

NATIONAL ASSEMBLY

FIRST SESSION

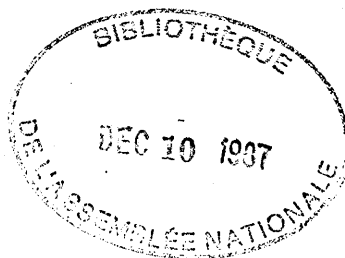
THIRTY-THIRD LEGISLATURE

Bill 230
(Private)

An Act to amend the charter of the city of Montréal

Introduction

Introduced by
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Member for Dorion



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Bill 230

(Private)

An Act to amend the charter of the city of Montréal

WHEREAS it is in the interest of the city of Montréal that its charter, chapter 102 of the statutes of 1959-60, be amended;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The charter of the city of Montréal (1959-60, chapter 102) is amended by adding, after article 177, the following article:

“178. The Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., chapter R-20) does not apply to maintenance, renovation, repair or alteration work performed by permanent salaried workers hired directly by the city.”

2. The said charter is amended by inserting, after article 450*a*, the following title and article:

“TITLE VII*b*

“REIMBURSEMENT OF CONTRIBUTIONS

“450*b*. Any elector of the city who has made a contribution of money in accordance with the Act respecting elections and referendums in municipalities (1987, chapter 57) may obtain from the director of finance, at the beginning of the fiscal year following that during which

the contribution was paid, a reimbursement for an amount equal to 50% of the contribution.

The council may, by by-law, determine the terms and conditions respecting the reimbursement which shall not exceed \$140.”

3. Article 612*a* of the said charter, enacted by section 7 of chapter 76 of the statutes of 1972, amended by section 62 of chapter 77 of the statutes of 1977, by section 17 of chapter 40 of the statutes of 1980, by section 32 of chapter 71 of the statutes of 1982, by section 7 of chapter 117 of the statutes of 1986 and by section 29 of Bill 200 (1987) is again amended by replacing the first paragraph by the following paragraph:

“**612a.** The council may, by by-law, approve a construction or alteration plan or allow the occupancy of one or more buildings or other works under, above or on any land having an area of at least 8000 m² for an industrial project, 4000 m² for a commercial project, a commercial and housing project, an industrial and housing project, an industrial and commercial project or a commercial, housing and industrial project, and 2000 m² for a housing project or a commercial and housing project where 80% of the floor area above the ground is to be used for housing purposes.”

4. Article 628 of the said charter, replaced by section 22 of chapter 40 of the statutes of 1980, is amended

(1) by striking out the words “either at the limits of their territory or within their territory” in subarticle 1;

(2) by replacing subarticle 3 by the following subarticle:

“3. The municipalities whose supply of water from the city is measured by means of meters, shall pay to the city the price of the water within thirty days of receiving an invoice showing the consumption measured by means of meters for the period that has elapsed.”;

(3) by adding, after subarticle 7, the following subarticle:

“8. Any municipality whose water is not supplied by the city may make an agreement with the city in view of connecting its waterworks system with that of the city; such an agreement shall not be subject to the requirements of sections 468 to 469.1 of the Cities and Towns Act (R.S.Q., chapter C-19) and shall stipulate that the price for supplying water to the municipality shall be, at all times, the same as the price paid by the other municipalities supplied by the city.”

5. Article 661.1 of the said charter is amended by replacing the third paragraph by the following paragraph:

“For the purposes of this article and of articles 661.2 to 661.6, the words “authorized parties” have the same meaning as in the Act respecting elections and referendums in municipalities (1987, chapter 57).”

6. The said charter is amended by inserting, after article 661.5, the following article:

“661.6 Notwithstanding any general law or special Act, the director of finance shall, every year, determine an allowance for each authorized political party.

The allowance shall be used to reimburse the expenses actually incurred and paid by the authorized parties and defined in the Election Act (R.S.Q., chapter E-3.2) in the division on public financing of political parties, except the expenses referred to in articles 661.1 to 661.5 of this charter.

The allowance shall be computed by dividing between the parties, proportionately to the percentage of the valid votes obtained by them at the last regular election, a sum equal to the product obtained by multiplying the amount of 25 cents by the number of electors entered on the list of electors prepared for the election.

The allowance shall be paid to the official representative of the authorized party by the director general of finance at the rate of one-twelfth each month upon production by him of the relevant vouchers and of a statement in the form prescribed by the director of finance.

The budget of the city shall include appropriations that are sufficient for the purposes of the allowance.”

7. Article 733 of the said charter, replaced by section 90 of chapter 77 of the statutes of 1977, amended by sections 32 and 82 of chapter 22 of the statutes of 1979, by section 37 of chapter 40 of the statutes of 1980 and by section 54 of chapter 71 of the statutes of 1982, is again amended by replacing subarticle 10 by the following subarticle:

“(10) The auditor has the same duties and exercises the same powers in respect of the bodies, corporations or persons whose affairs he is charged by the charter or by the city with auditing, in respect of any corporation or association established under paragraph 4 of article 528, and under articles 964*b*, 964*c*, 964*d* and 964*dd*.”

8. Article 803 of the said charter, amended by section 12 of chapter 65 of the statutes of 1966-67, by section 9 of chapter 91 of the statutes of 1969, by section 118 of chapter 77 of the statutes of 1977, by section

41 of chapter 40 of the statutes of 1980 and by section 12 of chapter 59 of the statutes of 1983, is again amended by replacing paragraph *d* by the following paragraph:

“*d.* Every amusement machine: a tax that may vary according to the type of machine; an amusement machine includes any amusement device or game of skill;”.

