



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 134

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

Introduction

**Introduced by
Madam Nathalie Normandeau
Minister of Municipal Affairs and Regions**

**Québec Official Publisher
2005**

EXPLANATORY NOTES

This bill amends various legislative provisions in order to take into account, among other things, the municipal reorganization occasioned by the reconstitution of certain municipalities on 1 January 2006. It also adds the prevention and eradication of drug addiction and prostitution to the powers that can be exercised by an agglomeration council.

In addition, the bill grants the municipalities new powers to delegate powers, in particular, by authorizing them to entrust any person with the operation of certain facilities and with the financing of the work related to such operation. In this respect, it clarifies the obligation to apply the rules for awarding contracts.

The bill also enacts, amends and corrects various provisions that govern municipal bodies. In particular, it broadens the rules governing the use of working funds, preserves the secrecy of confidential information when a document prepared by an assessor is consulted and relaxes the rules governing the updating of assessment rolls when more than one address must be changed.

LEGISLATION AMENDED BY THIS BILL:

- Charter of Ville de Gatineau (R.S.Q., chapter C-11.1);
- Charter of Ville de Montréal (R.S.Q., chapter C-11.4);
- 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 the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., chapter E-20.001);
- Act respecting municipal taxation (R.S.Q., chapter F-2.1);
- Act respecting municipal industrial immovables (R.S.Q., chapter I-0.1);
- Act respecting public transit authorities (R.S.Q., chapter S-30.01);
- Act respecting the remuneration of elected municipal officers (R.S.Q., chapter T-11.001);
- Act respecting Ville de Chapais (1999, chapter 98);
- Act to amend various legislative provisions concerning municipal affairs (2002, chapter 37);
- Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, chapter 14);
- Municipal Powers Act (2005, chapter 6);
- Act to amend various legislative provisions concerning municipal affairs (2005, chapter 28).

Bill 134

AN ACT TO AGAIN AMEND VARIOUS LEGISLATIVE PROVISIONS CONCERNING MUNICIPAL AFFAIRS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHARTER OF VILLE DE GATINEAU

1. Section 86 of the Charter of Ville de Gatineau (R.S.Q., chapter C-11.1) is amended by replacing “2003” in the first line of the first paragraph by “2005”.

CHARTER OF VILLE DE MONTRÉAL

2. Section 145 of the Charter of Ville de Montréal (R.S.Q., chapter C-11.4) is amended by replacing “The” in the first line of the first paragraph by “Except in the cases provided for in sections 146 and 146.1, the”.

3. Section 146 of the Charter is amended by replacing “Despite section 145, and to” in the first line of the first paragraph by “To”.

4. Section 146.1 of the Charter, amended by section 35 of chapter 28 of the statutes of 2005, is again amended by inserting “or for the financing of an expense arising from the exercise of a power delegated under section 186 of Schedule C” after “city council” in the third line of the first paragraph.

5. Section 133 of Schedule C to the Charter, amended by section 37 of chapter 28 of the statutes of 2005, is again amended

(1) by replacing “10%” in the fifth line of subparagraph 1 of the first paragraph by “20%”;

(2) by inserting “or, in the case provided for in subparagraph *b* of the first paragraph, 10 years” after “years” in the second paragraph of paragraph 4.

CITIES AND TOWNS ACT

6. Section 114.11 of the Cities and Towns Act (R.S.Q., chapter C-19), enacted by section 50 of chapter 28 of the statutes of 2005, is amended

(1) by replacing “estimate” in the third line of the first paragraph by “appropriation”;

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

“However, the appropriation may not exceed the amount corresponding to the percentage of the total of the other appropriations provided for in the budget for operating expenses determined by the Minister.

If the budget of the municipality provides for appropriations for operating expenses related to a system of production, transmission or distribution of electric power, only 50% of the appropriations must be considered when determining the total of the appropriations referred to in the second paragraph.

The Minister may establish classes of municipalities and determine a different percentage for each class.”

7. Section 114.12 of the Act, enacted by section 50 of chapter 28 of the statutes of 2005, is amended by replacing “estimate” in the second line of the first paragraph by “appropriation”.

