



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-THIRD LEGISLATURE

Bill 265
(Private)

**An Act respecting the Régie
intermunicipale de gestion des
déchets sur l'Île de Montréal**

Introduction

Introduced by
Mr Claude Dauphin
Member for Marquette

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(Private)

An Act respecting the Régie intermunicipale de gestion des déchets sur l'Île de Montréal

WHEREAS it is expedient to grant certain powers to the Régie intermunicipale de gestion des déchets sur l'Île de Montréal, established by order of the Minister of Municipal Affairs, published in the *Gazette officielle du Québec* on 25 May 1985;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 468.10 of the Cities and Towns Act (R.S.Q., chapter C-19) is amended, for the Régie intermunicipale de gestion des déchets sur l'Île de Montréal, by replacing paragraph 2 by the following paragraph:

“(2) the place of its head office, which may be situated elsewhere than in the territory of one of the municipalities that are parties to the agreement;”.

2. The said Act is amended for the management board by inserting, after section 468.16, the following sections:

“**468.16.1** The board of directors of the management board may, by by-law adopted by two-thirds of the votes, set up an executive committee comprising seven members. In that case, the powers of the management board are exercised by the board of directors except for matters which fall within the jurisdiction of the executive committee.

“**468.16.2** The chairman of the management board shall be chairman of the committee by virtue of his office. The other members

of the committee shall be appointed by resolution of the board of directors from among its members. Their term of office is one year and may be renewed.

“468.16.3 Four members of the committee constitute a quorum thereof.

“468.16.4 The secretary of the management board shall be secretary of the committee by virtue of his office.

“468.16.5 The powers of the committee shall be as follows:

(1) to accept for the purposes of the management board all gratuitous transfers of movable or immovable property;

(2) to cancel any balance of appropriations placed at its disposal once the purposes for which the appropriations were voted have been fulfilled;

(3) to adopt resolutions respecting all litigious matters and to give appropriate instructions respecting those matters to the advocates of the management board;

(4) with the prior approval of the Minister of Municipal Affairs, to prescribe uniform accounting methods and procedures applicable to the member municipalities of the management board for all matters falling within the jurisdiction of the management board;

(5) to authorize a contract to be concluded with a view to allowing the management board, while accomplishing work within its jurisdiction, to possess, acquire or use a servitude or other right necessary or useful for the accomplishment of that work;

(6) to remove from the accounts of the management board any bad debt in fact or in law according to a treasurer's report;

(7) to appoint all officers or employees of the management board and determine their salary and conditions of employment;

(8) to authorize payment of all amounts of money owed by the management board, while conforming to the formalities, restrictions and conditions applying to the management board.

“468.16.6 The appropriations voted by the board of directors of the management board, either in the budget, out of authorized loans or otherwise, shall remain at the disposal of the executive committee, who shall ensure that the appropriations are used for the purposes for which they were voted, without any other approval from the board of directors.

“468.16.7 With the approval of the board of directors, the executive committee may make a by-law relating to its internal management.

“468.16.8 The executive committee may award any contract for professional services whatever the amount involved, and any other contract entailing expenditure of less than \$50 000.

However, no insurance contract or contract for the carrying out of work or for the supply of equipment or material or for the supply of services other than professional services and involving expenditure of more than \$5 000 but less than \$50 000 may be awarded except after a written call for tenders has been made to at least two contractors, suppliers or insurers, as the case may be.

For the purposes of the second paragraph, a contract for the supply of equipment shall include any contract for the leasing of equipment with an option to purchase.

Following a call for public tenders advertized in a newspaper circulated in the territory of the management board, the executive committee may award a contract described in the second and third paragraphs which entails expenditure of \$50 000 or more. Subsections 2 to 8 of section 573 of the Cities and Towns Act apply for the purposes of this paragraph.”

3. Section 468.34 of the said Act is amended for the management board by replacing the word “by-law” in the first line of the third paragraph by the word “resolution”.

4. The management board is authorized to indemnify any municipality in which a waste disposal site is situated to compensate for certain inconveniences caused by the site. The indemnity must be approved by the Commission municipale du Québec.

5. Section 2 of the Act respecting the Régie intermunicipale de gestion des déchets sur l’Île de Montréal (1988, chapter 93) is replaced by the following section:

“2. All waste of the member municipalities of the management board belongs to the management board.”

6. Section 6 of the said Act is amended by replacing the figure “25” in the fourth line by the figure “29”.

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