



CHAPTER 109

An Act to amend the charter of the city of Chicoutimi

[Assented to 22 December 1978]

Preamble. WHEREAS it is necessary for the proper administration of the affairs of the city of Chicoutimi that its charter, chapter 109 of the statutes of 1960/1961, amended by chapter 104 of the statutes of 1966/1967, chapter 88 of the statutes of 1974 and chapter 81 of the statutes of 1977, be again amended in order to grant it further powers;

Therefore, Her Majesty, with the advice and consent of the Assemblée nationale du Québec, enacts as follows:

Special fund. **1.** The city of Chicoutimi is authorized to establish by by-law a special fund in an amount determined by the **Ministre des affaires municipales** and consisting either of government subsidies or loans ordered by by-law, provided that any by-law ordering such loans receives every approval required by law.

Acquisition of immoveables. **2.** The city is authorized to withdraw from the special fund the sums necessary to pay the cost of the studies and preliminary works on those parts of its territory designated as "downtown", the "harbour zone" and the "railway zone", described in the schedule, to acquire by agreement or expropriation, for residential, public or commercial purposes, any immoveables found thereon and to demolish any buildings and other works erected thereon, with a view to their development by the city, private enterprise or any other body legally constituted.

Alienation. **3.** The city may, on the conditions it determines and with the prior approval of the **Commission municipale du Québec**, alienate such immoveables by agreement, auction or public tender, provided the cost of such alienation is not less than the cost of acquisition of those immoveables, after deduction of the

amount paid for the buildings already erected thereon at the time of their acquisition and the cost of their demolition.

Price. The amount of such alienation may also comprise the cost of expenses incurred for municipal services.

First hypothec. The payment of the price of any alienation made under this act must, if not made in cash, be secured by first hypothec.

Second hypothec. Upon proof of the sufficiency of the security, the Commission municipale du Québec may authorize an alienation secured by second hypothec.

Subsequent disposition. If the city, in order to protect its claim, takes back an immoveable hypothecated in its favour, it may subsequently dispose of it in accordance with the first paragraph.

Alienation in favour of Government. The city may alienate, gratuitously or for a price lower than that provided for in this section, such an immoveable in favour of the Government, of a body thereof or of a school corporation.

Subsidies to commercial establishments. **4.** Notwithstanding the Municipal Aid Prohibition Act (Revised Statutes, 1964, chapter 176), the city, with the approval of the *Ministre des affaires municipales*, may grant subsidies out of the fund to defray the costs of removal, within the limits of its territory, of the commercial establishments located in and on such immoveables.

How money used. **5.** The money derived from the alienation of such immoveables must be used to make improvements and other works on the remaining immoveables, to extinguish the liabilities incurred by the city for loans made under this act and to pay the interest and other expenses incurred for the operations of such fund.

Special account. Any surplus derived from the alienation must be deposited in a special account the use of which is subject to the prior approval of the *Ministre des affaires municipales*.

Idem. **6.** The operations of such special fund must be entered in a special account of the city and appear in its annual financial statement under a separate heading.

Effect. **7.** This act has effect as from 1 March 1978.

Coming into force. **8.** This act comes into force on the day of its sanction.

SCHEDULE

DOWNTOWN

All that territory comprised within the following limits: on the north, the south side of the right of way of Lamarche boulevard; on the east, Lafontaine avenue; on the south, Racine street; on the west, a piece of land owned by the city of Chicoutimi (part of lot 214 of the cadastre of the city of Chicoutimi).

That part of lot 210 of the cadastre of the city of Chicoutimi owned by J.R. Théberge or his assigns and that part of lot 213 of the same cadastre owned by the Caisse Populaire de Chicoutimi are to be withdrawn from that territory.

That territory thus delineated has an area of one hundred and five thousand, nine hundred and ninety square feet or two acres and forty-eight hundredths (105 990 sq. ft. or 2.48 acres).

RAILWAY ZONE

All that territory comprised within the following limits: on the north, the south limit of Lamarche boulevard; on the east, Salaberry street; on the southeast and on the south, Du Havre and Racine streets; on the west, Lafontaine avenue.

That territory thus delineated has an area of three hundred and ninety-five thousand square feet or nine acres (395 000 sq. ft. or 9.0 acres), more or less.

HARBOUR ZONE

All that territory comprised within the following limits: on the north and east, the Saguenay river; on the south, the north limit of Lamarche boulevard; on the west, the Saguenay river, the west limit of Block I of the cadastre of the city of Chicoutimi and that part of the right of way of Lamarche boulevard expropriated by the Ministère des transports.

That territory thus delineated has an area of one million eight hundred and five thousand square feet or forty-one acres (1 805 000 sq. ft. or 41 acres), more or less.