



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 217
(Private)

**An Act to grant certain temporary
powers to Ville de Rivière-du-Loup**

Introduction

**Introduced by
Mr. Pascal Bérubé
Member for Matane-Matapédia**

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Bill 217

(Private)

AN ACT TO GRANT CERTAIN TEMPORARY POWERS TO VILLE DE RIVIÈRE-DU-LOUP

AS a ferry service has been present on the Pointe de Rivière-du-Loup site since 1909;

AS Order in Council 1287-73 dated 11 April 1973 qualifies that ferry service as a permanent link between “Ville de Rivière-du-Loup to the south, and the municipalities of Saint-Siméon and/or Tadoussac on the north shore”;

AS that service is an integral part of the cultural, social and economic identity of the people of Rivière-du-Loup;

AS any decision having the effect of relocating that service to another municipality should be made with deference to the special role it plays within the Rivière-du-Loup community;

AS Ville de Rivière-du-Loup requires that certain temporary powers be granted to it to give it the necessary tools to fulfil its mandate of representing the interests of its citizens with all the transparency and rigour they deserve;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

TEMPORARY POWERS

DIVISION I

STUDY

1. Ville de Rivière-du-Loup may, by resolution, order the carrying out of a study on the advisability of maintaining the ferry service linking its territory to the north shore of the St. Lawrence River.

For the carrying out of that study and even before the study begins, the city has the power to obtain, on a written request addressed to 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), within the time limits prescribed by that Act, all of the following documents:

(1) any advisability study carried out in connection, directly or indirectly, with the ferry service linking the regional county municipality of Rivière-du-Loup with that of Charlevoix-Est or that of La Haute-Côte-Nord;

(2) studies carried out and concerning, directly or indirectly, the partial or complete redevelopment of the ferry in the territory of the city;

(3) studies carried out and concerning, directly or indirectly, moving the ferry out of the territory of the city;

(4) studies carried out and concerning, directly or indirectly, the socio-economic consequences of moving the ferry out of the territory of the city;

(5) all the documents constituting the record for the interest call bearing number STQ-AI-2024-01 issued by the Société des Traversiers du Québec, including internal documents of that public body, communications between public servants and elected officials concerning that interest call as well as records received in response to the interest call;

(6) all the documents intended to gauge interest in entering into, initiating discussions aimed at entering into, or concluding a supply or services contract following the relocation of the ferry's activities to a territory other than that of the city; and

(7) written communications received or transmitted by any public body that may constitute, directly or indirectly, an influence communication aimed at promoting the relocation of the ferry's activities to a territory other than that of the city or expressing a preference for the relocation of the ferry's activities.

2. The study is to be supervised by the clerk of the city who, in the performance of that function, has the powers and immunities of a commissioner that are provided for in the Act respecting public inquiry commissions (chapter C-37), except the power to impose a term of imprisonment.

3. Where the documents required are subject to access restrictions set out in sections 23 and 24 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), the public body must notify the third person concerned in accordance with sections 25 and 49 of that Act.

The third person's refusal to consent to the transmission of such documents is enforceable against the city, provided that those documents, in addition to the third person's refusal, are nonetheless transmitted to the city, after extraction of the information to which access has not been authorized by the third person.

Any confidentiality agreement in favour of a public body that would have the effect of obliging a third person to refuse to release a document is deemed unenforceable against the city.

4. The documents obtained in connection with the study are not part of the city's archives and are deemed not to be documents held by the city for the purposes of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

DIVISION II

PRE-EMPTION

5. Despite section 572.0.1 of the Cities and Towns Act (chapter C-19), the city may, by resolution, make subject to a right of pre-emption the immovables designated as the following lots:

(1) lot 3 749 192 of the cadastre of Québec, registration division of Témiscouata;

(2) lot 3 749 193 of the cadastre of Québec, registration division of Témiscouata; and

(3) lot 6 523 559 of the cadastre of Québec, registration division of Témiscouata.

6. No parcelling out or grouping of the lots referred to in section 5 would have the effect of restricting the possibility for the city to make those immovables subject to a right of pre-emption.

7. The duration of the right of pre-emption, which may not exceed 50 years, must be indicated in the resolution.

8. A right of pre-emption exercised under this Act has precedence over any other provision that would have the effect of granting a similar right to a third person or to another public body, including the provisions of the Regulation respecting the terms and conditions for the disposal of surplus immovable property of departments and public bodies (chapter C-65.1, r. 1).

9. A right of pre-emption exercised under this Act is subject to the terms set out in the city's by-law adopted under section 572.0.2 of the Cities and Towns Act (chapter C-19), with the necessary modifications.

CHAPTER II

MISCELLANEOUS AND FINAL PROVISIONS

10. This Act applies despite the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

11. Professional secrecy may not be invoked against the city to restrict or refuse the release of a document required by the exercise of a power provided for in this Act, except that of a notary or a lawyer.

12. The rights of pre-emption authorized by this Act and duly published not later than 1 January 2032 remain nevertheless valid until they are abandoned by the city or until they expire.

13. This Act comes into force on (*insert the date of assent to this Act*) and ceases to have effect on 1 January 2032.

