



## CHAPTER 103

### An Act to amend the Québec Urban Community Act and other legislation

[Assented to 21 November 1978]

HER MAJESTY, with the advice and consent of the Assemblée nationale du Québec, enacts as follows:

1969, c. 83  
s. 1, am.

**1.** Section 1 of the Québec Urban Community Act (1969, chapter 83), amended by sections 1 and 54 of chapter 88 of the statutes of 1971, is again amended:

(a) by replacing paragraph *d* by the following paragraph:

“territory  
of the Com-  
munity”;

“(d) “territory of the Community”: the whole of the territory of the municipalities mentioned in Schedule A or, for the purposes of sections 158 to 169, in Schedule D;”;

(b) by striking out paragraph *e*;

(c) by striking out paragraph *j*.

1969, c. 83,  
s. 5, re-  
pealed.

**2.** Section 5 of the said act is repealed.

Id., s. 7,  
am.

**3.** Section 7 of the said act, amended by section 6 of chapter 91 of the statutes of 1975, is again amended by replacing the last two paragraphs by the following paragraphs:

Chairman  
of the exec-  
utive com-  
mittee.  
Members  
*ex officio*.

“The chairman of the Council is, *ex officio*, the chairman of the executive committee.

The mayors of the cities of Québec, Sainte-Foy, Charlesbourg and Beauport are, *ex officio*, members of the executive committee.

Other  
members  
of the  
executive  
committee.  
Represent-  
atives of  
the City of  
Québec.

The other members of the executive committee shall be chosen by a resolution of the Council from among its members representing the municipalities mentioned in Schedule A.

In all cases, the executive committee must include at least two representatives of the city of Québec.”

1969, c. 83,  
ss. 8-16,  
repealed.

**4.** Sections 8 to 16 of the said act are repealed.

1969, c. 83,  
s. 17, am.

**5.** Section 17 of the said act, amended by section 4 of chapter 88 of the statutes of 1971, is again amended by replacing the first three paragraphs by the following paragraphs:

Term of  
office of  
the mem-  
bers of the  
executive  
committee.

**"17.** The term of office of each member of the executive committee is that of his term as member of the Council; however, he shall remain in office after the expiry of his term until his successor is appointed. His term is renewable.

Resigna-  
tion.

In the case of the resignation of a member of the executive committee, the resignation shall take effect upon the date of receipt by the secretary of the Community of a written notice to such effect, signed by the person resigning."

1969, c. 83,  
s. 19, re-  
placed.

**6.** Section 19 of the said act is replaced by the following section:

Vice-chair-  
man ap-  
pointed.

**"19.** The vice-chairman of the executive committee shall be appointed by resolution of the Council; he shall be chosen from among the members of the executive committee."

Restric-  
tion.

If the chairman of the executive committee is a representative of the city of Québec, the vice-chairman must be a representative of another municipality, and vice versa."

1969, c. 83,  
s. 20, re-  
placed.

**7.** Section 20 of the said act is replaced by the following section:

Appoint-  
ment of  
vice-chair-  
man subject  
to number  
of mem-  
bers.

**"20.** No appointment to the vice-chairmanship of the executive committee shall be made while such committee consists of less than seven members and in such case, the thirty day delay contemplated in section 18 shall be extended accordingly."

1969, c. 83,  
s. 21, re-  
pealed.

**8.** Section 21 of the said act is repealed.

Id., 0.25a,  
added.

**9.** The said act is amended by inserting after section 25 the following section:

By-law,  
etc., of the  
Trans.  
Com. sub-  
mitted to  
the Council  
by exec-  
utive com-  
mittee.

**"25a.** Unless otherwise provided, every by-law or resolution of the board directors of the Transit Commission that must be submitted to the Council for approval or authorization must be forwarded to the executive committee. The latter shall submit such by-law or resolution to the Council, along with its recommendations, if any.

Idem for  
documents.

The same rule applies for every document of the Transit Commission sent to the Council."

1969, c. 83,  
s. 39, re-  
placed.

**10.** Section 39 of the said act, replaced by section 7 of chapter 88 of the statutes of 1971, is again replaced by the following section:

Composi-  
tion of  
Council.

**“39.** The Council of the Community consists of representatives from the municipalities mentioned in Schedules A, B and D, chosen from among the members of the councils of those municipalities in the manner hereinafter described.

Municipal-  
ity of 15,000  
inhabi-  
tants.

Every municipality having a population of 15,000 inhabitants or more is entitled to one representative for each portion of 15,000 inhabitants; the mayor of that municipality is, *ex officio*, a representative; if necessary, any other representative of that municipality shall be appointed by resolution of its council, a copy of which shall be sent to the secretary of the Community.

Municipal-  
ity of less  
than 15,000  
inhabi-  
tants.

Every municipality having a population of less than 15,000 inhabitants is entitled to one representative; the mayor shall be that representative, *ex officio*.

Vote.

For the purposes of Title II, only the representatives of the municipalities mentioned in Schedule B shall vote, and for the purposes of sections 158 to 169, only the representatives of the municipalities mentioned in Schedule D shall vote; for all other purposes, only the representatives of the municipalities mentioned in Schedule A shall vote.

Replace-  
ment of a  
represent-  
ative.

If the representative of a municipality refuses or is unable to act, its council shall appoint another of its members by a resolution, a copy of which must be sent to the secretary of the Community before the meeting.

Replace-  
ment pro-  
hibited.

Nevertheless, once a delegate is attending a meeting of the Council, he cannot be replaced at such meeting while it lasts.

Population  
deter-  
mined.

For the application of this section, the population of a municipality is that which is determined under section 4*b* of the Cities and Towns Act or under article 16*a* of the Municipal Code, as the case may be.”

1969, c. 83,  
s. 40, am.

**11.** Section 40 of the said act, amended by section 2 of chapter 65 of the statutes of 1970, is again amended by striking out the second paragraph.

Id., s. 42,  
am.

**12.** Section 42 of the said act is amended by replacing the second paragraph by the following paragraph:

Report by  
the exec-  
utive com-  
mittee  
required by  
motion.

“At a regular meeting of the Council, any member, provided he has notified the secretary of the Community in writing thereof within the prescribed delay in order to have such secretary enter such matter on the agenda paper, may make a motion that the executive committee report to the Council on any matter within the

Council's competence; such member may then state the reasons in support of his motion, and if such motion is seconded, any other member of the Council shall have the same right to speak upon such motion; if such motion is passed by the Council, the executive committee shall report to the Council at the next regular meeting."

1969, c. 83,  
s. 43, re-  
placed.

**13.** Section 43 of the said act, replaced by section 8 of chapter 88 of the statutes of 1971, is again replaced by the following section:

Agenda  
paper.

**"43.** The agenda paper for each regular meeting of the Council must be prepared by the executive committee and, where so requested of the executive committee, by the chairman of the board of management of the Transit Commission, it must include a section concerning that Commission prepared by its board of management."

