

**TOWN OF HAMPSTEAD
PROVINCE OF QUEBEC**

DRAFT BY-LAW NO. 1009-4

**BY-LAW MODIFYING BY-LAW 1009
CONCERNING THE DEMOLITION
OF IMMOVABLES.**

WHEREAS notice of motion of Draft By-law no. 1009-4 was given at the Regular Council Meeting held on October 04th, 2021.

WHEREAS all Council members received a copy of the present Draft By-law and declare having read it;

ON ** **, 2021, THE COUNCIL DECREES AS FOLLOWS:**

1. Section 3.1.2 of By-law number 1009 concerning the demolition of immovables is replaced by the following:

Section 3.1.2 Exceptions

However, the present by-law shall not apply and a public notice is not required for the following categories:

1. Any building that has 50% or more of its assessment roll value lost to fire or natural disasters and for which a building permit accompanies the application for a demolition;

2. Any building where the work involves only the reconstruction of a roof, preserving its architectural character by keeping the style, volume and slopes of the original roof;

3. Any building whose condition presents an emergency or needs to be demolished for the following reasons:

- a) Public safety;

- b) To prevent an obstacle to traffic;

- c) Other causes or circumstances of the same type.

4. Any building erected in contravention of a municipal by-law, or is required to be demolished according to a municipal by-law, or ordered to be demolished by a judgment of a Court having the required jurisdiction

2. Section 5.4.1 of By-law number 1009 concerning the demolition of immovables is replaced by the following:

Section 5.4.1 Monetary guarantee

Should the Committee approve the preliminary program, the Committee, prior to the issuance of the certificate of authorization, require a financial guarantee for carrying out said program at the fixed amount of 250,000\$;

Any monetary guarantee in excess of \$250,000 that was deposited before the coming into force of this by-law may be refunded in part upon request of the depositor.

This financial guarantee payable to the order of the Town of Hampstead, consists, at the discretion of the applicant, of one or the other of the following securities:

1. A letter of guarantee, automatically renewable;
2. Bearer bonds payable issued by the government of Quebec, Canada or by a Quebec's municipality;
3. A guarantee issued by an insurer duly authorized to carry out insurance operations in Quebec by virtue of the Insurance Act (R.S.Q., c. A-32).
4. A certified check
5. A bank draft

The financial guarantee shall remain in force and may not be lifted until the expiry of a 60-days delay following the inspection from the designated official after the substantial completion of the program for re-utilization of the land released. It shall include a provision obliging the issuer to notify the Designated Official of its cancellation.

The substantial completion of the program must include: The completion of the walls, the roof with waterproofing, the installation of the doors, the windows and the backfilling of the land.

3. This present By-law will come into force according to law.

(s) William Steinberg
Dr. William Steinberg, Mayor

(s) Simona Sonnenwirth
Simona Sonnenwirth, Deputy Town Clerk