

AM 1
ss. 10 to 12, 14, 16 and 38 to 41

Bill 109

**An Act to grant Ville de Québec
national capital status and increase its
autonomy and powers**

Sections 10 to 12, 14, 16 and 38 to 41

AMENDMENT:

Withdraw.

*Adopté
AMC*

Bill 109

**An Act to grant Ville de Québec
national capital status and increase its
autonomy and powers**

Section 1

AMENDMENT:

Replace by:

1. The title of the Charter of Ville de Québec (chapter C-11.5) is replaced
by the following title:

“CHARTER OF VILLE DE QUÉBEC, NATIONAL CAPITAL OF QUEBEC”.

Adopté
AML

Bill 109

**An Act to grant Ville de Québec
national capital status and increase its
autonomy and powers**

Section 2

AMENDMENT:

Replace the second paragraph of proposed section 4 by the following paragraph:

It is the cradle of La Francophonie in North America and its historic district is recognized by the United Nations Educational, Scientific and Cultural Organization (UNESCO) as a World Heritage Site.

*Adopté
AM*

Bill 109

**An Act to grant Ville de Québec
national capital status and increase its
autonomy and powers**

Section 2

AMENDMENT:

Replace subparagraphs 3 and 4 of the third paragraph of proposed section 4, enacted by section 2, by the following subparagraph:

(3) major political meetings and important negotiations of all kinds in which the Gouvernement du Québec takes part.

Adopt
AML

AM 5
s. 2 (4.1)

Bill 109

**An Act to grant Ville de Québec
national capital status and increase its
autonomy and powers**

Section 2

AMENDMENT:

Add the following paragraph at the end of proposed section 4.1:

Ville de Québec is the place of the Prime Minister's working residence."

Adopté
AML

Bill 109

**An Act to grant Ville de Québec
national capital status and increase its
autonomy and powers**

Section 45

AMENDMENT:

Insert “; one member shall be appointed on the recommendation of the Huron-Wendat Nation” after “Ville de Québec”.

*Adopté
AMC*

Bill 109

**An Act to grant Ville de Québec
national capital status and increase its
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Section 6.1

AMENDMENT:

Insert after section 6:

6.1. Section 58 of the Charter is amended by adding “or the territory of Wendake” at the end of the first paragraph.

Adopté
AML

Bill 109

**An Act to grant Ville de Québec
national capital status and increase its
autonomy and powers**

Section 48

AMENDMENT:

Replace proposed section 179.5 by:

“**179.5.** The Commission d’urbanisme et de conservation de Québec set up under section 123 of Schedule C to the Charter of Ville de Québec (chapter C-11.5) must, within the time Ville de Québec specifies, give its opinion on an application for authorization filed under section 49, 64 or 65 for which the city exercises the powers conferred by this chapter.

Adopté
AML

Bill 109

**An Act to grant Ville de Québec
national capital status and increase its
autonomy and powers**

Section 48

AMENDMENT:

Replace proposed section 179.6 by:

“**179.6.** The council of Ville de Québec may, by by-law and to the extent it determines, delegate to the city’s executive committee the exercise of all or some of the powers provided for in this Act that the city exercises under this chapter, except the regulatory powers provided for in subparagraphs 2 and 3 of the first paragraph and in the second paragraph of section 80.

Likewise, it may delegate to the Commission d’urbanisme et de conservation de Québec the exercise of all or some of the powers of authorization provided for in this Act that the city exercises under this chapter. In such a case, section 179.5 does not apply.

The by-law may, among other things, provide that a power relating to a particular intervention may be excluded when such powers are delegated.

*Adopté
AML*

Bill 109

**An Act to grant Ville de Québec
national capital status and increase its
autonomy and powers**

Section 49

AMENDMENT:

Replace proposed section 261.1 by:

“**261.1.** The processing of an application for authorization filed for an intervention referred to in section 179.1 and submitted to the Minister before *(insert the date of coming into force of section 48 of this Act, to the extent that it enacts section 179.1)* is continued by the Minister until an authorization is issued or denied.