1969, c. 83,  
s. 44, am.

**14.** Section 44 of the said act is amended by replacing the first paragraph by the following paragraph:

Special  
meetings.

**"44.** The special meetings of the Council shall be called by the secretary of the Community at the request of the chairman of the Council, or of the executive committee, or on the written application of not less than five members of the Council; the notice of convocation shall be in lieu of the agenda paper."

1969, c. 83,  
s. 47, am.

**15.** Section 47 of the said act is amended by replacing the second and third paragraphs of subsection 1 by the following paragraph:

Term of  
office.

**"The term of office of the chairman or the vice-charman of the Council is that of his term as a member of the Council; however, he shall remain in office after the expiry of his term until his successor is appointed. His term is renewable."**

1969, c. 83,  
s. 49, re-  
pealed.

**16.** Section 49 of the said act is repealed.

Id., s. 50,  
replaced.

**17.** Section 50 of the said act, amended by section 3 of chapter 65 of the statutes of 1970 and replaced by section 10 of chapter 88 of the statutes of 1971, is again replaced by the following section:

Decisions.

**"50.** Subject to section 39, decisions of the Council are taken by majority vote, except where more concordant votes are required under a provision of this Act."

Number  
of votes.

Each member of the Council has one vote."

1969, c. 83,  
s. 80, am. **18.** Section 80 of the said act is amended by replacing the third paragraph by the following paragraph:

Chairman  
a member  
*ex officio*. “The chairman of the Council is, *ex officio*, a member of all committees.”

1969, c. 83,  
s. 92, am. **19.** Section 92 of the said act, amended by section 8 of chapter 71 of the statutes of 1972, is again amended by replacing paragraph *e* by the following paragraph:

“(e) sell, exchange, encumber, lease or alienate any moveable or immovable property by observing, where necessary, the formalities prescribed by this act and, in particular, lease its central data-processing system to third parties or perform, with that system, work for third parties on such conditions as it deems appropriate;”.

1969, c. 83,  
s. 105,  
replaced. **20.** Section 105 of the said act, amended by section 19 of chapter 88 of the statutes of 1971 and by section 127 of chapter 55 of the statutes of 1972, is replaced by the following section:

Additional  
jurisdiction. “**105.** The Community has, in addition to its competence in the matter of the valuation of the immoveables in its territory under the Real Estate Assessment Act (1971, chapter 50), such competence as is provided by this act in the following matters:

- (a) the census;
- (b) the adoption of a development plan for its territory;
- (c) the billing and sending of tax accounts;
- (d) the establishment of industrial funds and industrial promotion;
- (e) tourist promotion;
- (f) the uniformity of traffic by-laws, and the synchronization of mechanical traffic control systems on the main communication thoroughfares and intermunicipal streets;
- (g) the preparation of minimum standards of construction;
- (h) garbage disposal;
- (i) water purification in the territory of the municipalities mentioned in Schedule D and the construction and maintenance of collector sewers, pumping stations and water treatment plants.

Applicable  
provisions. Section 429a of the Cities and Towns Act (Revised Statutes, 1964, chapter 193) applies *mutatis mutandis* to subparagraph *f* of the first paragraph.”

1969, c. 83,  
s. 107, re-  
placed. **21.** Section 107 of the said act, amended by section 20 of chapter 88 of the statutes of 1971, is replaced by the following section:

Jurisdiction extended by by-law.

**“107.** The Community, by by-law passed by a two-thirds majority vote at a special meeting of the Council called for such purpose, may order that the Community has competence in any one of the following matters:

(a) the establishment of inter-municipal drinking water systems in the territory of the municipalities mentioned in Schedule D, in conformity with sections 158 to 169;

(b) inter-municipal recreation, including the establishment of inter-municipal parks and cycle tracks;

(c) the construction of low-rental housing;

(d) any matter not mentioned in section 105 or in this section in which a municipality of its territory has competence.

Approval by the council of each municipality.

Within ten days after its adoption, the secretary of the Community shall send a copy of the by-law to the clerk or the secretary-treasurer of each municipality of the territory of the Community for approval by the council of each municipality.

Special meeting.

The by-law must be submitted for approval to the council of each municipality not later than one month after it has received it, at a special meeting called for that purpose.

Approval by L.-G. in C.

The by-law, to come into force, must be approved by the Lieutenant-Governor in Council, who shall fix the date of its coming into force. The Lieutenant-Governor in Council may approve the by-law only if it has been approved by at least two-thirds of the municipalities, in conformity with this section.

Publication.

Notice of the approval of the Lieutenant-Governor in Council must be published in the *Gazette officielle du Québec*.”

1969, c. 83, s. 108, replaced.

**22.** Section 108 of the said act is replaced by the following section:

Jurisdiction of municipalities retained.

**“108.** The municipalities in the territory of the Community shall retain their jurisdiction over the matters declared to be within the competence of the Community under section 107, until the Community exercises its competence in such matters and to the extent that the Community has refrained from doing so.

Contrary by-laws, etc.

Every provision of a by-law of a municipality in the territory of the Community contrary to or inconsistent with any provision of a by-law of the Community on any matter mentioned in the first paragraph immediately ceases to have effect.”

1969, c. 83, s. 142, am.

**23.** Section 142 of the said act is amended:

(a) by replacing the first paragraph by the following paragraph:

Contents of  
development  
plan.

**“142.** Before 1 July 1980, the Community, by by-law, shall adopt a development plan for its territory, comprising:

- (1) the assignment of the use of land and the approximate occupation densities;
- (2) the approximate layout of the main traffic thoroughfares;
- (3) the nature and approximate location of urban installations;
- (4) the nature, location and approximate layout of public utility services;
- (5) the standards of subdivision of lots;
- (6) the approximate phases of urban expansion.”;
- (b) by striking out the third paragraph.

1969, c. 83,  
ss. 142a-  
142d,  
added.

**24.** The said act is amended by inserting after section 142, the following sections:

Issue of  
building  
permit  
prohibited.

**“142a.** The by-law contemplated in section 142 may include provisions to prohibit the issue by a municipality of building permits in any part of the territory of the latter,

(a) unless the land on which every intended construction is to be erected, including its dependencies, is a single lot on the official plan of the cadastre or subdivision plan made and filed in conformity with article 2175 of the Civil Code;

(b) unless the public waterworks and sewer services are laid out on the street along which the construction is to be erected; and

(c) unless the lot on which a construction is to be erected borders on a public street.

Provisions  
not ap-  
plicable to  
farm lands.

This section does not apply to constructions for agricultural purposes on lands under cultivation.

Studies,  
document.

**“142b.** The by-law contemplated in section 142 shall be accompanied with the studies made as part of its preparation and with a programme of the capital expenditures the Community intends to make, and an indication of their mode of financing; this programme is distinct from that adopted under section 200a.

Approval.

**“142c.** The by-law contemplated in section 142 and every by-law amending, replacing or repealing it must be approved by a majority of two-thirds of the votes of the Council.

