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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 23

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

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**Introduction**

**Introduced by  
Mr. Jean-Marc Fournier  
Minister of Municipal Affairs, Sports and Recreation**

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## **EXPLANATORY NOTES**

*This bill enacts, amends or strikes out various provisions governing municipal bodies.*

*The bill amends the Act respecting land use planning and development mainly to streamline certain processes and improve certain rules in the area of urban planning. It introduces a mechanism that will allow regional county municipalities and school boards to coordinate their action on their territories.*

*The bill amends the Cities and Towns Act and the Municipal Code of Québec to change various administrative rules. For example, where it was stipulated that the mandate of an acting mayor could not exceed four months, the council will now determine the duration of the mandate. Amendments of an administrative nature are also made to the charters of the new megacities.*

*As regards loans and financial management, the bill amends the Cities and Towns Act and the Municipal Code of Québec to allow a municipality, with respect to certain loan by-laws, to use a greater part of the loan to repay to the general fund sums previously expended in connection with the object of the loan, and to allow a municipality to give taxpayers the possibility to pay their share in advance when a by-law provides for the payment of a compensation.*

*The bill allows municipalities with a population of 100,000 or more to repay a loan over 40 years in certain cases and to make a financial commitment for a period of up to ten years without the authorization of the Minister, provided the amount committed does not exceed a given percentage of the municipality's budget.*

*The bill further amends the Cities and Towns Act to allow municipalities to sell energy resulting from the operation of a residual materials disposal facility.*

*The bill adds certain contracts to the list of contracts not subject to the rules set in municipal legislation for the awarding of contracts by municipal bodies.*

*The bill amends the Act respecting the Communauté métropolitaine de Montréal and the Act respecting the Communauté*

*métropolitaine de Québec to provide for the remuneration of certain members of committees established by either metropolitan community.*

*The bill amends the Act respecting elections and referendums in municipalities to allow elected municipal officers to act as first responders in the delivery of pre-hospital emergency services.*

*The bill amends the Charter of Ville de Montréal and the Charter of Ville de Québec to improve certain rules on urban planning and to allow borough councils to delegate certain powers to borough officers or employees. It also amends the Charter of Ville de Montréal to replace the city's obligation to assign numbers to its borough by a simple power to do so and the Charter of Ville de Sherbrooke to allow it to name its boroughs.*

*The bill amends the city charters of Gatineau, Lévis, Longueuil, Montréal, Québec, Saguenay, Sherbrooke, Trois-Rivières and Shawinigan to allow the new city to impose a special tax at different rates on the territory of each former municipality replaced by the new city in 2002, in order to finance expenditures related to the debts of the former municipality.*

*The bill amends the Act respecting the Ministère des Affaires municipales et de la Métropole and several other Acts in order to replace the designations of the Minister and the department by the designations “Minister of Municipal Affairs, Sports and Recreation” and “Ministère des Affaires municipales, du Sport et du Loisir”.*

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

- Act respecting financial assistance for education expenses (R.S.Q., chapter A-13.3);
- Act respecting land use planning and development (R.S.Q., chapter A-19.1);
- Act respecting the Caisse de dépôt et placement du Québec (R.S.Q., chapter C-2);
- Charter of Ville de Gatineau (R.S.Q., chapter C-11.1);
- Charter of Ville de Lévis (R.S.Q., chapter C-11.2);
- Charter of Ville de Longueuil (R.S.Q., chapter C-11.3);
- Charter of Ville de Montréal (R.S.Q., chapter C-11.4);

- Charter of Ville de Québec (R.S.Q., chapter C-11.5);
- Cities and Towns Act (R.S.Q., chapter C-19);
- Highway Safety Code (R.S.Q., chapter C-24.2);
- Code of Civil Procedure (R.S.Q., chapter C-25);
- Municipal Code of Québec (R.S.Q., chapter C-27.1);
- Act respecting the Commission municipale (R.S.Q., chapter C-35);
- Act respecting the Communauté métropolitaine de Montréal (R.S.Q., chapter C-37.01);
- Act respecting the Communauté métropolitaine de Québec (R.S.Q., chapter C-37.02);
- Chartered Accountants Act (R.S.Q., chapter C-48);
- Act respecting intermunicipal boards of transport in the area of Montréal (R.S.Q., chapter C-60.1);
- Natural Heritage Conservation Act (R.S.Q., chapter C-61.01);
- Act respecting the conservation and development of wildlife (R.S.Q., chapter C-61.1);
- Act respecting municipal courts (R.S.Q., chapter C-72.01);
- Public Curator Act (R.S.Q., chapter C-81);
- Act respecting municipal debts and loans (R.S.Q., chapter D-7);
- Act respecting duties on transfers of immovables (R.S.Q., chapter D-15.1);
- Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2);
- Act respecting threatened or vulnerable species (R.S.Q., chapter E-12.01);
- Executive Power Act (R.S.Q., chapter E-18);
- Act to secure the handicapped in the exercise of their rights (R.S.Q., chapter E-20.1);

- Expropriation Act (R.S.Q., chapter E-24);
- Act respecting Financement-Québec (R.S.Q., chapter F-2.01);
- Act respecting municipal taxation (R.S.Q., chapter F-2.1);
- Act to establish the special local activities financing fund (R.S.Q., chapter F-4.01);
- Hydro-Québec Act (R.S.Q., chapter H-5);
- Act respecting municipal industrial immovables (R.S.Q., chapter I-0.1);
- Act respecting Immobilière SHQ (R.S.Q., chapter I-0.3);
- Taxation Act (R.S.Q., chapter I-3);
- Education Act (R.S.Q., chapter I-13.3);
- Education Act for Cree, Inuit and Naskapi Native Persons (R.S.Q., chapter I-14);
- Municipal Aid Prohibition Act (R.S.Q., chapter I-15);
- Act respecting medical laboratories, organ, tissue, gamete and embryo conservation, and the disposal of human bodies (R.S.Q., chapter L-0.2);
- Act respecting the Ministère de l’Agriculture, des Pêcheries et de l’Alimentation (R.S.Q., chapter M-14);
- Act respecting the Ministère de l’Emploi et de la Solidarité sociale and establishing the Commission des partenaires du marché du travail (R.S.Q., chapter M-15.001);
- Act respecting the Ministère des Affaires municipales et de la Métropole (R.S.Q., chapter M-22.1);
- Act respecting the Ministère des Régions (R.S.Q., chapter M-25.001);
- Act respecting the Ministère du Revenu (R.S.Q., chapter M-31);
- Government Departments Act (R.S.Q., chapter M-34);

- Act respecting municipal territorial organization (R.S.Q., chapter O-9);
- Pesticides Act (R.S.Q., chapter P-9.3);
- Police Act (R.S.Q., chapter P-13.1);
- Act respecting the preservation of agricultural land and agricultural activities (R.S.Q., chapter P-41.1);
- Environment Quality Act (R.S.Q., chapter Q-2);
- Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., chapter R-9.3);
- Act respecting safety in sports (R.S.Q., chapter S-3.1);
- Act respecting the Société d’habitation du Québec (R.S.Q., chapter S-8);
- Act respecting the Société du parc industriel et portuaire de Bécancour (R.S.Q., chapter S-16.001);
- Act respecting the Société québécoise d’assainissement des eaux (R.S.Q., chapter S-18.2.1);
- Act respecting mixed enterprise companies in the municipal sector (R.S.Q., chapter S-25.01);
- Act respecting public transit authorities (R.S.Q., chapter S-30.01);
- Act respecting municipal and private electric power systems (R.S.Q., chapter S-41);
- Act respecting the lands in the domain of the State (R.S.Q., chapter T-8.1);
- Act respecting the remuneration of elected municipal officers (R.S.Q., chapter T-11.001);
- Municipal Works Act (R.S.Q., chapter T-14);
- Act respecting off-highway vehicles (R.S.Q., chapter V-1.2);
- Cree Villages and the Naskapi Village Act (R.S.Q., chapter V-5.1);

- Act respecting Northern villages and the Kativik Regional Government (R.S.Q., chapter V-6.1);
- Act respecting the town of Brossard (1969, chapter 99);
- Act respecting the city of Rimouski (1984, chapter 66);
- Act respecting the acquisition of immovables by the town of Berthierville (1985, chapter 56);
- Act respecting the city of Grand-Mère (1993, chapter 90);
- Act respecting the Agence de développement Station Mont-Tremblant (1997, chapter 100);
- Act respecting the negotiation of agreements concerning the reduction of labour costs in the municipal sector (1998, chapter 2);
- Act respecting certain facilities of Ville de Montréal (1998, chapter 47);
- Act respecting the amalgamation of Municipalité de Mont-Tremblant, Ville de Saint-Jovite, Municipalité de Lac-Tremblant-Nord and Paroisse de Saint-Jovite (1999, chapter 88);
- Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais (2000, chapter 56);
- Act respecting the Agence de développement de Ferme-Neuve (2002, chapter 83);
- Act respecting Ville de Contrecoeur (2002, chapter 95);
- Act to amend various legislative provisions concerning municipal affairs (2003, chapter 3).



## **Bill 23**

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

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING LAND USE PLANNING AND DEVELOPMENT

**1.** Section 8.1 of the Act respecting land use planning and development (R.S.Q., chapter A-19.1) is repealed.

**2.** Section 42 of the said Act is amended by striking out “and registered with the Commission” in the second line of the third paragraph.

**3.** Section 53.1 of the said Act is amended by inserting “or by another committee member designated by the warden” after “warden” in the third line.

**4.** Section 53.11 of the said Act is amended

(1) by replacing “, to every contiguous regional county municipality, and to the Commission for registration” in the seventh and eighth lines of the first paragraph by “and to every contiguous regional county municipality”;

(2) by striking out the second paragraph.

**5.** Section 56.1 of the said Act is amended by replacing “whose territory is comprised” in the fourth and fifth lines of the second paragraph by “or school board whose territory is situated in whole or in part”.

**6.** Section 56.2 of the said Act is amended

(1) by inserting “, school board” after the first “municipality” in the first line of the first paragraph;

(2) by inserting “or, in the case of a school board, the director general,” after “secretary-treasurer” in the first line of the second paragraph;

(3) by inserting the following paragraph after the second paragraph:

“For the purpose of this division, the council of a school board is the council of commissioners of the school board.”

**7.** Section 56.3 of the said Act is amended by replacing “whose territory is comprised” in the fourth and fifth lines of the second paragraph by “or school board whose territory is situated in whole or in part”.

**8.** Section 56.5 of the said Act is amended

(1) by inserting “, school board” after the first “municipality” in the first line of the first paragraph;

(2) by inserting “or, in the case of a school board, the director general” after “secretary-treasurer” in the first line of the second paragraph.

**9.** Section 56.6 of the said Act is amended

(1) by inserting “, school boards” after “municipalities” in the first line of subparagraph 2 of the second paragraph;

(2) by replacing “whose territory is comprised” in the third line of the third paragraph by “or school board whose territory is situated in whole or in part”.

**10.** Section 56.7 of the said Act is amended

(1) by inserting “, school board” after the first “municipality” in the first line of the first paragraph;

(2) by inserting “or, in the case of a school board, the director general” after “secretary-treasurer” in the first line of the second paragraph.

**11.** Section 56.9 of the said Act is amended by inserting “or by another committee member designated by the warden” after “warden” in the third line.

**12.** Section 56.13 of the said Act is amended by replacing “and by” in the first and second lines of subparagraph 1 of the second paragraph by “, school boards or”.

**13.** Section 56.18 of the said Act is amended by replacing “, to every contiguous regional county municipality and, for registration purposes, to the Commission” in the third and fourth lines of the second paragraph by “and to every contiguous regional county municipality”.

**14.** Section 57.1 of the said Act is repealed.

**15.** Section 66 of the said Act is amended by replacing “, to every regional county municipality whose territory is contiguous and, for registration purposes, to the Commission” in the third and fourth lines of the third paragraph by “and to every contiguous regional county municipality”.

**16.** Section 78 of the said Act is repealed.

**17.** Section 79.6 of the said Act is amended by inserting “or by another committee member designated by the warden” after “warden” in the third line.

**18.** Section 79.13 of the said Act is amended by replacing the fourth paragraph of the English text by the following paragraph:

“The secretary-treasurer of the regional county municipality shall see to it that a copy of the opinion is posted in the office of every municipality whose territory is concerned by the by-law.”

**19.** Section 79.19 of the said Act is amended by inserting “adoption or” after “such” in the sixth line of the second paragraph of the English text.

**20.** Section 99 of the said Act is amended by striking out “, and be registered with the Commission” in the third and fourth lines.

