

1985, chapter 56

**AN ACT RESPECTING THE ACQUISITION OF
IMMOVABLES BY THE TOWN OF BERTHIERVILLE**

Bill 238

Introduced by Mr Albert Houde, Member for Berthier

Introduced 17 December 1985

Passage in principle 19 December 1985

Passage 19 December 1985

Assented to 19 December 1985

Coming into force: 19 December 1985

Act amended: None





CHAPTER 56

An Act respecting the acquisition of immovables by the town of Berthierville

[Assented to 19 December 1985]

Preamble WHEREAS the town of Berthierville wishes to acquire the parcels of land and buildings owned by Melchers Inc. in Berthierville;

Whereas the town will receive a gift in an amount equivalent to the purchase price of the parcels of land and buildings;

Whereas it is in the interest of the town that certain powers be granted to it;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

Acquisition
of immova-
bles

1. The town of Berthierville may, by by-law requiring only the approval of the Minister of Municipal Affairs, acquire by agreement the parcels of land and the buildings erected thereon owned by Melchers Inc.

Description

A description of the lands is shown in the schedule.

Alienation

2. The town may, on such conditions as it may determine and with the prior authorization of the Minister of Municipal Affairs and the Minister of Industry and Commerce, alienate or lease for industrial purposes or, subsidiarily, for commercial purposes all or part of the immovables acquired under section 1.

Price The price of alienation must be sufficient to cover the expenses incurred by the town in relation to the immovable alienated; the leasing price must be sufficient to cover the annual expenses that are related thereto. The expenses shall include, in particular, the cost of installation of public utilities and the cost of insurance.

**Applica-
bility** **3.** The alienation or leasing by the town of an immovable it has taken back following an alienation contemplated in section 2 is subject to this Act.

**Applica-
bility** The first paragraph also applies where the town repurchases an immovable contemplated in section 2 in the exercise of a right of preemption stipulated in the contract of alienation or where it acquires an immovable sold for failure to pay municipal or school taxes if, in each case, the town had originally alienated the immovable for industrial or commercial purposes.

**Authoriza-
tions
required** **4.** On proof that an immovable acquired under section 1 is unsuited for industrial purposes or, subsidiarily, for commercial purposes, the Minister of Industry and Commerce and the Minister of Municipal Affairs may authorize the town to alienate the immovable for other purposes.

**Municipal
purposes** **5.** The Minister of Industry and Commerce and the Minister of Municipal Affairs may authorize the town to use for municipal purposes an immovable acquired under section 1.

**Local im-
provement
purposes** Notwithstanding the first paragraph, the town may without authorization use, for local improvement purposes, an immovable acquired under section 1.

**Require-
ments** No immovable contemplated in this section may be alienated or leased unless it is alienated or leased in accordance with section 2.

**Coming into
force** **6.** This Act comes into force on 19 December 1985.

SCHEDULE

DESCRIPTION OF THE PARCELS
OF LAND

Lots ONE and TWO of the subdivision of original lot ONE HUNDRED AND FOUR (104-1 and 2) of the official plan and book of reference of the parish of Berthier.

Lot ONE of the subdivision of lot THREE of the said original lot ONE HUNDRED AND FOUR (104-3-1) of the official plan and book of reference of the parish of Berthier.

Lots ONE and TWO of the subdivision of original lot ONE HUNDRED AND FIVE (105-1 and 2) of the official plan and book of reference of the parish of Berthier.

Lot ONE of the subdivision of lot THREE of the subdivision of the said original lot ONE HUNDRED AND FIVE (105-3-1) of the official plan and book of reference of the parish of Berthier.

Lot FORTY-NINE of the subdivision of original lot ONE HUNDRED AND EIGHT (108-49) of the official plan and book of reference of the parish of Berthier.

Original lot ONE HUNDRED AND FIFTY-FOUR (154) of the official plan and book of reference of the town of Berthier.