



CHAPTER 115

An Act to amend the charter of the city of Sherbrooke

[Assented to 22 December 1978]

Preamble. WHEREAS it is in the interest of the city of Sherbrooke and necessary for the proper administration of its affairs that its charter, chapter 101 of the statutes of 1974, be amended;

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

*R.S.,
c. 193,
s. 26, am.
for city.*

1. Section 26 of the Cities and Towns Act (Revised Statutes, 1964, chapter 193), as amended for the city of Sherbrooke by section 4 of chapter 101 of the statutes of 1974, is again amended for the city by striking out subsection 4.

*Id., s. 385,
replaced
for city.*

2. Section 385 of the said act is replaced for the city by the following section:

*Notice of
motion.*

“385. Every by-law, on pain of nullity, must be preceded by a notice of motion given at a sitting of the council and be read at an adjournment or a sitting held on a later day. A delay of two juridical days must elapse between the date on which the notice of motion is presented and that on which the by-law is passed by the council.

*Reading of
by-law.*

The clerk shall not be required to read the by-law if a copy thereof has been handed to every member of the council not later than forty-eight hours before the sitting at which it is to be approved and if, at that sitting, every member of the council present states that he has read it and waives the reading of it. In this case, however, the clerk or the chairman of the meeting must mention the object of the by-law, its implications, its cost and, where that applies, the mode of financing and payment.

Copy. The clerk must issue a copy of the by-law to every ratepayer requesting it within the two juridical days preceding such sitting.

Idem. The clerk must also take the necessary measures to ensure that copies of the by-law are put at the disposal of the public during the meeting, for reference.

Effect of notice of motion. When a notice of motion has been given to amend a zoning by-law adopted under paragraph 1 of section 426, no building plan shall be approved nor shall any certificate of approval or any building permit be granted for carrying out works or using land which, should the amending by-law be adopted, will be prohibited in the zone or sector concerned. But if the amending by-law is not adopted and put in force within three months from the date of the notice of motion, the prohibition enacted by this paragraph shall then cease to be applicable.”

1974, c. 101, s. 9, am. **3.** Section 9 of chapter 101 of the statutes of 1974 is amended by striking out paragraph *b*.

Real estate reserves. **4.** Notwithstanding any act to the contrary, the city is authorized to acquire by agreement or expropriation any immoveable of which the acquisition is considered appropriate for real estate reserves or housing purposes and for works related to such purposes and any immoveable whose occupancy is considered obsolete or harmful.

Immoveables held, leased, etc. The city is authorized to hold, lease and manage the immoveables acquired under the first paragraph. It may also equip such immoveables and instal the necessary public services there. It may also alienate them, on conditions determined by it, with the approval of the Commission municipale du Québec, provided that the alienation price is equal to or greater than the real value of such immoveables and not less than the cost price.

Alienation. 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, any body thereof or a school corporation.

Payment of taxes. The city is required to pay regarding immoveables it owns under this section all the taxes that may be required from a property owner in the municipality.

Provision not to apply. This section does not apply to the acquisition of immoveables for industrial purposes.

Idem. **5.** The Amusement Tax Act (Revised Statutes, 1964, chapter 76) does not apply to the game known as “bingo” when held within the territory of the city.

Coming into force. **6.** This act comes into force on the day of its sanction.