NATIONAL ASSEMBLY

FIRST SESSION THIRTY-SEVENTH LEGISLATURE

Bill 54

An Act to amend various legislative provisions concerning municipal affairs

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 legislative provisions governing municipal bodies.

The bill amends the Act respecting land use planning and development to enable the Minister of Municipal Affairs, Sports and Recreation to request that a development plan be amended for reasons of public safety. It also amends that Act to allow municipalities to impose conditions, following a public consultation, for the issue of construction permits for building or expanding hog farms. Lastly, it amends that Act to grant municipalities the power to set standards and prescribe measures regarding the occupancy and maintenance of buildings.

The bill amends the Cities and Towns Act and the Municipal Code of Québec to add the officers and employees responsible for applying the Groundwater Catchment Regulation to the list of officers and employees protected by a remedy before the Commission des relations du travail. It also amends those Acts to provide that the expenses incurred by a municipality to remove nuisances or have them removed constitute a charge equivalent to a property tax against the immovable where the nuisances were located. Finally, the bill amends those two Acts to enable the council to borrow from its working-fund the amounts required to provide severance pay under a departure incentive program for municipal officers and employees.

The bill also amends the Municipal Code of Québec to provide that a municipality governed by that Code has a director general and that the secretary-treasurer normally holds that office. Someone else may be appointed to that office, however, if the municipality so decides in the by-law ordering that its director general is to have exactly the same functions as the director general of a municipality governed by the Cities and Towns Act.

The bill amends the James Bay Region Development and Municipal Organization Act to grant Municipalité de Baie-James the power to carry on an agricultural activity in any part of its territory it determines.

The bill amends the Act respecting municipal taxation and the municipal charters included in the Revised Statutes of Québec to *withdraw the provisions concerning the tax and the surtax on non-residential immovables and the surtax on serviced vacant land.*

The bill amends the Act respecting municipal taxation to specify that, as of the application of the provisions of that Act that concern tariffing, the activity of a municipality that consists in examining an application and responding to it is deemed to benefit the applicant, regardless of the response given, and may therefore give rise to payment of a tariff.

The bill amends the Act respecting municipal taxation to allow a municipal body responsible for assessment to entrust certain communication duties otherwise performed by its secretary to its assessor. It also amends that Act to allow the body responsible for collecting municipal property taxes to decide on the minimum amount of a tax bill that will give rise to payment in several instalments, provided that the amount determined by the municipal body is less than that prescribed in the ministerial regulation on the matter.

The bill amends the Act respecting municipal taxation to clarify the meaning of several provisions in which "immovable" refers to a number of immovables forming one unit of assessment, and "owner", used in relation to a given immovable, designates the person in whose name the unit of assessment including the immovable is entered. It amends that Act to mitigate the current rule according to which the whole unit is entered in the name of the building owner rather than the public body when the parcel of land included in a unit of assessment belongs to a public body and the unit also includes a building belonging to someone else.

The bill amends the Forest Act, the Mining Act and the Act respecting the lands in the domain of the State to allow municipalities to see to the maintenance of the roads constructed in the domain of the State, after being so authorized by the Minister responsible.

The bill amends the Act respecting the Pension Plan of Elected Municipal Officers as regards disputes arising from the application of that pension plan to replace the process of appeal before the Administrative Tribunal of Québec by arbitration. It also amends that Act to enable the beneficiary of a pension taken before normal retirement age to defer payment of the pension to a date subsequent to the application date.

The bill amends the Act respecting the remuneration of elected municipal officers to increase, as of 2005, certain minimum and maximum amounts relating to the remuneration of municipal officers.

It also amends that Act to allow a municipality to decide, by by-law, that the remuneration used as a basis for calculating a severance allowance includes remuneration paid by a mandatary body of the municipality or by a supramunicipal body for the exercise of a function, whether or not the function was exercised by virtue of office.

The bill amends the Act respecting Northern villages and the Kativik Regional Government to group together and clarify the provisions relating to the remuneration and indemnity paid to the members of the council of that Government.

Subject to an exception for Ville de Montréal, the bill provides that the municipalities to which the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities applies are dispensed from the obligation to divide their territories into electoral districts, and specifies that, for the purposes of the 2005 general election and any by-election held before the 2009 general election, the division into electoral districts that applied in those municipalities for the 2001 general election will apply.

Lastly, the bill contains various provisions regarding certain special situations that arise in municipal matters.

LEGISLATION AMENDED BY THIS BILL:

– Act respecting land use planning and development (R.S.Q., chapter A-19.1);

– 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);

– Municipal Code of Québec (R.S.Q., chapter C-27.1);

– 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);

– James Bay Region Development and Municipal Organization Act (R.S.Q., chapter D-8.2);

– Act respecting municipal taxation (R.S.Q., chapter F-2.1);

– Forest Act (R.S.Q., chapter F-4.1);

– Act respecting administrative justice (R.S.Q., chapter J-3);

– Mining Act (R.S.Q., chapter M-13.1);

– Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., chapter R-9.3);

– 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);

– Act respecting Northern villages and the Kativik Regional Government (R.S.Q., chapter V-6.1);

– Act to amend the Cities and Towns Act, the Municipal Code of Québec and other legislative provisions (1996, chapter 77);

– Act respecting the Ministère du Développement économique et régional et de la Recherche (2003, chapter 29).

Bill 54

AN ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS CONCERNING MUNICIPAL AFFAIRS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING LAND USE PLANNING AND DEVELOPMENT

1. Section 5 of the Act respecting land use planning and development (R.S.Q., chapter A-19.1) is amended by striking out "minimal" in the second line of the second paragraph.

2. Section 6 of the said Act is amended

(1) by inserting "or any by-law provided for in Divisions IV or VII to XI of Chapter IV of Title I" after "116" in the third line of subparagraph 1 of the third paragraph;

(2) by striking out subparagraph 2 of the third paragraph;

(3) by replacing "general rules" in the first line of subparagraph 3 of the third paragraph by "rules and criteria";

(4) by replacing "their zoning, subdivision and building by-laws" in the third line of subparagraph 3 of the third paragraph by "a zoning, subdivision or building by-law or a by-law provided for in Divisions IV or VII to XI of Chapter IV";

(5) by adding the following subparagraph after subparagraph 3 of the third paragraph:

"(4) require municipalities whose territories are comprised in that of a regional county municipality to include in an urban planning by-law provisions that are at least as restrictive as those included in the complementary document."

3. The said Act is amended by inserting the following section after section 53.13:

"**53.14.** The Minister may, by way of a notice, request that the development plan in force be amended for reasons of public safety. The notice must include reasons and state the nature and purpose of the amendments to be made.

The third and fourth paragraphs of section 53.12 apply, with the necessary modifications, to an application made under the first paragraph."

4. Section 68 of the said Act is amended by replacing "six months later in the case of a regional county municipality all or part of whose territory is comprised in or is contiguous to that of a metropolitan community, or four months later in the case of any other regional county municipality" in the second, third, fourth and fifth lines of the fourth paragraph by "four months later".

5. The said Act is amended by inserting the following after section 145.35:

"**DIVISION X.1**

"SPECIAL PROVISIONS REGARDING HOG FARMS

"§1. — *Conditions related to the issue of a construction permit*

"**145.35.1.** A municipality may not issue a construction permit for building or expanding a hog farm unless the process provided for in sections 145.35.2 to 145.35.12 is observed; the purpose of this process is to determine whether the issue of the permit is to be subjected to one or more of the conditions set out in the second paragraph.

The conditions to which the council may subject the issue of a permit are as follows:

(1) the building in which the manure is to be stored must be covered at all times by a structure that substantially reduces the odour characteristic of such storage;

(2) the manure produced by the farm for which the permit is sought must be spread in such a way as to ensure that the waste is incorporated into the soil whenever it is possible to do so without harming the crops;

(3) distances that are different from those provided for in a regulation adopted under the third paragraph of section 113 must be respected in order to protect the neighbours from the inconveniences associated with the odour inherent in the operation of a hog farm;

(4) an odour barrier designed to substantially limit the dispersal of the odour inherent in the operation of a hog farm must be used;

(5) the buildings used in the operation of the farm must have equipment designed to reduce the consumption of water.

The set of conditions to which the issue of the permit is subjected must not have a serious adverse effect on the operation of the applicant's farm or a substantial impact on its profitability.

"§ 2. — *Public consultation prior to the issue of a permit*

"**145.35.2.** Before issuing a construction permit for building or expanding a hog farm, a municipality must hold a public consultation in accordance with sections 145.35.3 to 145.35.7.

"**145.35.3.** The municipality shall hold a public meeting concerning the permit application, presided by the mayor or by another council member designated by the mayor.

The council shall fix the date, time and place of the meeting; it may delegate all or part of that power to the clerk or the secretary-treasurer of the municipality.

"**145.35.4.** Not later than the fifteenth day before the public meeting, the clerk or the secretary-treasurer of the municipality shall post up at the office of the municipality and publish in a newspaper in the territory of the municipality a notice of the date, time, place and purpose of the meeting.

The notice must indicate the location for which the permit application is made, using the names of thoroughfares as much as possible, and illustrate that location by means of a sketch.

The notice must also mention that written comments may be sent to the municipality at the latest on the fifteenth day following the meeting.

"**145.35.5.** During the public meeting, the applicant shall explain the project for which the application is made and the council member presiding the meeting shall hear any person wishing to be heard. The council member presiding the meeting shall also receive any written comments and mention that written comments will be accepted by the municipality until the fifteenth day after the meeting.

