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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 215

(Private)

**An Act respecting Ville de La Tuque**

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**Introduction**

**Introduced by  
Mr. André Gabias  
Member for Trois-Rivières**

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## Bill 215

(Private)

### AN ACT RESPECTING VILLE DE LA TUQUE

AS it is advisable to validate the application of loan by-law No. 85-96 of the former Municipalité de Lac-Édouard;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** By-law No. 85-96 of the former Municipalité de Lac-Édouard, and the work carried out, the expenditures made, the compensations or sums of money required and levied and the payments received from ratepayers under the by-law may not be invalidated for any of the following reasons:

- (1) the cost of the work exceeds the authorized cost;
- (2) the amount of the loan exceeds the authorized amount;
- (3) a compensation or sum of money was required and levied instead of the regular property tax;
- (4) the term of part of the loan exceeds the authorized term;
- (5) the amount levied annually exceeds the amount authorized for the period prior to the permanent financing of the loan;
- (6) the provisions relating to the payment in one instalment of the portion of the loan principal relating to an immovable were not properly applied;
- (7) tax accounts were not sent or were insufficient;
- (8) a compensation or sum of money was required and levied for immovables totally exempt from municipal or school property taxes under the Act respecting municipal taxation (R.S.Q., chapter F-2.1);
- (9) the work benefits immovables not covered by the by-law.

A compensation or sum of money required or levied or a payment relating to an immovable made under the by-law before (*insert the date of assent to this Act*) may not be contested and is deemed to have been required, levied or made under the by-law as amended by this Act.

**2.** Despite section 1 of the by-law, the amount of the expenditure the municipality is authorized to make and of the related loan is \$1,078,482.29. In addition, the term of the loan is

(1) five years for the amount of \$19,082; and

(2) 15 years for the amount of \$213,275.

**3.** Section 2 of the by-law is replaced by the following sections:

“2. In order to defray the annual payment of interest and principal of part of the loan, in the amount of \$19,082, a compensation is required of each owner of an immovable mentioned in Schedule A and will be levied each year for five years on each such immovable.

The amount of the compensation is calculated annually by distributing the cost incurred for the annual payment of interest and principal in proportion to the balances set out in Schedule A for each owner concerned.

“2.1. In order to defray the annual payment of interest and principal of part of the loan, in the amount of \$56,775, a compensation is required of each owner of an immovable mentioned in Schedule B and will be levied each year for 15 years on each such immovable.

The amount of the compensation is calculated annually by distributing the cost incurred for the annual payment of interest and principal in proportion to the balances set out in Schedule B for each owner concerned.

“2.2. In order to defray the annual payment of interest and principal of part of the loan, in the amount of \$156,500,

(1) for 50% of that amount, a compensation on each immovable mentioned in Schedule C is required of the owner of the immovable and will be levied each year for 15 years, in an amount calculated annually by dividing the annual payment for that part of the loan by the number of immovables whose owners are subject to payment of the compensation; and

(2) for 50% of that amount, a special tax at a sufficient rate is levied and will be collected each year for 15 years on all taxable immovables in the sector formed by the former Municipalité de Lac-Édouard, on the basis of their value as it appears on the assessment roll in force.”

**4.** An owner or occupant may be exempted from paying the compensation under section 2 or 2.1 or paragraph 1 of section 2.2 of the by-law by paying, in one instalment, the portion of the principal which, upon maturity of that part of the loan, would have been provided by the compensation required on the immovable. That portion must be calculated on the basis of the distribution set out in Schedule A or Schedule B, as the case may be, as it applies at the time of payment, and the calculation must take into account any compensations paid under those sections before the payment.

The payment must be made 30 days before the date of any refinancing of the part of the loan concerned. The amount of the loan is reduced by an amount equal to any sum paid under this section.

**5.** The clerk must enter a reference to this Act in the book of by-laws of the town, below the by-law referred to in section 1.