Copy to  
clerk  
of each  
municipal-  
ity.

**“142d.** The secretary of the Community, within ten days after the passing of the by-law contemplated in section 142 or of a by-law amending or replacing it, must send, free of charge, a certified copy of it to the clerk or the secretary-treasurer of each municipality in the territory of the Community.”

1969, c. 83,  
ss. 143a-  
143h,  
added.

**25.** The said act is amended by inserting, after section 143, the following sections:

Coming  
into force.

**"143a.** (1) The by-law contemplated in section 142 and every by-law amending, replacing or repealing it comes into force at the end of a delay of six months after it has been passed, subject to subsections 4 and 5.

Copy to  
Minister,  
opposition  
and amend-  
ments.

(2) Within thirty days after the by-law contemplated in subsection 1 is passed, the secretary of the Community shall send a certified copy of it to the Minister and, within the same delay, every municipality may send the Minister a written petition stating the grounds for its opposition to the by-law and submitting the amendments it proposes thereto.

Public  
hearing.

Upon receipt of the petition contemplated in the first paragraph, the Minister may require the Commission municipale du Québec to hold a public hearing to hear the persons concerned, and report to him.

Amend-  
ments pre-  
scribed by  
Minister.

The Minister may thereafter notify the Community of the amendments he deems it expedient to make to the by-law within the period of time he fixes. He shall not fix a period of time ending after the coming into force of the by-law.

Lt.-Gov.  
in C. to  
inform  
the  
Commu-  
nity.

(3) The Lieutenant-Governor in Council may, at any time, inform the Community of the amendments to a by-law contemplated in subsection 1 that he deems it advisable to make within the period of time he fixes. If the by-law is not in force when the Lieutenant-Governor in Council so informs the Community, he shall not fix a period of time ending after such coming into force.

Restric-  
tion.

(4) Subsection 2 does not apply to a by-law passed within the time fixed for the sole purpose of making the amendments suggested by the Minister or the Lieutenant-Governor in Council. However, the secretary of the Community shall send the Minister a certified copy thereof.

Coming  
into force  
of amend-  
ing by-law.

If this by-law is passed before the coming into force of the by-law it amends, it comes into force at the same time as the latter.

Amend-  
ments  
made by  
Lt-Gov.  
in C.

(5) Should the Community fail to make, within the fixed period of time, the amendments suggested by the Minister or the Lieutenant-Governor in Council, the latter may make such amendments and publish them in the *Gazette officielle du Québec*. Such amendments come into force on the date of such publication or on any later date fixed by the Lieutenant-Governor in Council. They are deemed to have been made by the Community.



By-law prepared by Minister.

**"143b.** Should the Community fail to adopt the by-law contemplated in section 142 within the time prescribed, the Minister may have that by-law prepared at the expense of the Community.

Coming into force.

That by-law is forwarded to the Community and comes into force from the date of publication of a notice given to that effect by the Minister in the *Gazette officielle du Québec*.

Presumption.

The by-law is deemed to have been adopted by the Community in conformity with sections 142 to 143a.

Zoning and other by-laws approved by Community.

**"143c.** The council of every municipality comprised in the territory of the Community, within eighteen months after the coming into force of the by-law contemplated in section 142, must prepare and submit to the approval of the Community a master plan, a zoning by-law, a building by-law and a subdivision by-law, in conformity with the by-law contemplated in section 142. If such plan and by-laws already exist, they must be submitted, within the same delay, to the approval of the Community, after being amended, if necessary, to conform to the by-law contemplated in section 142.

Master plan and programme of capital expenditures.

A programme of the capital expenditures provided for in the master plan must be annexed to the plan and by-laws mentioned in the first paragraph. Such programme is distinct from that contemplated in section 478a of the Cities and Towns Act.

Approval.

Notwithstanding any other legislative provision subjecting their coming into force to any approval, the plan and by-laws contemplated in this section require the sole approval of the Community.

By-laws adopted by Community.

**"143d.** If the council of a municipality fails to adopt, or if necessary, amend, the plan and by-laws contemplated in section 143c and have them approved within the time provided for, the Community may have those plan and by-laws prepared and adopted, or, if necessary, amended, at the expense of the municipality. These plan and by-laws are forwarded to the office of the municipality and come into force on the date the Community publishes a notice to that effect in the *Gazette officielle du Québec*.

Applicable provisions.

Before adopting or amending a plan or by-law in conformity with this section, the Community must comply, *mutatis mutandis*, with section 143.

Presumption.

The adoption or amendment of a plan or by-law by the Community under this section is deemed to have been made by

the municipality and approved by the Community in conformity with section 143c.

Amend-  
ment, etc.,  
of by-law.

**“143e.** Once in force, the master plan, zoning by-laws, building by-laws or subdivision by-laws of a municipality cannot be amended, replaced or repealed except in accordance with the Cities and Towns Act, the Municipal Code or the charter of the municipality.

Certificate  
of Com-  
munity

The amendment or replacement by-law contemplated in the first paragraph must also, to come into force, bear a certificate, issued by the Community or a functionary designated by it, attesting that such by-law is in conformity with the development plan of the Community.

Registra-  
tion of  
division  
plan.

**“143f.** From the date of the coming into force of the by-law contemplated in section 142, no registration of a division or subdivision plan under article 2175 of the Civil Code may be made without supplying a certificate, issued by the Community or a functionary designated by it, attesting that the division or subdivision plan is in conformity with the development plan of the Community.

Loan by-  
law of a  
municipal-  
ity.

Moreover, every loan by-law of a municipality respecting the carrying out of public works, when submitted for approval to the Minister and the Commission municipale du Québec, must be accompanied with a certificate, issued by the Community or a functionary designated by it, attesting that the object of that by-law is in conformity with the development plan of the Community.

Powers of  
Minister,  
C.M.Q.  
exercised  
by Com-  
munity.

**“143g.** From the date of the coming into force of the by-law contemplated in section 142, the Community shall exercise, for the municipalities in its territory, the powers conferred on the Minister and the Commission municipale du Québec by section 7 of the Public Streets Act (Revised Statutes, 1964, chapter 179), article 468 of the Municipal Code and paragraph 1 of section 429 of the Cities and Towns Act.

Municipal  
by-law in-  
consistent  
with de-  
velopment  
plan  
deemed in-  
operative.

**“143h.** From the date of the coming into force of the by-law contemplated in section 142, every provision of a by-law of a municipality of the territory of the Community, inconsistent with the development plan of the Community, becomes inoperative. The same rule applies to any such provision in a by-law of a county municipality in so far as it is applicable to a municipality in the territory of the Community.”

1969, c. 83,  
title re-  
placed.

**26.** The title of subdivision 3 of Division VII of Title I of the said act is replaced by the following title:

*“§ 3.—Billing and sending of tax accounts”.*

1969, c. 83,  
s. 144, re-  
pealed.