"**145.35.6.** The council of the municipality shall adopt a report on the consultation.

The report must contain a summary of the verbal and written comments received during the consultation; it must also state the inconveniences inherent in building or expanding the farm for which the permit application is made and the conditions set out in section 145.35.1 to which the municipality intends to subject the issue of the permit.

"**145.35.7.** Not later that the thirtieth day after the public meeting, the clerk or the secretary-treasurer of the municipality shall post up in the office of the municipality and publish in a newspaper in the territory of the municipality a notice stating that a copy of the report may be consulted at the office of the municipality.

"§ 3. — *Conciliation and issue of the permit*

"**145.35.8.** Not later than the thirtieth day after the notice referred to in section 145.35.7 is published, the municipality shall send the applicant a notice and a copy of the report by registered or certified mail.

The notice must state that the applicant may request conciliation in accordance with section 145.35.9, and specify the deadline for making such a request.

"**145.35.9.** Not later that the fifteenth day after the notice is sent under section 145.35.8, the applicant may send the Minister a request for conciliation by registered or certified mail, forwarding a copy to the municipality within the same time.

If the municipality does not receive a copy of a request for conciliation within the time specified in the first paragraph, the competent officer shall issue the permit, subject to the conditions stated in the notice referred to in section 145.35.8.

"**145.35.10.** If the Minister receives a request for conciliation within the time specified in section 145.35.9, the Minister shall, not later than the fifteenth day after receipt of the request, appoint a conciliator from among the persons appearing on a list prepared beforehand jointly by the Minister and the Minister of Agriculture, Fisheries and Food.

The remuneration of the conciliator and the rules applicable to reimbursement of the conciliator's expenses are determined by the Minister.

"**145.35.11.** Not later than the thirtieth day after his or her appointment, the conciliator shall report to the municipality and to the applicant. The clerk or the secretary-treasurer of the municipality shall without delay post up at the office of the municipality and publish in a newspaper in the territory of the municipality a notice stating that the conciliator's report has been submitted and that any person may consult it or obtain a copy on payment of a fee.

"**145.35.12.** Not later than the thirtieth day after the conciliator's report is submitted, the council of the municipality shall determine the conditions subject to which the permit is to be issued.

The competent officer shall issue the permit, which must mention the conditions decided by the council in accordance with the first paragraph."

6. The said Act is amended by inserting the following after section 145.40:

"**DIVISION XII**

"OCCUPANCY AND MAINTENANCE OF BUILDINGS

"**145.41.** A council of a municipality may, by by-law, set standards and prescribe measures for the occupancy and maintenance of buildings.

If a building is decrepit or dilapidated, a municipality where a by-law under the first paragraph is in force may require that restoration, repair or maintenance work be carried out. The municipality must send the owner of the building a written notice indicating the work to be done to bring the building into conformity with the standards and measures prescribed by regulation and the time limit for carrying out the work. The municipality may grant additional time.

If the owner fails to carry out the work, the Superior Court may, on a motion by the municipality, authorize the latter to carry it out and recover the cost from the owner. The motion is heard and decided by preference.

The cost of such work constitutes a prior claim on the immovable on which the work is carried out in the same manner and with the same rank as the claims described in paragraph 5 of article 2651 of the Civil Code of Québec. The cost is secured by a legal hypothec on the immovable."

7. Section 226.1 of the said Act, enacted by section 44 of chapter 19 of the statutes of 2003, is amended

(1) by replacing "a land use planning and development plan" in the first and second lines of paragraph 1 by "a document that may or must, under this Act, be sent to or served on the Minister";

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

"(2) prescribe rules complementary to those provided in Divisions VI, VI.1 and VII of Chapter I of Title I on the amendment of a land use planning and development plan, the preparation of a revised land use planning and development plan or the preparation or amendment of an interim control by-law."

8. Section 267.2 of the said Act is amended

(1) by replacing "Minister's request, and a period of 105 days applies to the Minister rather than the 60-day period provided for in those sections;" in the third and fourth lines of the second paragraph by "Minister's request;";

(2) by striking out ", and a period of 180 days applies rather than the 120-day period provided for in those sections" in the sixth and seventh lines of the second paragraph.

9. Section 8 of the Charter of Ville de Gatineau (R.S.Q., chapter C-11.1) is amended by striking out subparagraph 2 of the fifth paragraph.

10. Section 76.5 of the said Charter is amended by striking out the third paragraph.

11. Section 76.6 of the said Charter is repealed.

12. Section 76.7 of the said Charter is amended by replacing "76.6" in the first line of the second paragraph by "76.5".

13. Section 77 of the said Charter is amended

(1) by striking out ", the third paragraph of section 76.5" in the first line of the second paragraph;

(2) by striking out "and section 76.6" in the second line of the second paragraph.

14. Section 77.2 of the said Charter is amended

(1) by striking out ", the third paragraph of section 76.5" in the first line of the second paragraph;

(2) by striking out "and section 76.6" in the second line of the second paragraph.

15. Section 77.3 of the said Charter is amended

(1) by striking out the third paragraph;

(2) by replacing "the second or third paragraph" in the first line of the fourth paragraph by "the second paragraph".

16. Section 77.4 of the said Charter is repealed.

17. Section 77.5 of the said Charter is replaced by the following section:

"**77.5.** If the city does not impose the business tax in the whole of its territory, it may impose it in a sector in which that tax was imposed for the fiscal years 2001 and 2002.

For that purpose and pursuant to the Act respecting municipal taxation (chapter F-2.1), the city may have a roll of rental values drawn up for a sector rather than for the whole of its territory."

18. Section 77.6 of the said Charter is amended

(1) by striking out the fifth paragraph;

(2) by replacing "five" in the first line of the sixth paragraph by "four";

(3) by striking out "or surtax" in the first and second lines of the sixth paragraph.

19. Section 77.7 of the said Charter is repealed.

20. Section 137 of the said Charter, amended by section 151 of chapter 14 of the statutes of 2003, is again amended by replacing "77.7" by "77.6".

CHARTER OF VILLE DE LÉVIS

21. Section 8 of the Charter of Ville de Lévis (R.S.Q., chapter C-11.2) is amended by striking out subparagraph 2 of the fifth paragraph.

22. Section 101.5 of the said Charter is amended by striking out the third paragraph.

23. Section 101.6 of the said Charter is repealed.

24. Section 101.7 of the said Charter is amended by replacing "101.6" in the first line of the second paragraph by "101.5".

25. Section 102 of the said Charter is amended

(1) by striking out ", the third paragraph of section 101.5" in the first and second lines of the second paragraph;

(2) by striking out "and section 101.6" in the second line of the second paragraph.

26. Section 102.2 of the said Charter is amended

(1) by striking out ", the third paragraph of section 101.5" in the first and second lines of the second paragraph;

(2) by striking out "and section 101.6" in the second line of the second paragraph.

27. Section 102.3 of the said Charter is amended

(1) by striking out the third paragraph;

(2) by replacing "the second or third paragraph" in the first line of the fourth paragraph by "the second paragraph".

28. Section 102.4 of the said Charter is repealed.

29. Section 102.5 of the said Charter is replaced by the following section:

"**102.5.** If the city does not impose the business tax in the whole of its territory, it may impose the business tax in a sector in which that tax was imposed for the fiscal years 2001 and 2002.

For that purpose and pursuant to the Act respecting municipal taxation (chapter F-2.1), the city may have a roll of rental values drawn up for a sector rather than for the whole of its territory."

30. Section 102.6 of the said Charter is amended

(1) by striking out the fifth paragraph;

(2) by replacing "five" in the first line of the sixth paragraph by "four";

(3) by striking out "or surtax" in the first and second lines of the sixth paragraph.

31. Section 102.7 of the said Charter is repealed.

32. Section 148 of the said Charter, amended by section 152 of chapter 14 of the statutes of 2003, is again amended by replacing "102.7" by "102.6".

CHARTER OF VILLE DE LONGUEUIL

33. Section 8 of the Charter of Ville de Longueuil (R.S.Q., chapter C-11.3) is amended by striking out subparagraph 2 of the fifth paragraph.

34. Section 87.5 of the said Charter is amended by striking out the third paragraph.

35. Section 87.6 of the said Charter is repealed.

36. Section 87.6.1 of the said Charter is amended by replacing "87.6" in the second line of the fourth paragraph by "87.5".

37. Section 87.7 of the said Charter is amended by replacing "and 87.4 and the first and second paragraphs of section" in the first line of the third paragraph by "to".

38. Section 88 of the said Charter is amended

(1) by striking out ", the third paragraph of section 87.5" in the first line of the second paragraph;

(2) by striking out "and section 87.6" in the second line of the second paragraph.

39. Section 88.2 of the said Charter is amended

(1) by striking out ", the third paragraph of section 87.5" in the first line of the second paragraph;

(2) by striking out "and section 87.6" in the second line of the second paragraph.

40. Section 88.3 of the said Charter is amended

(1) by striking out the third paragraph;

(2) by replacing "the second or third paragraph" in the first line of the fourth paragraph by "the second paragraph".

41. Section 88.4 of the said Charter is repealed.

42. Section 88.5 of the said Charter is replaced by the following section:

"**88.5.** If the city does not impose the business tax in the whole of its territory, it may impose it in a sector in which that tax was imposed for the fiscal years 2001 and 2002.

