

NATIONAL ASSEMBLY
Thirty-fourth Legislature, first session

1990, chapter 89
**AN ACT TO AMEND THE CHARTER OF
THE CITY OF MONTRÉAL**

Bill 200

Introduced by Madam Huguette Boucher-Bacon, Member for Bourget

Introduced 20 December 1989

Passage in principle 22 June 1990

Passage 22 June 1990

Assented to 22 June 1990

Coming into force: 22 June 1990

Acts amended:

Charter of the city of Montréal (1959-60, chapter 102)

Act to amend the charter of the city of Montréal (1989, chapter 80)



CHAPTER 89

An Act to amend the charter of the city of Montréal

[Assented to 22 June 1990]

Preamble WHEREAS it is in the interest of the city of Montréal that its charter, chapter 102 of the statutes of 1959-60, be amended;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1959-60,
c. 102,
a. 173, am. **1.** Article 173 of the charter of the city of Montréal (1959-60, chapter 102), replaced by section 33 of chapter 77 of the statutes of 1977, is amended by replacing the words “the council may, on recommendation by the executive committee,” in the first paragraph by the words “the executive committee may”.

1959-60,
c. 102,
a. 179a, am. **2.** Article 179a of the said charter, enacted by section 23 of chapter 111 of the statutes of 1987, is amended by inserting, at the end of the second paragraph, the following sentence: “However, if a committee is composed of five members or less, the council is not required to appoint a vice-chairman.”

1959-60,
c. 102,
a. 520, am. **3.** Article 520 of the said charter, amended by section 26 of chapter 97 of the statutes of 1960-61, section 8 of chapter 71 of the statutes of 1964, section 21 of chapter 84 of the statutes of 1965 (1st session), section 5 of chapter 90 of the statutes of 1968, section 4 of chapter 91 of the statutes of 1969, section 205 of chapter 19 of the statutes of 1971, section 20 of chapter 96 of the statutes of 1971, section 57 of chapter 77 of the statutes of 1973, sections 45 and 183 of chapter 77 of the statutes of 1977, section 23 of chapter 64 of the statutes of 1982, section 1 of chapter 59 of the statutes of 1983, section 145 of chapter 27 of the statutes of 1985, section 26 of chapter 111 of the statutes of 1987, section 11 of chapter 87 of the statutes of 1988 and section 10 of chapter 80 of the statutes of 1989, is again amended by

replacing the word “principals” in paragraph 73.1 by the word “agents”.

1959-60,
c. 102,
a. 524, am.

4. Article 524 of the said charter, amended by section 55 of chapter 59 of the statutes of 1982, section 20 of chapter 70 of the statutes of 1963 (1st session), section 24 of chapter 86 of the statutes of 1966-67, section 7 of chapter 90 of the statutes of 1968, section 1 of chapter 91 of the statutes of 1968, section 21 of chapter 96 of the statutes of 1971, section 4 of chapter 76 of the statutes of 1972, section 58 of chapter 77 of the statutes of 1973, section 48 of chapter 77 of the statutes of 1977, section 82 of chapter 7 of the statutes of 1978, section 10 of chapter 40 of the statutes of 1980, section 21 of chapter 71 of the statutes of 1982, section 670 of chapter 91 of the statutes of 1986, section 2 of chapter 86 of the statutes of 1988, section 12 of chapter 87 of the statutes of 1988 and section 12 of chapter 80 of the statutes of 1989, is again amended

(1) by inserting the words “and prescribe, as an alternative to the erection of dwelling-units, the payment of a compensatory amount, according to such tariff and on such conditions as it may determine” after the words “of dwelling-units in such number and of such area as it may determine” in subparagraph *b* of paragraph 18;

(2) by inserting the words “and prescribe, as an alternative to the erection of dwelling-units, the payment of a compensatory amount, according to such tariff and on such conditions as it may determine” after the words “of dwelling-units in such number and of such area as it may determine” in subparagraph *c* of paragraph 18.

1959-60,
c. 102,
a. 524cc,
added

5. The said charter is amended by adding, before article 524*d*, the following article:

Entry in
accounts

“**524cc.** The amounts paid pursuant to a by-law under subparagraphs *b* and *c* of paragraph 18 of article 524 shall be entered in the accounts with a view to their allocation for the erection of reasonably-priced dwelling-units.”

1959-60,
c. 102,
a. 732a,
added

6. The said charter is amended by inserting, after article 732, the following article:

Audit

“**732a.** The city auditor shall audit the accounts and affairs of any corporation incorporated under paragraph 4 of article 528 or under article 528*d*, 963*b*, 963*c*, 964*b*, 964*c*, 964*d* or 964*dd* and of pension fund committees and affiliates of such committees.

Application

Article 733, adapted as required, applies to the audit.”

1959-60,
c. 102,
a. 733, am.

7. Article 733 of the said charter, replaced by section 90 of chapter 77 of the statutes of 1977 and amended by sections 32 and 82 of chapter 22 of the statutes of 1979, by section 37 of chapter 40 of the statutes of 1980, by section 54 of chapter 71 of the statutes of 1982, by section 8 of chapter 112 of the statutes of 1987 and by section 7 of chapter 86 of the statutes of 1988, is again amended by replacing subarticle 10 by the following subarticle:

Auditor's
duties

“(10) The auditor has the same duties and exercises the same powers in respect of the bodies, corporations or persons whose accounts and affairs he is charged with auditing by the charter or by the city.”