**27.** Section 144 of the said act is repealed.

Id., s. 147,  
repealed.

**28.** Section 147 of the said act, replaced by section 22 of chapter 88 of the statutes of 1971, is repealed.

Id., s. 149,  
am.

**29.** Section 149 of the said act, replaced by section 24 of chapter 88 of the statutes of 1971 and amended by section 11 of chapter 71 of the statutes of 1972, is again amended by replacing subsection 1 by the following subsection:

Industrial  
fund.

**“149.** (1) The Community may establish an industrial fund in an amount determined by the Ministre des affaires municipales with the assent of the Ministre de l'industrie et du commerce, provided that the municipal by-law ordering the establishment of such fund receives all the approvals required for loan by-laws of the Community.”

1969, c. 83,  
s. 150, re-  
placed.

**30.** Section 150 of the said act, replaced by section 25 of chapter 88 of the statutes of 1971, is again replaced by the following section:

Industrial  
promotion.

**“150.** The Community may, by a by-law approved by the Minister, reach an agreement with any person or body whereby it entrusts to or shares with such person or body the carrying out of industrial promotion or any aspect thereof.

Industrial  
promotion  
depart-  
ment.

It may, by by-law, establish an industrial promotion department and, by resolution, appoint an industrial commissioner and the officers necessary for such purpose. It must do so where it has not reached an agreement under the first paragraph.”

1969, c. 83,  
s. 153, re-  
placed.

**31.** Section 153 of the said act is replaced by the following section:

Tourism  
promotion.

**“153.** The Community has competence to promote tourism in its territory.

Agree-  
ment.

The Community may, by a by-law approved by the Minister, reach an agreement with any person or body whereby it entrusts to or shares with such person or body the carrying out of touristic promotion or any aspect thereof.”

1969, c. 83,  
title re-  
placed.

**32.** The title of subdivision 8 of Division VII of Title 1 of the said act is replaced by the following title:

*“§ 8.—Waterworks and sewers”.*

Id., s. 158,  
replaced.

**33.** Section 158 of the said act is replaced by the following section:

By-laws on standards of work respecting water-works, etc.

**"158.** The Community, by by-law, may establish minimum standards for all of its territory respecting the methods of carrying out all work respecting waterworks, sewers and the construction of water treatment plants or works, and the materials used in the carrying out of such work. Such by-laws are binding upon all the municipalities in its territory; they shall not come into force except upon the approval of the Minister responsible for the application of the Environment Quality Act (1972, chapter 49)."

1969, c. 83, s. 159, replaced.

**34.** Section 159 of the said act, amended by section 13 of chapter 71 and section 145 of chapter 49 of the statutes of 1972, is replaced by the following section:

Approval of certain projects.

**"159.** Such municipalities shall submit to the executive committee for approval any project for the construction, enlargement or alteration of a waterworks or sewer system and of water treatment plants or works, before passing the resolution or the by-law necessary for implementing such project.

Delay for decision.

Within thirty days after receiving such application, the executive committee shall determine whether such project is of a purely local nature or has any intermunicipal repercussions.

Intermunicipal repercussions.

If the executive committee decides that the project has intermunicipal repercussions, the Council, by resolution, subject to the approval of the Directeur des services de protection de l'environnement, may order such alterations as he deems expedient to the plans and specifications of the proposed works and authorize the municipality to carry out such works. Failing an agreement between the Community and the municipalities concerned respecting the apportionment of the cost of the works, such apportionment shall be fixed by the Directeur des services de protection de l'environnement upon the request of the Community or an interested municipality. An appeal lies from such decision of the director according to sections 96 to 103 of the Environment Quality Act."

1969, c. 83, s. 160, replaced.

**35.** Section 160 of the said act, amended by section 147 of chapter 49 of the statutes of 1972, is replaced by the following section:

Restricted powers.

**"160.** The Minister responsible for the application of the Environment Quality Act and the Directeur des services de protection de l'environnement, as the case may be, as regards waterworks, sewer and water treatment plants or works, shall not exercise as regards any municipality in the territory of the Community the powers contemplated in sections 29, 32, 34, 35, 41 and 43 of the Environment Quality Act, without calling upon the executive committee of the Community to make the representations it considers appropriate, unless it has filed its written consent.

Role of the  
Directeur  
des servi-  
ces de pro-  
tection de  
l'environ-  
nement.

When exercising the powers provided for in section 35 of the Environment Quality Act, the director shall order the execution of intermunicipal works by the municipalities he designates unless the executive committee of the Community has informed him that the Community agrees to carry out such works. In the latter case, he may order the execution thereof by the Community only. He shall not establish the apportionment of the cost of the works and the maintenance and operating costs thereof, determine the method of payment or fix the indemnity, periodic or otherwise, payable by the municipalities in the territory of the Community for the use of the works or service provided, before calling upon the Community to make its representations on this matter."

1969, c. 83,  
s. 161, re-  
placed.

**36.** Section 161 of the said act, amended by section 149 of chapter 49 of the statutes of 1972, is replaced by the following section:

Work au-  
thorized.

"**161.** Subject to the Environment Quality Act, the Community, by by-law, may order the carrying out, even outside its territory, of all work for the construction of water treatment plants or works and of water mains and collector sewers intended to serve more than one municipality in its territory.

Apportion-  
ment of  
cost.

The cost of the works provided for in the first paragraph shall be apportioned by the executive committee among the municipalities mentioned in Schedule D in proportion to the valuation of the immoveables, taxable or not, situated in their territory, the number of dwelling units situated in their territory, the quantity of water furnished to each of such municipalities, or the volume of water discharged by each of such municipalities into works administered by the Community, or according to any other criteria which the Minister responsible for the application of the Environment Quality Act may determine or in proportion to one or more of such criteria. When works administered by the Community benefit only a part of the territory of one of the municipalities served by such works, the expenses shall be apportioned taking only that part of the territory into consideration."

1969, c. 83,  
s. 162, re-  
placed.

**37.** Section 162 of the said act, amended by section 151 of chapter 49 of the statutes of 1972, is replaced by the following section:

Acquisi-  
tion of  
water  
treatment  
plants, etc.

"**162.** The Community, by a by-law passed by a majority of two-thirds of the votes, may acquire the ownership of any water treatment works or plant or any water main or collector sewer owned by a municipality in its territory which serves or is able to serve more than one municipality.

Prior approval.

The acquisitions contemplated in the first paragraph shall be made only with the prior approval of the Commission municipale du Québec and of the Minister responsible for the application of the Environment Quality Act, on such conditions as they determine.”

1969, c. 83,  
s. 163, re-  
placed.

**38.** Section 163 of the said act is replaced by the following section:

Communi-  
ty substi-  
tuted in the  
rights of  
municip-  
ality.