For that purpose and pursuant to the Act respecting municipal taxation (chapter F-2.1), the city may have a roll of rental values drawn up for a sector rather than for the whole of its territory."

43. Section 88.6 of the said Charter is amended

(1) by striking out the fifth paragraph;

(2) by replacing "five" in the first line of the sixth paragraph by "four";

(3) by striking out "or surtax" in the first and second lines of the sixth paragraph.

44. Section 88.7 of the said Charter is repealed.

45. Section 135 of the said Charter, amended by section 153 of chapter 14 of the statutes of 2003, is again amended by replacing "88.7" by "88.6".

46. Section 45 of Schedule C to the said Charter is repealed.

CHARTER OF VILLE DE MONTRÉAL

47. Section 8 of the Charter of Ville de Montréal (R.S.Q., chapter C-11.4) is amended

(1) by striking out subparagraph 2 of the fifth paragraph;

(2) by striking out “subject to subparagraph *b*,” in the first line of subparagraph *a* of subparagraph 4 of the fifth paragraph;

(3) by striking out subparagraph *b* of subparagraph 4 of the fifth paragraph.

48. Section 8.6 of the said Charter is amended

(1) by replacing “municipality” at the beginning of the third line of subparagraph 1 of the first paragraph by “city”;

(2) by striking out “and the revenues that the municipality would have collected from the surtax on vacant land had it imposed that surtax rather than fix a general property tax rate specific to the category provided for in section 244.36 of the Act respecting municipal taxation (chapter F-2.1)” in the third, fourth, fifth and sixth lines of subparagraph 1 of the first paragraph;

(3) by replacing “municipality” in the second line of subparagraph 2 of the first paragraph by “city”;

(4) by replacing “municipality” in the third line of subparagraph 4 of the first paragraph by “city”;

(5) by striking out “surtax on vacant land, the surtax or the tax on non-residential immovables, the” in the first and second lines of subparagraph 5 of the first paragraph;

(6) by striking out the second paragraph.

49. Section 150.5 of the said Charter is amended by striking out the third paragraph.

50. Section 150.6 of the said Charter is repealed.

51. Section 150.7 of the said Charter is amended by replacing “150.6” in the first line of the second paragraph by “150.5”.

52. Section 151 of the said Charter is amended

(1) by striking out “, the third paragraph of section 150.5” in the first and second lines of the second paragraph;

(2) by striking out “and section 150.6” in the second line of the second paragraph.

53. Section 151.2 of the said Charter is amended

(1) by striking out “, the third paragraph of section 150.5” in the first and second lines of the second paragraph;

(2) by striking out “and section 150.6” in the second line of the second paragraph.

54. Section 151.3 of the said Charter is amended

(1) by replacing “from 2002 to 2006, the city must” in the first line of the second paragraph by “2005 and 2006, the city must”;

(2) by striking out “, or impose the surtax on vacant land” in the fourth line of the second paragraph;

(3) by replacing the third paragraph by the following paragraph:

“As regards a sector in which the general property tax was imposed for the fiscal year 2001 at such a specific rate, or a sector in which the surtax on vacant land was imposed for that fiscal year, the specific rate the city fixes in order to comply with the obligation imposed by the second paragraph must be equal to twice the basic rate fixed under section 244.38 of the Act respecting municipal taxation applicable to the sector.”;

(4) by striking out subparagraph 2 of the fourth paragraph.

55. Sections 151.4 and 151.4.1 of the said Charter are repealed.

56. Section 151.5 of the said Charter is replaced by the following section:

“**151.5.** If the city does not impose the business tax in the whole of its territory, it may impose it in a sector in which that tax was imposed for the fiscal years 2001 and 2002.

For that purpose and pursuant to the Act respecting municipal taxation (chapter F-2.1), the city may have a roll of rental values drawn up for a sector rather than for the whole of its territory.”

57. Section 151.5.1 of the said Charter is repealed.

58. Section 151.6 of the said Charter is amended by striking out the eighth paragraph.

59. Section 151.6.2 of the said Charter is amended

(1) by striking out subparagraph 2 of the sixth paragraph;

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

“Sections 491 and 244.64 of the Act respecting municipal taxation apply respectively, with the necessary modifications, for the purpose of interpreting the words “owner” and “tax” used in this section.”

60. Section 151.7 of the said Charter is repealed.

61. Section 198 of the said Charter, amended by section 154 of chapter 14 of the statutes of 2003, is again amended by replacing “151.7” by “151.6”.

62. Section 16 of Schedule C to the said Charter, amended by section 66 of chapter 19 of the statutes of 2003, is again amended

(1) by inserting “the vice-chair of the council,” after “the duties of” and replacing “and majority” by “or majority” in the first paragraph;

(2) by inserting “the vice-chair of the council,” after “the duties of” and replacing “and majority” by “or majority” in the second paragraph.

63. Section 27 of Schedule C to the said Charter is amended by replacing the first paragraph by the following paragraph:

“**27.** Every borough council shall appoint a secretary.”

64. Section 40 of Schedule C to the said Charter is amended by replacing “one of his or her employees” in the third line of the second paragraph by “an officer or employee of the city”.

65. Section 43 of Schedule C to the said Charter is amended by replacing the first paragraph by the following paragraphs:

“**43.** The council shall designate one of its members to preside at the council meetings. It shall also designate one of its members as vice-chair to replace the chair whenever that person is absent.

If both the chair and the vice-chair are absent, the council shall designate a substitute.”

66. Section 101 of Schedule C to the said Charter is amended

(1) by replacing the sixth and seventh paragraphs by the following paragraphs:

“In addition to the powers provided for in the first three paragraphs, the city may, by by-law, levy the water-rate and service tax on the units of assessment belonging to the group described in section 244.31 of the Act respecting municipal taxation (chapter F-2.1) when, under section 244.29 of that Act, it fixes various general property tax rates.

Sections 244.30 to 244.64 of that Act apply, with the necessary modifications, with respect to the water-rate and service tax levied under the sixth paragraph.”;

(2) by replacing “subject to the surtax on vacant land” in the second line of the ninth paragraph by “that constitute a unit of assessment belonging to the category described in section 244.36 of the Act respecting municipal taxation”;

(3) by replacing “the Act respecting municipal taxation” in the fourth line of the ninth paragraph by “that Act”.

CHARTER OF VILLE DE QUÉBEC

67. Section 8 of the Charter of Ville de Québec (R.S.Q., chapter C-11.5) is amended by striking out subparagraph 2 of the fifth paragraph.

68. Section 130.5 of the said Charter is amended by striking out the third paragraph.

69. Section 130.6 of the said Charter is repealed.

70. Section 130.7 of the said Charter is amended by replacing “130.6” in the first line of the second paragraph by “130.5”.

71. Section 131 of the said Charter is amended

(1) by striking out “, the third paragraph of section 130.5” in the first and second lines of the second paragraph;

(2) by striking out “and section 130.6” in the second line of the second paragraph.

72. Section 131.2 of the said Charter is amended

(1) by striking out “, the third paragraph of section 130.5” in the first and second lines of the second paragraph;

(2) by striking out “and section 130.6” in the second line of the second paragraph.

73. Section 131.3 of the said Charter is amended

(1) by striking out the third paragraph;

(2) by replacing “the second or third paragraph” in the first line of the fourth paragraph by “the second paragraph”.

74. Section 131.4 of the said Charter is repealed.

75. Section 131.5 of the said Charter is replaced by the following section:

"**131.5.** If the city does not impose the business tax in the whole of its territory, it may impose it in a sector in which that tax was imposed for the fiscal years 2001 and 2002.

For that purpose and pursuant to the Act respecting municipal taxation (chapter F-2.1), the city may have a roll of rental values drawn up for a sector rather than for the whole of its territory."

76. Section 131.6 of the said Charter is amended

(1) by striking out the fifth paragraph;

(2) by replacing "five" in the first line of the sixth paragraph by "four";

(3) by striking out "or surtax" in the first and second lines of the sixth paragraph.

77. Section 131.7 of the said Charter is repealed.

78. Section 176 of the said Charter, amended by section 155 of chapter 14 of the statutes of 2003, is again amended by replacing "131.7" by "131.6".

79. Section 8 of Schedule C to the said Charter is amended by replacing "the office of opposition leader is a special position" in the second line of the first paragraph by "the offices of vice-chair of the council and opposition leader are special positions".

80. Section 88 of Schedule C to the said Charter, amended by section 85 of chapter 19 of the statutes of 2003, is again amended

(1) by replacing "du conseil d'arrondissement peut" in the French text by "le conseil d'arrondissement peut";

(2) by replacing "du conseil d'arrondissement ou" in the French text by "le conseil d'arrondissement ou".

81. Section 93 of Schedule C to the said Charter is amended

(1) by replacing "a dwelling unit or room that does not comply with" in the second and third lines by "premises that do not comply with";

(2) by adding the following paragraph at the end:

"A by-law referred to in the first paragraph may only apply to an immovable exempted from the application of Chapter I of the Construction Code, enacted by Order in Council 953-2000 (2000, G.O. 2, 4203)."

82. Section 94 of Schedule C to the said Charter is amended

(1) by replacing “a dwelling unit or room that does not comply with” in the third line of the first paragraph by “premises that do not comply with”;

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

“The first paragraph may only apply to an immovable exempted from the application of Chapter I of the Construction Code, enacted by Order in Council 953-2000 (2000, G.O. 2, 4203).”