1959-60,
c. 102,
a. 883, am.

8. Article 883 of the said charter, amended by section 129 of chapter 77 of the statutes of 1977, is again amended by replacing the words “registered mail” by the words “registered or certified mail”.

1959-60,
c. 102,
a. 889, am.

9. Article 889 of the said charter, replaced by section 74 of chapter 59 of the statutes of 1962 and amended by section 22 of chapter 41 of the statutes of 1980, is again amended

(1) by replacing the words “registered mail” in the first paragraph by the words “registered or certified mail”;

(2) by replacing the words “registered mail” in the third, fifth and sixth paragraphs by the words “registered or certified mail”.

1959-60,
c. 102,
aa. 963b,
963c, added
Powers

10. The said charter is amended by inserting, after article 963*a*, the following articles:

“**963b.** The city is authorized

(*a*) to file a petition, in accordance with the procedure set out in article 964*b*, for the incorporation of a non-profit corporation charged with establishing, managing and operating natural sciences conservatories and to provide at such conservatories such services as are usually provided to the public in similar establishments;

(*b*) to file a petition, in accordance with the procedure set out in article 964*b*, for the incorporation of a non-profit corporation with a view to establishing an archeological and historical interpretation centre;

(*c*) to delegate to such corporations, for their respective objects, its power to acquire by agreement, build or lease immovables and to alienate them.

Research institute **“963c.** The city and the Université de Montréal are authorized to appoint jointly three natural persons to file a petition, in accordance with Part III of the Companies Act (R.S.Q., chapter C-38), for the incorporation of a non-profit corporation with a view to establishing a research institute in plant biology.

Application Article 964ff shall apply to that corporation.”

1959-60,
c. 102,
a. 964d,
replaced **11.** Article 964d of the said charter, enacted by section 45 of chapter 40 of the statutes of 1980 and amended by section 24 of chapter 41 of the statutes of 1980, is replaced by the following article:

Corpora-
tion for
promotion
and restora-
tion in
Old Montréal **“964d.** The city is also authorized to apply for the incorporation of a non-profit corporation intended to promote construction, restoration and improvement as well as housing, commercial, cultural and tourist development in the historical district of Old Montréal and in the contiguous territory delimited by the Bonaventure and Ville-Marie expressways and by the extensions of De La Commune and Amherst streets, to carry out the restoration and construction of immovables in that district and contiguous territory and to see to the carrying out of any agreement between the Government and the city with respect to that district and contiguous territory and the enhancement of the Montréal heritage.

Protection
of buildings The corporation may also, in any district of the city, see to the protection of buildings having architectural, historical or cultural interest and, for that purpose, acquire, restore or improve such buildings as well as any immovable considered necessary for their enhancement.

Investment The corporation may, with the prior authorization of the Minister of Municipal Affairs, participate, as shareholder or otherwise, in any venture capital investment fund allocated mainly to the furthering of the objectives pursued by the corporation.”

1959-60,
c. 102,
a. 964f, am. **12.** Article 964f of the said charter, enacted by section 45 of chapter 40 of the statutes of 1980 and amended by section 12 of chapter 112 of the statutes of 1987, is again amended by inserting the figures “963b, 963c,” after the word “articles”.

1959-60,
c. 102,
a. 969, am. **13.** Article 969 of the said charter, amended by section 48 of chapter 96 of the statutes of 1971 and by section 40 of chapter 22 of the statutes of 1979, is again amended by replacing the word “homologation” in the third paragraph by the words “coming into force”.

1959-60,
c. 102,
a. 1053, am. **14.** Article 1053 of the said charter, replaced by section 110 of chapter 59 of the statutes of 1962, is amended by replacing the words “The executive committee may approve a total or partial subdivision or re-subdivision according to a plan duly deposited and” by the words “The head of the department designated under paragraph 6 of article 524 may, after having approved a cadastral operation plan,”.

1959-60,
c. 102,
a. 1054, am. **15.** Article 1054 of the said charter is amended by replacing the first paragraph by the following paragraph:

Municipal
works

“1054. Where a proprietor divides his land into building lots and the cadastral operation plan is registered, and where he disposes by sale, promise of sale or otherwise of lots comprised in the plan and bounded by a street projected on the plan, the city may, at the request of one or more of the purchasers or promising purchasers of the lots, perform on such projected street any municipal works it deems advisable, without being required to pay any damages or compensation for the use or possession of the street, and the city may recover from the bordering proprietors the cost of such works in accordance with the provisions of its charter and by-laws.”

1959-60,
c. 102,
a. 1058, am. **16.** Article 1058 of the said charter, amended by section 163 of chapter 77 of the statutes of 1977, is again amended by replacing, in the first paragraph, the words “be in force” by the words “have effect” and the word “homologation” by the words “coming into force”.

1989, c. 80,
s. 20, am. **17.** Section 20 of the Act to amend the charter of the city of Montréal (1989, chapter 80) is amended by inserting the figures “6298, 6347,” after the word “numbers” in the first paragraph.

Coming
into force

18. This Act comes into force on 22 June 1990.