“**163.** Whenever a municipality some of whose works, plants, mains or collector sewers are acquired by the Community has bound itself contractually with another municipality to supply such other municipality with drinking water or to receive its used water and such works, plants, mains or collector sewers acquired by the Community were necessary for the carrying out of such contract, the Community shall be substituted for such municipality in all the rights and obligations of such municipality resulting from such contract.”

1969, c. 83,  
s. 164, re-  
placed.

**39.** Section 164 of the said act is replaced by the following section:

Power for-  
feited.

“**164.** When all the water treatment plants or works of a municipality in the territory of the Community are acquired by the Community, such municipality no longer has power to establish such works or plants.

Powers of  
water dis-  
tribution  
not re-  
stricted.

This act does not have the effect of restricting the power of a municipality to distribute to its ratepayers drinking water supplied to it by the Community or to receive used water from its ratepayers in order to convey such water to the works of the Community.”

1969, c. 83,  
s. 165, re-  
placed.

**40.** Section 165 of the said act is replaced by the following section:

Consent re-  
quired to  
supply  
drinking-  
water.

“**165.** The Community shall not supply drinking-water directly to persons other than a municipality without the consent of the municipality concerned.”

1969, c. 83,  
s. 166, re-  
placed.

**41.** Section 166 of the said act is replaced by the following section:

Consent  
required  
to treat  
used water.  
1969, c. 83,  
s. 167, re-  
placed.

“**166.** The Community shall not receive used water for treatment purposes directly from persons other than a municipality without the consent of the municipality concerned.”

Communi-  
ty consent  
required to  
supply wa-  
ter or treat  
used water.

**42.** Section 167 of the said act is replaced by the following section:

“**167.** From the coming into force of the by-laws made under section 162, no municipality which receives water from the Com-

munity shall supply water to any other municipality without the consent of the Community, and no municipality shall receive used water for treatment purposes from any other municipality, without the consent of the Community.

Prior contracts still in force.

Nothing in the first paragraph is deemed to prevent any municipality from supplying water to, or receiving used water from, any other municipality under contracts made before the date mentioned in the first paragraph if the works, plants, mains or collector sewers necessary to do so have not been acquired by the Community."

1969, c. 83, s. 168, replaced.

**43.** Section 168 of the said act, amended by section 153 of chapter 49 of the statutes of 1972, is replaced by the following section:

By-laws.

**"168.** The Community may pass, by a two-thirds majority of the votes, by-laws to

(a) supply drinking water to the municipalities and receive their used water;

(b) maintain, manage and operate its water treatment plants or works, water mains and collector sewers;

(c) establish a tariff for the supply of its services to the municipalities;

(d) determine the conditions, including the payment of fees, for any connection to its waterworks or sewer system;

(e) rent meters, if necessary.

Approval.

The by-laws made under the first paragraph require the approval of the Minister responsible for the application of the Environment Quality Act."

1969, c. 83, s. 169, replaced.

**44.** Section 169 of the said act is replaced by the following section:

Contract for the supplying of water and treatment of used water.

**"169.** The Community may bind itself by contract to provide drinking water to any municipality outside its territory or bind itself by contract to receive used water for treatment purposes from any municipality outside its territory."

1969, c. 83, s. 170b, added.

**45.** The said act is amended by inserting after section 170a the following section:

Franchise.

**"170b.** The Community may, by means of a contract previously authorized by the Minister, grant a franchise to operate one or more of such garbage disposal centres.

Contract.

The contract shall be awarded by the executive committee in conformity with section 104; however, public tenders may be

called for and the contract awarded otherwise than on the basis of a fixed price or a unit price.”

1969, c. 83,  
s. 171,  
replaced. **46.** Section 171 of the said act is replaced by the following section:

Inter-  
municipal  
nature. **“171.** The Community, by by-law subject to the approval of the Minister, may determine which parks, recreational centres and other recreational installations are of an inter-municipal nature.”

1969, c. 83,  
s. 172, am. **47.** Section 172 of the said act is amended by replacing the second paragraph by the following paragraph:

New  
inter-  
municipal  
parks, etc. **“It may also, by a by-law submitted to the approval of the Minister, establish new parks, recreational centres and other recreational installations of an inter-municipal nature.”**

1969, c. 83,  
s. 173,  
replaced. **48.** Section 173 of the said act is replaced by the following section:

Approval  
of the  
executive  
committee. **“173.** From the date on which the Community acquires competence in such matters, any project for the establishment by a municipality of a park, a center or other recreational installation must, prior to the passing of the resolution or by-law required to put it into operation, be submitted for the approval of the executive committee, with all the documents and studies on such subject in the possession of the municipality; the executive committee shall not refuse such approval except if it is of opinion that the project is of an inter-municipal nature; an appeal shall lie from such decision to the Commission municipale du Québec.”

1969, c. 83,  
s. 173a,  
added. **49.** The said act is amended by inserting after section 173, the following section:

Bicycle  
lanes. **“173a.** The Community may, by a by-law approved by the Minister, establish inter-municipal bicycle lanes and regulate the use thereof.

By-law  
approved  
by Trans-  
port Minis-  
ter. **For those purposes, it may order that the pavement of the streets mentioned in the by-law is reserved, in whole or in part, for bicycle traffic. In such a case, the by-law must also be approved by the Ministre des transports.**

Agreement  
for mainte-  
nance, etc. **The Community and any municipality in whose territory a lane is partly situated may reach an agreement for the laying out and maintenance of that part of lane. A copy of that agreement, or, failing an agreement, a certificate of the secretary of the Community stating that no agreement has been**



reached, must be annexed to the by-law when it is sent to the Minister for approval.

Power of municipality maintained.

The establishment of a lane under this section does not deprive a municipality of the power it may have to establish a similar lane on its territory.

Motor-cycles excluded.

For the application of this section, the word "bicycle" does not include motor-cycles."

1969, c. 83, s. 174, replaced.

**50.** Section 174 of the said act is replaced by the following section:

Application of 1966/67, c. 55.

**"174.** From the coming into force of a by-law passed by the Community under subparagraph *c* of the first paragraph of section 107, the Community is a municipality for the purposes of the Québec Housing Corporation Act (1966/1967, chapter 55)."

1969, c. 83, s. 178, am.

**51.** Section 178 of the said act, replaced by section 73 of chapter 88 of the statutes of 1971, is amended by replacing the second paragraph by the following paragraph:

Meeting to adopt budgets.

"Such meeting shall be adjourned as often as necessary and, subject to the third paragraph, shall not be closed unless the budgets are adopted. The Council, on its own authority, may amend the budget of the Transit Commission."

1969, c. 83, s. 203, am.

**52.** Section 203 of the said act, amended by section 32 of chapter 88 of the statutes of 1971, is again amended by replacing the third paragraph by the following paragraphs:

Bonds, etc., issued by the Community.

"The Community, with the authorization of the Commission municipale du Québec, may issue and sell, in its own name, bonds or other securities with or for and in the name of one or more municipalities listed in Schedule A.

Obligations of the Community.