9. The said charter is amended by inserting, after article 807*a*, the following article:

“**807*b.*** Notwithstanding the second paragraph of section 257 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1), the operation of parking lots on immovables referred to in the said paragraph shall be subject to the tax provided for in paragraph *w* of article 803, to the extent that the parking spaces are rented to the public.”

10. Article 808 of the said charter, replaced by section 60 of chapter 71 of the statutes of 1982 and amended by section 13 of chapter 59 of the statutes of 1983, is again replaced by the following article:

“**808.** (1) The council may, by by-law, impose a water-rate and service tax, decide the method of payment, when the tax is payable and the manner in which it may be imposed or collected.

(2) The water-rate and service tax provided may be established according to the various categories of occupation based on

- (a) a fixed rate;
- (b) a rate established according to consumption;
- (c) a rate based on the rental value.

(3) The council may exempt a class of occupants from the water-rate and service tax.”

11. The said charter is amended by inserting, after article 846, the following articles:

“**846*a.*** Where a unit of assessment is entered on the valuation roll in the names of more than two persons, it shall be sufficient, in order to meet the requirements of section 81 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1), to send a notice of assessment and a real estate tax account to the person whose name appears first and adding thereto the words “*et al*”.

“846b. Notwithstanding paragraph 2 of section 204 of the Act respecting municipal taxation, any immovable or part of an immovable belonging to the Régie des installations olympiques and used for purposes other than the operation of the stadium, the velodrome, the swimming pools or their accessory services, is subject to taxation.”

12. The said charter is amended by inserting, after article 964*d*, the following article:

“964dd. The city may apply for the incorporation of a non-profit corporation to manage and operate one or more tourist information centres.”

13. Article 964*e* of the said charter, enacted by section 45 of chapter 40 of the statutes of 1980, is amended by replacing the first paragraph by the following paragraph:

“964e. The corporations referred to in articles 964*c*, 964*d* and 964*dd* shall be established in accordance with the procedure described in article 964*b*.”

14. Article 964*f* of the said charter, enacted by section 45 of chapter 40 of the statutes of 1980, is amended by replacing the first paragraph by the following paragraph:

“964f. The corporations referred to in articles 964*c*, 964*d* and 964*dd* must, not later than 31 March each year, submit to the executive committee a report of their activities for their preceding fiscal period; the report must also include all such information as may be prescribed by the executive committee. The report shall be deposited before the council at the first meeting following the thirtieth day after it has been received by the executive committee.”

15. Article 1079 of the said charter, replaced by section 64 of chapter 96 of the statutes of 1971, is amended by replacing subarticle 3 by the following subarticle:

“3. When the sale is made by agreement, the executive committee is empowered to sell any immovable the price of which does not exceed \$25 000; when such price exceeds \$25 000, the sale shall, in addition, be approved by the council.”

16. For the fiscal year 1988, the city of Montréal may, by by-law, impose and levy a surtax at a rate of not over \$0.10 per one hundred dollars of assessment on the immovables the taxable value of which entered on the assessment roll exceeds \$200 000 and that are classified in categories I and II determined and defined by regulation 1976-I of

the Commission municipale du Québec adopted on 29 December 1976 and amended by regulation 1977-I of the Commission adopted on 21 January 1977 under the Act respecting the Olympics deficit of the city of Montréal and amending the Charter of the city of Montréal (1976, chapter 52). This surtax applies only to the amount of the taxable value that exceeds \$200 000.

The city may determine the sectors where it intends to levy the surtax in the case of immovables of category I.

The surtax is secured by privilege upon those immovables and the owners are personally liable therefor.

17. The area requirements prescribed under article 612*a* of the said charter do not apply in the case of a project to be realized in the following territories:

(a) the territory bounded on the north by a line along Sherbrooke street, on the east by a line along de Bleury street to de Maisonneuve boulevard, a line along de Maisonneuve boulevard to Jeanne-Mance street, a line along Jeanne-Mance street to Dorchester boulevard, a line along Dorchester boulevard to de Bleury street and by a line along de Bleury street to Saint-Antoine street, on the south by a line along Saint-Antoine street, on the west by the centre line of Stanley street to a line situated 45.72 m from Dorchester boulevard, the said line to Peel street, a line along Peel street to Dorchester boulevard, a line along Dorchester boulevard to Mansfield street, a line along Mansfield street to Cathcart street, a line along Cathcart street to University street and a line along University street to Sherbrooke street;

(b) the territory bounded on the north by a line along Remembrance road, the limit of the city of Outremont and a line along the said limit to du Parc avenue, on the east by a line along du Parc avenue to des Pins avenue and a line along des Pins avenue to University street, on the south by a line along Sherbrooke street and on the west by the limit of the city of Westmount;

(c) the territory bounded on the north by a line situated 45.72 m from the north side of Dorchester boulevard to Stanley street, a line along Stanley street to Saint-Antoine street, a line along Saint-Antoine street to de Bleury street, a line along de Bleury street to Viger avenue, a line along Viger avenue to Saint-André street and a line along Saint-Antoine street, on the east by a line along de la Visitation street to Notre-Dame street, a line along Notre-Dame street and by the extension of the centre line of Panet street to the St. Lawrence river, on the south by a line along de la Commune street to Berri street and by the

St. Lawrence river, on the west by the Lachine canal and the centre line of Guy street.

This section ceases to have effect on 1 January 1989.

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