**6.** This Act does not affect cases pending on 4 March 2004.

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

# SCHEDULE A

|    | <i>Registration<br/>Number</i> | <i>Location</i> | <i>Principal<br/>Balance <sup>1</sup></i> | <i>Interest on<br/>Arrears</i> | <i>Balance</i> |
|----|--------------------------------|-----------------|-------------------------------------------|--------------------------------|----------------|
| 1  | 9680-41-5915                   | 305 Principale  | \$1,295.00                                | \$0.00                         | \$1,295.00     |
| 2  | 9680-53-4972                   | 276 Principale  | \$1,503.00                                | \$113.00                       | \$1,616.00     |
| 3  | 9680-54-9607                   | 270 Principale  | \$1,295.00                                | \$0.00                         | \$1,295.00     |
| 4  | 9680-61-2476                   | 44 Damasse      | \$1,503.00                                | \$113.00                       | \$1,616.00     |
| 5  | 9680-64-1532                   | 266 Principale  | \$1,503.00                                | \$113.00                       | \$1,616.00     |
| 6  | 9680-64-9475                   | 10 Saint-Henri  | \$1,295.00                                | \$0.00                         | \$1,295.00     |
| 7  | 9680-84-9307                   | 215 Principale  | \$1,295.00                                | \$0.00                         | \$1,295.00     |
| 8  | 9680-93-1089                   | 15 Saint-Pierre | \$1,503.00                                | \$113.00                       | \$1,616.00     |
| 9  | 9680-93-2983                   | 5 Saint-Pierre  | \$1,295.00                                | \$0.00                         | \$1,295.00     |
| 10 | 9680-95-4740                   | 196 Principale  | \$1,503.00                                | \$113.00                       | \$1,616.00     |
| 11 | 9680-96-4893                   | 158 Principale  | \$1,295.00                                | \$0.00                         | \$1,295.00     |
| 12 | 9680-96-6020                   | 172 Principale  | \$1,503.00                                | \$113.00                       | \$1,616.00     |
| 13 | 9680-97-9697                   | 140 Principale  | \$1,503.00                                | \$113.00                       | \$1,616.00     |
|    |                                | <b>Total:</b>   | \$18,291.00                               | \$ 791.00                      | \$19,082.00    |

<sup>1</sup> amount that remains to be paid on the initial amount of \$2,198.

# SCHEDULE B

|               | <i>Registration<br/>Number</i> | <i>Location</i> | <i>Principal<br/>Balance <sup>1</sup></i> | <i>Interest on<br/>Arrears</i> | <i>Balance</i> |
|---------------|--------------------------------|-----------------|-------------------------------------------|--------------------------------|----------------|
| 1             | 9680-41-7834                   | 301 Principale  | \$1,903.00                                | \$0.00                         | \$1,903.00     |
| 2             | 9680-52-3960                   | 286 Principale  | \$1,971.00                                | \$148.00                       | \$2,119.00     |
| 3             | 9680-53-2122                   | 8 Cloutier      | \$2,043.00                                | \$613.00                       | \$2,656.00     |
| 4             | 9680-62-7931                   | 32 Damasse      | \$2,093.00                                | \$644.00                       | \$2,737.00     |
| 5             | 9680-64-4199                   | 11 Saint-Henri  | \$2,198.00                                | \$684.00                       | \$2,882.00     |
| 6             | 9680-64-7909                   | 265 Principale  | \$1,971.00                                | \$148.00                       | \$2,119.00     |
| 7             | 9680-65-1433                   | 28 Saint-Henri  | \$2,198.00                                | \$824.00                       | \$3,022.00     |
| 8             | 9680-65-6236                   | 15 Saint-Henri  | \$2,034.00                                | \$305.00                       | \$2,339.00     |
| 9             | 9680-65-9709                   | 14 Saint-Henri  | \$2,198.00                                | \$824.00                       | \$3,022.00     |
| 10            | 9680-71-1173                   | 39 Damasse      | \$1,971.00                                | \$148.00                       | \$2,119.00     |
| 11            | 9680-71-2989                   | 35 Damasse      | \$1,971.00                                | \$148.00                       | \$2,119.00     |
| 12            | 9680-72-7433                   | 27 Damasse      | \$2,198.00                                | \$824.00                       | \$3,022.00     |
| 13            | 9680-72-9263                   | 23 Damasse      | \$2,147.00                                | \$644.00                       | \$2,791.00     |
| 14            | 9680-83-4233                   | 9 Damasse       | \$2,034.00                                | \$305.00                       | \$2,339.00     |
| 15            | 9680-83-5862                   | 10 Saint-Pierre | \$1,696.00                                | \$254.00                       | \$1,950.00     |
| 16            | 9680-83-8490                   | 223 Principale  | \$1,971.00                                | \$148.00                       | \$2,119.00     |
| 17            | 9680-84-9593                   | 200 Principale  | \$1,903.00                                | \$0.00                         | \$1,903.00     |
| 18            | 9680-86-7030                   | 285 Principale  | \$1,962.00                                | \$410.00                       | \$2,372.00     |
| 19            | 9680-93-2117                   | 8 Saint-Pierre  | \$2,198.00                                | \$762.00                       | \$2,960.00     |
| 20            | 9680-93-5025                   | 20 Saint-Pierre | \$1,971.00                                | \$148.00                       | \$2,119.00     |
| 21            | 9680-95-5773                   | 188 Principale  | \$2,198.00                                | \$824.00                       | \$3,022.00     |
| 22            | 9680-95-6085                   | 184 Principale  | \$2,198.00                                | \$824.00                       | \$3,022.00     |
| 23            | 9680-97-9370                   | 144 Principale  | \$1,971.00                                | \$148.00                       | \$2,119.00     |
| <b>Total:</b> |                                |                 | \$46,998.00                               | \$9,777.00                     | \$56,775.00    |

<sup>1</sup> amount that remains to be paid on the initial amount of \$2,198.