Bonds or other securities so issued by the Community on its own account constitute, for their holders, direct and general obligations of the Community.

Obligations of the municipality.

The bonds or other securities issued by the Community for the account of a municipality constitute, for their holders, direct and general obligations of that municipality."

1969, c. 83, s. 205, replaced.

**53.** Section 205 of the said act, replaced by section 34 of chapter 88 of the statutes of 1971, is again replaced by the following section:

Bonds, etc., constitute authorized investment.

**"205.** The bonds, notes and other securities issued by the Community are authorized investments within the meaning of paragraph *a* of article 981*o* of the Civil Code."

1969, c. 83,  
s. 206,  
replaced.

**54.** Section 206 of the said act, amended by section 35 of chapter 88 of the statutes of 1971, is replaced by the following section:

Municipal-  
ities  
jointly  
liable.

**“206.** The municipalities in the territory of the Community are jointly and severally liable towards the holders of bonds, notes and other securities issued by the Community on its own account for the repayment of such bonds, notes and other securities, in principal, interest and other accessories, and of all other obligations contracted by the Community towards such holders.”

1969, c. 83,  
s. 215,  
replaced,  
ss. 215a-  
215e,  
added.  
Composi-  
tion of  
Transit  
Commis-  
sion.

**55.** Section 215 of the said act is replaced by the following sections:

**“215.** The Transit Commission consists of the six members of its board of management, including its chairman and its vice-chairman, appointed in the manner hereinafter provided.

Composi-  
tion of  
board of  
manage-  
ment.

**“215a.** The board of management of the Commission consists of:

- (a) the chairman of the Council of the Community;
- (b) four other members of the Council appointed by the latter; and
- (c) the director general of the Commission.

Chairman  
and vice-  
chairman.

The Council of the Community shall appoint from among the persons mentioned in subparagraph *b* of the first paragraph the chairman and the vice-chairman of the Commission.

Representa-  
tives of  
Québec.

In all cases the board of management must include at least two representatives of the City of Québec.

Term of  
office.

The term of office of each member of the board of management of the Commission other than the director general shall be that of his term as a member of the Council of the Community; however, he shall remain in office after the expiry of his term until his successor is appointed. His term is renewable.

Manage-  
ment.

**“215b.** The Commission shall be represented and its affairs managed by its board of management.

Director  
general.

**“215c.** The director general of the Commission shall be appointed and his salary fixed by the Council of the Community. His salary shall be paid by the Commission.

Duties.

**“215d.** The director general of the Commission shall fulfil the duties the board of management may determine by by-law.

Applicable provisions. **"215e.** Sections 85, 87, 88 and 88c apply, *mutatis mutandis*, to the director general."

1969, c. 83, s. 216, repealed. **56.** Section 216 of the said act is repealed.

Id., s. 217, replaced. **57.** Section 217 of the said act is replaced by the following section:

Quorum. **"217.** A majority of the members, including the chairman, are a quorum at sittings of the board of management of the Commission.

Vote. Each member of the board of management including the chairman but excluding the director general is entitled to one vote at every sitting of the board of management, in the case of a tie-vote, the chairman also has a casting vote."

1969, c. 83, s. 218, replaced. **58.** Section 218 of the said act, amended by section 38 of chapter 88 of the statutes of 1971, is replaced by the following section:

Applicable provisions. **"218.** Division IV of Title I of this act applies, *mutatis mutandis*, except as regards the calling of special meetings which may also be called at the request of the chairman or at the request of the two other members of the board of management."

1969, c. 83, s. 220, replaced. **59.** Section 220 of the said act is replaced by the following section:

Exclusive services. **"220.** The director general shall devote his time exclusively to the work of the Transit Commission and the duties of his office and shall not engage in any other remunerative employment or occupation."

1969, c. 83, s. 221, am. **60.** Section 221 of the said act is amended by replacing the first two paragraphs by the following paragraphs:

Incompatible duties. **"221.** The office of member of the Council or of the executive committee, or of officer of the Community, and the office of mayor, councillor or officer of a municipality in the territory of the Transit Commission is incompatible with the office of director general.

Permanent employment prohibited. Under pain of forfeiture of his office, no member of the board of management, except the director general, may hold regular or permanent employment with the Transit Commission.

Conflict of interest. Under pain of forfeiture of his office, no commissioner may have any direct or indirect interest in an undertaking which puts his personal interest in conflict with that of the Transit Commission."

1969, c. 83,  
s. 222, re-  
placed.

**61.** Section 222 of the said act is replaced by the following section:

Fees, etc.

**“222.** The Lieutenant-Governor in Council shall fix the fees, allowances, salaries and pensions of the members of the board of management of the Transit Commission other than the director general. Such sums shall be paid by the Transit Commission.”

1969, c. 83,  
s. 223, re-  
placed.

**62.** Section 223 of the said act is replaced by the following section:

Immunity.

**“223.** The members of the board of management and the secretary of the Transit Commission cannot be sued by reason of official acts done in good faith in the exercise of their functions.”

1969, c. 83,  
s. 224, re-  
placed.

**63.** Section 224 of the said act is replaced by the following section:

Recourses  
prohibited.

**“224.** None of the extraordinary recourses contemplated in articles 834 to 850 of the Code of Civil Procedure may be exercised and no injunction may be granted against the Transit Commission, the members of the board of management or the secretary acting in their official capacity, unless applied for by the Government, the Community or any municipality thereunto authorized by the Community.”

1969, c. 83,  
s. 229, am.

**64.** Section 229 of the said act, amended by section 41 of chapter 88 of the statutes of 1971, is again amended by replacing the first paragraph by the following paragraph:

Directors.

**“229.** As soon as the Transit Commission acquires all of the capital stock of a public transport undertaking, the functions of the directors of the undertaking then in office cease and the members of the board of management become the sole directors of such undertaking, without remuneration, and even if not personally shareholders of such undertaking, notwithstanding any inconsistent provision of any law, charter or by-law.”

1969, c. 83,  
s. 233, am.

**65.** Section 233 of the said act is amended by replacing the second paragraph by the following paragraph:

Cancellation  
of  
hypothecs,  
etc.

**“The** cancellation of the registration of such hypothecs and guarantees is effected by the presentation and deposit, for purposes of cancellation, in the office of the registration division contemplated, of a requisition therefor, signed by the director general and the secretary of the Commission, attesting that it has acquired the ownership and final possession of the pertinent moveable and immoveable property, designating the immoveable property af-

fectured by such registration and specifying the registration numbers of the hypothecs and guarantees to be cancelled. Such requisition makes *prima facie* proof of its contents without its being necessary to prove the authority of the signatories."

1969, c. 83,  
s. 235, re-  
placed.

**66.** Section 235 of the said act is replaced by the following section:

Authority  
over bus  
lines.

