

NATIONAL ASSEMBLY

FIRST SESSION

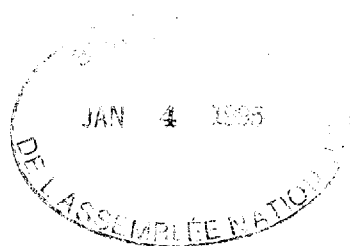
THIRTY-FIFTH LEGISLATURE

Bill 200
(Private)

An Act to again amend the charter of the city of Montréal

Introduction

**Introduced by
Mr André Boulerice
Member for Sainte-Marie—Saint-Jacques**



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Bill 200

(Private)

An Act to again amend the charter of the city of Montréal

WHEREAS it is in the interest of the city of Montréal that its charter, chapter 102 of the statutes of 1959-60, be amended;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Article 79 of the charter of the city of Montréal (1959-60, chapter 102), amended by section 10 of chapter 1 of the statutes of 1960, by section 7 of chapter 59 of the statutes of 1962 and by sections 9 and 184 of chapter 77 of the statutes of 1977, is again amended

(1) by replacing the word “six” in the first sentence of the first paragraph by the word “nine”;

(2) by replacing the word “six” in the second sentence of the first paragraph by the word “nine”;

(3) by replacing the word “six” in the eighth paragraph by the word “nine”.

2. Article 83 of the said charter, amended by section 184 of chapter 77 of the statutes of 1977, is again amended by replacing the word “Four” in the second paragraph by the word “Six”.

3. Article 105 of the said charter, amended by section 1 of chapter 84 of the statutes of 1965 and by section 7 of chapter 111 of the statutes of 1987, is repealed.

4. Article 109 of the said charter, replaced by section 9 of chapter 111 of the statutes of 1987 and amended by section 4 of chapter 82 of

the statutes of 1991, is again amended by replacing the third paragraph by the following paragraph:

“The executive committee may delegate the exercise of the power mentioned in the first paragraph to the head of the competent department. In such a case, the report, and the reasons for the decision, shall be submitted to the executive committee by the head of the department, subject to the same requirements.”

5. Chapters IV.1 and IV.2 of Title II of the said charter, introduced by section 4 of chapter (*insert here the chapter number of Bill 271 of 1994*) of the statutes of 1994, are struck out.

6. The heading of Chapter VII of Title II of the said charter is replaced by the following heading:

“DELEGATION OF POWER”.

7. Article 131*b* of the said charter, introduced by section 2 of chapter 117 of the statutes of 1986, is repealed.

8. Article 131*bb* of the said charter, introduced by section 1 of chapter 90 of the statutes of 1990, is repealed.

9. Articles 131*c* and 131*d* of the said charter, introduced by section 2 of chapter 117 of the statutes of 1986, are repealed.

10. Article 131*e* of the said charter, introduced by section 2 of chapter 117 of the statutes of 1986 and amended by section 2 of chapter 90 of the statutes of 1990, is repealed.

11. Articles 131*f*, 131*g* and 131*h* of the said charter, introduced by section 2 of chapter 117 of the statutes of 1986, are repealed.

12. Article 131*hh* of the said charter, introduced by section 3 of chapter 90 of the statutes of 1990, is repealed.

13. Article 131*i* of the said charter, introduced by section 2 of chapter 117 of the statutes of 1986 and amended by section 4 of chapter 90 of the statutes of 1990, is repealed.

14. Article 131*j* of the said charter, introduced by section 2 of chapter 117 of the statutes of 1986, is amended

(1) by replacing the words “the secretary general or to another” in the first paragraph by the word “an”;

(2) by striking out the words “secretary general or the” in the third paragraph.

15. Article 133 of the said charter, replaced by section 3 of chapter 117 of the statutes of 1986, is amended

(1) by striking out the words “the secretary general to the executive committee and on a report of” in the first paragraph;

(2) by striking out the words “of the secretary general or” in the third paragraph.