83. Section 105 of Schedule C to the said Charter is repealed.

84. Section 124 of Schedule C to the said Charter, amended by section 103 of chapter 19 of the statutes of 2003, is again amended by replacing “145.18” in the second paragraph by “145.19”.

85. Section 150 of Schedule C to the said Charter is repealed.

CITIES AND TOWNS ACT

86. Section 71 of the Cities and Towns Act (R.S.Q., chapter C-19) is amended

(1) by inserting “chargé de la délivrance d’une autorisation prévue à l’article 3 du Règlement sur le captage des eaux souterraines, édicté par le décret numéro 692-2002 (2002, G.O. 2, 3539), soit” after “soit” in the fourth line of the third paragraph of the French text;

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

“The second paragraph also applies to any officer or employee who is not an employee represented by a certified association within the meaning of the Labour Code, who is designated under paragraph 7 of section 119 of the Act respecting land use planning and development (chapter A-19.1), responsible for the issuance of the authorization required under section 3 of the Groundwater Catchment Regulation, enacted by Order in Council 692-2002 (2002, G.O. 2, 2657), or responsible for the issuance of a permit required under section 4 of the Regulation respecting waste water disposal systems for isolated dwellings (R.R.Q., 1981, chapter Q-2, r.8), and who, for at least six months, has held that position or a position, within the municipality, referred to in the second paragraph.”

87. Section 105.2 of the said Act, amended by section 250 of chapter 19 of the statutes of 2003, is again amended by replacing “and Greater Montréal” in the third and fourth lines of the first paragraph by “, Sports and Recreation”.

88. The said Act is amended by inserting the following section after section 352:

“**352.1.** The council of a municipality with 100,000 inhabitants or more may, by by-law, provide that, on any document that is produced repeatedly or of which a significant number of copies are made, the handwritten signature of one of its members or of an officer or employee of the municipality may be replaced by a facsimile or other equivalent engraved, lithographed, printed or affixed using an automatic device or an electronic process.

The facsimile or other equivalent, used in accordance with the by-law in force, has the same force as the handwritten signature. The facsimile or other equivalent may, however, in no case replace the handwritten signature on the original of a resolution or of a document that is the subject of a resolution, nor may it serve to authenticate a copy of or an excerpt from such an original or a copy replacing such an original.”

89. The said Act is amended by inserting the following section after section 463:

“**463.0.1.** All the expenses incurred by the municipality to remove nuisances or have them removed, or to enforce a measure intended to eliminate or prevent nuisances, constitute a charge equivalent to the property tax against the immovable where the nuisances were located, and they may be recovered in the same manner.”

90. Section 486 of the said Act is repealed.

91. Section 547 of the said Act is amended by striking out “or the surtax or tax on non-residential immovables” in the fourth and fifth lines of the fourth paragraph.

92. Section 567 of the said Act, amended by section 250 of chapter 19 of the statutes of 2003, is again amended by adding the following paragraph at the end of subsection 3:

“For the purposes of the first paragraph, the amount of the loan is deemed not to exceed that of the subsidy if the amount by which the former exceeds the latter is not greater than 10% and corresponds to the amount needed to pay the interest on the temporary loan contracted and the financing expenses related to the securities issued.”

93. Section 569 of the said Act is amended by inserting the following subsection after subsection 2:

“2.1. The council may, by resolution, borrow from the fund the moneys it may need to pay all or part of the expenses resulting from the application of a departure incentive program for the officers and employees of the municipality. The resolution authorizing the loan shall indicate the term of repayment, which must not exceed five years. The council shall provide, every year, out of its general fund, a sum sufficient to repay the loan into the working-fund.”

MUNICIPAL CODE OF QUÉBEC

94. The heading of Chapter II of Title V of the Municipal Code of Québec (R.S.Q., chapter C-27.1) is amended by adding "AND DIRECTORS GENERAL" at the end.

95. Article 210 of the said Code is replaced by the following:

"**SECTION III.1**

"DIRECTORS GENERAL

"**210.** Every municipality must have a director general, who is the chief officer of the municipality.

Subject to article 212.2, the secretary-treasurer is the director general by virtue of office."

96. Article 211 of the said Code is amended by replacing "secretary-treasurer" in the second line by "director general".

97. Article 212 of the said Code is amended by replacing "secretary-treasurer" in the first line by "director general".

98. Article 212.1 of the said Code is amended

(1) by replacing "secretary-treasurer" in the second line of the first paragraph by "director general";

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

"The by-law may provide that, if the council adds those powers and obligations, it must appoint a person other than the director general to the office of secretary-treasurer."

99. The said Code is amended by inserting the following articles after article 212.1:

"**212.2.** If the by-law in force so provides, the council shall appoint a person other than the director general to the office of secretary-treasurer.

"**212.3.** The deputy secretary-treasurer, where applicable, is the deputy director general by virtue of office, except if article 212.2 applies.

If that article applies, the council may appoint a deputy director general.

Article 184 applies, with the necessary modifications, to the deputy director general."

100. Article 267.0.1 of the said Code is amended

(1) by inserting "chargé de la délivrance d'une autorisation prévue à l'article 3 du Règlement sur le captage des eaux souterraines, édicté par le décret numéro 692-2002 (2002, G.O. 2, 3539), soit" after "soit" in the fourth line of the third paragraph of the French text;

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

"The first and second paragraphs also apply to any officer or employee who is not an employee represented by a certified association within the meaning of the Labour Code, who is designated under paragraph 7 of section 119 of the Act respecting land use planning and development, responsible for the issuance of the authorization required under section 3 of the Groundwater Catchment Regulation, enacted by Order in Council 692-2002 (2002, G.O. 2, 2657), or responsible for the issuance of a permit required under section 4 of the Regulation respecting waste water disposal systems for isolated dwellings (R.R.Q., 1981, chapter Q-2, r.8), and who, for at least six months, has held that position or a position, within the municipality, referred to in the first paragraph."

101. The said Code is amended by inserting the following article after article 546:

"**546.1.** All the expenses incurred by the local municipality to remove nuisances or have them removed, or to enforce a measure intended to eliminate or prevent nuisances, constitute a charge equivalent to the property tax against the immovable where the nuisances were located, and they may be recovered in the same manner."

102. Article 681.2 of the said Code is replaced by the following article:

"**681.2.** Subject to the fourth paragraph, a regional county municipality may, by by-law, provide that it will finance the sums the local municipalities whose territories are situated in its territory must pay to their municipal housing bureaus under the Act respecting the Société d'habitation du Québec (chapter S-8) for the low-rental housing dwellings referred to in article 1984 of the Civil Code and administered by those bureaus.

As soon as practicable after the coming into force of the by-law, the secretary-treasurer shall send an authenticated copy of the by-law to the Société d'habitation du Québec and to every municipal housing bureau constituted at the request of such a local municipality.

A local municipality may not, with respect to a function provided for in the first paragraph, exercise the right of withdrawal provided for in the third paragraph of section 188 of the Act respecting land use planning and development (chapter A-19.1).

A regional county municipality whose territory is situated entirely in that of the Communauté métropolitaine de Montréal may not exercise the power provided for in the first paragraph. A regional county municipality whose territory is situated only in part in that of the metropolitan community may exercise the power provided for in the first paragraph only to finance the sums that must be paid by the local municipalities whose territories are not situated in that of the metropolitan community. Only the representatives of those municipalities may participate in the deliberations and vote held by the council of the regional county municipality on the exercise of that power and only those municipalities shall contribute to the payment of the expenses resulting from the exercise of that power."

103. Article 990 of the said Code is repealed.

104. Article 1072 of the said Code is amended by striking out "or the surtax or tax on non-residential immovables" in the fourth and fifth lines of the fourth paragraph.

105. Article 1093.1 of the said Code, amended by section 250 of chapter 19 of the statutes of 2003, is again amended by adding the following paragraph at the end:

"For the purposes of the first paragraph, the amount of the loan is deemed not to exceed that of the subsidy if the amount by which the former exceeds the latter is not greater than 10% and corresponds to the amount needed to pay the interest on the temporary loan contracted and the financing expenses related to the securities issued."

106. Article 1094 of the said Code is amended by inserting the following subsection after subsection 2:

"2.1. The municipality may, by resolution, borrow from the fund the moneys it may need to pay all or part of the expenses resulting from the application of a departure incentive program for the officers and employees of the municipality. The resolution authorizing the loan shall indicate the term of repayment, which must not exceed five years. The municipality shall provide, every year, out of its general funds, a sum sufficient to repay the loan into the working-fund."

ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE MONTRÉAL

107. Section 129 of the Act respecting the Communauté métropolitaine de Montréal (R.S.Q., chapter C-37.01) is amended

(1) by replacing "and" in the fourth line of the second paragraph by ", to";

(2) by replacing ", to the Minister and to the Commission municipale du Québec for registration" in the fifth and sixth lines of the second paragraph by "and to the Minister".

108. Section 144 of the said Act is amended by striking out “and, for registration purposes, to the Commission municipale du Québec” in the sixth and seventh lines of the second paragraph.

109. Section 148 of the said Act, amended by section 250 of chapter 19 of the statutes of 2003, is again amended by striking out “and be registered within that time with the Commission municipale du Québec” in the third and fourth lines of the third paragraph.

110. Section 149 of the said Act is amended

(1) by inserting “du Québec” after “Commission municipale” in the second line of the first paragraph in the French text;

(2) by striking out “and be registered with the Commission municipale du Québec” in the third and fourth lines of the third paragraph.