**"235.** The Commission, with the previous approval of the Council, may establish, change or cancel lines, replace autobus lines by lines of other means of public transport, change their routes and, for any such purpose, use any public street which it deems expedient in its territory. The secretary of the Commission shall send forthwith to the Community and to the municipalities, and cause to be published without delay in a daily newspaper circulating in its territory, a certified copy of the resolution of the Commission."

1969, c. 83,  
s. 236, re-  
placed.

**67.** Section 236 of the said act is replaced by the following section:

Decision  
revised.

**"236.** Any decision of the Commission cancelling or changing a line or refusing to establish a new line or to extend or alter an existing line may be revised by the Commission des transports du Québec, upon an appeal by any municipality or person concerned. Such appeal shall be brought by a petition served upon the Commission, the Community and the municipalities in the territory of the Commission within thirty days after the publication contemplated in section 235. The Commission des transports may amend the decision of the Commission for the future only, from a date fixed in its order; the decision of the Commission shall be enforced notwithstanding the appeal, unless the Commission des transports orders it to suspend the execution of such decision."

1969, c. 83,  
a. 237, am.

**68.** Section 237 of the said act is amended by replacing the first paragraph by the following paragraph:

Tariffs.

**"237.** The Commission may at any time and with the previous approval of the Council establish tariffs for the transport of users, and establish different tariffs according to the means of transport or the classes of users."

1969, c. 83,  
s. 238, am.

**69.** Section 238 of the said act is amended by replacing the first paragraph by the following paragraph:

Decision  
revised.

**"238.** Any decision of the Commission respecting tariffs may be revised by the Commission des transports du Québec upon an appeal by any municipality or person concerned."

1969, c. 83,  
s. 243a, am.  
**70.** Section 243a of the said act, enacted by section 1 of chapter 55 of the statutes of 1976, is amended by replacing the fifth paragraph by the following paragraph:

Adoption. “That meeting shall not be terminated until such budget is adopted. The Council, on its own authority, may amend that budget.”

1969, c. 83,  
s. 244, re-  
placed.  
**71.** Section 244 of the said act is replaced by the following section:

Adminis-  
tration of  
budget.  
“**244.** The director general, under the authority of the board of management of the Commission, is responsible for the administration of the budget of the Transit Commission in accordance with the requirements of this act.”

1969, c. 83,  
s. 251, am.  
**72.** Section 251 of the said act, amended by section 44 of chapter 88 of the statutes of 1971 and by section 130 of chapter 55 of the statutes of 1972, is again amended by replacing subsection 1 by the following subsection:

Permits for  
charter  
trips.  
“**251.** (1) No permit may be granted by the Commission des transports to any carrier for the making of special or charter trips by autobus from one point to another within the territory of the Transit Commission unless the applicant files, together with his application for the permit, the consent of the Transit Commission, unless the Commission des transports is of opinion that the Transit Commission is not in a position to provide the service covered in the application for a permit.”

1969, c. 83,  
Title IV,  
ss. 268-274,  
repealed.  
**73.** The heading of Title IV of the said act and sections 268 to 274 are repealed.

Id., s. 276,  
repealed.  
**74.** Section 276 of the said act is repealed.

Id., s. 286,  
repealed.  
**75.** Section 286 of the said act is repealed.

Id., s. 294,  
replaced.  
**76.** Section 294 of the said act is replaced by the following section:

Temporary  
replace-  
ment.  
“**294.** In the case of absence or inability to act, a member of the board of management of the Transit Commission may be replaced while he is absent or unable to act by another person appointed for such purpose, in the same manner as the person to be replaced.”

1969, c. 83,  
s. 323, am.  
**77.** Section 323 of the said act, amended by section 9 of chapter 65 of the statutes of 1970 and replaced by section 79 of chapter 88 of the statutes of 1971, is amended by replacing the first four paragraphs by the following paragraphs:

1968, c. 56,  
replaced.

**"323.** The Greater Québec Water Purification Board Act (1968, chapter 56) is replaced by this act.

Expiry of  
term of  
office.

The term of office of the members of The Greater Québec Water Purification Board expires as of 21 November 1978.

Salary  
continued.

However, the person who, on that date, is the chairman of the Purification Board continues to receive, until 31 December 1978, the fees, allowances, salaries and additional salaries attached to that office.

Life  
pension  
from 1 Jan-  
uary 1979.

From 1 January 1979, that person is entitled to an annual pension of four thousand five hundred dollars. This pension will be paid to him, for life, by the Community.

Pension to  
widow.

When that person dies, his widow will be entitled to a pension equal to one-half of the pension determined in the fourth paragraph; that pension will be paid to her, for life and while she remains a widow, by the Community.

Property,  
rights, etc.,  
devolved to  
Communi-  
ty.

The property, rights and obligations of the Purification Board devolve, from 21 November 1978, to the Community.

Appor-  
tionment  
of the  
debts.

The municipalities mentioned in Schedule D are liable for the debts of the Purification Board. Such debts shall be apportioned among such municipalities in proportion either to the total valuation of the immoveables situated within their territories as entered on their valuation rolls, or to their population, or to the number of dwelling units located within their territories, or to the volume of water fed by each of such municipalities into the works administered by the Purification Board immediately before the date mentioned in the sixth paragraph, or in proportion to more than one of such criteria taken together or to any other criterion approved by the Commission municipale du Québec and the minister responsible for the application of the Environment Quality Act.

Share  
propor-  
tional to  
benefit.

Where the works mentioned in the seventh paragraph benefit only a part of the territory of one of such municipalities, the expenditures shall be apportioned with regard to such part of territory only.

Share  
determined  
by resolu-  
tion.

The Community shall determine by resolution the share payable by each of the municipalities; such a resolution, to be valid, must be approved by the Commission municipale du Québec.

Share  
notified.

The Community shall notify each of the municipalities of the amount of its share.

Payment.

Each municipality, within three months of the date of receipt of such notice, shall pay to the Community the amount of its

share determined by the resolution approved in accordance with the ninth paragraph.

Applica-  
bility.

For the purposes of the payment of that share, section 306 applies, except its fourth paragraph."

1969, c. 83,  
Sched. A,  
replaced.

**78.** Schedule A to the said act, amended by section 7 of chapter 91 of the statutes of 1975, is replaced by the following schedule:

#### "SCHEDULE A

The cities of Beauport, Charlesbourg, Loretteville, Québec, Sainte-Foy and Sillery; the towns of Ancienne-Lorette, Val-Bélair and Vanier; the village of Saint-Émile; the parishes of Saint-Augustin-de-Desmaures and Saint-Félix-du-Cap-Rouge; the municipality of Lac Saint-Charles."

Id., Sched.  
D, re-  
placed.

**79.** Schedule D to the said act is replaced by the following schedule:

#### "SCHEDULE D

The cities of Beauport, Charlesbourg, Loretteville, Québec, Sainte-Foy and Sillery; the towns of Ancienne Lorette, Val-Bélair and Vanier; the village of Saint-Émile; the parishes of Saint-Augustin-de-Desmaures, Saint-Dunstan-du-Lac-Beauport and Saint-Félix-du-Cap-Rouge; the municipality of Lac Saint-Charles."