8. Section 488 of the Act is amended by replacing “a municipal or intermunicipal transit authority has jurisdiction pursuant to the Act respecting municipal and intermunicipal transit authorities (chapter S-30.1)” in the first, second and third lines by “a public transit authority has jurisdiction pursuant to the Act respecting public transit authorities (chapter S-30.01)”.

9. Section 569 of the Act is amended

(1) by replacing “10%” in the first line of paragraph 1.1 by “20%”;

(2) by replacing “five” in the third line of paragraph 2 by “10”.

10. The Act is amended by inserting the following section after section 573.3.3:

“573.3.3.1. The rules set out in the preceding sections of this subdivision or in a by-law under section 573.3.0.1 apply to any contract by which the municipality directly or indirectly delegates the exercise of one of its powers.”

MUNICIPAL CODE OF QUÉBEC

11. The Municipal Code of Québec (R.S.Q., chapter C-27.1) is amended by inserting the following article after article 938.3:

“938.3.1. The rules set out in the preceding articles of this title or in a by-law under article 938.0.1 apply to any contract by which the municipality directly or indirectly delegates the exercise of one of its powers.”

12. Article 992 of the Code is amended by replacing “a municipal or intermunicipal transit authority has jurisdiction pursuant to the Act respecting municipal and intermunicipal transit authorities (chapter S-30.1)” in the first,

second and third lines by “a public transit authority has jurisdiction pursuant to the Act respecting public transit authorities (chapter S-30.01)”.

13. Article 1094 of the Code is amended

- (1) by replacing “10%” in the first line of subarticle 1.1 by “20%”;
- (2) by replacing “five” in the third line of subarticle 2 by “10”.

ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE MONTRÉAL

14. Section 189 of the Act respecting the Communauté métropolitaine de Montréal (R.S.Q., chapter C-37.01) is amended

- (1) by replacing “10%” in the fifth line of paragraph 1 by “20%”;
- (2) by inserting “or, in the case provided for in subparagraph *b* of the first paragraph, 10 years” after “years” in the second paragraph of paragraph 4.

15. Schedule I to the Act is amended

- (1) by inserting “Ville de Baie-D’Urfé, Ville de Beaconsfield,” before the first “Ville” in the first line;
- (2) by inserting “Ville de Boucherville, Ville de Brossard,” after “Bois-des-Filion,” in the second line;
- (3) by inserting “Ville de Côte-Saint-Luc,” after “Contrecoeur,” in the fourth line;
- (4) by inserting “Ville de Dollard-Des Ormeaux, Ville de Dorval, Ville de Hampstead,” after “Deux-Montagnes,” in the fourth and fifth lines;
- (5) by inserting “Ville de Kirkland,” after “Hudson,” in the fifth line;
- (6) by inserting “Ville de L’Île-Dorval,” after “L’Île-Cadieux,” in the fifth line;
- (7) by inserting “Ville de Montréal-Est, Ville de Montréal-Ouest, Ville de Mont-Royal,” after “Montréal,” in the tenth line;
- (8) by inserting “Ville de Pointe-Claire,” after “Pointe-Calumet,” in the twelfth line;
- (9) by inserting “Ville de Saint-Bruno-de-Montarville,” after “Saint-Basile-le-Grand,” in the fourteenth line;

(10) by inserting “Ville de Sainte-Anne-de-Bellevue,” after “Saint-Constant,” in the fifteenth line;

(11) by inserting “Ville de Saint-Lambert” after “Saint-Joseph-du-Lac,” in the eighteenth line;

(12) by inserting “Village de Senneville,” after “Saint-Sulpice,” in the twenty-first line;

(13) by inserting “, Ville de Westmount” after “Verchères” in the twenty-third line.

ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE QUÉBEC

16. Section 179 of the Act respecting the Communauté métropolitaine de Québec (R.S.Q., chapter C-37.02) is amended

(1) by replacing “10%” in the fourth line of the first and second paragraphs of paragraph 1 by “20%”;

(2) by adding the following paragraph at the end of paragraph 4:

“Despite the first paragraph, the term of a loan granted under subparagraph *b* of the first paragraph must not exceed 10 years.”

17. Schedule A to the Act is amended

(1) by inserting “Ville de L’Ancienne-Lorette,” after “Lac-Saint-Joseph,” in the third line;

(2) by inserting “Ville de Saint-Augustin-de-Desmaures,” after “Québec,” in the fourth line.