**21.** Section 109.12 of the said Act is amended by striking out “and, for registration purposes, to the Commission” in the fourth line of the third paragraph.

**22.** Section 110.2 of the said Act is amended

(1) by replacing “, to the regional county municipality and, for registration purposes, to the Commission” in the fourth and fifth lines of the first paragraph by “and to the regional county municipality”;

(2) by striking out “or to the Commission” in the second and third lines of the second paragraph.

**23.** The said Act is amended by inserting the following section after section 110.3.1:

**“110.3.2.** In cases where section 109.1 applies, the clerk or the secretary-treasurer of the municipality shall also transmit a certified copy of both the draft by-law revising the planning program and the resolution under which it is adopted to every school board whose territory is situated in whole or in part in that of the municipality.”

**24.** Section 112.3 of the said Act is amended by replacing “, to every municipality whose territory is contiguous and, for registration, to the Commission” in the fourth and fifth lines by “and to every contiguous municipality”.

**25.** Section 137.8 of the said Act is amended by striking out “and, for registration purposes, to the Commission” in the fourth line of the third paragraph.

**26.** Section 137.17 of the said Act is amended by striking out “and, for registration purposes, to the Commission” in the fourth and fifth lines of the first paragraph.

**27.** Section 145.7 of the said Act is amended by inserting the following paragraph after the first paragraph:

“The resolution under which the council renders its decision may set conditions within the jurisdiction of the municipality, to reduce the impact of the exemption.”

**28.** Section 145.8 of the said Act is replaced by the following section:

**“145.8.** Notwithstanding sections 120, 121 and 122, upon presentation of a certified copy of the resolution under which the council grants the exemption, the officer referred to in those sections shall issue the permit or certificate if the conditions referred to in the section are satisfied, subject to the second paragraph, including any condition that must, under the resolution, be satisfied no later than the time the permit or certificate application is made.

Where the condition is that the application be in conformity with a by-law referred to in paragraph 1 of section 120 or 121 or subparagraph 1 of the first paragraph of section 122, the application must be in conformity with the provisions of the by-law that are not the subject of the exemption.”

**29.** Section 151 of the said Act is amended

(1) by striking out the second paragraph;

(2) by replacing “third” in the fourth line of the fourth paragraph by “second”;

(3) by striking out “by the Government” in the sixth line of the fourth paragraph.

**30.** Section 152 of the said Act is amended by striking out the second sentence of the second paragraph.

**31.** Section 153 of the said Act is amended by striking out “and, for registration purposes, to the Commission” in the seventh and eighth lines of the third paragraph.

**32.** Section 161 of the said Act is amended by replacing “, served on the council of the regional county municipality, on the councils of the municipalities concerned and registered with the Commission” in the second, third and fourth lines by “and served on each regional county municipality or municipality concerned”.

**33.** Section 164 of the said Act is amended by replacing “on each of the councils of the regional county municipalities and of the municipalities concerned and registered with the Commission” in the first, second and third lines of the second paragraph by “on each regional county municipality or municipality concerned”.

**34.** Section 165.2 of the said Act is amended by striking out “to the Commission and” in the first line of the third paragraph.

**35.** Section 165.4 of the said Act is amended by striking out “, to the Commission” in the second line of the fourth paragraph.

**36.** Section 205 of the said Act is amended by striking out the fourth paragraph.

**37.** The heading of Chapter II of Title II of the said Act is replaced by the following heading:

**“CHAPTER II**

**“ASSESSMENTS BY THE COMMISSION”.**

**38.** The heading of Division I of Chapter II of Title II of the said Act is repealed.

**39.** The heading of Division II of Chapter II of Title II of the said Act is repealed.

**40.** Section 221 of the said Act is repealed.

**41.** Section 223 of the said Act is repealed.

**42.** Section 225 of the said Act is amended by striking out “and must be registered” in the second line.

**43.** Section 226 of the said Act is repealed.

**44.** The said Act is amended by inserting the following after section 226:

**“TITLE II.1**

**“GOVERNMENT REGULATIONS**

**“226.1.** The Government may, by regulation,

(1) prescribe rules concerning the form in which a land use planning and development plan must be presented;

(2) prescribe rules complementary to those provided in Division VI.1 of Chapter I of Title I, concerning the preparation of a revised land use planning and development plan.”

**45.** Section 227 of the said Act is amended by inserting “145.7,” after “section” in subparagraph *f* of subparagraph 1 of the first paragraph.

**46.** Section 228 of the said Act is amended by replacing the first sentence of the first paragraph by the following sentence: “Any subdivision, cadastral operation or parcelling out of a lot by alienation that is carried out contrary to a subdivision by-law, a by-law under section 145.21 or an interim control by-law or resolution, a plan approved in accordance with section 145.19, an agreement made under section 145.21, a resolution referred to in the second paragraph of section 145.7 or 145.38 or a land rehabilitation plan approved by the Minister of the Environment under Division IV.2.1 of Chapter I of the Environment Quality Act (chapter Q-2) may be annulled.”

**47.** Section 237.2 of the said Act is amended by striking out “and, for registration purposes, to the Commission” in the fourth line of the third paragraph.

**48.** Section 238 of the said Act is amended by striking out “and be registered with the Commission” in the third and fourth lines of the third paragraph.

**49.** Section 239 of the said Act is amended by striking out “, and the decision shall be registered with the Commission” in the third and fourth lines of the third paragraph.

#### CHARTER OF VILLE DE GATINEAU

**50.** The Charter of Ville de Gatineau (R.S.Q., chapter C-11.1) is amended by inserting the following section after section 8.6:

**“8.7.** Where, pursuant to any of sections 8 to 8.6, the city must finance expenditures from revenues derived exclusively from the whole territory of a municipality mentioned in section 5, designated as a “sector” in this section, it may obtain those revenues by imposing a special tax based on taxable value on all the immovables situated in the sector, annually or for several years upon the borrowing of money.

Where, for the same fiscal year and in the same sector, the city imposes such a special tax and, pursuant to section 244.29 of the Act respecting municipal taxation (chapter F-2.1), fixes specific rates for the general property tax on certain categories of immovables, it may fix specific rates for the special tax on the same categories. In that case, the proportions between the different special tax rates must correspond to the proportions between the different general property tax rates applicable in the sector.

If the city avails itself of the power provided for in the second paragraph, the following provisions apply in respect of the special tax, with the necessary modifications:

(1) the provisions of subdivisions 4 and 5 of Division III.4 of Chapter XVIII of the Act respecting municipal taxation;

(2) the provisions of the regulations under paragraphs 2 and 7 of section 262 and paragraphs 2 and 3 of section 263 of the Act respecting municipal taxation that pertain to the general property tax imposed at different rates;

(3) any other provision of an Act or statutory instrument that pertains to the legal effects of imposing the general property tax at different rates, in particular for the purpose of defining property taxation specific to the non-residential sector.

As of the first fiscal year for which it imposes the special tax in a sector, the city shall cease to have the power provided for in the second paragraph of section 8 in respect of that sector.”

**51.** Schedule B to the said Charter is amended by inserting the following sections after section 6:

**“6.1.** The executive committee may, in the manner it determines, alienate any property whose value does not exceed \$10,000, on a report of the director general attesting the value of the property. The executive committee shall report to the council within 30 days after the alienation.

**“6.2.** In the case of an act of God likely to endanger human life or health, to seriously damage municipal property or to cause financial harm greater than the planned expenditure, the mayor may order any expenditure he or she considers necessary and grant any contract necessary to rectify the situation.

In such a case, the mayor shall submit a reasoned report to the executive committee at the first meeting following the decision. The report shall be filed with the council at its next meeting.

**“6.3.** The executive committee may grant subsidies of \$100,000 or less and any form of assistance that does not exceed that amount.

**“6.4.** Contracts within the jurisdiction of the council or the executive committee shall be signed on behalf of the city by the mayor and the clerk. The mayor may designate in writing, generally or specially, another member of the executive committee to sign contracts in his or her place. In such cases, for the purposes of the first paragraph of section 53 of the Cities and Towns Act (chapter C-19), the contract shall be presented to that other member rather than the mayor.

On the proposal of the mayor, the executive committee may authorize the director general, a department head or another designated officer, generally or specially, to sign contracts or documents of a nature the committee determines that are within the jurisdiction of the council or the executive committee, except by-laws and resolutions, and, in that case, may prescribe that certain contracts or documents or certain classes of contracts or documents do not require the clerk's signature.

**“6.5.** The clerk is authorized to amend any minutes, by-law, resolution, order or other act of the council or of the executive committee in order to correct an error that is obvious just by reading the documents provided in support of the decision or act. In such a case, the clerk shall attach the minutes of the correction to the original of the amended document and shall file a copy of the amended document and of the minutes of the correction at the following sitting of the council or the executive committee, as the case may be.”

**52.** Section 19 of Schedule B to the said Charter is repealed.

#### CHARTER OF VILLE DE LÉVIS

**53.** The Charter of Ville de Lévis (R.S.Q., chapter C-11.2) is amended by inserting the following section after section 8.6:

**“8.7.** Where, pursuant to any of sections 8 to 8.6, the city must finance expenditures from revenues derived exclusively from the whole territory of a municipality mentioned in section 5, designated as a “sector” in this section, it may obtain those revenues by imposing a special tax based on taxable value on all the immovables situated in the sector, annually or for several years upon the borrowing of money.

Where, for the same fiscal year and in the same sector, the city imposes such a special tax and, pursuant to section 244.29 of the Act respecting municipal taxation (chapter F-2.1), fixes specific rates for the general property tax on certain categories of immovables, it may fix specific rates for the special tax on the same categories. In that case, the proportions between the different special tax rates must correspond to the proportions between the different general property tax rates applicable in the sector.

If the city avails itself of the power provided for in the second paragraph, the following provisions apply in respect of the special tax, with the necessary modifications:

(1) the provisions of subdivisions 4 and 5 of Division III.4 of Chapter XVIII of the Act respecting municipal taxation;

(2) the provisions of the regulations under paragraphs 2 and 7 of section 262 and paragraphs 2 and 3 of section 263 of the Act respecting municipal taxation that pertain to the general property tax imposed at different rates;

(3) any other provision of an Act or statutory instrument that pertains to the legal effects of imposing the general property tax at different rates, in particular for the purpose of defining the property taxation specific to the non-residential sector.

As of the first fiscal year for which it imposes the special tax in a sector, the city shall cease to have the power provided for in the second paragraph of section 8 in respect of that sector.”

**54.** Section 86 of the said Charter is amended by inserting “or by another borough council member designated by the chair” after “council” in the second line of paragraph 3.

#### CHARTER OF VILLE DE LONGUEUIL

**55.** The Charter of Ville de Longueuil (R.S.Q., chapter C-11.3) is amended by inserting the following section after section 8.6:

**“8.7.** Where, pursuant to any of sections 8 to 8.6, the city must finance expenditures from revenues derived exclusively from the whole territory of a municipality mentioned in section 5, designated as a “sector” in this section, it may obtain those revenues by imposing a special tax based on taxable value on all the immovables situated in the sector, annually or for several years upon the borrowing of money.

Where, for the same fiscal year and in the same sector, the city imposes such a special tax and, pursuant to section 244.29 of the Act respecting municipal taxation (chapter F-2.1), fixes specific rates for the general property tax on certain categories of immovables, it may fix specific rates for the special tax on the same categories. In that case, the proportions between the different special tax rates must correspond to the proportions between the different general property tax rates applicable in the sector.

If the city avails itself of the power provided for in the second paragraph, the following provisions apply in respect of the special tax, with the necessary modifications:

(1) the provisions of subdivisions 4 and 5 of Division III.4 of Chapter XVIII of the Act respecting municipal taxation;

(2) the provisions of the regulations under paragraphs 2 and 7 of section 262 and paragraphs 2 and 3 of section 263 of the Act respecting municipal taxation that pertain to the general property tax imposed at different rates;

(3) any other provision of an Act or statutory instrument that pertains to the legal effects of imposing the general property tax at different rates, in particular for the purpose of defining property taxation specific to the non-residential sector.

As of the first fiscal year for which it imposes the special tax in a sector, the city shall cease to have the power provided for in the second paragraph of section 8 in respect of that sector.”

**56.** Section 14 of Schedule C to the said Charter is amended by striking out “permanent” in the first line.

#### CHARTER OF VILLE DE MONTRÉAL

**57.** The Charter of Ville de Montréal (R.S.Q., chapter C-11.4) is amended by inserting the following section after section 8.6:

**“8.7.** Where, pursuant to any of sections 8 to 8.6, the city must finance expenditures from revenues derived exclusively from the whole territory of a municipality mentioned in section 5, designated as a “sector” in this section, it may obtain those revenues by imposing a special tax based on taxable value on all the immovables situated in the sector, annually or for several years upon the borrowing of money.