“**261.1.1.** Ville de Quebec may not, under the powers conferred on it by Chapter VI.1, issue an authorization for an intervention for which authorization was denied by the Minister on or after *(insert the date that is five years before the date of coming into force of section 48 of this Act, to the extent that it enacts section 179.1)*, or for which authorization was denied under section 261.1.

Adapté
AM

Bill 109

**An Act to grant Ville de Québec
national capital status and increase its
autonomy and powers**

Section 49

AMENDMENT:

Replace proposed section 261.2 by:

“**261.2.** Ville de Quebec is responsible for the administration of sections 180, 183 to 192, 195, 196, 197, 201, 202 and 261 in relation to an authorization referred to in section 261.1 or an authorization issued by the Minister before *(insert the date of coming into force of section 48 of this Act, to the extent that it enacts section 179.1)* for an intervention referred to in section 179.1. The same applies in the case of contraventions of section 49, 64 or 65 that occurred or began before that date and that concern interventions referred to in section 179.1.

To that end, the city may, among other things, institute penal proceedings before the competent municipal court for an offence under this Act. In such a case, any fine belongs to the city.

Despite the first two paragraphs, civil proceedings, brought either as plaintiff or defendant, in all contestations for or against the State, as well as penal proceedings in progress on *(insert the date of coming into force of section 48 of this Act, to the extent that it enacts section 179.1)* in relation to an intervention referred to in section 179.1, are continued by the Attorney General of Québec or the Director of Criminal and Penal Prosecutions for the State, as applicable.”

Abbot
AM

Bill 109

**An Act to grant Ville de Québec
national capital status and increase its
autonomy and powers**

Section 46.1

AMENDMENT:

Insert after section 46:

46.1. Section 22.3 of the Act is amended by replacing “under section 193 of that Act” in paragraph 4.1 by “in accordance with that Act”.

Adopté
AM L

Bill 109

**An Act to grant Ville de Québec
national capital status and increase its
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Section 20

AMENDMENT:

In paragraph 1:

1. Insert “at its first meeting” before “the council shall”.
2. Insert “, at the first council meeting,” before “the mayor shall”.

Adopté
AML

Bill 109

**An Act to grant Ville de Québec
national capital status and increase its
autonomy and powers**

Section 50

AMENDMENT:

In proposed section 9:

1. Replace “ten” by “nine” in paragraph 1.
2. Replace “two” and “one of whom is a user of public transportation services” in paragraph 2 by “three” and “two of whom are users of public transportation services”, respectively.

Adopté
AML

Bill 109

**An Act to grant Ville de Québec
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autonomy and powers**

Section 19

AMENDMENT:

1. Insert after subparagraph 3 of the first paragraph of proposed section 131.9:

(3.1) a childcare centre within the meaning of the Educational Childcare Act (chapter S-4.1.1);

2. Insert at the end of proposed section 131.13:

This section applies subject to sections 145.21 to 145.30 of the Act respecting land use planning and development (chapter A-19.1), to the extent that the dues charged are collected from a building or subdivision permit applicant or an applicant for a certificate of authorization or occupancy and are used to finance an expense referred to in subparagraph 2 of the first paragraph of section 145.21 of that Act.

Adopté
AML

AM 16
s. 47 (3.41.5)

Bill 109

**An Act to grant Ville de Québec
national capital status and increase its
autonomy and powers**

Section 47

AMENDMENT:

Strike out “for-profit” in the second paragraph of proposed section 3.41.5.

Adopté
AM

Bill 109

**An Act to grant Ville de Québec
national capital status and increase its
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Section 47

AMENDMENT:

Add “, including a detailed list of the subsidized projects, sums granted and recipient bodies” at the end of the first paragraph of proposed section 3.41.6.