JAMES BAY REGION DEVELOPMENT AND MUNICIPAL ORGANIZATION ACT

18. Section 40.3 of the James Bay Region Development and Municipal Organization Act (R.S.Q., chapter D-8.2), enacted by section 65 of chapter 28 of the statutes of 2005, is amended by replacing the second sentence by the following sentence: “Section 111 of the Municipal Powers Act (2005, chapter 6) then applies, with the necessary modifications.”

ACT RESPECTING THE EXERCISE OF CERTAIN MUNICIPAL POWERS IN CERTAIN URBAN AGGLOMERATIONS

19. Section 5 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., chapter E-20.001) is amended by replacing “Municipalité” in the second line by “Ville”.

20. Section 19 of the Act, amended by section 244 of chapter 6 of the statutes of 2005 and section 155 of chapter 28 of the statutes of 2005, is again amended by inserting the following paragraph after paragraph 10:

“(10.1) the prevention and eradication of drug addiction and prostitution;”.

21. Section 33 of the Act is amended by replacing “a new park or manage an existing park” in the third and fourth lines by “and manage a new park or manage a park that existed on the date of the reorganization of the city to whose territory the agglomeration corresponds”.

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

“The adoption of the by-law need not be preceded by a notice of motion.”

23. Section 36 of the Act is amended by replacing “existing industrial park it identifies” in the second and third lines by “industrial park it identifies among those existing on the date of the reorganization of the city to whose territory the agglomeration corresponds”.

24. Section 39 of the Act is amended

(1) by inserting “, by a by-law subject to the right of objection under section 115;” after “may” in the first line of the first paragraph;

(2) by inserting “, in the manner set out in the first paragraph,” after “amend it” in the second line of the second paragraph.

25. Section 43 of the Act is amended

(1) by replacing “The resolution” in the first line of the first paragraph by “The by-law”;

(2) by striking out the second, third and fourth paragraphs.

26. Section 70 of the Act is amended by striking out the second paragraph.

27. Section 74 of the Act is amended by replacing “do not concern traffic or parking on thoroughfares” in the fifth and sixth lines of the first paragraph by “are not provisions of the Highway Safety Code (chapter C-24.2)”.

28. Section 115 of the Act is amended by inserting “39,” after “38,” in the second line of the first paragraph.

29. Section 116 of the Act is amended by adding the following paragraph at the end:

“In the case of a by-law under section 39 intended to remove an element from the list of equipment, infrastructures and activities of collective interest, the by-law may be published or approved, as the case may be, only once a resolution expressing the agreement of the municipality concerned has been adopted by the council that would have the authority to make decisions concerning a subject referred to in section 41 in relation to that element should the by-law come into force.”

30. The Act is amended by inserting the following section after section 116:

“116.1. A related municipality may waive its right of objection to a by-law it specifies.

An authenticated copy of the resolution by which the municipality waives its right is sent to the Minister and to each other related municipality simultaneously.

The by-law may be published to meet the publication requirement for its coming into force, before the period specified in section 115 has expired, if all the related municipalities have waived their right of objection to the by-law.”

31. Section 175 of the Act is amended

(1) by replacing “the urban agglomeration of Montréal” in the first and second lines by “the urban agglomeration of Montréal, Québec or Longueuil”;

(2) by replacing “the fiscal year 2006” in the third line by “either the fiscal year 2006 or the fiscal year 2007”.

32. Section 178.1 of the Act, enacted by section 173 of chapter 28 of the statutes of 2005, is amended

(1) by inserting “an insurance contract or” before “a supply or services contract” in the third line of the first paragraph;

(2) by replacing “the supply of goods or services” in the sixth line of the first paragraph by “the contract”;

(3) by inserting “supply or services” before “contract” in the first line of the fourth paragraph.

33. Section 178.2 of the Act, enacted by section 173 of chapter 28 of the statutes of 2005, is amended by replacing “the planned supply of goods or services” in the sixth line of the first paragraph by “the contract”.

34. Section 179.1 of the Act, enacted by section 175 of chapter 28 of the statutes of 2005, is amended by replacing “the planned supply of goods or services” in the fifth and sixth lines of the first paragraph by “the contract”.