111. Section 149.0.1 of the said Act is replaced by the following section:

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

(1) prescribe rules governing the form in which the content of a document that may or must be sent to or served on the Minister under this division must be presented; and

(2) prescribe rules, complementary to those provided for in this division, governing the preparation of the metropolitan land use and development plan or the preparation or amendment of an interim control by-law.”

112. Section 264 of the said Act, amended by section 250 of chapter 19 of the statutes of 2003, is again amended

(1) by striking out “, and a period of 105 days applies to the Minister rather than the 60-day period provided for in those sections” in the third, fourth and fifth lines of the second paragraph;

(2) by striking out “, and a period of 180 days applies rather than the 120-day period provided for in those sections” in the seventh and eighth lines of the second paragraph.

ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE QUÉBEC

113. Section 21 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:

"However, on any question on jurisdiction over the planning of residual materials management, the quorum is a majority of members other than the representatives of Ville de Lévis."

114. Section 34 of the said Act is amended by adding the following paragraph at the end:

"However, on any question on jurisdiction over the planning of residual materials management, the quorum is a majority of members other than the representatives of Ville de Lévis."

115. Section 121 of the said Act is amended by replacing ", to the Minister and to the Commission municipale du Québec for registration" in the fourth and fifth lines of the second paragraph by "and to the Minister".

116. Section 136 of the said Act is amended by striking out "and, for registration purposes, to the Commission" in the sixth line of the second paragraph.

117. Section 140 of the said Act, amended by section 250 of chapter 19 of the statutes of 2003, is again amended by striking out "and be registered within that time with the Commission municipale du Québec" in the third and fourth lines of the third paragraph.

118. Section 141 of the said Act is amended by striking out "and be registered with the Commission municipale du Québec" in the third and fourth lines of the third paragraph.

119. Section 141.1 of the said Act is replaced by the following section:

"**141.1.** The Government may, by regulation,

(1) prescribe rules governing the form in which the content of any document that may or must be sent to or served on the Minister under this division must be presented; and

(2) prescribe rules, complementary to those provided for in this division, governing the development of the metropolitan land use and development plan or the preparation or amendment of an interim control by-law."

120. Section 227 of the said Act, amended by section 250 of chapter 19 of the statutes of 2003, is again amended

(1) by striking out ", and a period of 105 days applies to the Minister rather than the 60-day period provided for in those sections" in the third, fourth and fifth lines of the second paragraph;

(2) by striking out ", and a period of 180 days applies rather than the 120-day period provided for in those sections" in the seventh and eighth lines of the second paragraph.

JAMES BAY REGION DEVELOPMENT AND MUNICIPAL ORGANIZATION ACT

121. The James Bay Region Development and Municipal Organization Act (R.S.Q., chapter D-8.2) is amended by inserting the following sections after section 40:

"**40.1.** The municipality may carry on any agricultural activity mentioned in section 1 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1) in any part of its territory that it determines.

Sections 28 and 29 of that Act do not apply to an act to which the municipality is party if the municipality avails itself of the power granted under the first paragraph.

"**40.2.** The municipality may establish with a cooperative governed by the Cooperatives Act (chapter C-67.2) a mixed enterprise company whose jurisdiction is that determined under section 40.1.

The Act respecting mixed enterprise companies in the municipal sector (chapter S-25.01) applies to the mixed enterprise company established under the first paragraph, except the second paragraph of section 14, section 15 and the second paragraph of section 22."

ACT RESPECTING MUNICIPAL TAXATION

122. Section 18.1 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1) is amended by replacing "18.5" in subparagraph 3 of the first paragraph by "18.6".

123. The said Act is amended by inserting the following section after section 18.5:

"**18.6.** For the purposes of sections 18.1 to 18.5, the owner is the person in whose name the unit of assessment concerned is entered on the roll under Division I of Chapter V.

If the Government must pay a sum for the unit of assessment under section 210, 254 or 257, the Minister has, concurrently with the person referred to in the first paragraph, the owner's rights and obligations under sections 18.1 to 18.5. For the purposes of subparagraph 2 of the second paragraph of section 18.4, the Minister is not bound by the information communicated to the assessor by the owner nor is the owner bound by that communicated by the Minister."

124. Section 35 of the said Act is amended by replacing the second paragraph by the following paragraph:

"If the unit of assessment includes a parcel of land whose owner is a public body and a building whose owner is not the owner of the parcel of land, the unit of assessment is entered on the roll in the name of the owner of the building subject to section 41.1.1. For the purposes of this paragraph, no account shall be taken of the fact that a building belongs to a different owner if that owner and the public body are undivided co-owners of the parcel of land."

125. The said Act is amended by inserting the following section after the heading of subdivision 7 of Division I of Chapter V:

"**41.1.1.** A unit of assessment constituted in accordance with section 34 that includes a parcel of land whose owner is a public body and a building whose owner is not the owner of the parcel of land is divided in the manner set out in this section if the site of the building corresponds to only part of the parcel of land.

The building and its site form a separate unit of assessment entered in the name of the owner of the building.

If the unit of assessment referred to in the first paragraph includes several buildings belonging to a same owner other than the owner of the parcel of land and if the sites of those buildings correspond to only part of the parcel of land, the buildings and their sites, even if not contiguous, form a separate unit of assessment entered on the roll in the name of the owner of the buildings.

The remainder of the unit of assessment referred to in the first paragraph then forms another unit of assessment.

For the purposes of the first four paragraphs, no account shall be taken of the fact that a building belongs to a different owner if that owner and the public body are undivided co-owners of the parcel of land.

If the public body is one of the undivided co-owners of the building and the parts of the building reserved for use by the public body and the other co-owner can be identified, only that part ascribed to the other co-owner is deemed to be the building included in the separate unit of assessment under the second or the third paragraph. For the purposes of this paragraph, any person whose investment in and use of the building are comparable to the investment and use a co-owner would make and arise from a contract with the public body whose term is such that the person's interest in the building is of a lasting nature is considered a co-owner associated with the public body."

126. Section 44 of the said Act is amended by replacing "its owner would be justified in paying and demanding if he" in the third line by "the person in whose name the unit of assessment is entered on the roll would be justified in paying and demanding if that person".

127. Sections 57 and 57.1 of the said Act are repealed.

128. Section 61 of the said Act is amended

(1) by striking out the second paragraph;

(2) by replacing "In" in the first line of the third paragraph by "However, in".

129. Division V of Chapter V of the said Act is repealed.

130. Section 70 of the said Act is amended by striking out the second sentence of the first paragraph.

131. Section 77 of the said Act is amended by striking out "in addition to the case provided for in section 174.1," in the second line of the second paragraph.

132. The said Act is amended by inserting the following section after section 82:

"**82.1.** Despite sections 81 and 82, on a decision of the municipal body responsible for assessment, the assessor who is an officer of the municipal body and responsible for the roll shall mail the assessment notices, rather than the clerk who would otherwise have done so under one of those sections.

In such a case, the assessor shall also mail any tax account referred to in section 81 that is contained in the same document as the assessment."

133. Section 124 of the said Act is amended by striking out the fourth paragraph.

134. Section 134 of the said Act is amended by replacing "the clerk sends the notice of assessment" in the first line by "the notice of assessment is sent".

135. The said Act is amended by inserting the following section after section 138.2:

"**138.2.1.** Despite sections 137, 138.1 and 138.2, on a decision of the municipal body responsible for assessment, the assessor who is an officer of the municipal body shall exercise the functions assigned to the clerk of that body by this section."

136. Section 138.5.1 of the said Act is amended

(1) by replacing "The owner of an immovable to which a regulation under paragraph 10 of section 262 applies" in the first and second lines of the first paragraph by "The person in whose name a unit of assessment that constitutes an immovable to which a regulation under paragraph 10 of section 262 applies is entered on the roll";

(2) by replacing “immovable” in the fourth line of the first paragraph by “unit”;

(3) by adding the following sentence at the end of the first paragraph: “The Minister has the same right in the case referred to in the second paragraph of section 18.6.”;

(4) by replacing “owner” in the fourth line of the second paragraph by “applicant”.

137. Section 151 of the said Act, amended by section 189 of chapter 19 of the statutes of 2003, is again amended by striking out the second paragraph.

138. Section 172.1 of the said Act is repealed.

139. Section 174 of the said Act is amended

(1) by striking out paragraphs 13 and 13.1;

(2) by striking out paragraph 13.2.

140. Section 174.1 of the said Act is repealed.

141. Section 176 of the said Act is amended by striking out “, 174.1” in the first and second lines of the first paragraph.

142. Section 180 of the said Act, amended by section 250 of chapter 19 of the statutes of 2003, is again amended

(1) by striking out “or assessor” in the fifth line of the fifth paragraph;

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

“Despite the preceding paragraphs, on a decision of the municipal body responsible for assessment, the assessor who is an officer of the municipal body and responsible for the roll shall mail the notices of alteration and shall send out the copies of such notices, rather than the clerk who would otherwise have done so under one of those paragraphs.”