Where, for the same fiscal year and in the same sector, the city imposes such a special tax and, pursuant to section 244.29 of the Act respecting municipal taxation (chapter F-2.1), fixes specific rates for the general property tax on certain categories of immovables, it may fix specific rates for the special tax on the same categories. In that case, the proportions between the different special tax rates must correspond to the proportions between the different general property tax rates applicable in the sector.

If the city avails itself of the power provided for in the second paragraph, the following provisions apply in respect of the special tax, with the necessary modifications:

(1) the provisions of subdivisions 4 and 5 of Division III.4 of Chapter XVIII of the Act respecting municipal taxation;

(2) the provisions of the regulations under paragraphs 2 and 7 of section 262 and paragraphs 2 and 3 of section 263 of the Act respecting municipal taxation that pertain to the general property tax imposed at different rates;

(3) any other provision of an Act or statutory instrument that pertains to the legal effects of imposing the general property tax at different rates, in particular for the purpose of defining property taxation specific to the non-residential sector.

As of the first fiscal year for which it imposes the special tax in a sector, the city shall cease to have the power provided for in the second paragraph of section 8 in respect of that sector.”

**58.** Section 10 of the said Charter is amended by replacing “shall” in the second paragraph by “may”.

**59.** Section 25 of the said Charter is amended

- (1) by striking out the first paragraph;
- (2) by striking out “special” in the first line of the second paragraph.

**60.** Section 34.1 of the said Charter is amended by striking out “, except a contract for which only one conforming tender was received” in the third and fourth lines of paragraph 1.

**61.** Section 83 of the said Charter is amended by inserting the following paragraph after the first paragraph:

“However, subparagraph 2 of the first paragraph and sections 109.2 to 109.4 of the Act respecting land use planning and development (chapter A-19.1) do not apply to a draft by-law whose sole purpose is to amend the city’s planning program in order to authorize the carrying out of a project referred to in subparagraph 4 of the first paragraph of section 89.”

**62.** Section 89 of the said Charter is amended by replacing subparagraph 5 of the first paragraph by the following subparagraph:

“(5) cultural property recognized or classified under the Cultural Property Act (chapter B-4) or a designated historic monument or where the planned site of the project is a historic or natural district or heritage site within the meaning of that Act.”

**63.** Section 89.1 of the said Charter is amended

- (1) by replacing the first paragraph by the following paragraph:

**“89.1.** Notwithstanding the third paragraph of section 123 of the Act respecting land use planning and development (chapter A-19.1), the only by-laws subject to approval by referendum among those referred to in the first paragraph of section 89 are those whose sole purpose is to authorize the carrying out of a project referred to in subparagraph 5 of that paragraph.”;

- (2) by replacing “A by-law adopted pursuant to” in the first line of the second paragraph by “The draft version of a by-law referred to in”;

- (3) by replacing “a by-law authorizing” in the second and third lines of the fourth paragraph by “the draft version of a by-law whose sole purpose is to authorize”.

**64.** Section 130 of the said Charter is amended by replacing the third paragraph by the following paragraph:

“Subject to section 477.2 of the Cities and Towns Act (chapter C-19), the borough council may, by by-law, provide for the delegation of any power

within its competence, other than the power to make by-laws or a power provided for in section 145 or 146, to any officer or employee assigned by the city to the borough and set the conditions and procedures for the exercise of the delegated power. Where the delegation pertains to a personnel management matter, the officer or employee to whom the delegation is made shall report to the borough council on any decision made by virtue of the delegated power at the first regular meeting after the expiry of five days following the date of the decision.”

**65.** Section 1 of Schedule C to the said Charter is amended by striking out the second paragraph.

**66.** Section 33 of Schedule C to the said Charter is amended by adding the following paragraph after the second paragraph:

“The city may, by by-law, authorize any person who was a member of the council of a municipality mentioned in section 5 of this Charter during any period determined by the by-law and who receives a retirement pension under a plan in which the members of the council of the municipality participated to participate in the group insurance taken out by the city. The member shall pay the full amount of the premium.”

**67.** Section 198 of Schedule C to the said Charter is repealed.

**68.** Section 217 of Schedule C to the said Charter is amended by striking out “198,” in the first line of the second paragraph.

#### CHARTER OF VILLE DE QUÉBEC

**69.** The Charter of Ville de Québec (R.S.Q., chapter C-11.5) is amended by inserting the following section after section 8.6:

**8.7.** Where, pursuant to any of sections 8 to 8.6, the city must finance expenditures from revenues derived exclusively from the whole territory of a municipality mentioned in section 5, designated as a “sector” in this section, it may obtain those revenues by imposing a special tax based on taxable value on all the immovables situated in the sector, annually or for several years upon the borrowing of money.

Where, for the same fiscal year and in the same sector, the city imposes such a special tax and, pursuant to section 244.29 of the Act respecting municipal taxation (chapter F-2.1), fixes specific rates for the general property tax on certain categories of immovables, it may fix specific rates for the special tax on the same categories. In that case, the proportions between the different special tax rates must correspond to the proportions between the different general property tax rates applicable in the sector.

If the city avails itself of the power provided for in the second paragraph, the following provisions apply in respect of the special tax, with the necessary modifications:

(1) the provisions of subdivisions 4 and 5 of Division III.4 of Chapter XVIII of the Act respecting municipal taxation;

(2) the provisions of the regulations under paragraphs 2 and 7 of section 262 and paragraphs 2 and 3 of section 263 of the Act respecting municipal taxation that pertain to the general property tax imposed at different rates;

(3) any other provision of an Act or statutory instrument that pertains to the legal effects of imposing the general property tax at different rates, in particular for the purpose of defining property taxation specific to the non-residential sector.

As of the first fiscal year for which it imposes the special tax in a sector, the city shall cease to have the power provided for in the second paragraph of section 8 in respect of that sector.”

**70.** Section 36.1 of the said Charter is replaced by the following section:

**“36.1.** The city council must consult with the ward council on matters listed in the by-law respecting the public consultation policy adopted under section 36.

Any ward council, on its own initiative, may also give its advice to the city council, the executive committee or a borough council on any other matter concerning the ward.”

**71.** The said Charter is amended by inserting the following sections after section 74:

**“74.1.** Every draft amendment to a by-law in respect of which sections 124 to 127 of the Act respecting land use planning and development (chapter A-19.1) apply must be transmitted to the borough council concerned upon the adoption by the executive committee of a resolution approving it.

The borough council shall hold a public consultation meeting on the draft amendment in accordance with sections 124 to 127 of the Act respecting land use planning and development, with the modifications provided for in the first paragraph of section 115.

If the draft amendment concerns a ward that has a ward council, the borough council shall also consult the ward council. In that case, the borough council may ask the ward council to hold the public consultation meeting referred to in the second paragraph. The borough council may determine in which cases a public consultation meeting is automatically to be held by a ward council.

The city council may, by a by-law adopted by a two-thirds majority vote of its members, authorize the executive committee to exempt certain draft amendments from consultation of the ward council. The by-law must specify

the matters able to be thus exempted and the criteria to be considered by the executive committee. The criteria may in particular provide that the executive committee may only exempt a draft amendment from consultation of the ward council if, in the opinion of the executive committee, the draft amendment has no impact or a negligible impact on the authorized uses and land use standards applicable in the zones affected by the draft amendment.

**“74.2.** Where the city council adopts a draft by-law following the approval of a draft amendment by the executive committee and the holding of a public consultation meeting on the draft amendment in accordance with section 74.1, that public consultation shall stand in lieu of the consultation required on the draft by-law under sections 123 to 127 of the Act respecting land use planning and development. If the draft by-law contains a provision making it a by-law subject to approval by way of referendum, it is deemed to be the second draft by-law referred to in section 128 of that Act.”

**72.** Section 114 of the said Charter is amended by replacing the third paragraph by the following paragraph:

“Subject to section 477.2 of the Cities and Towns Act (chapter C-19), the borough council may, by by-law, provide for the delegation of any power within its competence, other than the power to make by-laws or a power provided for in section 125 or 126, to any officer or employee assigned by the city to the borough and set the conditions and procedures for the exercise of the delegated power. Where the delegation pertains to a personnel management matter, the officer or employee to whom the delegation is made shall report to the borough council on any decision made by virtue of the delegated power at the first regular meeting after the expiry of five days following the date of the decision.”

**73.** Section 115 of the said Charter is amended

(1) by inserting “or by another borough council member designated by the chair” after “council” in the second line of subparagraph 3 of the first paragraph;

(2) by adding the following paragraph after the second paragraph:

“For the purposes of subparagraphs 1 to 4 of the first paragraph, if the draft by-law concerns a ward that has a ward council, the borough council shall consult the ward council. In that case, the borough council may ask the ward council to hold the public consultation meeting. The borough council may determine in which cases a public consultation meeting is automatically to be held by a ward council.”

**74.** Section 19 of Schedule C to the said Charter is amended by replacing “except a contract for which only one conforming tender was received” in the fourth line by “except a contract that involves an expenditure of more than \$100,000 that would entail commitment of the city’s budgeted appropriations for a period extending beyond the fiscal year following the fiscal year in which it is awarded”.

**75.** Section 39 of Schedule C to the said Charter is amended by striking out the second paragraph.

**76.** Section 85 of Schedule C to the said Charter is amended by replacing the second paragraph by the following paragraph:

“The first paragraph ceases to have effect on the day after the first regular meeting of the city council following the adoption of the resolution if the city council did not ratify the resolution at that meeting. Otherwise, the first paragraph ceases to have effect,

(1) in the case of a draft amendment to a zoning or subdivision by-law,

(a) on the one hundred and fiftieth day following the adoption of the resolution of the executive committee if no notice of motion has been given to the city council for the amendment of the provisions that are the subject of the draft amendment; or

(b) on the date provided for in section 114 or 117 of the Act respecting land use planning and development (chapter A-19.1) for the cessation of effect of the notice of motion if the notice was given within the time determined in subparagraph *a*, except if the applicable section provides for the cessation of effect on the date occurring four months after the filing of the notice of motion, in which case the cessation occurs on the sixtieth day after the filing of the notice; and,

(2) in the case of a draft amendment to a building by-law,

(a) on the one hundred and fiftieth day following the adoption of the resolution of the executive committee if a by-law amending the provisions that are the subject of the draft amendment has not been adopted by the city council on that date; or

(b) otherwise, on the date of coming into force of the amendment adopted by the city council or on the ninetieth day following the adoption of the by-law amending the provisions that are the subject of the draft amendment, whichever is earlier.”

**77.** Section 110 of Schedule C to the said Charter is amended by striking out the second sentence of the second paragraph.

**78.** Section 111 of Schedule C to the said Charter is amended by striking out the second sentence of the second paragraph.

**79.** Section 112 of Schedule C to the said Charter is amended by striking out the second sentence of subsection 4.

**80.** Section 124 of Schedule C to the said Charter is amended by adding the following sentence at the end of the second paragraph: “Notwithstanding

section 145.18 of that Act, in a historic district within the meaning of the Cultural Property Act (chapter B-4), only the Commission shall be consulted before the plans are approved by the borough council as required under section 117 of this schedule.”

## CITIES AND TOWNS ACT

**81.** Section 29.3 of the Cities and Towns Act (R.S.Q., chapter C-19) is amended by inserting the following paragraph after the first paragraph:

“However, in the case of a municipality with a population of 100,000 or more, the five-year period mentioned in the first paragraph is replaced by a ten-year period, unless the average annual expenditures entailed by the convention for the fiscal years following the one in which the resolution authorizing the municipality to enter into the convention is adopted exceed 0.5% of the total appropriations provided for in the municipality’s budget for operating expenses for that fiscal year.”

**82.** Sections 29.5 to 29.9 of the said Act are replaced by the following sections:

**“29.5.** A municipality may enter into an agreement with another municipality, a public institution referred to in section 29, a school board, an educational institution or a non-profit agency in order to jointly perform any of the following acts:

- (1) procure equipment, materials or services;
- (2) take out insurance;
- (3) carry out work;
- (4) call for tenders for the purpose of awarding contracts.

The agreement may pertain to only part of the process involved in performing the act concerned.

**“29.6.** A party to an agreement under section 29.5 may delegate any power necessary for carrying out the agreement to another party.

