



NATIONAL ASSEMBLY OF QUÉBEC

SECOND SESSION

FORTY-THIRD LEGISLATURE

Bill 204
(Private)

An Act respecting Ville de Gatineau

Introduction

**Introduced by
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Member for Chapleau**

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(Private)

AN ACT RESPECTING VILLE DE GATINEAU

AS public participation is a democratic requirement for local democratic institutions;

AS public participation improves social cohesion, develops the public's capacities to understand the issues, improves the quality of decisions, policies and services through the contribution of diverse knowledge, and creates the conditions in which innovation can emerge;

AS there are a number of models of public participation bodies in Québec and elsewhere in the world;

AS it is appropriate to establish an independent public participation body in Gatineau and to entrust it with mandates;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The Charter of Ville de Gatineau (chapter C-11.1) is amended by inserting the following chapter after section 39:

“CHAPTER III.1

“PUBLIC PARTICIPATION OFFICE

“39.1. An office to be known as the “Office de participation publique de Gatineau” (the Office) is hereby established.

“39.2. The council shall designate, by a decision made by two-thirds of the votes cast, a president of the Office from among the candidates having special competence as regards public consultation, and may designate commissioners. The council shall determine, in the same resolution, their remuneration and other conditions of employment.

The president shall be appointed for a five-year term. The office of president is a full-time position. At the expiry of his term, the president shall remain in office until replaced or reappointed.

The term of office of a commissioner shall be specified in the resolution appointing the commissioner and shall not exceed five years. Commissioners are not city employees.

The term of office of the president or a commissioner may be renewed once.

If the president is unable to act or the office of president is vacant, the council may designate, by a decision made by a simple majority vote, a person to occupy the office of president temporarily for a period not exceeding six months.

For administrative purposes, the Office is considered to be a department of the city and its president ranks among the department heads. The director general of the city has no authority over the president in the exercise of the Office's functions set out in section 39.10.

The president is responsible, within the Office, for the application of the city's policies and standards relating to the management of human, material and financial resources.

“39.3. The council may, at the request of the president of the Office and by a decision made by two-thirds of the votes cast, appoint, for the period determined in the resolution, any additional commissioner having special competence as regards public consultation and determine his remuneration and other conditions of employment.

“39.4. The Office must adopt a code of ethics and conduct applicable to the commissioners and have it approved by the council.

“39.5. The members of the council are disqualified from holding office as president or commissioner.

The officers and employees of the city are disqualified from holding office as commissioner.

“39.6. The president and the commissioners are entitled to reimbursement by the Office of expenses authorized by the Office and incurred in the exercise of their functions.

“39.7. The members of the Office's personnel are city employees.

The treasurer of the city or the assistant designated by the treasurer is treasurer of the Office.

“39.8. The fiscal year of the Office coincides with the fiscal year of the city. The auditor of the city shall audit the financial statements of the Office and, within 120 days after the end of the fiscal year, make a report of his audit to the council.

“39.9. The council shall put the sums necessary for the exercise of the Office’s functions at its disposal.

“39.10. The functions of the Office shall be

(1) to propose rules to govern the public consultations carried out by the body of the city in charge of such consultations pursuant to any applicable provision so as to ensure the establishment of credible, transparent and effective consultation mechanisms;

(2) to hold a public consultation on any draft by-law amending or revising the city’s planning program;

(3) to hold the public consultation on the draft by-law establishing the public participation policy provided for in section 80.1 of the Act respecting land use planning and development (chapter A-19.1);

(4) to hold any public participation activity in the territory of the city, at the request of the city council or the executive committee, on any project or any matter of interest designated by the council or the committee; and

(5) to hold any public participation measure designated for that purpose in the public participation policy adopted under section 80.1 of the Act respecting land use planning and development.

“39.11. Where the Office holds a public consultation provided for by any Act, the Office’s consultation replaces the one provided for by that Act.

“39.12. The Office shall report on its activities to the council, at the request of the council and at least once a year. On that occasion, the Office may make any recommendation to the council.

“39.13. The council may, for the benefit of the Office’s president, commissioners and employees, avail itself of the provisions of section 464 of the Cities and Towns Act (chapter C-19) that concern pension plans and insurance. For that purpose, the rules applicable with regard to a mandatory body of the city apply to the Office, with the necessary modifications.”

2. This Act comes into force on (*insert the date of assent to this Act*).

