

NATIONAL ASSEMBLY

FIRST SESSION

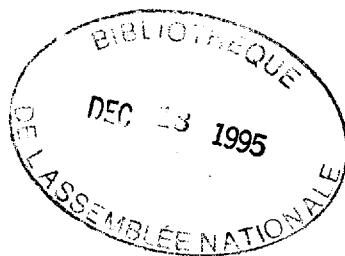
THIRTY-FIFTH LEGISLATURE

Bill 255
(Private)

An Act respecting Municipalité de Saint-David-de-Falardeau

Introduction

Introduced by
Mr Francis Dufour
Member for Jonquière



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Bill 255

(Private)

An Act respecting Municipalité de Saint-David-de-Falardeau

WHEREAS Municipalité de Saint-David-de-Falardeau, hereinafter referred to as “the municipality”, wishes to participate in the revitalization of the Mont Victor-Tremblay ski centre established in its territory;

Whereas the Coopérative de travail du Mont Victor-Tremblay is the operator of the ski activities at Mont Victor-Tremblay;

Whereas it is necessary that certain powers be granted to the municipality to enable it to participate in the revitalization of the ski activities at Mont Victor-Tremblay;

Whereas the territory made up of the skiable area and the adjacent residential subdivision forms part of the land in the public domain, and whereas the Government intends to transfer that territory to the municipality;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The municipality may be a member of the Coopérative de travail du Mont Victor-Tremblay.

2. The municipality may appoint directors of the cooperative insofar as the number appointed does not exceed 25% of the total number of directors. It shall designate the directors from the members of its council.

3. Notwithstanding the Municipal Aid Prohibition Act (R.S.Q., chapter I-15), the municipality may, in the pursuit of the purposes

mentioned in subparagraph 2 of article 8 of the Municipal Code of Québec (R.S.Q., chapter C-27.1), assist the cooperative and grant subsidies to it.

A subsidy granted under the first paragraph shall be paid out of the general fund. It may not exceed, on an annual basis, 0.10% of the standardized real estate value within the meaning of section 261.1 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1), established for the fiscal year in which the subsidy is granted.

4. The municipality may become surety for the cooperative.

However, the municipality shall obtain the authorization of the Minister of Municipal Affairs to become surety for an obligation in an amount equal to or greater than \$50 000.

In the event such authorization is necessary, the Minister may require that the resolution or by-law authorizing the suretyship be submitted to the approval of the persons qualified to vote on the loan by-laws in accordance with the procedure established for approval of such by-laws.

5. The municipality may acquire or lease from the Government the territory making up the skiable area of Mont Victor-Tremblay as well as the contiguous territory known as “residential subdivision”.

If the municipality acquires those territories, it may transfer or lease the whole or any part thereof.

As owner or lessee of the skiable area, the municipality may grant a loan for use in respect of the area in favour of the cooperative.

6. For the purposes of section 4 of the Regulation respecting gratuitous transfer of land for uses of public utility (R.R.Q., 1981, chapter T-8.1, r.1), transfer of the skiable area by the Government in favour of the municipality is deemed to be a transfer of land for non-profit recreation.

7. The suretyship contracted by the municipality in favour of the cooperative and authorized by resolution 193-95 adopted by the council of the municipality on 16 October 1995 may not be invalidated on the ground that the municipality was not empowered to become surety for the cooperative.

8. This Act comes into force on *(insert here the date of assent to this Act)*.