If the power to call for tenders is delegated, the acceptance of a tender by the delegated party shall bind each delegating party to the tenderer.

**“29.7.** Subject to the second paragraph, the rules governing the awarding of contracts by a municipality apply to any contract awarded pursuant to an agreement under section 29.5. The total amount of the expenditures incurred by all the parties under the contract must be taken into consideration when applying those rules.

To the extent that the terms of any intergovernmental agreement on the opening of public procurement applicable to any of the municipalities concerned are observed, the Minister of Municipal Affairs, Sports and Recreation may exercise the power conferred by section 573.3.1 in relation to a contract referred to in the first paragraph.”

**83.** Section 29.9.2 of the said Act is amended by inserting “, to the extent that the terms of any intergovernmental agreement on the opening of public procurement applicable to any of the municipalities concerned are observed,” after “may” in the fifth line of the third paragraph.

**84.** Section 56 of the said Act is amended by replacing the first paragraph by the following paragraph:

“**56.** The council shall appoint a councillor as acting mayor for the period it determines.”

**85.** The said Act is amended by inserting the following section after section 70:

“**70.0.1.** Where the law provides that persons who are not council members may sit on a permanent or special committee or a council committee, the municipality may provide, by by-law, for the remuneration of such persons. The amount of the remuneration shall be based on their attendance at sittings of the committee.

The municipality may also, following the same procedure as for the reimbursement of expenses to council members, establish rules for the reimbursement of expenses to committee members who are not council members.”

**86.** Section 108 of the said Act is amended by replacing the first and second paragraphs by the following paragraph:

“**108.** The council shall appoint an external auditor for not more than three fiscal years, except in the case of a municipality with a population of 100,000 or more, where the external auditor shall be appointed for three fiscal years. At the end of the term, the external auditor shall remain in office until replaced or reappointed.”

**87.** Section 108.1 of the said Act is amended by replacing “at the next sitting” in the second line by “as soon as possible”.

**88.** The said Act is amended by inserting the following section after section 365:

“**365.1.** Where a municipality consolidates two or more by-laws, one of which required approval or authorization, the council need not obtain approval or authorization for the consolidated by-law.”

**89.** Section 412.26 of the said Act is repealed.

**90.** Section 413 of the said Act is amended by striking out subparagraph *b.1* of paragraph 10.

**91.** The said Act is amended by inserting the following sections after section 413:

“**413.0.1.** The municipality may establish and operate an establishment for the salvage and treatment of refuse matters that may be recycled. It may also entrust any person with that function.

“**413.0.2.** The municipality may sell the energy, such as biogas, resulting from the operation of a residual materials disposal facility. It may also entrust any person with that function.”

**92.** Section 465.15 of the said Act, amended by section 260 of chapter 45 of the statutes of 2002, is again amended by replacing “three” in the second line of the first paragraph by “five”.

**93.** Section 468.32 of the said Act is amended by inserting the following paragraph after paragraph 2.1:

“(2.2) lease its property, although this power does not allow the management board to acquire or build property principally for leasing purposes;”

**94.** Section 468.38 of the said Act is amended by replacing the fourth paragraph by the following paragraph:

“No later than the second regular sitting after receiving the copy, the council of each municipality must approve or reject the by-law. If the council fails to do so, the by-law shall be deemed approved. The clerk shall send a copy of the resolution under which the council approved or rejected the by-law to the secretary of the management board.”

**95.** Section 468.51 of the said Act is amended

(1) by inserting “544.1,” after “477.2,” in the third line of the first paragraph;

(2) by inserting “section 569,” after “567,” in the fourth line of the first paragraph.

**96.** Section 474 of the said Act is amended by replacing “30” in the second line of the first paragraph of subsection 3 by “60”.

**97.** The said Act is amended by inserting the following section after section 474.3:

**“474.3.1.** The executive committee of a municipality with a population of 100,000 or more may revise the budget of the municipality to take into account sums donated for a specific purpose or provided by a subsidy from the Government, a minister or a government body that has already been paid or the payment of which is assured.

The resolution of the executive committee revising the budget must be transmitted to the Minister of Municipal Affairs, Sports and Recreation within 30 days following its adoption.”

**98.** Section 503 of the said Act is amended by striking out “and transmitted to the Minister of Municipal Affairs and Greater Montréal” in the second and third lines of the first paragraph.

**99.** Section 544.1 of the said Act is amended

(1) by replacing “passage” in the fourth line of the first paragraph by “coming into force”;

(2) by replacing the second paragraph by the following paragraph:

“Where approval of the loan by-law by persons qualified to vote is not required, the percentage set in the first paragraph is replaced by 10%.”

**100.** Section 547.1 of the said Act is amended

(1) by adding the following sentence at the end of the first paragraph: “Likewise, if the by-law prescribes the payment of a compensation referred to in section 244.2 of the Act respecting municipal taxation (chapter F-2.1) for the establishment of a sinking fund, it may provide that the owner or occupant from whom the compensation is required may obtain an exemption from the compensation in the same manner, with the necessary modifications.”;

(2) by inserting “, in the case of a property tax,” after “calculated” in the first line of the second paragraph;

(3) by adding the following sentence at the end of the second paragraph: “In the case of a compensation, the share is calculated according to the apportionment provided for in the by-law, as it applies at the time of the payment.”

**101.** Section 547.3 of the said Act is amended by inserting “or the owner or occupant from the compensation, as the case may be, ” after “tax” in the second line.

**102.** Section 573.3 of the said Act is amended

(1) by replacing subparagraph 2 of the first paragraph by the following subparagraph:

“(2) whose object is the supply of equipment, materials or services and that is entered into with a non-profit agency, 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), or a supplier found, after thorough and documented verification, to be the only one in all the provinces and territories of Canada that is in a position to provide the equipment, materials or services;”;

(2) by replacing “results from the use of a software package or software product designed” in the first and second lines of subparagraph 6 of the first paragraph of the English text by “, which stems from the use of a software package or software product, is”;

(3) by replacing “protect” in subparagraph *d* of subparagraph 6 of the first paragraph by “produce”;

(4) by adding the following subparagraphs after subparagraph 6 of the first paragraph:

“(7) whose object is the performance of work to remove, move or reconstruct mains or installations for waterworks, sewers, electricity, gas, steam, telecommunications, oil or other fluids and that is entered into with the owner of the mains or installations or with a public utility, for a price corresponding to the price usually charged by an undertaking generally performing such work;

“(8) whose object is the supply of services by a supplier in a monopoly position in the field of communications, electricity or gas; or

“(9) whose object is the maintenance of specialized equipment that must be carried out by the manufacturer or its representative.”

## MUNICIPAL CODE OF QUÉBEC

**103.** Articles 14.3 to 14.7 of the Municipal Code of Québec (R.S.Q., chapter C-27.1) are replaced by the following articles:

**“14.3.** A municipality may enter into an agreement with another municipality, a public institution referred to in article 7, a school board, an educational institution or a non-profit agency in order to jointly perform any of the following acts:

- (1) procure equipment, materials or services;
- (2) take out insurance;
- (3) carry out work;
- (4) call for tenders for the purpose of awarding contracts.

The agreement may pertain to only part of the process involved in performing the act concerned.

**“14.4.** A party to an agreement under article 14.3 may delegate any power necessary for carrying out the agreement to another party.

If the power to call for tenders is delegated, the acceptance of a tender by the delegated party shall bind each delegating party to the tenderer.

**“14.5.** Subject to the second paragraph, the rules governing the awarding of contracts by a municipality apply to any contract awarded pursuant to an agreement under article 14.3. The total amount of the expenditures incurred by all the parties under the contract must be taken into consideration when applying those rules.

To the extent that the terms of any intergovernmental agreement on the opening of public procurement applicable to any of the municipalities concerned are observed, the Minister of Municipal Affairs, Sports and Recreation may exercise the power conferred by article 938.1 in relation to a contract referred to in the first paragraph.”

**104.** Article 14.7.2 of the said Code is amended by inserting “, to the extent that the terms of any intergovernmental agreement on the opening of public procurement applicable to any of the municipalities concerned are observed,” after “may” in the fifth line of the third paragraph.

**105.** The said Code is amended by inserting the following article after article 82:

**“82.1.** Where the law provides that persons who are not council members may sit on a permanent or special committee or a council committee, the municipality may provide, by by-law, for the remuneration of such persons. The amount of the remuneration shall be based on their attendance at sittings of the committee.

The municipality may also, following the same procedure as for the reimbursement of expenses to council members, establish rules for the reimbursement of expenses to committee members who are not council members.”

**106.** Article 445 of the said Code is amended by replacing “to the mayors of the local municipalities whose territory is included in that of the regional county municipality and, where applicable, to the warden elected in accordance with section 210.29.2 of the Act respecting municipal territorial organization (chapter O-9)” in the third, fourth, fifth and sixth lines of the fourth paragraph by “to the members of that council.”

**107.** The said Code is amended by inserting the following article after article 453:

**“453.1.** Where a municipality consolidates two or more by-laws, one of which required approval or authorization, the council need not obtain approval or authorization for the consolidated by-law.”

**108.** The said Code is amended by inserting the following article after article 548.2:

**“548.3.** A local municipality may sell energy, such as biogas, resulting from the operation of a residual materials disposal facility. It may also entrust that function to any person.”

**109.** Article 601 of the said Code is amended by inserting the following paragraph after paragraph 2.1:

“(2.2) lease its property, although this power does not allow the management board to acquire or build property principally for leasing purposes;”.

**110.** Article 607 of the said Code is amended by replacing the fourth paragraph by the following paragraph:

“No later than the second regular sitting after receiving the copy, the council of each municipality must approve or reject the by-law. If the council fails to do so, the by-law shall be deemed approved. The secretary-treasurer shall send a copy of the resolution under which the council approved or rejected the by-law to the secretary of the management board.”

**111.** Article 620 of the said Code is amended

- (1) by replacing “72.3” in the first line of the first paragraph by “72.2”;
- (2) by inserting “544.1,” after “477.2,” in the third line of the first paragraph;
- (3) by inserting “section 569,” after “567,” in the fourth line of the first paragraph.

**112.** Article 711.16 of the said Code, amended by section 272 of chapter 45 of the statutes of 2002, is again amended by replacing “three” in the second line of the first paragraph by “five”.

**113.** Article 938 of the said Code is amended

(1) by replacing subparagraph 2 of the first paragraph by the following subparagraph:

“(2) whose object is the supply of equipment, materials or services and that is entered into with a non-profit agency, 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), or a supplier found, after thorough and documented verification, to be the only one in all the provinces and

territories of Canada that is in a position to provide the equipment, materials or services;”;

(2) by replacing “results from the use of a software package or software product designed” in the first and second lines of subparagraph 6 of the first paragraph of the English text by “, which stems from the use of a software package or software product, is”;

(3) by replacing “protect” in subparagraph *d* of subparagraph 6 of the first paragraph by “produce”;

(4) by adding the following subparagraphs after subparagraph 6 of the first paragraph:

“(7) whose object is the performance of work to remove, move or reconstruct mains or installations for waterworks, sewers, electricity, gas, steam, telecommunications, oil or other fluids and that is entered into with the owner of the mains or installations or with a public utility, for a price corresponding to the price usually charged by an undertaking generally performing such work;

“(8) whose object is the supply of services by a supplier in a monopoly position in the field of communications, electricity or gas; or

“(9) whose object is the maintenance of specialized equipment that must be carried out by the manufacturer or its representative.”

**114.** Article 954 of the said Code is amended by replacing “30” in the second line of the first paragraph of subarticle 3 by “60”.

**115.** Article 966 of the said Code is amended by replacing the first paragraph by the following paragraph:

“**966.** The council shall appoint an external auditor for not more than three fiscal years. At the end of the term, the external auditor shall remain in office until replaced or reappointed.”

**116.** Article 966.1 of the said Code is amended by replacing “at the next sitting” in the second line by “as soon as possible”.

**117.** Article 1007 of the said Code is amended by striking out “and forwarded to the Minister of Municipal Affairs and Greater Montréal” in the second and third lines of the first paragraph.

**118.** Article 1063.1 of the said Code is amended

(1) by replacing “passage” in the fourth line of the first paragraph by “coming into force”;

(2) by striking out the second paragraph.

**119.** Article 1072.1 of the said Code is amended

(1) by adding the following sentence at the end of the first paragraph: “Likewise, if the by-law prescribes the payment of a compensation referred to in section 244.2 of the Act respecting municipal taxation (chapter F-2.1) for the establishment of a sinking fund, it may provide that the owner or occupant from whom the compensation is required may obtain an exemption from the compensation in the same manner, with the necessary modifications.”;

(2) by inserting “, in the case of a property tax,” after “calculated” in the first line of the second paragraph;

(3) by adding the following sentence at the end of the second paragraph: “In the case of a compensation, the share is calculated according to the apportionment provided for in the by-law, as it applies at the time of the payment.”

