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# NATIONAL ASSEMBLY

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SECOND SESSION

THIRTY-FOURTH LEGISLATURE

Bill 213  
(Private)

## **An Act respecting the Régie d'aqueduc Richelieu-Centre**

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### **Introduction**

**Introduced by  
Mr Albert Khelifa  
Member for Richelieu**

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# Bill 213

(Private)

## **An Act respecting the Régie d'aqueduc Richelieu-Centre**

WHEREAS the Régie d'aqueduc Richelieu-Centre passed by-laws authorizing the construction of an intermunicipal waterworks system and the contracting of a loan for this purpose;

Whereas the municipalities which are parties to the intermunicipal agreement under which the Régie was established passed by-laws authorizing the construction of local water mains and the contracting of loans for this purpose;

Whereas all the work was carried out by the Régie d'aqueduc Richelieu-Centre;

Whereas the municipalities collected the taxes provided for in their respective by-laws to pay their share of the cost of the work carried out by the Régie, without, however, having contracted the loans required under the by-laws for work of a local nature;

Whereas, following a judgment by the Court of Québec, the legality of the collection of those taxes is called into question;

Whereas it is in the public interest to validate, on the one hand, the taxes imposed by the municipalities which are parties to the intermunicipal agreement for the payment of the work carried out by the Régie and, on the other hand, the carrying out of that work and the loan contracted by the Régie for that purpose;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** The work of a local nature defined in by-laws 241-81 of the village of Massueville, 192 of the parish of Saint-Aimé, 337-81 of the

parish of Saint-Barnabé, 81-3 of the southern part of the parish of Saint-Bernard, 386 of the parish of Saint-David, 180 of the parish of Saint-Jude, 196-81 of the parish of Saint-Louis and 81-120 of the municipality of Saint-Marcel-de-Richelieu, carried out by the Régie d'aqueduc Richelieu-Centre, is deemed to have been legally carried out by the Régie insofar as its by-laws 2, 4 and 5 did not order the carrying out of the work and the intermunicipal agreement did not authorize the Régie to carry out the work.

The loan contracted by the Régie under its by-laws 2, 4 and 5 shall not be invalidated on the grounds that those by-laws did not order the work of a local nature referred to in the first paragraph or that the Régie is not authorized to order that work under the intermunicipal agreement.

**2.** A special tax imposed and collected by a municipality mentioned in section 1 for the payment of the loan referred to in the same section shall not be invalidated on the grounds that the work was not carried out by the municipality and the loan was not contracted by the municipality.

**3.** A voluntary payment by a ratepayer in order to have his building exempted from the tax referred to in section 2 shall not be invalidated on the grounds that the loan by-law imposing the tax does not provide for the possibility of making such a payment in accordance with article 1072.1 of the Municipal Code of Québec (R.S.Q., chapter C-27.1).

**4.** This Act does not affect a case pending on 23 April 1991.

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