Coming  
into force  
of 1971,  
c. 88, ss. 54,  
72-76, 78,  
79.

**80.** Notwithstanding any inconsistent legislative provision, sections 54, 72 to 76, 78 and 79 of chapter 88 of the statutes of 1971 come into force on 21 November 1978.

1971, c. 88,  
ss. 55-71,  
77, 80,  
1972, c. 49,  
ss. 144,  
146, 148,  
150, 152,  
repealed.

Sections 55 to 71, 77 and 80 of chapter 88 of the statutes of 1971 and sections 144, 146, 148, 150 and 152 of chapter 49 of the statutes of 1972 are repealed.

New use  
of land,  
etc.,  
authorized  
by Com-  
munity.

**81.** Between the date of the coming into force of this act and the date of the coming into force of the by-laws contemplated in section 143c of the Québec Urban Community Act, enacted by section 25 of this act, except for agricultural purposes on lands under cultivation, any new use of the land, new construction or preparation of a division or subdivision plan of land must be previously authorized by the Community; the latter may appoint a person to give such authorizations on the conditions it determines by by-law. The by-law may determine in which part of the territory of the Community the authorization shall not be granted,



(a) unless the land on which the intended structure is to be erected, including its dependencies, constitutes one or more separate lots on the official plan of the cadastre or on the subdivision plan made and deposited in conformity with article 2175 of the Civil Code;

(b) unless the water and sewer services are already installed in the street along which the structure is intended to be erected, or unless the by-law ordering the installation of such services is already in force; and

(c) unless the land on which the intended structure is to be erected is adjacent to a public street.

Part of  
territory  
withdrawn  
from ap-  
plication.

However, the Community may, by by-law, exempt any part of the territory of a municipality from the application of the first paragraph.

Division,  
etc., au-  
thorized by  
Communi-  
ty, and  
certificate.

Where an authorization contemplated in the first paragraph is required, no registration of a division or subdivision plan under article 2175 of the Civil Code may be made without giving a certificate attesting that the division or subdivision is authorized by the Community; the latter may appoint a person to give that authorization on the conditions it determines by by-law.

Approval  
of loan by-  
law for  
public  
works.

Moreover, during the period contemplated in the first paragraph, every loan by-law of a municipality respecting the carrying out of public works, when it is sent to the Minister and the Commission municipale du Québec for approval, must be accompanied with a notice of the Community. ✓

Communi-  
ty Coun-  
cil to re-  
main in  
office.

**82.** (1) The members of the Council of the Communauté urbaine de Québec in office on the date of the coming into force of this act remain in office

(a) until all the resolutions to designate the representatives of the municipalities contemplated in the second paragraph of section 39 of the Québec Urban Community Act, replaced by section 10 of this act, are adopted and sent to the secretary of the Community; or

(b) till the end of a 60 day period after the date of the coming into force of this act if the eventuality contemplated in paragraph a does not materialize during that period.

Composi-  
tion of  
Council.

(2) If, at the end of the period mentioned in paragraph b of subsection 1, the eventuality contemplated in paragraph a of that subsection has not materialized, the Council consists of the persons being members *ex officio* thereof under section 39 above mentioned and of the representatives of the municipalities having then adopted and sent the resolution contemplated in the second paragraph of that section.

Idem.

Thereafter, the Council consists of the persons mentioned in the first paragraph and of the representatives of the other municipalities, as and when the resolutions to appoint them are adopted and sent to the secretary of the Community.

Members of executive Committee to remain in office.

(3) The members of the executive committee of the Communauté urbaine de Québec in office on the date of the coming into force of this act continue to hold office until a full executive committee is set up in conformity with section 7 of the Québec Urban Community Act as amended by section 3 of this act.

Effect.

**83.** Sections 3, 17, 18 and 55 take effect at the end of a 60 day period after the date of the coming into force of this act or on the date on which the eventuality mentioned in paragraph *a* of subsection 1 of section 82 materializes before the end of that period.

Commissioners of Transit Commission to remain in office.

**84.** The commissioners of the Transit Commission of the Communauté urbaine de Québec, in office on the date of the coming into force of this act, continue to hold office until the board of management of the Commission is set up in conformity with section 215*a* of the Québec Urban Community Act enacted by section 55 of this act.

Effect.

Sections 9, 13, 57 to 65 and 71 of this act take effect on the date on which the board of management of the Transit Commission is so set up.

Chairman and general manager to become director general of the Commission.

The person who, on the date mentioned in the second paragraph, holds the office of chairman and general manager of the Transit Commission shall hold, until the expiry of the term for which he has been appointed to that office, the office of director general of the Commission; he shall keep and receive, in that new office, the benefits and advantages attached to his office of chairman and general manager of the Commission.

Pension.

On leaving his office permanently, for any reason, he is entitled to the pension determined for him under section 222 of the Québec Urban Community Act as it read before the coming into force of section 61 of this act.

Salaries increased by by-law.

However, the board of management of the Commission may, by by-law, increase the amount of the fees, allowances, salaries and pensions fixed for that person under the said section 222."

End of effect.

**85.** Section 72 ceases to have effect on the date of the coming into force of paragraph *a* of section 130 of chapter 55 of the statutes of 1972.

Delay for budget extended by two months.

**86.** As regards the annual budgets of the Québec Urban Community and the Commission de transport de la Communauté

urbaine de Québec, for the fiscal year 1979, and as regards their triennial capital expenditure programmes for the fiscal years 1979-1980-1981, the delays mentioned in sections 177, 178, 200a and 242 of the Québec Urban Community Act are extended by two months.

Retro-  
active  
effect.

Any triennial capital expenditure budget or programme which, under this section, comes into force after 1 January 1979 has retroactive effect to that date.

Hearing of  
appeal al-  
ready  
brought.

**87.** Every appeal brought before the Commission des transports du Québec under section 236 or 238 of the Québec Urban Community Act and pending on the date of the coming into force of this act is heard and decided in conformity with that section as it existed before that date.

Rights of  
holders not  
affected.

**88.** Sections 52 to 54 do not affect the rights of the holders of bonds and other securities issued by the Communauté urbaine de Québec before the coming into force of this act.

Muni-  
cipality not  
free from  
prior  
debts.

**89.** Nothing in this act frees a municipality from a debt to the Communauté urbaine de Québec incurred before the coming into force of this act pursuant to the exercise of a power by the Community of which it is deprived by this act.

Interpreta-  
tion.

**90.** In the Québec Urban Community Act and in every by-law or resolution adopted thereunder the expressions "manager" and "assistant manager" mean the "director general" and the "assistant director general" of the Community.

Idem.

**91.** In any act, proclamation, order in council, contract, order or other document, the expression "Québec Urban Community Planning Commission" means the Communauté urbaine de Québec.

Coming  
into force.

**92.** This act comes into force on the day of its sanction.