the interior from the exterior. This expression includes, but is not limited to, a roof, an exterior wall, a foundation wall, a siding, a lintel, a spandrel, a mortar joint, a gasket, a door, a window, an access to the roof, a trapdoor, a chimney, a character-defining architectural element, including their cladding.

Designated Officer: The Executive Director, her authorized representative or any official responsible for the administration of the current Regulations.

Immovable : Article 900 of the Civil Code of Québec (CQLR, c. CCQ-1991) defines an immovable as "the land, the structures and works of a permanent nature thereon and everything that forms an integral part thereof." In other words, the provisions of the provincial framework for immovables, heritage or not, include buildings as well as structures or structures.

Heritage immovable : An immovable listed in accordance with the *Cultural Heritage Act* (CQLR, c. 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.

Restoration : The act of repairing or replacing architectural components of a heritage building, in order to restore them to good condition or to reproduce as closely as possible their condition at a given period in the building's history.

Dilapidation : A state of deterioration produced by time and normal wear and tear and making it impossible to use something for which it is intended or designed.

CHAPITRE 2 ADMINISTRATIVE PROVISIONS

Section 2.1 Designated officer and the obligation of the owner, tenant or occupant

2.1.1 Administration and application of the document

The administration and enforcement of the current Regulations is the responsibility of the designated officer.

2.1.2 Powers of inspection

In the performance of his duties and upon presentation of identification, the designated officer may, at any reasonable time and for the purposes of the application of this by-law, visit any land or structure, movable or immovable property, enter it and examine it in order to ensure compliance with this by-law.

In particular, within the framework of the application of the current regulation, it may:

1. Take photographs and measurements of the affected premises;
2. To collect, free of charge, samples of any kind for analysis;
3. Perform tests or technical surveys using a measuring device;
4. Require the production of books, registers or documents relating to the matters covered by this by-law or require any other information that the Minister considers necessary or useful;
5. Require the production of an analysis, carried out by a person competent in the field, attesting to the safety, proper functioning or compliance with this by-law of a constituent part of a building or structure;
6. Be accompanied by a person whose assistance or expertise he or she requires.

2.1.3 Obligation of the owner, tenant or occupant

The owner, tenant or occupant must allow the designated officer to enter the premises. It is forbidden to obstruct the designated officer in the performance of his or her duties or someone accompanying him. In particular, no one may deceive him or attempt to deceive him by concealment or false or misleading statements.

The owner, tenant or occupier must comply with requests made by the designated officer in accordance with this regulation.

Section 2.2 Reviews

2.2.1 Notice of work

In the event of dilapidation or dilapidation of a building, the Municipality may require repair, repair or maintenance work to be carried out.

To do so, the person must send the owner of the vessel a written notice indicating the work to be carried out to bring the vessel into compliance with the standards and measures provided for in this by-law and the time limit for carrying it out.

Upon written request from the owner of the building, the Municipality may grant an additional period of up to 6 months.

2.2.2 Notice of deterioration

If the owner of a building does not comply with the notice of work sent to him or her under the third paragraph of section 145.41 of the *Act respecting land use planning and development* (CQLR, c. A-19.1), the Council may require that a notice of deterioration be entered in the land register.

A notice of deterioration is served on the owner of the building and on any holder of a real right registered in the land register in respect of the building in accordance with section 145.41.3 of the *Act respecting land use planning and development* (CQLR, c. A-19.1).

2.2.3 Notice of adjustment

When the Municipality finds that the work required in the notice of deterioration has been carried out, the Administrator must, within 60 days of the finding, request that a notice of regularization be entered in the land register in accordance with sections 145.41.2 to 145.41.4 of the *Act respecting land use planning and development* (CQLR, c. A-19.1)

A notice of regularization is served on the owner of the building and on any holder of a real right registered in the land register in respect of the building in accordance with section 145.41.3 of the *Act respecting land use planning and development* (CQLR, c. A-19.1).

2.2.4 Failure to comply with the notice of work

In the event that the owner of the building fails to carry out repair, repair or maintenance work, the Superior Court may, on application by the Municipality, authorize the latter to carry out the repair, repair or maintenance work and to claim the cost thereof from the owner.

2.2.5 Acquisition of a deteriorated building

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

1. 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* (CQLR, c. E-25);
2. Its state of dilapidation or dilapidation poses a risk to the health or safety of persons;
3. It is a heritage building.

CHAPITRE 3 STANDARDS AND MEASURES RELATING TO THE OCCUPANCY AND MAINTENANCE OF BUILDINGS

Section 3.1 General provisions

3.1.1 General prohibition

It is forbidden to damage or allow a building to deteriorate.

