

1984, chapter 89

AN ACT TO AMEND THE CHARTER OF THE CITY OF LAVAL

Bill 255

Introduced by Mr Michel Leduc, Member for Fabre

Introduced: 13 December 1984

Passage in principle: 20 December 1984

Passage: 20 December 1984

Assented to: 21 December 1984

Coming into force: 21 December 1984

Acts amended:

Charter of the City of Laval (1965, 1st session, chapter 89)

Act to amend the Charter of the City of Laval (1978, chapter 112)





CHAPTER 89

An Act to amend the charter of the City of Laval

[Assented to 21 December 1984]

Preamble

WHEREAS it is in the interest of the city of Laval and necessary for the good administration of its affairs that its charter, chapter 89 of the statutes of 1965 (1st session), be amended;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

c. C-19,
s. 413, am.
for the city

1. Section 413 of the Cities and Towns Act (R.S.Q., chapter C-19) is amended for the city of Laval by replacing subparagraph *b* of paragraph 10 by the following subparagraph:

“(b) To establish, construct, possess and operate a waste management system, and to make an agreement with any municipality, by whatever law governed, to contribute to the establishment, construction and operation of the system, subject to sections 468 to 469.1.

Operation
of the
system

To entrust any person with the operation of the system, subject to sections 573 to 573.4.

“waste”
and “waste
manage-
ment
system”

The expressions “waste” and “waste management system” have the meaning conferred on them in paragraphs 11 and 12 of section 1 of the Environment Quality Act (R.S.Q., chapter Q-2);”.

1978,
c. 112,
s. 12,
replaced

2. Section 12 of the Act to amend the charter of the City of Laval (1978, chapter 112), amended by section 264 of chapter 38 of the statutes of 1984, is replaced by the following section:

Powers of the city	"12. In order to permit the rational development of the territory described in the schedule, and permit that it be brought into prominence for the benefit of the community, the city is authorized
Acquisition	(1) to acquire, by agreement or expropriation, the territory consisting of the immovables described in the schedule;
Promotion	(2) to promote the influence of the centre of the city as a public place presenting a social, community, cultural, artistic, sports, commercial, recreational or touristic interest;
Alienation	(3) to alienate all or part of the immovables in accordance with the Act governing the city, for residential, commercial or public purposes, at a price not lower than the cost of acquisition including the cost of services and related expenses or costs; the alienation is then deemed to have been made for valuable consideration;
Construction	(4) to erect any building or complex for public or governmental purposes or for parking or garage purposes;
Leasing	(5) to lease the immovables for residential, commercial or public purposes, at a price sufficient to cover the annual expenses related to the immovables or for the amortization and interest on the purchase price, the cost of services or related expenses or costs and municipal and school taxes."
1978, c. 112, s. 13, replaced Land reserve	3. Section 13 of the said Act, amended by section 265 of chapter 38 of the statutes of 1984, is replaced by the following section: "13. The city is authorized to acquire by agreement or expropriation any immovable the acquisition of which is considered appropriate for the purposes of a land reserve or housing bank and for works related to these purposes, and any immovable that is obsolete or unfit for occupancy.
Administration	The city is authorized to hold, lease and manage the immovables acquired under the first paragraph. It may also equip the immovables and instal the necessary public services thereon. It may also alienate them, on conditions determined by it, in accordance with the Act governing it, provided that the price of alienation is at least equal to the real value of the immovables and not less than the cost of acquisition including the cost of services and related expenses or costs. The alienation is then deemed to have been made for valuable consideration.
Alienation	In the case of an alienation by emphyteutic lease, the price of alienation must correspond to the total amount of the annual dues, of the value of the improvement to be made by the purchaser, and the charges to be assumed by him; moreover, that price must be sufficient to cover the price of acquisition of the immovable concerned, the cost

of services and related expenses or costs, as well as all expenses incurred for the immovable, including, as the case may be, the expenses incurred for restoration, demolition and moving. The alienation is then deemed to have been made for valuable consideration.

Alienation
in favour of
the
Government

The city may alienate, gratuitously or for a price less than the price determined under this section, such an immovable in favour of the Government, a government agency, a university, a school corporation or any other non-profit body; in the latter case, the authorization of the Minister of Municipal Affairs is required.

Powers

The city is authorized to exercise the powers provided for in the second paragraph for housing, educational, research, leisure, recreational and other related purposes.

Territory

The city is authorized to exercise the powers provided for in this section in its territory and in respect of immovables that it already owns.

Applica-
bility

This section applies subject to the Act to preserve agricultural land (R.S.Q., chapter P-41.1).

Industrial
purposes

This section does not apply to the acquisition of immovables for industrial purposes."

1978,
c. 112,
s. 14,
repealed

4. Section 14 of the said Act is repealed.

Exception

5. This Act shall operate notwithstanding the provisions of sections 2 and 7 to 15 of the Constitution Act, 1982 (Schedule B of the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom).

Coming into
force

6. This Act comes into force on 21 December 1984.

SCHEDULE

A territory comprising, with reference to the cadastre of the parish of Saint-Martin, the lots or parts of lots and their divisions, and a road, the whole bounded within the perimeter hereinafter described, to wit: starting from the intersection of the dividing line between lots 370 and 372 and the southeast line of Saint-Martin boulevard; thence, the following lines and boundaries: the southeast line of Saint-Martin boulevard northeasterly to the south line of the right of way of Autoroute 15 (Laurentides); the south and southwest lines of the right of way of Autoroute 15 (Laurentides) easterly or southeasterly, as the case may be, to the northwest line of the right of way of Boulevard du Souvenir; the northwest, southwest and north lines of the right of way of Boulevard du Souvenir southwesterly, southeasterly and westerly, as the case may be, to the dividing line between lots 370 and 372; the dividing line between lots 370 and 372 northwesterly to the starting point.