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# NATIONAL ASSEMBLY

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SECOND SESSION

THIRTY-NINTH LEGISLATURE

Bill 69

**An Act to amend various legislative  
provisions concerning municipal affairs**

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**Introduction**

**Introduced by  
Mr. Laurent Lessard  
Minister of Municipal Affairs, Regions and Land  
Occupancy**

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## **EXPLANATORY NOTES**

*This bill amends the Act respecting contracting by public bodies in order to change the time limit for recording an enterprise in the register of enterprises ineligible for public contracts and to specify that ineligibility to enter into a public contract applies even when an enterprise becomes ineligible between the time bids are submitted and the time the contract is entered into.*

*The Act respecting municipal taxation is amended to restore the tax system that was applicable to outfitting establishments before 1 January 2011.*

*The Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire is amended to add the social economy to the responsibilities of the Minister of Municipal Affairs, Regions and Land Occupancy.*

*The time limit granted to municipal bodies and school boards to enter into a contract for the implementation, operation or use of a broadband telecommunications network is extended until 1 July 2016.*

*The council of Ville de Montréal is granted the power to amend By-law 05-035 of Ville de Montréal by by-law and without further formality in order to increase the maximum height of a building intended to house a hospital institution and to make accessory amendments or amendments to optimize the construction and integration of the building.*

*Lastly, various technical amendments are introduced.*

## **LEGISLATION AMENDED BY THIS BILL:**

- Cities and Towns Act (R.S.Q., chapter C-19);
- Municipal Code of Québec (R.S.Q., chapter C-27.1);
- Act respecting contracting by public bodies (R.S.Q., chapter C-65.1);

- Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2);
- Act respecting municipal taxation (R.S.Q., chapter F-2.1);
- Act respecting administrative justice (R.S.Q., chapter J-3);
- Act respecting the Ministère des Affaires municipales, des Régions et de l’Occupation du territoire (R.S.Q., chapter M-22.1);
- Act to amend various legislative provisions concerning municipal affairs (2002, chapter 37).



## **Bill 69**

### **AN ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS CONCERNING MUNICIPAL AFFAIRS**

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

#### **CITIES AND TOWNS ACT**

**1.** Section 468.36.1 of the Cities and Towns Act (R.S.Q., chapter C-19) is amended by replacing “467.10 or 467.13” in the third paragraph by “48.37 or 48.42 of the Transport Act (chapter T-12)”.

#### **MUNICIPAL CODE OF QUÉBEC**

**2.** Article 605.1 of the Municipal Code of Québec (R.S.Q., chapter C-27.1) is amended by replacing “article 535 or 538” in the third paragraph by “section 48.37 or 48.42 of the Transport Act (chapter T-12)”.

#### **ACT RESPECTING CONTRACTING BY PUBLIC BODIES**

**3.** Section 21.1 of the Act respecting contracting by public bodies (R.S.Q., chapter C-65.1), replaced by section 46 of chapter 35 of the statutes of 2011, is amended by replacing “30 days after the date on which the judgment becomes final” by “20 days after the date on which the chair of the Conseil du trésor is informed of the final judgment”.

**4.** Section 21.2 of the Act, amended by section 47 of chapter 35 of the statutes of 2011, is again amended by replacing “30 days after the date on which the judgment becomes final” in the first paragraph by “20 days after the date on which the chair of the Conseil du trésor is informed of the final judgment”.

**5.** Section 21.4.1 of the Act is amended by striking out “by mutual agreement”.

#### **ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES**

**6.** Section 193 of the Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2) is amended by replacing “each numbered office” in the second paragraph by “each numbered seat”.

## ACT RESPECTING MUNICIPAL TAXATION

**7.** Section 244.31 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1) is amended by inserting “in respect of an establishment other than an outfitting establishment” after “(chapter E-14.2)”.

## ACT RESPECTING ADMINISTRATIVE JUSTICE

**8.** Section 26 of the Act respecting administrative justice (R.S.Q., chapter J-3) is amended by striking out “in particular concerning an application for a benefit or the partition of earnings or decisions made by the Commission administrative des régimes de retraite et d’assurances in particular concerning eligibility for the Pension Plan of Elected Municipal Officers, the number of years of service, pensionable salary or the amount of contributions or of a pension”.

## ACT RESPECTING THE MINISTÈRE DES AFFAIRES MUNICIPALES, DES RÉGIONS ET DE L’OCCUPATION DU TERRITOIRE

**9.** The Act respecting the Ministère des Affaires municipales, des Régions et de l’Occupation du territoire (R.S.Q., chapter M-22.1) is amended by inserting the following after section 17.5.3:

“§2.2. — *Social economy*

“**17.5.4.** The mission of the Minister is to coordinate government intervention regarding the social economy. To that end, the Minister, in conjunction with the Minister of Economic Development, Innovation and Export Trade and the Minister of Finance, shall develop policies with a view to encouraging the development of the social economy in Québec, and propose them to the Government.

A further mission of the Minister is to support the Government in implementing programs and measures geared to social economy enterprises.”

## ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS CONCERNING MUNICIPAL AFFAIRS

**10.** Section 282 of the Act to amend various legislative provisions concerning municipal affairs (2002, chapter 37), amended by section 237 of chapter 19 of the statutes of 2003, section 93 of chapter 50 of the statutes of 2005, section 12 of chapter 33 of the statutes of 2007 and section 100 of chapter 18 of the statutes of 2010, is again amended by replacing “July 2012” in the tenth paragraph by “July 2016”.

## MISCELLANEOUS AND FINAL PROVISIONS

**11.** Despite section 89.1 of the Charter of Ville de Montréal (R.S.Q., chapter C-11.4), the city council may, by by-law and without further formality,

amend By-law 05-035 of Ville de Montréal, entitled “By-law concerning the construction, alteration and occupancy of the Centre universitaire de santé McGill, on a site east of Boulevard Décarie, between Rue Saint-Jacques and the CP railway track” in order

(1) to replace the altimetric measurement of 73 metres in the first paragraph of section 18 by an altimetric measurement of 86.1 metres and to make any accessory or consequential amendments to the by-law;

(2) to make any amendment to the by-law to optimize the construction of a building referred to in that section and its integration into the project concerned.

**12.** Section 7 has effect from 1 January 2011.

**13.** This Act comes into force on (*insert the date of assent to this Act*), except sections 3 to 5, which come into force on the same date as the date set by the Government for the coming into force of section 49 of chapter 17 of the statutes of 2011.