16. Article 134 of the said charter, replaced by section 4 of chapter 117 of the statutes of 1986, is amended

(1) by replacing the words “secretary general” in the first paragraph by the words “executive committee”;

(2) by replacing the second paragraph by the following paragraph:

“They shall choose, appoint and replace, with the approval of the executive committee, their deputies and assistants and the other members of their staff.”;

(3) by replacing the words “or to the secretary general, at their” in the third paragraph by the words “, at its”.

17. The said charter is amended by inserting, after Chapter I of Title III, the following chapter:

“CHAPTER II

“ADMINISTRATIVE SECRETARY

“142. The council may, on the recommendation of the executive committee, appoint an administrative secretary.

“143. The provisions of this Act relating to the heads of the departments also apply to the administrative secretary.

“144. The administrative secretary shall perform the duties assigned to him by the executive committee.

“145. The heads of the departments shall provide the administrative secretary with any report or opinion he may request.

“146. The administrative secretary may report to the executive committee on any matter that is submitted to the committee or that should be brought to its attention.”

18. The said charter is amended by inserting, after article 180, the following article:

“181. The council may, by by-law, establish standing committees composed of members of the council to examine any question relating to their respective jurisdictions and to make the recommendations they deem appropriate to the council.

The council shall appoint a chairman and a vice-chairman for each of the committees. However, where a committee is composed of six members or fewer than six members, the council is not required to appoint a vice-chairman.

The council may, where it deems it advisable, replace any member of the committees.

The mayor is *ex officio* a member of every committee and has the right to vote.

Every committee shall give an account of its work and of its decisions by means of reports signed by its chairman or by the majority of its members.”

19. Article 661.1 of the said charter, replaced by section 2 of chapter 34 of the statutes of 1984, amended by section 857 of chapter 57 and by section 6 of chapter 112 of the statutes of 1987, is again amended by replacing the word “one-thirtieth” in the second paragraph by the word “one-sixtieth”.

20. Article 661.6 of the said charter, introduced by section 7 of chapter 112 of the statutes of 1987 and amended by section 19 of chapter 90 of the statutes of 1990, is again amended by replacing the figure “35” in the third paragraph by the figure “15”.

21. Article 663 of the said charter, amended by section 23 of chapter 87 of the statutes of 1988, is repealed.

22. Article 708 of the said charter, replaced by section 8 of chapter 117 of the statutes of 1986, is again replaced by the following article:

“708. The head of each department is responsible for the management of the appropriations put at his disposal, as prescribed

by this Act, under the authority of the executive committee or the council.”

23. Article 709 of the said charter, replaced by section 28 of chapter 87 of the statutes of 1988, is amended by striking out the words “, the secretary general”.

24. Article 749 of the said charter, replaced by section 14 of chapter 90 of the statutes of 1968, amended by section 6 of chapter 92 of the statutes of 1968, by section 15 of chapter 52 of the statutes of 1976, by section 224 of chapter 38 of the statutes of 1984 and by section 39 of chapter 87 of the statutes of 1988, is again amended by striking out the words “and of the secretary general of the city” in the second paragraph.

25. At the first meeting of the council following the coming into force of this Act, the mayor may move, subject to the approval of the council, for the appointment of three members of the executive committee in addition to the six members appointed at the meeting held under article 112 of the charter of the city of Montréal (1959-60, chapter 102).

Where the motion, which may not be amended, is not adopted, the council shall then proceed with the nomination and the election of the three members in accordance with the procedure described in the second, third, fourth, fifth, sixth and seventh paragraphs of article 79 of the said charter.

Where an associate councillor is appointed or elected as member of the executive committee pursuant to this section, he shall cease, upon the appointment or election, to be an associate councillor.

26. This Act comes into force on (*insert here the date of assent to this Act*), except section 2 which takes effect from the date on which the council proceeds with the appointment described in section 25.