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## THE MUNICIPAL CHURCH?

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ISSUE: Focus on culture and heritage

### ITINERARY 7B

Date: Wednesday, September 11, 2013

Location: Académie du Carmel

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## RESEARCHER

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### Summary of the researcher's presentation:

For the last 25 years, Luc Noppen has been concerned with the survival of the churches. The good news: the situation is much more positive in rural than in urban areas, because there we find concerted support from the local communities. The situation is even more problematic in France, as well as in other Canadian provinces, because the church/inhabitant ratio is considerably higher.

In terms of converting a church's vocation, Québec has real expertise: 518 churches have been converted since 1900. However, the selling of churches is becoming a rather common trend; one church is demolished every month. At the same time, it should be noted that the "heritage" churches cannot be demolished easily, since their legal protection must be removed beforehand. This has not occurred yet, but debates will soon arise.

The Fabrics Act (Church councils) ensures that the parish cannot be a partner in a development project, that it can only manage assets intended for worship. To develop a new or shared usage of the church, the parish must sell and become co-owner, or tenant, of the space it wants to keep. In all cases, we must find an owner other than the Church Council.

Heritage is a collective issue. Municipalities must observe the rules of civil law and may not invoke or give precedence to canon law, which would affect their ownership title or right of user for a "municipalized" church. For example, we could not allow the parish, as a tenant, to have supervisory power over the activities that take place in the civil part of the "municipalized" church. The MAMROT is slowly getting involved and taking action on this matter, in order to defend the secular status of the municipal community facilities installed in closed places of worship.

Only rural municipalities are buying churches; some dioceses encourage the process, others not. To fix the sale price, we can consider the municipal assessment, but more often, a nominal amount is determined. It must be known that the market value of a church is based on the value of the land, from which we subtract the building demolition cost (which is, on the real estate market, an obstacle to the full realization of the site's value).

When a church is sold, it must first be deconsecrated by the bishop, since, according to Church law (canon law), a sacred site or object cannot be sold. The bishop can then rededicate the space taken over by the parish (as owner or tenant) or, more simply, can allow cult practice but under certain conditions. From the civil law point of view, the parish can only impose its right if it is the attested owner or tenant of the space. It cannot claim a vested right to any building/site/space just because it was once a place of worship, and pretend that this "moral" right continues.

Taking into account that each party wants to do things right, the problems are minor, but must still be settled through agreements that do not violate civil law. It is quite possible to save the collective heritage, and to serve the community through the deployment of community spaces within the churches, a portion of which will serve, for some years to come, as a place of worship.

#### **The key elements to remember according to the researcher:**

- be inclusive: include the remaining parishioners and do not oppose them;
- be considerate, plan a project for each church. In general, all projects are successful;
- make a plan for the churches at the regional level (e.g. Vaudreuil's MRC);
- do not refer to a religious heritage, but rather to a sacred heritage. Take the religious away from the sacred;
- invent, be creative.

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### QUESTION PERIOD

Q.: What is the percentage of churches that are leasing versus selling?

A.: This is difficult to track, because the information is not recorded. Nevertheless, leases are much more frequent than sales. The Heritage Decree is the only legal means to proceed.

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### ADDITIONAL DOCUMENTATION

**NOTE: All linked documents (PowerPoint, Prezi, etc.) are only available in their original French version.**

[PowerPoint from Luc Noppen.](#)