ACT RESPECTING MUNICIPAL TAXATION

35. Section 79 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1) is amended by adding the following sentence at the end of the second paragraph: “The right to examine a document granted in this paragraph is subject to section 79.1.”

36. The Act is amended by inserting the following section after section 79:

“79.1. In the case of an immovable that generates revenues due to the presence of two or more occupants, the right to examine a document granted to each occupant under the second paragraph of section 79 is subject to the rules set out in this section if the document the occupant of a part of the immovable wishes to examine contains financial information for determining the revenues generated by the immovable and that information specifically concerns another occupant or another part of the immovable.

The occupant may only examine the document if the financial information concerning any other occupant or part of the immovable is hidden or otherwise inaccessible or if it is integrated into the general information for the whole immovable in such a way that the reader is unable to match the information with another occupant or part of the immovable.

If the document is drawn up in such a way that compliance with the rule set out in the second paragraph is not practical, the document may not be examined. In such a case, another document allowing compliance with the rule must be prepared. The occupant may examine the other document or obtain a copy of it, on request.

The first three paragraphs apply to the right of an occupant, including a person who has filed an application for review or brought a proceeding before the Tribunal, to examine a document. They do not apply to the occupant of a business establishment. They do not limit the right of the Tribunal or a court before which the property value of the immovable is being contested to issue an order relating to the examination of relevant information by the occupant.”

37. Section 176 of the Act is amended by adding the following paragraph after the second paragraph:

“If several addresses must be altered as a result of the constitution of a new local municipality, a regrouping or annexation, changes in the street name or number resulting from a territorial reorganization, or the replacement of a rural postal code by several urban postal codes, the assessor may file a global certificate for all of the alterations.”

38. Section 180 of the Act is amended by adding the following sentence at the end of the first paragraph: “The clerk is not required to do so if the alteration was made by means of a global certificate under the third paragraph of section 176.”

39. The Act is amended by inserting the following section after section 180:

“**180.1.** If several alterations were made by means of a global certificate under the third paragraph of section 176, the clerk gives a public notice, as set out in section 75, explaining in a general manner that the roll has been altered to reflect address changes made necessary by an event, specified by the clerk, referred to in that paragraph.”

40. Section 181 of the Act is amended by adding the following paragraph after the second paragraph:

“Furthermore, no application for review may be filed or action to quash or set aside brought with regard to an alteration made by means of a global certificate under the third paragraph of section 176.”

ACT RESPECTING MUNICIPAL INDUSTRIAL IMMOVABLES

41. Section 4 of the Act respecting municipal industrial immovables (R.S.Q., chapter I-0.1) is amended by replacing “five” in the fourth line by “10”.

ACT RESPECTING PUBLIC TRANSIT AUTHORITIES

42. Section 1 of the Act respecting public transit authorities (R.S.Q., chapter S-30.01) is amended

(1) by replacing “that of Ville de Montréal” in the second line of subparagraph 1 of the first paragraph by “the agglomeration of Montréal provided for in section 4 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (chapter E-20.001)”;

(2) by replacing “that of Ville de Québec” in the second line of subparagraph 2 of the first paragraph by “the agglomeration of Québec provided for in section 5 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations”;

(3) by replacing “that of Ville de Longueuil” in the second line of subparagraph 4 of the first paragraph by “the agglomeration of Longueuil provided for in section 6 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations”;

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

“For the purposes of any provision of this Act that refers to the council of a city without naming the city, if the provision applies to Ville de Montréal, Ville de Québec or Ville de Longueuil, the reference is to its agglomeration council rather than its regular council. The same applies for a provision referring to the act of a city if the act is under the authority of the municipal council.”

43. Section 8 of the Act is amended

(1) by inserting “, acting through its agglomeration council,” after “Montréal” in the first line;

(2) by replacing “its council” in the second line by “its regular council and the councils of the other municipalities whose territory is included in the agglomeration”;

(3) by replacing “its residents” in the third line by “the residents of the agglomeration”.

44. Section 9 of the Act is amended

(1) by inserting “, acting through its agglomeration council,” after “Québec” in the first line;

(2) by replacing “its council” in the second line by “its regular council and the councils of the other municipalities whose territory is included in the agglomeration”;

(3) by replacing “its residents” in the third line by “the residents of the agglomeration”.

