



---

# NATIONAL ASSEMBLY

---

SECOND SESSION

THIRTY-THIRD LEGISLATURE

Bill 252  
(Private)

## **An Act respecting the city of LaSalle**

---

### **Introduction**

Introduced by  
**Mr Gilles Fortin**  
Member for Marguerite-Bourgeois

---

**Québec Official Publisher  
1988**



# Bill 252

(Private)

## **An Act respecting the city of LaSalle**

WHEREAS it is in the interest of the city of LaSalle that certain powers be granted to it;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** Section 28 of the Cities and Towns Act (R.S.Q., chapter C-19) is amended for the city of LaSalle by adding, after subsection 3, the following subsection:

“(4) No person may, except with the authorization of the city, use the name of the city or of any of its departments, or its coat of arms, crest, graphic symbol or blazon or any name likely to create confusion as to the involvement of the city in any matter.”

**2.** Section 412 of the said Act is amended for the city by inserting, after paragraph 20.1, the following paragraph:

“(20.2) To establish a tariff of towing and impounding costs for vehicles parked contrary to a by-law, which costs may be added to the amount of the fine imposed under the by-law and collected in the same way as the fine where the owner of the vehicle has not paid them;”.

**3.** Section 413 of the said Act is amended for the city by inserting, after subparagraph *a* of paragraph 10, the following subparagraphs:

“(a.1) To impose, according to the class of building or use, requirements with regard to the depositing, keeping, storage or refrigeration of the matters referred to in subparagraph *a*;

“(a.2) To decree that in the case of an infraction under a municipal by-law relating to the matters referred to in subparagraph *a*, a police officer, constable or a person whose services have been retained by the council for such purpose may fill out a notice of summons at the place of the infraction indicating the nature of the infraction, hand over a copy of the notice to the owner, and take the original of the notice to the place fixed in the by-law;”.

**4. Section 415 of the said Act is amended for the city**

(1) by inserting, after paragraph 1, the following paragraphs:

“(1.1) The riparian owners who wish to acquire the right-of-way of a lane owned by the city are required to present a petition for such purpose to the council.

The petition must be signed by not less than two-thirds of the riparian owners, representing not less than two-thirds of the frontage of the land bordering on the lane.

“(1.2) Where a petition is presented under the preceding paragraph, the council shall decide whether the closing of the lane is in the public interest.

“(1.3) If the council grants the petition, it shall pass a by-law ordering the closing of the lane.

A notice of the passage of the by-law must be served on each riparian owner entered on the real estate assessment roll and be published in a newspaper having general circulation in the city.

“(1.4) The city shall register at the registry office a notice, signed by the clerk, attesting that the formalities have been complied with, containing a reference to the cadastral plan prepared beforehand and indicating the name of the owner opposite each lot number shown on the plan.

“(1.5) The registration of the notice effects the transfer of ownership of each lot.

“(1.6) From the date of registration, a servitude is created in respect of all public utilities including the laying, installation and maintenance of conduits, poles, wires and other accessories necessary for the operations of public utility companies. The servitude must not exceed by more than two metres in width each side of the new dividing line between the parcels of land.

The plan referred to in paragraph 1.4 shall mention the existence of the servitude and the site thereof shall be marked on the plan by means of hatchings. The notice provided for in the said paragraph shall state the nature of the servitude and refer to the plan.

“(1.7) A riparian owner who has not signed the petition contemplated in paragraph 1.1 may apply to the Expropriation Division of the Court of Québec for an indemnity which shall be calculated according to the actual damage directly caused by the by-law ordering the closing of the lane. The value of the land acquired is offset against the indemnity. The application to the Expropriation Division shall be made by a motion filed within 30 days following the date of the service of the notice provided for in paragraph 1.3.

“(1.8) The sums paid by the city as indemnities fixed by the Expropriation Division may be charged to the riparian owners of the closed lane and apportioned among them in proportion to the number of metres of frontage of their respective immovables.”;

(2) by replacing the last line of paragraph 10 by the following: “costs fixed in the tariff established under paragraph 20.3 of section 412, as enacted for the city, or, failing that, on paying the actual towing and impounding costs;”;

(3) by inserting, after paragraph 11, the following paragraph:

“(11.1) To grant to certain groups or classes of persons, the exclusive right to park their vehicles on certain streets on the conditions stated in the by-law;”.

**5.** Section 460 of the said Act is amended for the city by inserting, after paragraph 11, the following paragraph:

“(11.1) To establish classes of merchants for the purposes of paragraph 11, and to fix the fee for the annual licence applicable to each such class, which fee shall in no case exceed \$1 000;”.

**6.** Section 463 of the said Act is amended for the city by inserting, after paragraph 4, the following paragraphs:

“(5) To decree that for the owner of a parking lot open to the public to refuse or neglect to clean, drain, fill, level or pave his parking lot constitutes a nuisance.

To impose fines on the owner who permits such nuisances on his parking lot.

The court pronouncing sentence may, in addition to the fines and costs, order the removal of the nuisances which were the subject of the infringement, within the time it fixes, by the owner, and on failure by such person or persons to comply within such time, the cleaning, draining, filling, levelling or paving of the parking lot by the city at the expense of the owner;

“(6) To require any person who litters public property to do the necessary cleaning and to allow the council to effect the work or cause the work to be effected at the expense of the offender; to order that, in case of infringement, such a person shall pay, in addition to the fine imposed by by-law, the cost of the cleaning effected by the city.”

**7.** Section 113 of the Act respecting land use planning and development (R.S.Q., chapter A-19.1) is amended for the city by adding, after subparagraph 22 of the second paragraph, the following subparagraph:

“(23) to require as a prior condition for the approval of an amendment to a zoning by-law by the council that the applicant pay to the city, as a deposit, an amount sufficient to guarantee the payment of any expenses that may be incurred by the city on account of the application, including the cost of all public notices.”

**8.** In no case may the title of the city of LaSalle or its assigns to the immovables of the cadastre of the registration division of Montréal exchanged and mentioned in the deeds registered at the registry office of the registration division of Montréal under numbers 2238533 and 3992477 be contested on the ground that the city of LaSalle did not observe the formalities prescribed by law for the sale or exchange of such immovables.

Upon payment of the fees that would be required for the registration of a judgment ordering the cancellation of the registration of the deeds registered under numbers 2238533 and 3992477, the registrar of the registration division of Montréal shall write in the margin of the said deeds the words “confirmed by section 8 of the Act respecting the city of LaSalle (1988, chapter *insert here the chapter number of this Act in the annual volume of the Statutes of Québec for 1988*), registered under number...”.

Registration of a certified copy of this Act shall be effected by deposit.

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