143. Section 181 of the said Act is amended by striking out the second sentence of the second paragraph.

144. Section 204 of the said Act is amended

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

“(1) an immovable included in a unit of assessment entered on the roll in the name of the State or of the Société immobilière du Québec;”;

(2) by replacing “belonging to the Crown in right of Canada or to” in the first line of paragraph 1.1 by “included in a unit of assessment entered on the roll in the name of the Crown in right of Canada or”;

(3) by replacing “belonging to” in paragraph 1.2 by “included in a unit of assessment entered on the roll in the name of”;

(4) by replacing “belonging to” in paragraph 2 by “included in a unit of assessment entered on the roll in the name of”;

(5) by replacing “belonging to the Société de la Place des Arts de Montréal or” in the first and second lines of paragraph 2.1 by “included in a unit of assessment entered on the roll in the name of the Société de la Place des Arts de Montréal or”;

(6) by replacing “belonging to” in paragraph 2.2 by “included in a unit of assessment entered on the roll in the name of”;

(7) by replacing “belonging to a local municipality and situated in its territory, that is not subject to that tax” in the first and second lines of paragraph 3 by “that is included in a unit of assessment entered on the roll in the name of a local municipality, that is situated in the municipality’s territory and that is not subject to such taxes”;

(8) by replacing “belonging to a local municipality and situated in its” in the first line of paragraph 4 by “that is included in a unit of assessment entered on the roll in the name of a local municipality and that is situated in the municipality’s”;

(9) by replacing “belonging to a community, to a regional county municipality or to a mandatary of a community, regional county municipality or local municipality that is not subject to such tax” in the first, second and third lines of paragraph 5 by “included in a unit of assessment entered on the roll in the name of a community, a regional county municipality or a mandatary of a community, regional county municipality or local municipality that is not subject to such taxes” and by replacing “belonging to” in the fourth line of that paragraph by “included in a unit of assessment entered on the roll in the name of”;

(10) by replacing “belonging to” in the first line of paragraph 6 by “included in a unit of assessment entered on the roll in the name of”;

(11) by replacing “belonging to” in the first line of paragraph 7 by “that is included in a unit of assessment entered on the roll in the name of” and by replacing “which” in the second line of that paragraph by “that”;

(12) by replacing “belonging to” in the first line of paragraph 8 by “included in a unit of assessment entered on the roll in the name of”;

(13) by replacing "owned by" in the first line of paragraph 11 by "included in a unit of assessment entered on the roll in the name of";

(14) by replacing "belonging to" in the first line of paragraph 12 by "included in a unit of assessment entered on the roll in the name of";

(15) by replacing "belonging to" in the first line of paragraph 13 by "included in a unit of assessment entered on the roll in the name of";

(16) by replacing "belonging to" in the first line of subparagraph *a* of paragraph 14 by "included in a unit of assessment entered on the roll in the name of" and by striking out "to" in the third and fourth lines;

(17) by replacing "which belongs to" in the first line of subparagraph *b* of paragraph 14 by "that is included in a unit of assessment entered on the roll in the name of";

(18) by replacing "belonging to" in the first line of subparagraph *c* of paragraph 14 by "that is included in a unit of assessment entered on the roll in the name of" and by replacing ", which" in the fourth line by "and that";

(19) by replacing "belonging to" in the first line of paragraph 15 by "that is included in a unit of assessment entered on the roll in the name of" and by replacing "which" in the third line by "that";

(20) by replacing "belonging to" in the first and third lines of paragraph 16 by "that is included in a unit of assessment entered on the roll in the name of" and by replacing "which" in the second line of that paragraph by "that";

(21) by replacing "belonging to a religious institution," in the first line of paragraph 17 by "that is included in a unit of assessment entered on the roll in the name of a religious institution and that is".

145. Section 204.0.1 of the said Act is amended by inserting ", to the person in whose name the unit of assessment that includes the immovable is entered on the roll," after "immovable" in the first line of the third paragraph.

146. Section 204.1 of the said Act is amended

(1) by replacing "belonging to a person referred to in any paragraph of section 204" in the first and second lines of the first paragraph by "that is included in a unit of assessment entered on the roll in the name of a person referred to in any paragraph of section 204 and";

(2) by replacing "belonging to" in the first line of the second paragraph by "included in a unit of assessment entered on the roll in the name of".

147. Section 205 of the said Act is amended by adding the following paragraph after the fifth paragraph:

"For the purposes of the first four paragraphs, the owner of an immovable is the person in whose name the unit of assessment that includes the immovable is entered on the roll."

148. Section 205.1 of the said Act is amended by striking out "or the surtax or tax on non-residential immovables imposed under section 244.11 or 244.23" in the fifth and sixth lines of subparagraph 2 of the third paragraph.

149. Section 206 of the said Act is amended by adding the following paragraph at the end:

"For the purposes of the first paragraph, the owner of an immovable is the person in whose name the unit of assessment that includes the immovable is entered on the roll. This paragraph does not apply when the unit is entered on the roll in the name of that person under the third paragraph of section 208."

150. Section 208 of the said Act is amended by replacing "belongs to" in the fourth line of the first paragraph by "is included in the unit of assessment entered on the roll in the name of".

151. Section 212 of the said Act is amended by adding the following paragraph at the end:

"For the purposes of the first paragraph, in addition to the meaning assigned by section 1, "owner" means the person in whose name the unit of assessment that includes the parcel of land is entered on the roll."

152. Section 231.1 of the said Act is amended by replacing "where it is not owned by that Church" in the second line of the first paragraph by "if it is not included in the unit of assessment entered on the roll in the name of that Church".

153. Section 231.2 of the said Act is amended by replacing "owned by" in the first line by "included in a unit of assessment entered on the roll in the name of".

154. Sections 233 and 233.1 of the said Act are repealed.

155. Section 234 of the said Act is amended by striking out the second paragraph.

156. Section 235 of the said Act is amended by striking out the eighth and ninth paragraphs.

157. Section 235.1 of the said Act is repealed.

158. Section 243.3 of the said Act is amended by replacing "the owner of the immovable concerned" in the second line of the first paragraph by "the person in whose name the unit of assessment that includes the immovable concerned is entered on the roll before the application of the third paragraph of section 208, if applicable".

159. Section 244.3 of the said Act is amended by adding the following sentence at the end of the third paragraph: "The activity of a municipality that consists in examining an application and responding to it is deemed to benefit the applicant, regardless of the response given, including cases where the subject of the application is a regulatory act or the response consists in such an act."

160. Section 244.7 of the said Act is amended

(1) by inserting "the unit of assessment that includes" after "on" in the third line;

(2) by adding the following paragraph at the end:

"That presumption, however, does not apply if the owner of the immovable is not the person in whose name the unit of assessment that includes the immovable is entered on the roll."

161. Divisions III.2 and III.3 of Chapter XVIII of the said Act are repealed.

162. Section 244.29 of the said Act is amended by striking out the second paragraph.

163. Section 244.34 of the said Act is amended by adding the following paragraph after the fourth paragraph:

"For the purposes of this section, in addition to the meaning assigned by section 1, "owner" means the person in whose name the unit of assessment is entered on the roll."

164. Section 244.52 of the said Act is amended by replacing "third" in the second line of the second paragraph by "second".

165. Section 245 of the said Act is amended by striking out "of sections 244.15 to 244.18," in the fifth line of the second paragraph.

166. Section 252 of the said Act is amended

(1) by replacing "the amount fixed by the regulation made under paragraph 4 of section 263" in the third line of the first paragraph by "a given amount";

(2) by replacing "The council of the local municipality or municipal body responsible for assessment by which the taxes are collected" in the fifth and sixth lines of the first paragraph by "The given amount is that fixed by regulation under paragraph 4 of section 263 or the lower amount fixed by

by-law of the council of the local municipality or municipal body responsible for assessment by which the taxes are collected. The council".

167. Section 253.37 of the said Act is amended by striking out subparagraph 3 of the second paragraph.

168. Section 253.38 of the said Act is amended by striking out the fifth paragraph.

169. Section 253.52 of the said Act is amended by striking out subparagraph 3 of the second paragraph.

170. Section 253.54 of the said Act is amended by striking out subparagraph 3 of the second paragraph.

171. Section 253.61 of the said Act is amended by striking out "or, where applicable, by the part of the rate provided for in the second paragraph of section 244.13, the second paragraph of section 244.25 or the first paragraph of section 244.27" in the fourth, fifth and sixth lines of the second paragraph.

172. Section 254 of the said Act is amended by inserting ", subject to sections 255.1 and 255.2" after "section" in the fourth line of the first paragraph.

173. Section 255 of the said Act is replaced by the following sections:

"**255.** The amount payable under the first paragraph of section 254 for an immovable whose owner is a person mentioned in paragraph 1 or 2.1 of section 204 is equal to the amount of the municipal property taxes that would be exigible for that immovable if it were taxable. The amount payable under the second paragraph of section 254 for a business establishment whose occupant is such a person is equal to the business tax that would be exigible for that business establishment if it were taxable.

The amount payable under the first paragraph of section 254 for each of the following immovables is equal to the product obtained by multiplying the non-taxable value of the immovable by 80% of the aggregate taxation rate of the local municipality:

(1) an immovable whose owner is the person mentioned in paragraph 1.2 of section 204;

(2) an immovable whose owner is a person mentioned in subparagraph *a* of paragraph 14 of section 204;

(3) an immovable whose owner is a person mentioned in subparagraph *b* or *c* of paragraph 14 of section 204 and that is used for the purposes mentioned in the subparagraph;

(4) an immovable whose owner is a non-profit legal person holding a permit to operate a private educational institution issued under the Act respecting private education (chapter E-9.1) and that is at the disposal of that institution, subject to the fourth paragraph.