**120.** Article 1072.3 of the said Code is amended by inserting “or the owner or the occupant from the compensation, as the case may be,” after “tax” in the second line.

**121.** The said Code is amended by inserting the following article after article 1132:

**“1132.1.** A local municipality constituted under the Act respecting the municipal reorganization of the territory of the municipality of the North Shore of the Gulf of St. Lawrence (1988, chapter 55) possesses the attributes and powers conferred upon a regional county municipality as regards the sale of immovables for non-payment of taxes.”

ACT RESPECTING THE COMMISSION MUNICIPALE

**122.** Section 63 of the Act respecting the Commission municipale (R.S.Q., chapter C-35) is amended by replacing “in the municipality” in the third and fourth lines of the second paragraph by “on the territory of the municipality”.

ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE MONTRÉAL

**123.** Section 17 of the Act respecting the Communauté métropolitaine de Montréal (R.S.Q., chapter C-37.01) is amended by adding the following paragraph after the second paragraph:

“At the end of his or her term of office, a member of the council remains in office until a successor takes office. Where applicable, the member of the council also continues to hold office as a member of the executive committee or of a committee of the Community during that period, unless the member is replaced in that capacity before the end of that period.”

**124.** Section 20 of the said Act is amended by adding the following paragraph after the second paragraph:

“The power provided for in the second paragraph may be exercised by the executive committee.”

**125.** Section 50 of the said Act is amended by striking out “ses” in the first line of the French text.

**126.** Section 51 of the said Act is replaced by the following section:

“**51.** The council designates the members of a committee from among the council members and the members of the councils of local municipalities whose territory is included in that of the Community. The council may replace committee members at any time.

The council designates a chair and vice-chair from among the committee members.”

**127.** Section 64 of the said Act is amended by inserting the following sentence after the first sentence of the first paragraph: “The by-law may grant remuneration and an allowance to the members of a committee who do not sit on the council of the Community.”

**128.** Section 65 of the said Act is amended

(1) by striking out “of the council” in the second line;

(2) by striking out “as a member of the council” in the fourth line.

**129.** Section 66 of the said Act is replaced by the following section:

“**66.** No member of the council, the executive committee or any other committee may, as part of that member’s duties, perform any act involving expenses chargeable to the Community except with the prior authorization of the council to perform the act and incur, as a result, expenses not exceeding the amount set by the council.

The Community shall reimburse the member for expenses incurred in keeping with the authorization, once the council has approved the reimbursement on receipt of a statement and supporting documents.”

**130.** Section 67 of the said Act is amended by replacing the first paragraph by the following paragraph:

“**67.** The council may establish a tariff applicable to cases where expenses are incurred on behalf of the Community by a member of the council, the executive committee or any other committee.”

**131.** Section 68 of the said Act is amended by replacing “may incur on behalf of the Community, the executive committee or any other committee on which they sit as a member of the council” in the third and fourth lines of the first paragraph by “of the council, the executive committee or any other committee may incur on behalf of the Community”.

**132.** Section 69 of the said Act is amended by replacing “the executive committee or any other committee, otherwise than in the course of the work of those bodies,” in the second and third lines of the first paragraph by “otherwise than in the course of the work of the council, the executive committee or any other committee”.

**133.** Section 106 of the said Act is amended

(1) by replacing “with a municipal 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)” in the second, third and fourth lines of subparagraph 2 of the third paragraph by “with a non-profit organization, 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) or a supplier found, after thorough and documented verification, to be the only one in all the provinces and territories of Canada that is in a position to provide the equipment, materials or services”;

(2) by striking out “, with a municipal body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information,” in the fourth, fifth and sixth lines of subparagraph 4 of the third paragraph;

(3) by striking out “by a single supplier or” in the first line of subparagraph 6 of the third paragraph;

(4) by replacing “results from the use of a software package or software product designed” in the first and second lines of subparagraph 11 of the third paragraph of the English text by “, which stems from the use of a software package or software product, is”;

(5) by replacing “protect” in subparagraph *d* of subparagraph 11 of the third paragraph by “produce”.

**134.** Section 137 of the said Act is amended

(1) by inserting “; they shall also be transmitted to every school board whose territory is situated entirely or partially within that of the Community” after “131” in the fourth line of the first paragraph;

(2) by replacing “or local municipality” in the first line of the third paragraph by “, local municipality or school board”.

ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE  
QUÉBEC

**135.** Section 8 of the Act respecting the Communauté métropolitaine de Québec (R.S.Q., chapter C-37.02) is amended by adding the following paragraph at the end:

“At the end of his or her term of office, a member of the council remains in office until a successor takes office. Where applicable, the member of the council also continues to hold office as a member of the executive committee or of a committee of the Community during that period, unless the member is replaced in that capacity before the end of that period.”

**136.** Section 12 of the said Act is amended by adding the following paragraph after the second paragraph:

“The power provided for in the second paragraph may be exercised by the executive committee.”

**137.** Section 55 of the said Act is amended by inserting the following sentence after the first sentence of the first paragraph: “The by-law may grant remuneration and an allowance to the members of a committee who do not sit on the council of the Community.”

**138.** Section 56 of the said Act is amended

- (1) by striking out “of the council” in the second line;
- (2) by striking out “as a member of the council” in the fourth line.

**139.** Section 57 of the said Act is replaced by the following section:

“**57.** No member of the council, the executive committee or any other committee may, as part of that member’s duties, perform any act involving expenses chargeable to the Community except with the prior authorization of the council to perform the act and incur, as a result, expenses not exceeding the amount set by the council.

The Community shall reimburse the member for expenses incurred in keeping with the authorization, once the council has approved the reimbursement on receipt of a statement and supporting documents.”

**140.** Section 58 of the said Act is amended by replacing the first paragraph by the following paragraph:

“**58.** The council may establish a tariff applicable to cases where expenses are incurred on behalf of the Community by a member of the council, the executive committee or any other committee.”

**141.** Section 59 of the said Act is amended by replacing “may incur on behalf of the Community, the executive committee or any other committee on which they sit as a member of the council” in the third and fourth lines of the first paragraph by “of the council, the executive committee or any other committee may incur on behalf of the Community”.

**142.** Section 60 of the said Act is amended by replacing “the executive committee or any other committee, otherwise than in the course of the work of those bodies,” in the second and third lines of the first paragraph by “otherwise than in the course of the work of the council, the executive committee or any other committee”.

**143.** Section 99 of the said Act is amended

(1) by replacing “with a municipal 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)” in the second, third and fourth lines of subparagraph 2 of the third paragraph by “with a non-profit organization, 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) or a supplier found, after thorough and documented verification, to be the only one in all the provinces and territories of Canada that is in a position to provide the equipment, materials or services”;

(2) by striking out “, with a municipal body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information,” in the fourth, fifth and sixth lines of subparagraph 4 of the third paragraph;

(3) by striking out “by a single supplier or” in the first line of subparagraph 6 of the third paragraph;

(4) by replacing “results from the use of a software package or software product designed” in the first and second lines of subparagraph 11 of the third paragraph of the English text by “, which stems from the use of a software package or software product, is”;

(5) by replacing “protect” in subparagraph *d* of subparagraph 11 of the third paragraph by “produce”.

**144.** Section 129 of the said Act is amended

(1) by inserting “; they shall also be transmitted to every school board whose territory is situated entirely or partially within the territory of the Community” after “123” in the fourth line of the first paragraph;

(2) by replacing “or local municipality” in the first line of the third paragraph by “, local municipality or school board”.

**145.** Section 139 of the said Act is amended

(1) by inserting “and the provisions of Title III of that Act concerning sanctions and recourses in respect of the interim control by-law or resolution” after “(chapter A-19.1)” in the second line of the first paragraph;

(2) by adding the following paragraph after the second paragraph:

“Where an interim control by-law adopted by the council of the Community under the first paragraph is in force, section 2 and Chapter VI of Title I of the Act respecting land use planning and development apply.”

**ACT RESPECTING MUNICIPAL DEBTS AND LOANS**

**146.** Section 1 of the Act respecting municipal debts and loans (R.S.Q., chapter D-7) is replaced by the following section:

**1.** The term for repayment of a loan effected by a municipality may not exceed 20 years.

However, in the case of a local municipality with a population of 100,000 or more, the term may extend to 40 years as long as it does not exceed the useful life of the property that the proceeds of the loan enable the municipality to acquire, repair, restore or build.”

**147.** Section 2 of the said Act is amended by adding the following paragraph after the fifth paragraph:

“The council of a local municipality with a population of 100,000 or more may, by by-law, delegate to the treasurer the exercise of the powers granted under the first, second and fourth paragraphs.”

**ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES**

**148.** Section 63 of the Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2) is amended by inserting “, except those hired by the municipality to act as first responders within the meaning of the Act respecting pre-hospital emergency services (chapter S-6.2)” after “called “voluntary firemen”” in the third line of paragraph 1.

**EXECUTIVE POWER ACT**

**149.** Section 4 of the Executive Power Act (R.S.Q., chapter E-18) is amended by replacing “and Greater Montréal” in subparagraph 14 of the first paragraph by “, Sports and Recreation”.

## ACT RESPECTING MUNICIPAL TAXATION

**150.** Section 132 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1) is amended by replacing “soixante-et-unième” in the fourth and seventh lines of the French text by “soixante et unième”.

**151.** Section 151 of the said Act is amended by replacing “place of business” in the third line of the first paragraph by “business establishment”.

**152.** Section 171 of the said Act is amended by replacing “soixante-et-unième” in the second and third lines of subparagraph 2 and the third line of subparagraph 3 of the second paragraph of the French text by “soixante et unième”.

**153.** Section 263.2 of the said Act is amended

(1) by replacing “place of business” in the first line of the second paragraph by “business establishment”;

(2) by replacing “place” in the third line of the second paragraph by “establishment”.

## HYDRO-QUÉBEC ACT

**154.** Section 30 of the Hydro-Québec Act (R.S.Q., chapter H-5) is amended by striking out “under a municipal law” in the fourth line of the first paragraph.

## EDUCATION ACT

**155.** Section 211 of the Education Act (R.S.Q., chapter I-13.3) is amended by replacing the first paragraph by the following paragraph:

“**211.** Each year, after consulting any municipality or metropolitan community whose territory is situated entirely or partially within its own, the school board shall establish a three-year plan for the allocation and destination of its immovables. The school board shall transmit the plan to every municipality or metropolitan community consulted.”

## ACT RESPECTING THE MINISTÈRE DES AFFAIRES MUNICIPALES ET DE LA MÉTROPOLE

**156.** The title of the Act respecting the Ministère des Affaires municipales et de la Métropole (R.S.Q., chapter M-22.1) is amended by replacing “ET DE LA MÉTROPOLE” by “, DU SPORT ET DU LOISIR”.

**157.** Section 1 of the said Act is amended by replacing “Ministère des Affaires municipales et de la Métropole” by “Ministère des Affaires municipales, du Sport et du Loisir” and by replacing “Minister of Municipal Affairs and Greater Montréal” by “Minister of Municipal Affairs, Sports and Recreation”.

**158.** Section 2 of the said Act is amended by replacing “and Greater Montréal” by “, Sports and Recreation”.

**159.** Section 7.1 of the said Act is amended by replacing “recreation, sport and outdoor activities” by “sports and recreation”.

**160.** Section 17.6.1 of the said Act is amended

(1) by replacing “performance” in the fourth line of the first paragraph by “management”;

(2) by replacing “performance” in the second line of the second paragraph by “management”;

(3) by replacing “performance” in the third line of the third paragraph by “management”;

(4) by replacing “performance” in the second line of the fourth paragraph by “management”.

#### GOVERNMENT DEPARTMENTS ACT

**161.** Section 1 of the Government Departments Act (R.S.Q., chapter M-34) is amended by replacing “Ministère des Affaires municipales et de la Métropole” in paragraph 13 by “Ministère des Affaires municipales, du Sport et du Loisir” and by replacing “Minister of Municipal Affairs and Greater Montréal” by “Minister of Municipal Affairs, Sports and Recreation”.

#### ACT RESPECTING MUNICIPAL TERRITORIAL ORGANIZATION

**162.** Section 210.29.3 of the Act respecting municipal territorial organization (R.S.Q., chapter O-9) is amended by striking out the commas in the first line of subparagraph 3 of the first paragraph of the French text.