3.1.2 Maintaining in good condition

All components of a building must be maintained in good condition and perform the functions for which they were designed, including protecting the building from the elements and preserving the integrity of the building's structure. They must be maintained in such a way as to maintain their integrity, to withstand the combined forces of live loads, loads on the roof, wind pressures, the weight of snow and other elements of nature to which they are subjected.

Without limiting the generality of the foregoing, the following are components that are in a poor state of maintenance:

1. The exterior envelope of a building or one of its components that is not airtight and that allows the infiltration of air, water or snow or the intrusion of birds, vermin or other animals into the building or walls;
2. An exterior surface or component that is not protected by the application of paint, varnish or a coating that corresponds to the materials to be protected;
3. A brick wall that has hollowed or cracked mortar joints;
4. A step, stairway, railing or balcony that is unstable, damaged or affected by rot;
5. A wall, ceiling, or foundation wall that has holes or cracks;
6. A component of the exterior envelope of a building where water or moisture accumulates;
7. A structure or structural component that is deformed, tilted, sagging or crumbling;
8. A material that is contaminated with mould, whether or not it has been concealed;
9. A damaged or missing gasket;
10. A broken window pane or a rotten window frame;
11. A frame of an exterior opening that is not caulked;
12. A movable part of a window, door, or air or light shaft that is not joined or functional;
13. An exterior component of a building that is unstable, unscrewed, rotten, or rusty;
14. A floor with a poorly jointed, twisted, broken or rotten coating or that may constitute an accident hazard.

3.1.3 Drinking water supply system

Maintaining a well-functioning drinking water supply system is essential for the preservation of the structural integrity of a building. A faulty system can cause leaks that cause structural damage, such as weakening walls, floors, and foundations, due to excessive moisture. Water seeping into insulation materials can also reduce their effectiveness and cause them to degrade, leading to condensation, mold and wood rot problems, for example.

3.1.4 Heating, ventilation and air conditioning systems

A building's heating, ventilation and air-conditioning systems must be kept in good working order at all times and capable of being used for their intended purpose.

The heating system must be capable of maintaining a minimum ambient temperature of 21°C, measured in the centre of a room and one metre from the floor, inside each room of a building intended for residential purposes.

The relative humidity level inside the building must not exceed 50%.

Section 3.2 Provisions applicable to the occupation of buildings

3.2.1 Building unfit for occupation

Any building without means of heating, natural or mechanical ventilation, lighting, a source of drinking water supply or sanitary equipment to ensure the comfort and protect the health of its occupants is considered unfit for occupancy.

3.2.2 Bathroom

Occupants of a dwelling must have access to at least one enclosed room with a toilet, bath or shower and sink. The area of this room must be sufficient to permit the installation and use of the equipment required by this section.

In the case of a rooming house, this room may be for the exclusive use of the occupants of a room or be shared by more than one room. It should not be necessary to go up or down more than one floor to access it.

3.2.3 Mechanical ventilation of a bathroom or washroom

In a building, a bathroom or washroom that is not ventilated by natural air circulation must be equipped with a mechanical ventilation system that expels the air outside and ensures a regular air change.

3.2.4 Natural air circulation ventilation of a room

A room must be ventilated by natural air circulation by means of one or more windows directly facing the outside.

3.2.5 Space for meal preparation

Each dwelling must include a sink in good working order in a space dedicated to the preparation of meals. This space should be large enough to allow for the installation and use of a cooking appliance and refrigerator.

The space above the space occupied or intended to be occupied by cooking equipment must include a hood connected to an exhaust air duct to the outside, an air recirculation hood or a carbon filter hood. In addition, it must be possible to connect the cooking appliance to a 220-volt electrical power source or to a natural gas or propane power source.

3.2.6 Drinking water supply and sewage disposal

A dwelling must be equipped with a drinking water supply system and a plumbing system for sewage disposal, which must be kept in good working order at all times.

3.2.7 Connection of sanitary fixtures

A plumbing fixture must be connected directly to the sewage plumbing system and be in good working order.

A sink, sink, bathtub or shower must be supplied with sufficient cold and hot water. Hot water must be dispensed at a minimum temperature of 60 °C.

3.2.8 Lighting

A dwelling must be equipped with an electrical installation in good working order to ensure the lighting of all rooms, indoor common areas, interior and exterior staircases as well as common exterior entrances.

Section 3.3 Provisions applicable to vacant buildings

The standards proposed in the first section of this chapter are intended to establish minimum standards for all buildings in a municipality, whether occupied or not. During a prolonged period of vacancy, the deterioration of a building can accelerate and become more pronounced when the various systems are no longer in operation. In this sense, the provision of additional provisions for vacant buildings is intended to minimize the risk of structural deterioration during the absence of occupants.