# SCHEDULE C

|    | <i>Registration<br/>Number</i> | <i>Location</i> |    | <i>Registration<br/>Number</i> | <i>Location</i> |
|----|--------------------------------|-----------------|----|--------------------------------|-----------------|
| 1  | 9680-41-5915                   | 305 Principale  | 31 | 9680-72-9263                   | 23 Damasse      |
| 2  | 9680-53-2122                   | 8 Cloutier      | 32 | 9680-83-4233                   | 9 Damasse       |
| 3  | 9680-53-4972                   | 276 Principale  | 33 | 9680-83-8490                   | 223 Principale  |
| 4  | 9680-54-9607                   | 270 Principale  | 34 | 9680-84-9593                   | 200 Principale  |
| 5  | 9680-61-2476                   | 44 Damasse      | 35 | 9680-93-2117                   | 8 Saint-Pierre  |
| 6  | 9680-64-1532                   | 266 Principale  | 36 | 9680-93-5025                   | 20 Saint-Pierre |
| 7  | 9680-64-4199                   | 11 Saint-Henri  | 37 | 9680-97-9370                   | 144 Principale  |
| 8  | 9680-64-9475                   | 10 Saint-Henri  | 38 | 9679-16-9272                   | 258 Principale  |
| 9  | 9680-83-5862                   | 10 Saint-Pierre | 39 | 9680-52-5218                   | 289 Principale  |
| 10 | 9680-84-9307                   | 215 Principale  | 40 | 9680-53-4501                   | 282 Principale  |
| 11 | 9680-86-7030                   | 285 Principale  | 41 | 9680-54-6677                   | 16 Edgar        |
| 12 | 9680-93-1089                   | 15 Saint-Pierre | 42 | 9680-54-7895                   | 36 Saint-Henri  |
| 13 | 9680-93-2983                   | 5 Saint-Pierre  | 43 | 9680-54-7924                   | 13 Edgar        |
| 14 | 9680-95-4740                   | 196 Principale  | 44 | 9680-54-9972                   | 12 Edgar        |
| 15 | 9680-95-5773                   | 188 Principale  | 45 | 9680-63-3216                   | 283 Principale  |
| 16 | 9680-95-6085                   | 184 Principale  | 46 | 9680-64-3263                   | 5 Saint-Henri   |
| 17 | 9680-96-4893                   | 158 Principale  | 47 | 9680-65-3363                   | 24 Saint-Henri  |
| 18 | 9680-96-6020                   | 172 Principale  | 48 | 9680-65-5895                   | 20 Saint-Henri  |
| 19 | 9680-97-9697                   | 140 Principale  | 49 | 9680-72-1163                   | 28 Damasse      |
| 20 | 9680-41-7834                   | 301 Principale  | 50 | 9680-72-4708                   | 31 Damasse      |
| 21 | 9680-52-3960                   | 286 Principale  | 51 | 9680-72-5993                   | 22 Damasse      |
| 22 | 9680-62-7931                   | 32 Damasse      | 52 | 9680-73-2888                   | 257 Principale  |
| 23 | 9680-64-7909                   | 265 Principale  | 53 | 9680-74-9131                   | 254 Principale  |
| 24 | 9680-65-0106                   | 32 Saint-Henri  | 54 | 9680-75-0452                   | 16 Saint-Henri  |
| 25 | 9680-65-1433                   | 28 Saint-Henri  | 55 | 9680-82-1788                   | 19 Damasse      |
| 26 | 9680-65-6236                   | 15 Saint-Henri  | 56 | 9680-83-2714                   | 15 Damasse      |
| 27 | 9680-65-9709                   | 14 Saint-Henri  | 57 | 9680-94-1955                   | 201 Principale  |
| 28 | 9680-71-1173                   | 39 Damasse      | 58 | 9680-95-5359                   | 192 Principale  |
| 29 | 9680-71-2989                   | 35 Damasse      | 59 | 9680-96-6202                   | 180 Principale  |
| 30 | 9680-72-7433                   | 27 Damasse      | 60 | 9680-97-4030                   | 154 Principale  |