#### ACT RESPECTING THE SOCIÉTÉ D’HABITATION DU QUÉBEC

**163.** Section 1 of the Act respecting the Société d’habitation du Québec (R.S.Q., chapter S-8) is amended by replacing “678.0.6” in the third line of paragraph *a* by “678.0.2.1”.

**164.** Section 56.1 of the said Act is amended by replacing “678.0.6” in the second line of the second paragraph by “678.0.2.1”.

#### ACT RESPECTING MIXED ENTERPRISE COMPANIES IN THE MUNICIPAL SECTOR

**165.** Section 14 of the Act respecting mixed enterprise companies in the municipal sector (R.S.Q., chapter S-25.01) is amended by replacing “du gouvernement” in the fourth line of the second paragraph of the French text by “de l’État”.

## ACT RESPECTING PUBLIC TRANSIT AUTHORITIES

**166.** Section 93 of the Act respecting public transit authorities (R.S.Q., chapter S-30.01) is amended

(1) by replacing “with a municipal 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)” in the second, third and fourth lines of subparagraph 2 of the third paragraph by “with a non-profit organization, 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) or a supplier found, after thorough and documented verification, to be the only one in all the provinces and territories of Canada that is in a position to provide the equipment, materials or services”;

(2) by striking out “, with a municipal body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information” in the fourth, fifth and sixth lines of subparagraph 3 of the third paragraph;

(3) by striking out “by a single supplier or” in the first line of subparagraph 4 of the third paragraph;

(4) by replacing “results from the use of a software package or software product designed” in the first and second lines of subparagraph 9 of the third paragraph of the English text by “, which stems from the use of a software package or software product, is”.

## ACT RESPECTING THE REMUNERATION OF ELECTED MUNICIPAL OFFICERS

**167.** The Act respecting the remuneration of elected municipal officers (R.S.Q., chapter T-11.001) is amended by inserting the following section after section 25:

**“25.1.** The council may, by by-law, exempt members of the executive committee or borough chairs from having to obtain the prior authorization referred to in the first paragraph of section 25 when they perform an act as part of their duties.

The by-law must state the annual amount, not greater than \$1,500, up to which the exemption is granted.”

## MUNICIPAL WORKS ACT

**168.** Section 2 of the Municipal Works Act (R.S.Q., chapter T-14) is replaced by the following section:

**“2.** Notwithstanding section 1 or any other provision of a general law or special Act, a municipality may proceed by resolution to order works covered by that section, if the resolution provides for the appropriation of the sums necessary to pay the cost of the works from:

- (1) a part of its general fund not otherwise appropriated;
- (2) a subsidy from the Government, a minister or a government body that has already been paid or the payment of which is assured;
- (3) a letter of credit by a financial institution issued in the name of the municipality and guaranteeing the payment of a sum on the conditions specified in the letter of credit; or
- (4) a combination of two or three of the sources of financing described in paragraphs 1 to 3.”

#### ACT RESPECTING NORTHERN VILLAGES AND THE KATIVIK REGIONAL GOVERNMENT

**169.** Section 204.3 of the Act respecting Northern villages and the Kativik Regional Government (R.S.Q., chapter V-6.1) is replaced by the following section:

**“204.3.** Sections 204 and 204.1 do not apply

- (1) to a contract for the supply of equipment, materials or services for which a rate is fixed or approved by the Government of Canada or the Gouvernement du Québec, or any minister or agency thereof;
- (2) to a contract for the supply of equipment, materials or services entered into with a non-profit organization, 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) or a supplier found, after thorough and documented verification, to be the only one in all the provinces and territories of Canada that is in a position to provide the equipment, materials or services;
- (3) to a contract to devise energy saving measures for the municipality if the contract involves both professional services and the performance of work or the supply of equipment, materials or services other than professional services.”

**170.** Section 358.3 of the said Act is replaced by the following section:

**“358.3.** Sections 358 and 358.1 do not apply

- (1) to a contract for the supply of equipment, materials or services for which a rate is fixed or approved by the Government of Canada or the Gouvernement du Québec, or any minister or agency thereof;

(2) to a contract for the supply of equipment, materials or services entered into with a non-profit organization, 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) or a supplier found, after thorough and documented verification, to be the only one in all the provinces and territories of Canada that is in a position to provide the equipment, materials or services; or

(3) to a contract to devise energy saving measures for the Regional Government if the contract involves both professional services and the performance of work or the supply of equipment, materials or services other than professional services.”

#### ACT RESPECTING THE TOWN OF BROSSARD

**171.** Section 2 of the Act respecting the town of Brossard (1969, chapter 99) is amended by striking out “and of the Minister of Industry and Commerce” in the fourth and fifth lines.

#### ACT RESPECTING THE CITY OF RIMOUSKI

**172.** Section 3 of the Act respecting the city of Rimouski (1984, chapter 66) is replaced by the following section:

**“3.** Any sale or leasing for purposes other than industrial or commercial purposes requires the authorization of the Minister of Municipal Affairs, Sports and Recreation.”

#### ACT RESPECTING THE ACQUISITION OF IMMOVABLES BY THE TOWN OF BERTHIERVILLE

**173.** Section 2 of the Act respecting the acquisition of immovables by the town of Berthierville (1985, chapter 56) is amended by replacing “and the Minister of Industry and Commerce” in the second and third lines of the first paragraph by “, Sports and Recreation”.

**174.** Section 4 of the said Act is amended by replacing “of Industry and Commerce and the Minister of Municipal Affairs may” in the third and fourth lines by “of Municipal Affairs, Sports and Recreation may”.

**175.** Section 5 of the said Act is amended by replacing “of Industry and Commerce and the Minister of Municipal Affairs may” in the first and second lines of the first paragraph by “of Municipal Affairs, Sports and Recreation may”.

#### ACT RESPECTING THE CITY OF GRAND-MÈRE

**176.** Section 2 of the Act respecting the city of Grand-Mère (1993, chapter 90) is amended by replacing “of the Minister of Industry, Trade and

Technology and the Minister of Municipal Affairs, and on the conditions the ministers determine” in the first, second and third lines of the first paragraph by “of the Minister of Municipal Affairs, Sports and Recreation and on the conditions the Minister determines”.

**177.** Section 5 of the said Act is amended by replacing “of Industry, Trade and Technology and to the Minister of Municipal Affairs” in the third and fourth lines by “of Municipal Affairs, Sports and Recreation”.

**178.** Section 6 of the said Act is amended by replacing “of Industry, Trade and Technology and the Minister of Municipal Affairs” in the second and third lines of the second paragraph by “of Municipal Affairs, Sports and Recreation”.

#### ACT TO REFORM THE MUNICIPAL TERRITORIAL ORGANIZATION OF THE METROPOLITAN REGIONS OF MONTRÉAL, QUÉBEC AND THE OUTAOUAIS

**179.** Section 248 of the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais (2000, chapter 56), amended by section 228 of chapter 25 of the statutes of 2001, by section 113 of chapter 68 of the statutes of 2001, by section 263 of chapter 37 of the statutes of 2002 and by sections 44 and 52 of chapter 68 of the statutes of 2002, is again amended by replacing the fifth and sixth paragraphs by the following paragraphs:

“Before 31 December 2004 and in accordance with sections 81 to 100 of the Act respecting land use planning and development, with the necessary modifications, the city must adopt a planning program applicable to the whole territory of the city and called the “Master Land Use and Development Program”.

Sections 110.4 to 110.10 of that Act apply, with the necessary modifications, after the coming into force of the program. However, the time limit of 90 days set by section 110.4 of that Act for the adoption of a concordance by-law needed to ensure conformity with the program is replaced by a time limit of 12 months.”

#### ACT RESPECTING VILLE DE CONTRECOEUR

**180.** Section 20 of the Act respecting Ville de Contrecoeur (2002, chapter 95) is amended by replacing “Taxation Act (R.S.Q., chapter I-3)” in the second and third lines of the English text by “Act respecting the Ministère du Revenu (R.S.Q., chapter M-31)”.

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

**181.** Section 13 of the Act to amend various legislative provisions concerning municipal affairs (2003, chapter 3) is amended by inserting “or an

association representing the majority of the executive officers of the municipality or body party to the pension plan” after “certified association” in the third line.

#### OTHER AMENDING PROVISIONS

**182.** Section 20.1 of Order in Council 841-2001 dated 27 June 2001 respecting Ville de Saguenay, enacted by Order in Council 1474-2001 dated 12 December 2001, is amended by striking out the first paragraph.

**183.** The said Order in Council is amended by inserting the following division after section 29:

#### “DIVISION III.1

#### “PROVISIONS RELATING TO THE SIGNATURE OF CONTRACTS AND OTHER DOCUMENTS

**“29.1.** Contracts within the jurisdiction of the city council or the executive committee shall be signed on behalf of the city by the mayor and the clerk. The mayor may designate in writing, generally or specially, another member of the executive committee to sign the contracts in his or her place.

On the proposal of the mayor, the executive committee may authorize the director general, a department head or another designated officer, generally or specially, to sign contracts or documents of a nature it determines that are within the jurisdiction of the city council or the executive committee, except by-laws and resolutions, and, in that case, may prescribe that certain contracts or documents or certain classes of contracts or documents do not require the clerk’s signature.

Contracts within the jurisdiction of a borough council shall be signed on behalf of the city by the chair of the borough council and by the clerk or the person the clerk designates. The chair of the borough council may authorize in writing another member of the borough council, generally or specially, to sign the contracts in his or her place.

On the proposal of the chair of the borough council, the borough council may authorize the director general, the borough director, a department head or another officer it designates, generally or specially, to sign contracts or documents of a nature it determines that are within the jurisdiction of the borough council, except by-laws and resolutions, and, in that case, may prescribe that certain contracts or documents or certain classes of contracts or documents do not require the clerk’s signature.

For the purposes of the first paragraph of section 53 of the Cities and Towns Act, when, under this section, a contract must be signed by a member of the executive committee other than the mayor or by a member of a borough council, the contract shall be presented to that other member rather than the mayor.”

**184.** The said Order in Council is amended by inserting the following section after section 153:

**“153.1.** Where, pursuant to any of sections 146 to 153, the city must finance expenditures from revenues derived exclusively from the whole territory of a municipality affected by the amalgamation, designated as a “sector” in this section, it may obtain those revenues by imposing a special tax based on taxable value on all the immovables situated in the sector, annually or for several years upon the borrowing of money.

Where, for the same fiscal year and in the same sector, the city imposes such a special tax and, pursuant to section 244.29 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1), fixes specific rates for the general property tax on certain categories of immovables, it may fix specific rates for the special tax on the same categories. In that case, the proportions between the different special tax rates must correspond to the proportions between the different general property tax rates applicable in the sector.

If the city avails itself of the power provided for in the second paragraph, the following provisions apply in respect of the special tax, with the necessary modifications:

(1) the provisions of subdivisions 4 and 5 of Division III.4 of Chapter XVIII of the Act respecting municipal taxation;

(2) the provisions of the regulations under paragraphs 2 and 7 of section 262 and paragraphs 2 and 3 of section 263 of the Act respecting municipal taxation that pertain to the general property tax imposed at different rates;

(3) any other provision of an Act or statutory instrument that pertains to the legal effects of imposing the general property tax at different rates, in particular for the purpose of defining property taxation specific to the non-residential sector.

As of the first fiscal year for which the city imposes the special tax in a sector, the city shall cease to have the power provided for in the second paragraph of section 146 in respect of that sector.”

**185.** Section 155 of the said Order in Council, amended by Order in Council 1474-2001 dated 12 December 2001, is again amended by replacing “debts” in the second paragraph by “the debt service”.

**186.** Section 5 of Order in Council 850-2001 dated 4 July 2001 respecting Ville de Sherbrooke is amended by adding the following paragraph at the end:

“The city council may assign a name to each borough by by-law.”

**187.** Section 60.7 of the said Order in Council, enacted by Order in Council 509-2002 dated 1 May 2002, is repealed.

**188.** The said Order in Council is amended by inserting the following section after section 146:

“**146.1.** Where, pursuant to any of sections 140 to 146, the city must finance expenditures from revenues derived exclusively from the whole territory of a municipality affected by the amalgamation, designated as a “sector” in this section, it may obtain those revenues by imposing a special tax based on taxable value on all the immovables situated in the sector, annually or for several years upon the borrowing of money.

Where, for the same fiscal year and in the same sector, the city imposes the special tax and, pursuant to section 244.29 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1), fixes specific rates for the general property tax on certain categories of immovables, the city may fix specific rates for the special tax on the same categories. In that case, the proportions between the different special tax rates must correspond to the proportions between the different general property tax rates applicable in the sector.

