



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-EIGHTH LEGISLATURE

Bill 216
(Private)

An Act to amend the Charter of the City of Laval

Introduction

**Introduced by
Mr. Alain Paquet
Member for Laval-des-Rapides**

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Bill 216

(Private)

AN ACT TO AMEND THE CHARTER OF THE CITY OF LAVAL

AS it is in the interest of Ville de Laval that its charter (1965, 1st session, chapter 89) and legislation amending its charter be again amended;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. In exercising its power to install conduits for the burial of an electric power distribution or telecommunications system, the city may decide that the cost of such conduits beyond 10 metres from the street line, except the inlet to the building, is to be charged to the owner. The city may also demand from the owner an advance deposit sufficient to guarantee the payment of the cost of the work charged to the owner.

2. Section 19 of the Act to amend the Charter of the City of Laval (1971, chapter 99), amended by section 11 of chapter 112 of the statutes of 1978, sections 262 and 317 of chapter 38 of the statutes of 1984, section 166 of chapter 27 of the statutes of 1985 and section 92 of chapter 77 of the statutes of 2002, is replaced by the following section:

“19. Despite any general or special Act or by-law, the council may, on the recommendation of the executive committee and without any further approval than that of the Minister of Municipal Affairs and Regions, order a loan for

(1) the development of parks, playgrounds, natural areas, public places, public road rights of way, banks, shores, and bicycle paths;

(2) work on the sewer, waterworks or water treatment system;

(3) work on roads, sidewalks, lighting and traffic signs and signals;

(4) the installation of underground conduits;

(5) the construction of noise walls or berms;

(6) repair work on municipal immovables; or

(7) the construction of a fire station or police station under a civil protection plan.

This section also applies to the acquisition, by agreement or expropriation, of immovables or servitudes required for the carrying out of such work.”

3. Section 51a of the Cities and Towns Act (Revised Statutes, 1964, chapter 193), enacted for Ville de Laval by section 12 of chapter 89 of the statutes of 1965 (1st session) and amended by section 1 of chapter 112 of the statutes of 1978 and section 2 of chapter 113 of the statutes of 1987, is again amended by replacing subsection 16 by the following subsection:

“(16) All contracts shall be signed in the name of the city by the chairman of the executive committee and by the clerk or assistant clerk.

The chairman may nonetheless, in writing and generally or specifically, authorize another member of the executive committee to sign in his place.

On the proposal of the mayor, the executive committee may generally or specifically authorize the director general, a department head or another officer it designates to sign contracts or documents of a nature it determines that are within the jurisdiction of the executive committee or that of the city council, except by-laws and resolutions, and prescribe, in that case, that certain contracts or documents or certain classes of contracts or documents need not be signed by the clerk.

Contracts may also be signed by any other person delegated by the council or the executive committee under section 477.2 of the Cities and Towns Act (R.S.Q., chapter C-19).”

4. Insofar as a plan relating to a cadastral operation approved by the city has been filed with the registry office, the sites of thoroughfares that the owner undertakes to transfer for the purposes of a provision enacted under subparagraph 7 of the second paragraph of section 115 of the Act respecting land use planning and development (R.S.Q., chapter A-19.1) become, without indemnity, the property of the city and form part of its public domain on registration in the land register of a notice signed by the clerk and drawn up on the earlier of

(1) the date on which the executive committee of the city adopts a resolution to accept the transfer of ownership in accordance with the owner’s undertaking; or

(2) the date on which the work provided for in the municipal works agreement included in the by-law adopted under section 145.21 of the Act respecting land use planning and development is given final acceptance.

Following registration of the notice in the land register, hypothecs, privileges, charges and real rights affecting the sites of thoroughfares mentioned in the notice are struck off by the registrar.

5. Insofar as a plan relating to a cadastral operation approved by the city has been filed with the registry office, the land that the owner undertakes to transfer for the purposes of a provision enacted under the first paragraph of section 117.1 of the Act respecting land use planning and development becomes, without indemnity, the property of the city and forms part of its public domain on registration in the land register of a notice signed by the clerk and drawn up on the date on which the executive committee of the city adopts a resolution to accept the transfer of ownership in accordance with the owner's undertaking.

Following registration of the notice in the land register, hypothecs, privileges, charges and real rights affecting the land mentioned in the notice are struck off by the registrar.

6. Sections 486.1 to 486.4 of the Cities and Towns Act (R.S.Q., chapter C-19), enacted for the city by section 5 of chapter 84 of the statutes of 1996, and section 10 of chapter 84 of the statutes of 1996, are amended by replacing "surtax" wherever it appears by "tax".

7. By-law L-2001-2603, adopted on 5 February 2001, shall not be invalidated for the sole reason that all the formalities of Division V of Chapter IV of Title I of the Act respecting land use planning and development have not been satisfied.

8. Section 7 does not affect cases pending on 23 April 2008.

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