The amount payable under the first paragraph of section 254 for each of the following immovables is equal to the product obtained by multiplying the non-taxable value of the immovable by 80% of the aggregate taxation rate of the local municipality:

(1) an immovable whose owner is a university institution within the meaning of the University Investments Act (chapter I-17), a college-level institution whose instructional program is the subject of an international agreement within the meaning of the Act respecting the Ministère des Relations internationales (chapter M-25.1.1), a general and vocational college or a private educational institution accredited for purposes of subsidies under the Act respecting private education with respect to college-level general and vocational instructional services;

(2) an immovable whose owner is a religious institution and that is used by an institution or college referred to in paragraph 1 for its normal activities.

The amount payable under the first paragraph of section 254 for each of the following immovables is equal to the product obtained by multiplying the non-taxable value of the immovable by 25% of the aggregate taxation rate of the local municipality:

(1) an immovable whose owner is a school board;

(2) an immovable whose owner is a non-profit legal person holding a permit to operate a private educational institution issued under the Act respecting private education and that is at the disposal of that institution, when the owner is competent in matters of preschool, elementary or secondary education;

(3) an immovable whose owner is a private educational institution accredited for purposes of subsidies under the Act respecting private education and that is at the disposal of that institution, when the owner is competent in matters of preschool, elementary or secondary education;

(4) an immovable whose owner is an institution whose instructional program is the subject of an international agreement within the meaning of the Act respecting the Ministère des Relations internationales, when the owner is competent in matters of preschool, elementary or secondary education;

(5) an immovable whose owner is a religious institution and that is used by a school board, a legal person referred to in paragraph 2 or an institution referred to in paragraph 3 or 4, for the purposes of preschool, elementary or secondary education.

"**255.1.** When a unit of assessment that includes an immovable referred to in section 255 is taxable and is entered on the roll in the name of a person other than the owner of the immovable, the amount payable under the first paragraph of section 254 for that immovable is not paid.

When the unit of assessment is non-taxable and entered on the roll in the name of a person other than the owner of the immovable, the amount for that immovable is paid. The roll must then, in accordance with section 61, indicate the information required to calculate the amount, based on the part of the non-taxable value of the unit that corresponds to that of the immovable.

The same applies to a non-taxable unit of assessment that is entered on the roll in the name of the owner of the immovable and that does not consist solely of the immovable.

"**255.2.** When an immovable referred to in a provision under section 255 is included in a non-taxable unit of assessment and belongs to several owners, not all of whom are persons referred to in that provision, the second or third paragraph of section 255.1, as the case may be, applies as if the immovable consisted only of that part attributable to the owner or owners referred to in that provision.

For the purposes of the first paragraph, a person whose investment in and use of the immovable is comparable to the investment and use a co-owner would make and arises from a contract with an owner referred to in the provision whose term is such that the person's interest in the immovable is of a lasting nature is considered a co-owner associated with the owner referred to in the provision.

The provisions of section 255 under which the amount provided for in the first paragraph of section 254 is computed in the same way make up a group. The first paragraph does not apply if all the owners of the immovable are referred to in provisions that are part of a same group. If several of the owners but not all of them are referred to in provisions that are part of a same group, the parts of the immovable attributable to them are grouped together and constitute the part referred to in the first paragraph."

174. Section 257 of the said Act is amended by adding the following sentence at the end of the second paragraph: "For the purposes of this paragraph, in addition to the meaning assigned by section 1, "owner" means the person in whose name the unit of assessment that includes the immovable is entered on the roll."

175. Section 263 of the said Act is amended by striking out paragraph 10.

FOREST ACT

176. The Forest Act (R.S.Q., chapter F-4.1) is amended by inserting the following section after section 32:

“**32.1.** A municipality may see to the maintenance and repair of all or part of a forest road in its territory, in accordance with an authorization obtained from the Minister.

The authorization must identify the road or part of a road concerned and may set out conditions, in particular as regards the work permitted or the manner of carrying out the work or of providing for its financing. It may be revoked at any time, after a notice given to the municipality at least 30 days before the revocation takes effect.

The authorization and any revocation must be published in the *Gazette officielle du Québec*. They take effect on the day they are published.

A non-revoked authorization ceases to have effect on the day that is five years after its effective date.

For the purposes of exercising its power under the first paragraph, the municipality may enter into an agreement with any person on sharing the cost of the work or sharing the work itself.”

ACT RESPECTING ADMINISTRATIVE JUSTICE

177. Schedule I to the Act respecting administrative justice (R.S.Q., chapter J-3) is amended by striking out paragraph 2 of section 4.

MINING ACT

178. The Mining Act (R.S.Q., chapter M-13.1) is amended by inserting the following section after section 247:

“**247.1.** A municipality may see to the maintenance and repair of all or part of a mining road in its territory, in accordance with an authorization obtained from the Minister of Transport.

The authorization must identify the road or part of a road concerned and may set out conditions, in particular as regards the work permitted or the manner of carrying out the work or of providing for its financing. It may be revoked at any time, after a notice given to the municipality at least 30 days before the revocation takes effect.

The authorization and any revocation must be published in the *Gazette officielle du Québec*. They take effect on the day they are published.

A non-revoked authorization ceases to have effect on the day that is five years after its effective date.

For the purposes of exercising its power under the first paragraph, the municipality may enter into an agreement with any person on sharing the cost of the work or sharing the work itself.”

ACT RESPECTING THE PENSION PLAN OF ELECTED MUNICIPAL OFFICERS

179. Section 36 of the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., chapter R-9.3), amended by section 211 of chapter 19 of the statutes of 2003, is again amended by adding the following paragraph at the end:

"A person referred to in the second paragraph of section 27 may apply to have his pension paid to him from any date he determines that is subsequent to the application date and prior to his sixtieth birthday. As long as the pension is not being paid, the person may request that the date chosen be replaced by any date subsequent to the new application date and prior to his sixtieth birthday."

180. The heading of Chapter X of the said Act is amended by replacing "PROCEEDING BEFORE THE ADMINISTRATIVE TRIBUNAL OF QUÉBEC" by "ARBITRATION".

181. The said Act is amended by inserting the following heading after the heading of Chapter X:

"**DIVISION I**

"REVIEW".

182. Section 74 of the said Act is replaced by the following:

"**74.** If the opinions of the members of the review committee were equally divided, the application for review is referred to an arbitrator for a decision. The review committee shall notify the parties without delay.

The provisions applicable to an application for arbitration, as set out in Division II, apply with the necessary modifications.

The review committee shall send the application for review to the arbitrator within 90 days after the date of the notification provided for in section 73.

"**DIVISION II**

"ARBITRATION

"**74.1.** A person who applied for review may apply for arbitration within 90 days after the date of notification of the review committee's decision.

"**74.2.** Following such an application, the pension committee may approve any person appointed as arbitrator or substitute under the first or second paragraph of section 183 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) to act as an arbitrator.

If the pension committee does not approve at least two persons from among those referred to in the first paragraph, the Government, after consulting the pension committee, may appoint any arbitrators or substitutes it considers necessary who are qualified for approval, for any period it determines.

"**74.3.** Sections 184 to 186 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) apply to arbitration carried out following an application under section 74.1.

The costs and fees referred to in section 185 of that Act that are charged to the Commission are deemed to be expenses referred to in section 81."

ACT RESPECTING THE LANDS IN THE DOMAIN OF THE STATE

183. The Act respecting the lands in the domain of the State (R.S.Q., chapter T-8.1) is amended by inserting the following section after section 58:

"**58.1.** A municipality may see to the maintenance and repair in its territory of all or part of a road, other than a forest road or a mining road, constructed in the domain of the State, in accordance with an authorization obtained from the Minister.

The authorization must identify the road or part of a road concerned and may set out conditions, in particular as regards the work permitted or the manner of carrying out the work or of providing for its financing. It may be revoked at any time, after a notice given to the municipality at least 30 days before the revocation takes effect.

The authorization and any revocation must be published in the *Gazette officielle du Québec*. They take effect on the day they are published.

A non-revoked authorization ceases to have effect on the day that is five years after its effective date.

For the purposes of exercising its power under the first paragraph, the municipality may enter into an agreement with any person on sharing the cost of the work or sharing the work itself."

ACT RESPECTING THE REMUNERATION OF ELECTED MUNICIPAL OFFICERS

184. Section 12 of the Act respecting the remuneration of elected municipal officers (R.S.Q., chapter T-11.001) is amended

(1) by replacing "$0.881" in subparagraph 1 of the second paragraph by "$0.954";

(2) by replacing "$0.791" in subparagraph 2 of the second paragraph by "$0.856";

(3) by replacing “$0.489” in subparagraph 3 of the second paragraph by “$0.528”;

(4) by replacing “$0.211” in subparagraph 4 of the second paragraph by “$0.227”;

(5) by replacing “$0.084” in subparagraph 5 of the second paragraph by “$0.089”.

185. Section 13 of the said Act is amended by replacing “$1,890” in the third line of the third paragraph by “$2,051”.

186. Section 16 of the said Act is amended by replacing “$2,470” and “$823” in the second and third lines of the first paragraph by “$2,680” and “$893”.

187. Section 30.1 of the said Act is amended by replacing the sixth paragraph by the following paragraph:

“For the purposes of this section, remuneration includes remuneration paid to a person by a mandatary body of the municipality or by a supramunicipal body

(1) for a function exercised by virtue of office;

(2) for a function for which the municipality has adopted a by-law to that effect.”