If the city avails itself of the power provided for in the second paragraph, the following provisions apply in respect of the special tax, with the necessary modifications:

(1) the provisions of subdivisions 4 and 5 of Division III.4 of Chapter XVIII of the Act respecting municipal taxation;

(2) the provisions of the regulations under paragraphs 2 and 7 of section 262 and paragraphs 2 and 3 of section 263 of the Act respecting municipal taxation that pertain to the general property tax imposed at different rates;

(3) any other provision of an Act or statutory instrument that pertains to the legal effects of imposing the general property tax at different rates, in particular for the purpose of defining property taxation specific to the non-residential sector.

As of the first fiscal year for which it imposes the special tax in a sector, the city shall cease to have the power provided for in the second paragraph of section 140 in respect of that sector.”

**189.** Section 147 of the said Order in Council is amended by replacing “value determined under the third paragraph” in the fourth paragraph by “net value”.

**190.** Order in Council 851-2001 dated 4 July 2001 respecting Ville de Trois-Rivières is amended by inserting the following section after section 34:

“§7. *Miscellaneous powers*

“**34.1.** The city may adopt a grant program by by-law to defray the costs incurred by a person to acquire, plant and maintain trees, shrubs or other

plants on the conditions and in the parts of the territory of the city it determines. The grants may be uniform or may vary in the different parts of the territory of the city.

**“34.2.** The city may authorize, by by-law, the police chief or any other officer designated in the by-law to prohibit parking on certain streets or parts of streets during road maintenance operations.

The by-law must prescribe the appropriate means to be used and the advance notice to be given by the chief of police or officer in announcing road maintenance operations.

Appropriate means include the erection of signs in the places determined by the executive committee indicating the means of obtaining information on road maintenance operations where telephone, radio or television messages or any other similar media are used to transmit the information.

When parking is prohibited, a police officer may have contravening vehicles towed or moved to a place the police officer determines.

**“34.3.** The city may fix by by-law a tariff of costs for the removal or towing of a vehicle parked in violation of a provision of a by-law adopted under section 34.2, under the Cities and Towns Act (R.S.Q., chapter C-19) or under the Highway Safety Code (R.S.Q., chapter C-24.2).

By the same by-law, the city may establish that, in every case where it is provided that a vehicle may be removed or towed for a parking offence, the amount prescribed under the first paragraph may be claimed on the statement of offence and collected by the collector in accordance with articles 321, 322 and 327 of the Code of Penal Procedure (R.S.Q., chapter C-25.1).

**“34.4.** For the purposes of section 463 of the Cities and Towns Act (R.S.Q., chapter C-19), all expenses incurred by the city to remove nuisances or cause nuisances to be removed or to enforce any measure designed to eliminate or prevent nuisances constitute a claim, regarded as a property tax, against the immovable where the nuisances were located, and they may be recovered in the same manner.”

**191.** The said Order in Council is amended by inserting the following section after section 109:

**“109.1.** Where, pursuant to any of sections 94 to 109, the city must finance expenditures from revenues derived exclusively from the whole territory of a municipality affected by the amalgamation, designated as a “sector” in this section, it may obtain those revenues by imposing a special tax based on taxable value on all the immovables situated in the sector, annually or for several years upon the borrowing of money.

Where, for the same fiscal year and in the same sector, the city imposes such a special tax and, pursuant to section 244.29 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1), fixes specific rates for the general property tax on certain categories of immovables, the city may fix specific rates for the special tax on the same categories. In that case, the proportions between the different special tax rates must correspond to the proportions between the different general property tax rates applicable in the sector.

If the city avails itself of the power provided for in the second paragraph, the following provisions apply in respect of the special tax, with the necessary modifications:

(1) the provisions of subdivisions 4 and 5 of Division III.4 of Chapter XVIII of the Act respecting municipal taxation;

(2) the provisions of the regulations under paragraphs 2 and 7 of section 262 and paragraphs 2 and 3 of section 263 of the Act respecting municipal taxation that pertain to the general property tax imposed at different rates;

(3) any other provision of an Act or statutory instrument that pertains to the legal effects of imposing the general property tax at different rates, in particular for the purpose of defining property taxation specific to the non-residential sector.

As of the first fiscal year for which it imposes the special tax in a sector, the city shall cease to have the power provided for in the second paragraph of section 94 in respect of that sector.”

**192.** Order in Council 1012-2001 dated 5 September 2001 respecting Ville de Shawinigan is amended by inserting the following section after section 91:

**“91.1.** Where, pursuant to any of sections 78 to 91, the city must finance expenditures from revenues derived exclusively from the whole territory of a municipality affected by the amalgamation, designated as a “sector” in this section, it may obtain those revenues by imposing a special tax based on taxable value on all the immovables situated in the sector, annually or for several years upon the borrowing of money.

Where, for the same fiscal year and in the same sector, the city imposes the special tax and, pursuant to section 244.29 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1), fixes specific rates for the general property tax on certain categories of immovables, it may fix specific rates for the special tax on the same categories. In that case, the proportions between the different special tax rates must correspond to the proportions between the different general property tax rates applicable in the sector.

If the city avails itself of the power provided for in the second paragraph, the following provisions apply in respect of the special tax, with the necessary modifications:

(1) the provisions of subdivisions 4 and 5 of Division III.4 of Chapter XVIII of the Act respecting municipal taxation;

(2) the provisions of the regulations under paragraphs 2 and 7 of section 262 and paragraphs 2 and 3 of section 263 of the Act respecting municipal taxation that pertain to the general property tax imposed at different rates;

(3) any other provision of an Act or statutory instrument that pertains to the legal effects of imposing the general property tax at different rates, in particular for the purpose of defining property taxation specific to the non-residential sector.

As of the first fiscal year for which the city imposes the special tax in a sector, the city shall cease to have the power provided for in the second paragraph of section 78 in respect of that sector.”

**193.** The words “et de la Métropole” are replaced by “, du Sport et du Loisir” and the words “and Greater Montréal” are replaced by “, Sports and Recreation” in the following provisions:

(1) subparagraph 2 of the second paragraph of section 24 of the Act respecting financial assistance for education expenses (R.S.Q., chapter A-13.3);

(2) paragraph 4 of section 1, the second paragraph of section 75.8 and the first paragraph of section 75.11 of the Act respecting land use planning and development (R.S.Q., chapter A-19.1);

(3) section 6 of the Act respecting the Caisse de dépôt et placement du Québec (R.S.Q., chapter C-2);

(4) the first paragraph of section 8.3, subparagraph 3 of the second paragraph of section 9, the first paragraph of section 80, the second paragraph of section 86, the first paragraph of section 89, the first paragraph of section 91, the second paragraph of section 100, the first paragraph of section 119, the first paragraph of section 120, section 134, the second paragraph of section 135 and the third paragraph of section 24 of Schedule B to the Charter of Ville de Gatineau (R.S.Q., chapter C-11.1);

(5) the first paragraph of section 8.3, subparagraph 3 of the second paragraph of section 9, the first paragraph of section 104, the second paragraph of section 113, the first paragraph of section 132, the first paragraph of section 133, the first paragraph of section 146 and the second paragraph of section 147 of the Charter of Ville de Lévis (R.S.Q., chapter C-11.2);

(6) the first paragraph of section 8.3, subparagraph 3 of the second paragraph of section 9, the first paragraph of section 90, the second paragraph of section 99, the first paragraph of section 118, the first paragraph of section 119, the first paragraph of section 133, the second paragraph of section 134, section 46 of Schedule C and the second paragraph of section 47 of Schedule C to the Charter of Ville de Longueuil (R.S.Q., chapter C-11.3);

(7) the first paragraph of section 8.3, subparagraph 3 of the second paragraph of section 9, section 39.1, the first paragraph of section 153, the second paragraph of section 162, the first paragraph of section 181, the first paragraph of section 182, the first paragraph of section 196, the second paragraph of section 197, subparagraph 1 of the second paragraph of section 2 of Schedule C, section 69 of Schedule C, section 118 of Schedule C, the second paragraph of section 122 of Schedule C, the first paragraph of section 133 of Schedule C, section 136 of Schedule C, the fifth paragraph of section 139 of Schedule C, the third paragraph of section 220 of Schedule C, section 239 of Schedule C and section 271 of Schedule C to the Charter of Ville de Montréal (R.S.Q., chapter C-11.4);

(8) the first paragraph of section 8.3, subparagraph 3 of the second paragraph of section 9, the first paragraph of section 133, the second paragraph of section 142, the first paragraph of section 161, the first paragraph of section 162, the first paragraph of section 174, the second paragraph of section 175, the second paragraph of section 38 of Schedule C, the fourth paragraph of section 41 of Schedule C, the fifth paragraph of section 165 of Schedule C and the first paragraph of section 183 of Schedule C to the Charter of Ville de Québec (R.S.Q., chapter C-11.5);

(9) paragraph *f* of section 1, subparagraph 13 of the first paragraph of section 6, the second paragraph of subsection 3 of section 28, the first paragraph of section 29.3, the second paragraph of section 29.7, the third paragraph of section 29.9.2, the fourth paragraph of section 29.10.1, sections 54 and 55, paragraph 3 of section 100, the second paragraph of section 105, the second and third paragraphs of section 105.2, the third paragraph of section 108, the first paragraph of section 108.2, subparagraph 2 of the first paragraph of section 108.2.1, subparagraph 1 of the first paragraph of section 116, the heading of Division V.1, section 318, the second paragraph of section 365, the first paragraph of section 465.1, the second paragraph of section 466.1, the first paragraph of section 468.1, the first paragraph of section 468.11, the first paragraph of section 468.36.1, section 468.37, subparagraph 3 of the second paragraph of section 468.38, the first paragraph of section 468.39, section 468.48, the first paragraph of section 468.49, the first paragraph of section 468.51, the first paragraph of section 468.53, the sixth paragraph of section 469.1, the first paragraph of subsections 2 and 3 of section 474, the third paragraph of section 477.2, the first paragraph of section 503, the first and second paragraphs of subsection 2 of section 541, the first, third and fourth paragraphs of section 554, the first paragraph of section 555, the first paragraph of section 556, the first paragraph of section 561.1, the first paragraph of section 562, the first paragraph of section 563.1, the third paragraph of section 564, the first paragraph of section 565, the second paragraph of subsection 2 and subsection 3 of section 567, section 572, subsection 7 of section 573, the first paragraph of section 573.3.1, the first paragraph of section 573.5, section 573.7, the first paragraph of section 573.8 and the second paragraph of section 592 of the Cities and Towns Act (R.S.Q., chapter C-19);

(10) section 422 of the Highway Safety Code (R.S.Q., chapter C-24.2);

(11) subparagraph *e* of the first paragraph of article 670, article 687.1 and the first paragraph of article 905 of the Code of Civil Procedure (R.S.Q., chapter C-25);

(12) the third paragraph of article 2, the second paragraph of article 9, the first paragraph of article 14.1, the second paragraph of article 14.5, the third paragraph of article 14.7.2, the fourth paragraph of article 14.8.1, paragraph 16 and paragraph 37 of article 25, the first and second paragraphs of article 140, subarticles 5 and 6 of article 142, the third paragraph of article 148, article 169, the second paragraph of article 176, the first, second and third paragraphs of article 176.2, the third paragraph of article 206, subparagraph 3 of the first paragraph of article 269, the heading of Title XI, subparagraph 1 of the first paragraph of article 486, the second paragraph of article 488, the first paragraph of article 570, the first paragraph of article 580, the first paragraph of article 605.1, article 606, subparagraph 3 of the second paragraph of article 607, the first paragraph of article 608, article 617, the first paragraph of article 618, the first paragraph of article 620, the first paragraph of article 622, the sixth paragraph of article 624, the second paragraph of article 627.1, the first paragraph of article 688.3.2, the first paragraph of article 688.5, the first paragraph of article 711.2, subarticle 7 of the first paragraph of article 935, the first paragraph of article 938.1, the first paragraph of article 939, article 941, the first paragraph of article 942, the first paragraph of subarticles 2 and 3 of article 954, the third paragraph of article 961.1, the second paragraph of article 966, the first paragraph of article 966.2, the fourth paragraph of article 975, the second paragraph of article 976, the first paragraph of article 1007, the second paragraph of article 1061, subarticles 1 and 2 of article 1065, the first paragraph of article 1066, the first paragraph of article 1071.1, the first paragraph of article 1075, the third paragraph of article 1076, the first paragraph of article 1077, the first paragraph of article 1084.1, the second paragraph of article 1093, article 1093.1, the first paragraph of article 1094.3, article 1104.1, the second paragraph of article 1114, the fourth paragraph of subarticle 1 of article 1128 and the third paragraph of article 1133 of the Municipal Code of Québec (R.S.Q., chapter C-27.1);