Adopté
AMC

Bill 109

**An Act to grant Ville de Québec
national capital status and increase its
autonomy and powers**

Section 29

AMENDMENT:

In proposed section 84.3:

1. Replace “by by-law” in the first paragraph by “by resolution”.
2. Add the following paragraph at the end:

The first paragraph does not apply to an immovable owned by a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

Adopté
AMC

Bill 109

**An Act to grant Ville de Québec
national capital status and increase its
autonomy and powers**

Section 9

AMENDMENT:

In proposed section 72.0.1:

1. Add at the end of paragraph 1: “, in accordance with any criterion or any division of the territory; such a measure may not however have the effect of restricting agricultural activities within the meaning of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1)”.
2. Add the following paragraph at the end:

Any provision adopted under the first paragraph that concerns a matter described in the third paragraph of section 123 of the Act respecting land use planning and development (chapter A-19.1) is considered to be a provision subject to approval by way of referendum for the purposes of that Act and this Charter. The procedure prescribed by subdivisions 2 and 2.1 of Division V of Chapter IV of Title I of that Act may be adapted in any reasonable manner consistent with the purposes of those subdivisions.”

Adopté
AMK

AM 20
s. 13 (74.4)

Bill 109

**An Act to grant Ville de Québec
national capital status and increase its
autonomy and powers**

Section 13

AMENDMENT:

Withdraw.

Adopté
AML

Bill 109

**An Act to grant Ville de Québec
national capital status and increase its
autonomy and powers**

Section 31

AMENDMENT:

Replace proposed section 92.1 by:

“**92.1.** The council may, by by-law, make the issue of a construction permit subject to the requirement that the applicant provide a contribution for the purposes of parks, playgrounds and natural areas provided for in Division II.1 of Chapter IV of Title I of the Act respecting land use planning and development (chapter A-19.1), provided that the construction permit relates to work that will make it possible to carry on new activities or intensify existing activities on the immovable.

The city must take into account, in favour of the owner, any transfer or payment made previously with regard to all or part of the site.

Adopté
AMU

Bill 109

**An Act to grant Ville de Québec
national capital status and increase its
autonomy and powers**

Section 34

AMENDMENT:

Replace “must, to obtain a permit to be used in an establishment in the territory of the city and in addition to” in proposed section 99.1 by “or for an authorization under section 73 or 74 of that Act must, to obtain the permit or authorization and in addition to meeting”.

Adopté
AMC

Bill 109

**An Act to grant Ville de Québec
national capital status and increase its
autonomy and powers**

Section 36

AMENDMENT:

1. Add the following paragraph at the end of proposed section 105.2:

No notice of deterioration may be registered with regard to an immovable owned by a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

2. Replace “20” in proposed section 105.3 by “60”.
3. Insert the following section after proposed section 105.5:

“105.6. The city may acquire, by agreement or expropriation, any immovable for which a notice of deterioration was registered in the land register for at least 60 days previously and on which the work required in the notice has not been carried out. Such an immovable may then be alienated to any person by onerous title or to a person referred to in section 29 or 29.4 of the Cities and Towns Act (chapter C-19) by gratuitous title.”

Adopt
AM

AM 24
s. 42 (122.1)

Bill 109

**An Act to grant Ville de Québec
national capital status and increase its
autonomy and powers**

Section 42

AMENDMENT:

Replace “\$50,000” in proposed section 122.1 by “\$250,000”.

Adopté
AML

Bill 109

**An Act to grant Ville de Québec
national capital status and increase its
autonomy and powers**

Section 4

AMENDMENT:

Strike out the second paragraph of proposed section 42.

Adopté
AML

Bill 109

**An Act to grant Ville de Québec
national capital status and increase its
autonomy and powers**

Section 24

AMENDMENT:

Replace “their authority” in proposed section 17 by “its authority”.

Adopté
AMC

Bill 109

**An Act to grant Ville de Québec
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Section 2

AMENDMENT:

Replace the fourth paragraph of proposed section 4 by:

The city may affirm and uphold the status conferred on it by this section.

Adopté
AML