45. Section 11 of the Act is amended

(1) by inserting “, acting through its agglomeration council,” after “Longueuil” in the first line;

(2) by replacing “its council” in the first and second lines by “its regular council and the councils of the other municipalities whose territory is included in the agglomeration”;

(3) by replacing “its residents” in the third line by “the residents of the agglomeration”.

46. Section 16.1 of the Act is amended by inserting “regular” before “council” in the third line.

47. Section 64 of the Act is amended by adding the following paragraph at the end:

“For the purposes of the first paragraph and despite the third paragraph of section 1, a reference to the council of a city is a reference, in the case of a public transit authority referred to in any of subparagraphs 1, 2 and 4 of the first paragraph of that section, to the council of any municipality whose territory is included in that of the public transit authority.”

ACT RESPECTING THE REMUNERATION OF ELECTED MUNICIPAL OFFICERS

48. Section 21.1 of the Act respecting the remuneration of elected municipal officers (R.S.Q., chapter T-11.001), enacted by section 139 of chapter 28 of the statutes of 2005, is amended

(1) by replacing “of a municipality with a population of 500,000 or more” in subparagraph 2 of the second paragraph by “of Ville de Québec”;

(2) by replacing “to 499,999” in subparagraph 3 of the second paragraph by “or more”.

49. Section 31.2 of the Act is amended by replacing “31.6” in the first line by “31.5”.

ACT RESPECTING VILLE DE CHAPAIS

50. Section 2 of the Act respecting Ville de Chapais (1999, chapter 98), amended by section 94 of chapter 77 of the statutes of 2002, section 235 of chapter 19 of the statutes of 2003 and section 145 of chapter 28 of the statutes of 2005, is again amended by replacing “2005” in the second paragraph by “2016”.

ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS CONCERNING MUNICIPAL AFFAIRS

51. Section 282 of the Act to amend various legislative provisions concerning municipal affairs (2002, chapter 37), amended by section 237 of chapter 19 of the statutes of 2003, is again amended by replacing “2006” in the second line of the tenth paragraph by “2008”.

ACT RESPECTING THE CONSULTATION OF CITIZENS WITH RESPECT TO THE TERRITORIAL REORGANIZATION OF CERTAIN MUNICIPALITIES

52. Section 65 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, chapter 14) is amended by striking out “in the reconstituted municipality” in the third line.

53. Section 76.2 of the Act, enacted by section 147 of chapter 28 of the statutes of 2005, is amended

(1) by inserting “an insurance contract or” before “a supply or services contract” in the second line of the first paragraph;

(2) by striking out “, under which the reconstituted municipality receives goods or services” in the fourth and fifth lines of the first paragraph;

(3) by striking out “the supply of goods or services under” in the first and second lines of the second paragraph;

(4) by replacing “Any call for tenders for the contract,” in the third line of the fourth paragraph by “Any call for tenders for a supply or services contract.”.

54. Section 76.4 of the Act, enacted by section 147 of chapter 28 of the statutes of 2005, is amended by striking out “supply or services” in the first line of the second paragraph.

55. Section 78.1 of the Act, enacted by section 156 of chapter 29 of the statutes of 2004 and amended by section 148 of chapter 28 of the statutes of 2005, is again amended by striking out “in the reconstituted municipality” in the fourth line of the first paragraph.

56. Section 82 of the Act is amended by adding the following sentence at the end of the first paragraph: “In the case of Municipalité des Îles-de-la-Madeleine, this rule also applies to the sector concerned corresponding to the territory of the former municipality of Village de Cap-aux-Meules, as if the result of the referendum poll had been negative.”

57. Section 83 of the Act is amended by adding the following sentence at the end of the first paragraph: “In the case of Municipalité des Îles-de-la-Madeleine, this rule also applies to the sector concerned corresponding to the territory of the former municipality of Village de Cap-aux-Meules, as if the result of the referendum poll had been negative.”

58. The Act is amended by inserting the following section after section 84:

“84.0.1. From among the sums the Government allocated to the transition committee established in respect of Municipalité des Îles-de-la-Madeleine and those it allocated for the carrying out of the committee’s mandate, the municipality must reimburse the amount used for acts performed with regard to the sector concerned corresponding to the territory of the former municipality of Village de Cap-aux-Meules.