(13) paragraph 2 of section 1, the second paragraph of section 55 and the first paragraph of section 100.1 of the Act respecting the Commission municipale (R.S.Q., chapter C-35);

(14) section 128, the first paragraph of section 148, the third paragraph of section 150, the first paragraph of section 232, section 237, the first paragraph of section 264 and the sixth paragraph of section 265.1 of the Act respecting the Communauté métropolitaine de Montréal (R.S.Q., chapter C-37.01);

(15) section 120, the first paragraph of section 140, the fourth paragraph of section 143, the first paragraph of section 219, section 224, the first paragraph of section 227 and the sixth paragraph of section 229 of the Act respecting the Communauté métropolitaine de Québec (R.S.Q., chapter C-37.02);

(16) section 29 of the Chartered Accountants Act (R.S.Q., chapter C-48);

(17) the first paragraph of section 10 and section 98 of the Act respecting intermunicipal boards of transport in the area of Montréal (R.S.Q., chapter C-60.1);

(18) the second paragraph of section 27 of the Natural Heritage Conservation Act (R.S.Q., chapter C-61.01);

(19) paragraph 3 of section 15.1 and the first paragraph of section 128.2 of the Act respecting the conservation and development of wildlife (R.S.Q., chapter C-61.1);

(20) the first and second paragraphs of section 18.1, the third paragraph of section 18.3, the fourth paragraph of section 18.4, the first paragraph of section 21, the first paragraph of section 23, the second paragraph of section 89, sections 91 and 98, the first paragraph of section 109 and the first paragraph of section 111 of the Act respecting municipal courts (R.S.Q., chapter C-72.01);

(21) the second paragraph of section 37 of the Public Curator Act (R.S.Q., chapter C-81);

(22) the first paragraph of section 1, the third and fifth paragraphs of section 2, sections 3 and 11, the first and fourth paragraphs of section 12, the first and fourth paragraphs of section 15, the first paragraph of section 15.1, the first paragraph of section 20, sections 22.1, 22.2 and 35, the second paragraph of section 48.1 and the second and fourth paragraphs of section 49 of the Act respecting municipal debts and loans (R.S.Q., chapter D-7);

(23) paragraph *c* of section 17 and section 28 of the Act respecting duties on transfers of immovables (R.S.Q., chapter D-15.1);

(24) the first paragraph of section 10, the first paragraph of section 41.1, the first paragraph of section 45, paragraph 4 of section 62, the second paragraph of section 88, the second paragraph of section 90.5, section 251, the second paragraph of section 278, paragraph 4 of section 307, the second paragraph of section 337, the second paragraph of section 339, the heading of Division III of Chapter XI of Title I, section 345, the first paragraph of section 366, the second paragraph of section 377, subparagraph *c* of paragraph 1 of section 514, the second paragraph of section 551, the second paragraph of section 565, the second paragraph of section 568, the first paragraph of section 580, the first paragraph of section 649, the first paragraph of section 659.2, section 659.3, the first paragraph of section 867, section 878, the first paragraph of section 881 and section 887 of the Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2);

(25) the third paragraph of section 6 and the first paragraph of section 12 of the Act respecting threatened or vulnerable species (R.S.Q., chapter E-12.01);

(26) section 7 of the Act to secure the handicapped in the exercise of their rights (R.S.Q., chapter E-20.1);

(27) the second paragraph of section 53.11 of the Expropriation Act (R.S.Q., chapter E-24);

(28) paragraph 6 of section 4 and paragraph 4 of section 14 of the Act respecting Financement-Québec (R.S.Q., chapter F-2.01);

(29) the first paragraph of section 1, the first paragraph of section 80.2, the first paragraph of section 126, the first paragraph of section 131.1, sections 132 and 133, the first paragraph of section 138.1, subparagraph 4 of the second paragraph of section 138.5, paragraph 4 of section 138.9, paragraph 2 of section 154, the fourth paragraph of section 180 and subparagraph 4 of the third paragraph of section 183 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1);

(30) the first paragraph of section 1, the first paragraph of section 5, section 8, the first paragraph of section 9, section 11, the second paragraph of section 22, the first paragraph of section 24 and section 25 of the Act to establish the special local activities financing fund (R.S.Q., chapter F-4.01);

(31) the fourth and sixth paragraphs of section 6, the first paragraph of section 6.1, the second paragraph of section 13.8 and section 19 of the Act respecting municipal industrial immovables (R.S.Q., chapter I-0.1);

(32) section 38 of the Act respecting Immobilière SHQ (R.S.Q., chapter I-0.3);

(33) section 1129.30 of the Taxation Act (R.S.Q., chapter I-3);

(34) the second paragraph of section 311 and the first and second paragraphs of section 426 of the Education Act (R.S.Q., chapter I-13.3);

(35) subparagraph 28 of the first paragraph of section 1, subsections 2 and 6 of section 220, the first and second paragraphs of section 222 and the first and second paragraphs of section 508 of the Education Act for Cree, Inuit and Naskapi Native Persons (R.S.Q., chapter I-14);

(36) section 2 of the Municipal Aid Prohibition Act (R.S.Q., chapter I-15);

(37) the first paragraph of section 24.1 of the Act respecting medical laboratories, organ, tissue, gamete and embryo conservation, and the disposal of human bodies (R.S.Q., chapter L-0.2);

(38) subparagraph 1.1 of the first paragraph of section 2 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (R.S.Q., chapter M-14);

(39) subparagraph 4 of the third paragraph of section 21 of the Act respecting the Ministère de l'Emploi et de la Solidarité sociale and establishing the Commission des partenaires du marché du travail (R.S.Q., chapter M-15.001);

(40) section 66 of the Act respecting the Ministère des Régions (R.S.Q., chapter M-25.001);

(41) subparagraph *l* of the second paragraph of section 69.1 of the Act respecting the Ministère du Revenu (R.S.Q., chapter M-31);

(42) sections 16 and 18, the first, third, fourth and fifth paragraphs of section 30, the second paragraph of section 36, the first paragraph of section 45, the fourth paragraph of section 58, the first paragraph of section 90, the first paragraph of section 92, the fourth paragraph of section 106, the first paragraph of section 111, section 124, the first paragraph of section 125.13, section 125.15, the second paragraph of section 125.24, the first paragraph of section 125.26, subparagraphs 13 and 20 of the first paragraph of section 125.27, the first paragraph of section 125.30, the third paragraph of section 131, the first paragraph of section 139, the fifth paragraph of section 153, the first paragraph of section 162, the second paragraph of section 176.27, subparagraph 1 of the first paragraph and the third paragraph of section 176.28, the first paragraph of section 179, the first paragraph of section 193, sections 201, 210.3.1, 210.8 and 210.11, the first paragraph of section 210.31, subparagraph 3 of the second paragraph of section 210.44, subparagraph 3 of the second paragraph of section 210.53, section 210.63, the fourth paragraph of section 210.79, the first paragraph of section 214.1, the first paragraph of section 214.3 and sections 279 and 289 of the Act respecting municipal territorial organization (R.S.Q., chapter O-9);

(43) sections 18 and 19 of the Pesticides Act (R.S.Q., chapter P-9.3);

(44) the fourth paragraph of section 73, the third paragraph of section 100 and the second paragraph of section 108 of the Police Act (R.S.Q., chapter P-13.1);

(45) section 79.10 of the Act respecting the preservation of agricultural land and agricultural activities (R.S.Q., chapter P-41.1);

(46) the third paragraph of section 43, the second paragraph of section 104 and sections 118.3.1 and 118.3.2 of the Environment Quality Act (R.S.Q., chapter Q-2);

(47) the second paragraph of section 72 and sections 76 and 82 of the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., chapter R-9.3);

(48) the first paragraph of section 20 and section 73 of the Act respecting safety in sports (R.S.Q., chapter S-3.1);

(49) paragraph *e* of section 1 and sections 59, 74, 82 and 95 of the Act respecting the Société d'habitation du Québec (R.S.Q., chapter S-8);

(50) section 32 of the Act respecting the Société du parc industriel et portuaire de Bécancour (R.S.Q., chapter S-16.001);

(51) subparagraph 10 of the first paragraph of section 18, the third paragraph of section 19, the first paragraph of section 21, section 27, the first paragraph of section 27.1, the second paragraph of section 35.1, section 37, the first and second paragraphs of section 38 and sections 42 and 46 of the Act respecting the Société québécoise d'assainissement des eaux (R.S.Q., chapter S-18.2.1);

(52) the first paragraph of section 4, the first paragraph of section 5, section 8, the first paragraph of section 9, the first paragraph of section 17, sections 18 to 20, the first paragraph of section 30, the second paragraph of section 48, the second paragraph of section 61, section 62 and section 69 of the Act respecting mixed enterprise companies in the municipal sector (R.S.Q., chapter S-25.01);

(53) the third paragraph of section 77, the eighth paragraph of section 95, the first paragraph of section 103, the first paragraph of section 119, section 122, the first and second paragraphs of section 123, section 124, the second paragraph of section 136, the first paragraph of section 139, the first paragraph of section 150 and section 262 of the Act respecting public transit authorities (R.S.Q., chapter S-30.01);

(54) paragraph *b* of subsection 2 of section 14 of the Act respecting municipal and private electric power systems (R.S.Q., chapter S-41);

(55) the first paragraph of section 23, the first paragraph of section 24 and the first and second paragraphs of section 25 of the Act respecting the lands in the domain of the State (R.S.Q., chapter T-8.1);

(56) section 67 of the Act respecting the remuneration of elected municipal officers (R.S.Q., chapter T-11.001);

(57) the third paragraph of section 1 of the Act respecting off-highway vehicles (R.S.Q., chapter V-1.2);

(58) paragraph 13 of section 1 of the Cree Villages and the Naskapi Village Act (R.S.Q., chapter V-5.1);

(59) paragraph *m* of section 2, section 18.1, subparagraph 1 of the first paragraph of section 20 and sections 157, 338, 361.1 and 408 of the Act respecting Northern villages and the Kativik Regional Government (R.S.Q., chapter V-6.1);

(60) section 18, the second paragraph of section 22 and the first paragraph of section 27 of the Act respecting the Agence de développement Station Mont-Tremblant (1997, chapter 100), amended by section 13 of chapter 43 of the statutes of 1999;

(61) section 45 of the Act respecting the negotiation of agreements concerning the reduction of labour costs in the municipal sector (1998, chapter 2), amended by section 13 of chapter 43 of the statutes of 1999;

(62) section 42 of the Act respecting certain facilities of Ville de Montréal (1998, chapter 47), amended by section 14 of chapter 43 of the statutes of 1999;

(63) the first paragraph of section 1 and sections 2 and 6 of the Act respecting the amalgamation of Municipalité de Mont-Tremblant, Ville de Saint-Jovite, Municipalité de Lac-Tremblant-Nord and Paroisse de Saint-Jovite (1999, chapter 88);

(64) section 257 of the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais (2000, chapter 56);

(65) sections 24 and 30 of the Act respecting the Agence de développement de Ferme-Neuve (2002, chapter 83).

**194.** Unless otherwise indicated by the context, in any other Act, statutory instrument or other document.

(1) a reference to the Minister or Deputy Minister of Municipal Affairs and Greater Montréal is a reference to the Minister or Deputy Minister of Municipal Affairs, Sports and Recreation and a reference to the Ministère des Affaires municipales et de la Métropole is a reference to the Ministère des Affaires municipales, du Sport et du Loisir;

(2) a reference to the Act respecting the Ministère des Affaires municipales et de la Métropole or to one of its provisions is a reference to the Act respecting the Ministère des Affaires municipales, du Sport et du Loisir or to the corresponding provision of that Act.

#### TRANSITIONAL AND FINAL PROVISIONS

**195.** Sections 95, 105 and 114 of the Act to amend various legislative provisions concerning municipal affairs (2002, chapter 37) have effect from 1 January 2002.

**196.** Paragraph 1 of section 7 of the Act to amend the Act respecting labour standards and other legislative provisions (2002, chapter 80) has effect from 1 January 2002.

**197.** Sections 50, 53, 55, 57, 69, 184, 188, 191 and 192 have effect for the purposes of every fiscal year from the fiscal year 2004.

**198.** Section 181 has effect from 16 July 2003.

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