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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-FOURTH LEGISLATURE

Bill 54

## **An Act respecting the town of Schefferville**

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### **Introduction**

**Introduced by  
Mr Yvon Picotte  
Minister of Municipal Affairs**



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#### EXPLANATORY NOTE

*This bill confers special powers on the town of Schefferville and on the Minister of Municipal Affairs to ensure that the legal existence of the town is maintained. These powers concern, in particular, the provision of municipal services, the boundaries of the town, the administration of its affairs and the holding of a general election.*

## Bill 54

### An Act respecting the town of Schefferville

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** The town of Schefferville may cease to provide any municipal service on certain parts of its territory it determines by by-law.

For the purposes of the first paragraph, the words “municipal service” have the meaning given to those words by section 1 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1).

**2.** The town may acquire by agreement or expropriation any immovable situated on any part of the territory determined pursuant to section 1.

**3.** The town may, by by-law, establish a program for the construction, repair and maintenance of private conduits and water and sewer mains and their connection with public conduits. The program must be approved by the Minister of Municipal Affairs.

The town may include, in the program, the obligation for the owner of an immovable to install a device to prevent private conduits and connections from freezing. Should the owner fail to install a device that conforms with the standards prescribed in the program, the town may cease to provide the service to him.

The town may make a grant to any owner of an immovable as compensation for all or part of the expenses he incurred for the work carried out or purchases made for the purposes of the program.

Instead of making a grant, the town may, at its own expense, carry out the work or make the purchases required for the purposes

of the program. This paragraph applies, notwithstanding the first paragraph of paragraph 25 of section 413 of the Cities and Towns Act (R.S.Q., chapter C-19).

**4.** The town may entrust the organization and operation of a municipal service to any person.

**5.** The second paragraph of section 536 of the Cities and Towns Act does not apply to the acquisition, by the town, of any immovable situated on any part of the territory determined pursuant to section 1.

**6.** The town may, by by-law, make an application to the Minister of Municipal Affairs for the reduction of its territory.

Sections 202 to 209 of the Act respecting municipal territorial organization (R.S.Q., chapter O-9) apply, adapted as required, to the application for a reduction of territory.

**7.** The Minister of Municipal Affairs shall fix the date of the poll for the first general election to be held after (*insert here the date of assent to this Act*). He shall also fix the year in which the second general election will be held.

The Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2), except sections 2 and 3, applies to the first general election. If the date of the poll for the first general election is not the first Sunday of November, sections 341 and 344 of the said Act apply, as if it were a by-election.

Notwithstanding section 44 of the said Act, the town council shall consist of the mayor and four councillors until the Minister of Municipal Affairs prescribes, on the conditions and in the circumstances he determines, that the number of councillors be changed. The Minister shall, then, publish a notice of his decision in the *Gazette officielle du Québec*.

**8.** The Minister of Municipal Affairs shall appoint a person to administer the affairs of the town until a majority of the council members elected at the first election provided for in section 7 take office. The person is substituted to the municipal council and exercises the duties of the mayor.

The administrator shall exercise the powers of the council by order. Every order comes into force on the date of its publication, by way of a public notice posted in the office of the municipality and stating the date of adoption and the object of the order.

**9.** The Minister of Municipal Affairs may, for redevelopment purposes, alienate, by onerous or gratuitous title, or rent or lease, to the town or to any other person, any immovable acquired by him under section 4 of the Act respecting the town of Schefferville (1986, chapter 51). He may, for this purpose, proceed by agreement, auction or public tenders.

Any immovable referred to in the first paragraph which is not alienated on 1 January 1991 shall become the town's property on the date fixed by the Minister of Municipal Affairs.

The town shall register, by deposit and free of charge, a declaration containing the designation, prepared in accordance with article 2168 of the Civil Code of Lower Canada, of any immovable of which it has become the owner pursuant to the second paragraph.

**10.** The Act respecting the town of Schefferville (1986, chapter 51) is repealed.

Every act performed under section 4 of the said Act shall retain its effects.

**11.** The first paragraph of section 9 has effect from 19 June 1986.

**12.** The Minister of Municipal Affairs is responsible for the administration of this Act.

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