The reimbursement is financed by revenues deriving exclusively from that sector.”

59. Section 84.1 of the Act, enacted by section 151 of chapter 28 of the statutes of 2005, is amended

(1) by inserting “or 84.0.1” after “83” in the second line of the second paragraph;

(2) by inserting “or 84.0.1” after “82” in the fourth line of the second paragraph.

60. Section 85 of the Act, amended by section 158 of chapter 29 of the statutes of 2004, is again amended by replacing “either of sections 81, 83 or 84” in the second line of the first paragraph by “section 81 or any of sections 83 to 84.0.1”.

61. Section 87 of the Act is amended by adding the following paragraph after the third paragraph:

“Sections 88 and 89 do not apply with regard to the sector concerned corresponding to the territory of the former municipality of Village de Cap-aux-Meules.”

MUNICIPAL POWERS ACT

62. The Municipal Powers Act (2005, chapter 6) is amended by inserting the following section after section 7:

“7.1. A local municipality may entrust a person with the operation of its parks or its facilities or public places intended for cultural, recreational or community activities.

A contract under the first paragraph may also stipulate that the person must finance any work carried out under the contract. In that case, the Municipal Works Act (R.S.Q., chapter T-14) does not apply.”

63. Section 9 of the Act is amended by replacing the second paragraph by the following paragraphs:

“It may entrust a person with the operation of a facility referred to in the first paragraph.

A contract under the second paragraph may also stipulate that the person must finance any work carried out under the contract. In that case, the Municipal Works Act (R.S.Q., chapter T-14) does not apply.”

64. Section 22 of the Act is amended by replacing the first paragraph by the following paragraphs:

“22. A local municipality may entrust a person with the operation of its waterworks or sewer system or other water supply or water purification works for a maximum term of 25 years.

A contract under the first paragraph may also stipulate that the person must finance any work carried out under the contract. In that case, the Municipal Works Act (R.S.Q., chapter T-14) does not apply.”

65. Subdivision 3 of Division II of Chapter V of Title II of the Act, comprising sections 29 to 33, is repealed.

66. Division III of Chapter V of Title II of the Act is replaced by the following division:

“DIVISION III

“RESIDUAL MATERIALS

“34. A local municipality may entrust a person with the operation of its residual materials disposal and reclamation system.

A contract under the first paragraph may also stipulate that the person must finance any work carried out under the contract. In such a case, the Municipal Works Act (R.S.Q., chapter T-14) does not apply.”

67. Section 84 of the Act is amended by adding the following paragraph at the end:

“A contract under the first paragraph may also stipulate that the person must finance any work carried out under the contract. In that case, the Municipal Works Act (R.S.Q., chapter T-14) does not apply.”

68. Section 94 of the Act is replaced by the following section:

“94. A local municipality may entrust a non-profit partnership or legal person with the organization and management, on behalf of the local municipality, of activities or bodies referred in subparagraph 1 or 3 of the first paragraph of section 93.

A local municipality may entrust a person with the organization and management, on behalf of the local municipality, of activities or bodies referred to in subparagraph 2 of the first paragraph of section 93.”

69. Section 101 of the Act is amended

(1) by replacing “in subparagraph 3 of the first paragraph of section 9,” in the first and second lines of the first paragraph by “in section 9 and”;

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

“A regional county municipality may adopt non-regulatory measures with regard to railway sidings or port or airport facilities. However, it may only delegate a power in those matters to the extent provided for by law.”

70. Sections 116 and 117 of the Act are replaced by the following sections:

“116. The regional county municipality may establish or operate a sleeping-accommodation, catering or commercial establishment or a parking lot in a regional park.

The regional county municipality may entrust a person with the operation of an establishment or parking lot referred to in the first paragraph.

A contract under the second paragraph may also stipulate that the person must finance any work carried out under the contract. In that case, the Municipal Works Act (R.S.Q., chapter T-14) does not apply.

“117. The regional county municipality may entrust a person with the operation of its regional park.

It may also entrust that person with the exercise of the power under section 113.

A contract under the first paragraph may also stipulate that the person must finance the work carried out under the contract. In that case, the Municipal Works Act (R.S.Q., chapter T-14) does not apply.”

