



PROVINCE OF QUEBEC
TOWN OF KIRKLAND

BY-LAW NO. : 90-61-6

BY-LAW AMENDING PERMITS AND CERTIFICATES BY-LAW NO. 90-61 WITH REGARDS TO CERTIFICATES OF OCCUPANCY

ADOPTION PROCEDURE

Notice of motion:	June 9, 2014
Adoption:	July 7, 2014
Publication:	July 16, 2014
Coming into force:	July 16, 2014

- CONSIDERING that pursuant section 122 of *An Act Respecting Land use Planning and Development*, (CQLR c., A-19.1), the Town of Kirkland may regulate the conformity with the requirements of the zoning and building by-laws of an immovable recently erected or altered for which the destination or use has been changed;
- CONSIDERING that notice of motion of this by-law was given at the regular meeting of the municipal Council held on June 9, 2014;
- CONSIDERING that in accordance with section 356 of the *Cities and Towns Act* (CQLR, c. C-19), copy of the proposed draft by-law was given to the council members, no later than two juridical days before the sitting at which it is to be approved;
- CONSIDERING that all the council members present declare that they have read the proposed draft by-law and waive the reading of it;
- CONSIDERING that the preamble forms an integral part of this draft by-law;

THE MUNICIPAL COUNCIL ORDERS AND DECREES AS FOLLOWS:

ARTICLE 1

The Table of contents is amended by:

- 1° the replacement, at Chapter 7, of the title “Certificates of occupancy” by “Certificate of authorization – Use”.

ARTICLE 2

Article 7.1 of Permits and Certificates By-Law No. 90-61 is amended by:

- 1° the deletion of same, and the replacement thereof with the following:

“Certificate of Occupancy Requirement

Except for a house, dwelling or apartment, no building or part of a building which has been newly erected or moved or for which the purpose has been changed shall be occupied prior to obtaining a “Certificate of authorization – Use”.

ARTICLE 3

Article 7.2 of Permits and Certificates By-Law No. 90-61 is amended by:

- 1° the deletion of same, and the replacement thereof with the following:

“Application Procedure

- a) Application for a “Certificate of authorization – Use” may not be filed until construction, moving or alteration work has been substantially completed;
- b) All applications for a “Certificate of authorization – Use” must be submitted to the Building Inspector;
- c) All applications for a “Certificate of authorization – Use” must be submitted with the following documents, all duly approved:
 - i) Copy of the lease contract, if need be;
 - ii) Copy of letters patent or Quebec Enterprise Number (NEQ);
 - iii) Application form; and
 - iv) A \$50 fee”.

ARTICLE 4

Article 7.3 of Permits and Certificates By-Law No. 90-61 is amended by:

1° the deletion of same, and the replacement thereof with the following:

“Prerequisites

- a) A “Certificate of authorization – Use” shall not be delivered for structures or changes in purposes or use that contravene this By-Law or any other applicable By-Laws;
- b) No “Certificate of authorization – Use” shall be delivered unless the fees for its issue have been paid”.

ARTICLE 5

The present by-law comes into force according to law.

(Michel Gibson)

Mayor

(Martine Musau)

Town Clerk