3.3.1 Drinking water supply system

Despite the article 3.1.4, the potable water system in a vacant building must be shut off and drained, unless the operation of the heating or fire protection system installed in the building requires a water supply.

3.3.2 Heating, ventilation and air conditioning systems

A vacant building that has been designed to be heated must, from October 31 to April 30, be maintained at a temperature of at least 10°C, measured in the center of a room, one meter from the floor and at a relative humidity level of 30 to 50%, inside each room of the building.

3.3.3 Burglary resistance

The entrance doors of a vacant building must be equipped with an appropriate locking mechanism that allows access with a key, magnetized card or other control device.

A vacant building must be closed and locked to prevent access through any of its openings.

3.3.4 Monitoring

A vacant building must be monitored periodically to identify the constituent parts of the building that no longer provide weather protection or that threaten the integrity of the building's structure.

The monitoring must cover all the constituent parts of the building, including roofs, facades, openings, as well as technical installations and structural elements.

A detailed log of the condition of the vacant building must be maintained by the owner. This log should record the results of each inspection, the observations noted, and the repair or maintenance actions undertaken. The log must be updated systematically after each inspection and must be available for inspection by the designated officer upon request.

CHAPITRE 4 FINAL PROVISIONS

4.1.1 Penalties

Every person who contravenes or permits to be contravened any provision of the current Regulations is guilty of an offence and is liable to:

1. If it is a natural person:
 - a) For a first offence, a fine of not less than \$1,000 and a maximum of \$10,000;
 - b) For any subsequent offence, a fine of not less than \$2,000 and a maximum of \$20,000;
2. If it is a legal person:
 - a) For a first offence, a fine of not less than \$2,000 and a maximum of \$20,000;
 - b) For any subsequent offence, a fine of not less than \$4,000 and a maximum of \$40,000.

Where the offence is continuous, it is a separate offence for each day or part of a day that it continues. In all cases, the costs of the prosecution are added to the fine.

4.1.2 Sanctions for heritage buildings

For an offence relating to a heritage property, any person who contravenes or permits to be contravened a provision of the current by-law is guilty of an offence and is liable to:

1. If it is a natural person:
 - a) For a first offence, a fine of not less than \$2,000 and a maximum of \$250,000;
 - b) For any subsequent offence, a fine of not less than \$4,000 and a maximum of \$250,000.
2. If it is a legal person:
 - a) For a first offence, to a fine of not less than \$4,000 and a maximum of \$250,000;
 - b) For any subsequent offence, a fine of not less than \$8,000 and a maximum of \$250,000.

Where the offence is continuous, it is a separate offence for each day or part of a day that it continues.

4.1.3 Change of ownership

The prescribed fine for a repeat offence may be imposed without regard to a change of ownership if a notice of deterioration of an immovable has been entered in the land register in accordance with the provisions of *the Act respecting land use planning and development* (CQLR, c. A-19.1) and the notice was registered prior to the acquisition of the immovable by the new owner.

4.1.4 Courses

The Municipality may, for the purpose of enforcing the provisions of this by-law, exercise cumulatively or alternatively with those provided for in this by-law any other appropriate recourse of a civil or criminal nature.

The fact that the Municipality issues a statement of offence under the current by-law does not prevent it from bringing one or more remedies provided for in other municipal by-laws.

4.1.5 Coming into force

The current regulation comes into force in accordance with the law.

Signed at Chevery, March 31, 2026

Chantal Otis, Director

Notice of Motion: March 20, 2026
Adoption of the draft regulation: March 20, 2026
Transmission to the MRC: March 23, 2026
Notice of consultation: March 20, 2026 (Facebook, City Hall, website)
Public consultation meeting: March 26, 2026
By-law adopted: March 31, 2026
Transmission to the MRC: March 31, 2026
Certificate of Conformity:
Coming into force:
Notice of coming into force:
Transmission to the MRC:

APPENDIX A – LIST OF HERITAGE BUILDINGS

NUMBER	CADASTRE	Description	YEAR BUILT
	5 596 855	Chapel of Providence, Tête-à-la-Baleine	1895
4897-17-6771	5 597 513	Harrington Harbour	1938
4897-26-0925	5 597 463	Harrington Harbour Anglican Church	1938
4898-21-9901	5 597 570	Harrington Harbour	1927
4897-28-4539	5 597 540	Harrington Harbour	1931
2160-07-9157	5 597 134	Kegaska	1934
6364-63-2959	5 596 981	The Roman	1934