71. Section 118 of the Act is amended

(1) by replacing the first sentence of the first paragraph by the following sentence: “If the person referred to in section 117 is a non-profit body, the regional county municipality may stand surety for it.”;

(2) by replacing “the body referred to in section 117” in the first and second lines of the fourth paragraph by “the person referred to in the first paragraph”.

72. Section 119 of the Act is amended

(1) by replacing “the non-profit body referred to” in the second and third lines of the first paragraph by “the person referred to”;

(2) by replacing “The body is deemed” in the first line of the second paragraph by “The person is deemed”.

73. Section 121 of the Act is amended by replacing “stands surety for the body referred to in section 117” in the second line of the first paragraph by “exercises the power provided for in the first paragraph of section 118”.

74. Section 210 of the French text of the Act is replaced by the following section:

“210. L’article 711.2 de ce code est modifié par le remplacement, dans le premier alinéa, de « ainsi que toute personne qu’elles peuvent subventionner en vertu du paragraphe 4^o du premier alinéa de l’article 8 du présent code ou en vertu de l’article 9.1 de celui-ci » par « ainsi que toute personne qu’elles peuvent subventionner en vertu du premier alinéa de l’article 92 de la Loi sur les compétences municipales (2005, chapitre 6) et toute société ou personne morale vouée à la poursuite des fins mentionnées au deuxième alinéa de

l'article 8, au paragraphe 2° du premier alinéa de l'article 91 ou au premier alinéa de l'article 93 de cette loi, qu'elles peuvent subventionner”.

ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS CONCERNING MUNICIPAL AFFAIRS

75. Section 212 of the Act to amend various legislative provisions concerning municipal affairs (2005, chapter 28) is amended

(1) by replacing “of a municipality with a population of 500,000 inhabitants or more” in the first and second lines of paragraph 2 by “of Ville de Québec”;

(2) by replacing “to 499,999” in the first line of paragraph 3 by “or more”.

MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS

76. In the case of Ville de Saint-Lambert, reconstituted pursuant to the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., chapter E-20.001), by-laws 6, 300, 646 and 753, in force on the day before the reconstitution in the territory becoming the territory of the city, continue to apply as of the reconstitution and are deemed to be by-laws of the city.

The city council may, by a by-law approved by the qualified voters of the city, repeal or amend any of the by-laws. A by-law resulting from such an amendment must specify which permits the Régie des alcools, des courses et des jeux may issue in the territory of the city.

Despite the first two paragraphs, the club permit provided for in section 30 of the Act respecting liquor permits (R.S.Q., chapter P-9.1) issued to a golf, tennis, squash, yacht or curling club, as well as the reunion permit provided for in section 33 of the Act, are authorized in the territory of the city.

77. A contract entered into before 1 January 2006 relating to the management of the cultural and recreational activities of a municipality may not be declared invalid on the grounds that it was between the municipality and a person other than a non-profit partnership or legal person.

78. The second and third paragraphs of section 114.11 of the Cities and Towns Act (R.S.Q., chapter C-19), enacted by section 6, have effect for the purposes of every fiscal year as of the fiscal year 2007.

The fourth paragraph of that section 114.11 has effect from 1 September 2005.

79. Sections 32 to 34, 53, 54 and 61 have effect from 17 June 2005.

If a call for tenders was published or sent after 16 June 2005 for the purpose of awarding a supply or services contract, without the prior approval of the

Minister of Municipal Affairs and Regions required under section 76.2 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, chapter 14), amended by section 53, the call for tenders and any document referred to in it must be approved by the Minister, even if the call for tenders has been published or sent and a contract awarded as a result. If the Minister refuses the approval, the awarding process or the contract awarded ends immediately.

80. In a notice published under section 24.4 of the Act respecting the remuneration of elected municipal officers (R.S.Q., chapter T-11.001) before the beginning of the fiscal year 2006, “mayor of a municipality with a population of 500,000 or more” is replaced by “mayor of Ville de Québec”, and “mayor of a municipality with a population of 300,000 to 499,999” is replaced by “mayor of a municipality with a population of 300,000 or more”.

81. Sections 52 and 55 have effect from 14 October 2005.

82. This Act comes into force on (*insert the date of assent to this Act*), except sections 15, 17, 18, 42 to 47 and 62 to 74, which come into force on 1 January 2006.