ACT RESPECTING NORTHERN VILLAGES AND THE KATIVIK REGIONAL GOVERNMENT

188. Section 40 of the Act respecting Northern villages and the Kativik Regional Government (R.S.Q., chapter V-6.1) is amended by replacing “the maximum amount prescribed in section 22 of the Act respecting the remuneration of elected municipal officers (chapter T-11.001)” at the end of subsection 2.1 by “$12,868”.

189. Section 259 of the said Act is repealed.

190. Sections 261 and 261.1 of the said Act are repealed.

191. Section 281 of the said Act is amended by replacing “remuneration and pension fixed by the Minister and paid” in the second and third lines of the first paragraph by “pension fixed by the Minister and paid”.

192. The said Act is amended by inserting the following after section 296:

"**CHAPTER II.1**

"REMUNERATION AND INDEMNITY OF MEMBERS OF THE COUNCIL

"**296.1.** A member of the council receives a basic remuneration from the Regional Government.

A member of the council also receives additional remuneration from the Regional Government for functions exercised as

(1) speaker of the council;

(2) deputy-speaker of the council;

(3) chairman of the executive committee;

(4) vice-chairman of the executive committee; or

(5) member of the executive committee other than the chairman or vice-chairman.

The Minister shall fix the basic annual remuneration and each additional remuneration.

"**296.2.** Except in the case of a council member already receiving $12,868 from a municipality for a fiscal year, every member of the council receives from the Regional Government, for that fiscal year, an indemnity to defray the part of the expenses incident to the member's duties that are not reimbursed pursuant to subsection 1 of section 260 or the third paragraph of section 281.

A member's indemnity for a fiscal year is the lesser of

(1) the quotient obtained by dividing the total remuneration the member receives for that fiscal year under section 296.1 by 2; and

(2) the difference obtained by subtracting the indemnity the member receives from a municipality for that fiscal year from $12,868.

In the case of a chairman of the executive committee who, after availing himself of the power provided for in section 280.1, was not a member of the council of a municipality for any part of the fiscal year, the amount of his indemnity for that fiscal year is $12,868.

When the result of the operation under subparagraph 1 or 2 of the second paragraph is a mixed number, only the integer is used and it is rounded up if the first decimal is greater than 4.

"**296.3.** The Regional Government shall determine the conditions of payment of the remuneration and of any indemnity."

193. Section 410 of the said Act is amended

(1) by striking out "section 259, section 261," in the fifth line of the second paragraph;

(2) by inserting "the third paragraph of section 296.1," after "281," in the fifth line of the second paragraph;

(3) by replacing "section 259, 261 or 281" in the first line of the third paragraph by "the third paragraph of section 296.1".

ACT TO AMEND THE CITIES AND TOWNS ACT, THE MUNICIPAL CODE OF QUÉBEC AND OTHER LEGISLATIVE PROVISIONS

194. Section 87 of the Act to amend the Cities and Towns Act, the Municipal Code of Québec and other legislative provisions (1996, chapter 77) is amended by striking out the fourth and fifth paragraphs.

ACT RESPECTING THE MINISTÈRE DU DÉVELOPPEMENT ÉCONOMIQUE ET RÉGIONAL ET DE LA RECHERCHE

195. Section 99 of the Act respecting the Ministère du Développement économique et régional et de la Recherche (2003, chapter 29) is amended by adding the following sentence at the end of the fourth paragraph: "A specific agreement entered into with a municipality or a mandatary of a municipality may depart from the Municipal Aid Prohibition Act (R.S.Q., chapter I-15)."

OTHER AMENDING PROVISIONS

196. Section 60.5 of Order in Council 850-2001 dated 4 July 2001 respecting Ville de Sherbrooke, enacted by Order in Council 509-2002 dated 1 May 2002, is repealed.

197. Section 34.4 of Order in Council 851-2001 dated 4 July 2001 respecting Ville de Trois-Rivières, enacted by section 248 of chapter 19 of the statutes of 2003, is repealed.

MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS

198. Subject to the third paragraph, Municipalité de Saint-Honoré and any city within the meaning of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, chapter 14) are dispensed from the obligation to divide their territories into electoral districts for the purposes of the 2005 general election.

For the purposes of that general election and any by-election held before the 2009 general election, the division of their respective territories is that in force at the end of their last general election.

In the case of Ville de Montréal, the first and second paragraphs do not apply to boroughs whose council is made up exclusively of city councillors. The city council must divide those boroughs into electoral districts in keeping with the Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2), with the necessary modifications, particularly the following:

(1) section 21 is amended by replacing "1 June" in the fourth line of the first paragraph by "15 September";

(2) section 30 is amended by replacing "1 November" in the third line of the first paragraph by "15 December".

199. Despite section 7 of Order in Council 705-2001 dated 13 June 2001 respecting Ville de Chandler, no general election will be held in that municipality in 2004.

200. The council of Ville de Montréal may adopt a loan by-law for the purpose of repaying into the general fund of the city sums paid out to reimburse excess taxes pursuant to a judgment on a contestation of the property assessment, filed before 1 January 2002, for an assessment unit situated in the territory of the former Ville de Montréal-Est.

Such a by-law requires only the authorization of the Minister of Municipal Affairs, Sports and Recreation.

201. The property assessment roll of Municipalité de Pierreville, in force at the beginning of the 2004 fiscal year, remains in force until the end of that fiscal year, which is considered as the third year of application of that roll.

For the purpose of determining the fiscal years for which rolls subsequent to that referred to in the first paragraph must be drawn up in accordance with section 14 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1), that roll is deemed to have been drawn up for the fiscal years 2002, 2003 and 2004.

202. The by-laws of Ville d'Asbestos on the imposition of general property taxes for the fiscal years 2000 to 2003 may not be invalidated on the grounds that they provide for different general property taxes depending on whether the immovables are situated in the territory of the former Municipalité de Trois-Lacs or the territory of the former Ville d'Asbestos.

For the fiscal years 2004 and 2005, Ville d'Asbestos may grant the owner of an immovable situated in the territory of the former Municipalité de Trois-Lacs a tax credit the amount of which, per $100 of assessed value, is established in keeping with resolution No. 2004-35 adopted by the council of Ville d'Asbestos on 16 February 2004.

The budget adopted by the council of Ville d'Asbestos for the 2004 fiscal year may not be invalidated on the grounds that it provides for such a tax credit.

The second paragraph applies despite the Municipal Aid Prohibition Act (R.S.Q., chapter I-15).

203. Despite section 176 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, chapter 14), the Government may, until 31 December 2004, amend Order in Council 371-2003 dated 12 March 2003 respecting Ville de La Tuque.

204. Sections 4, 8, 112 and 120 do not apply to a time limit that began to run on (*insert the date of assent to this Act*).

205. A by-law in force on (*insert the date of the day preceding the date of assent to this Act*) and adopted under the provisions repealed by section 83 remains in force until replaced or repealed under the provisions enacted by section 6.

206. Sections 9 and 10, paragraph 1 of section 13, paragraph 1 of section 14, sections 15, 18, 21 and 22, paragraph 1 of section 25, paragraph 1 of section 26, sections 27, 30, 33, 34 and 37, paragraph 1 of section 38, paragraph 1 of section 39, sections 40 and 43, paragraph 1 of section 47, paragraphs 2 and 5 of section 48, section 49, paragraph 1 of section 52, paragraph 1 of section 53, sections 54, 58, 59 and 66 to 68, paragraph 1 of section 71, paragraph 1 of section 72 and sections 73, 76, 85, 90, 91, 103, 104, 122 to 131, 133, 136 to 141, 143 to 158, 160 to 165 and 167 to 175 have effect for the purposes of every fiscal year as of the fiscal year 2005.

207. Until the coming into force of the first amendment made after (*insert the date of the day preceding the date of assent to this Act*) to the regulation made under paragraph 2 of section 263 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1), a reference in the regulation to a case where the clerk makes use of the power provided for in the third paragraph of section 81 of that Act is deemed a reference to a case where the assessor makes use of that power, as a result of the application of section 82.1 of that Act, enacted by section 132.

208. Section 159 has effect from 24 August 1989.

209. Sections 184 to 186 have effect from 1 January 2005.

210. The amounts of remuneration set out in the order in council made by the Minister of Municipal Affairs, Sports and Recreation on 20 August 2003 and published in the *Gazette officielle du Québec* on 3 September 2003, under sections 259, 261 and 281 of the Act respecting Northern villages and the Kativik Regional Government (R.S.Q., chapter V-6.1), continue to apply despite the repeal or amendment of those provisions by sections 189 to 191, as if the order in council had been made under section 296.1 of that Act, enacted by section 192.

211. The amounts set out in the order in council referred to in section 210 are deemed to have applied on a fiscal year basis as of 1 April 2002.

212. The remunerations and indemnities paid to the members of the council of the Kativik Regional Government during the period in which section 87 of chapter 77 of the statutes of 1996 and the order in council of the Minister of Municipal Affairs, made on 2 July 1997 and published in the *Gazette officielle du Québec* on 16 July 1997, applied successively are valid even if they were not consistent with the provisions then applicable.

213. Section 195 has effect from 3 March 2004.

A specific agreement entered into with a municipality or a mandatary of a municipality under section 20 of the Act respecting the Ministère des Régions (R.S.Q., chapter M-25.001), as it read before it was replaced by section 168 of the Act respecting the Ministère du Développement économique et régional et de la Recherche (2003, chapter 29), may not be invalidated on the grounds that it departs from the Municipal Aid Prohibition Act (R.S.Q., chapter I-15).

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