

THIRD SESSION

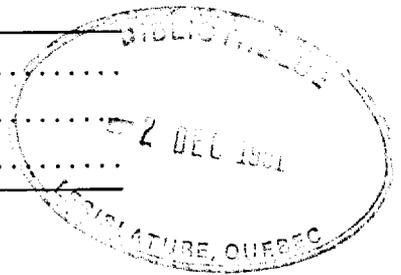
THIRTY-SECOND LEGISLATURE

NATIONAL ASSEMBLY OF QUÉBEC

Bill 33

**An Act to amend various legislative provisions
respecting municipalities**

First reading
Second reading
Third reading



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QUÉBEC OFFICIAL PUBLISHER

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EXPLANATORY NOTES

This bill amends various Acts respecting municipalities in order to solve certain operating problems that they meet.

In particular, the bill amends the Act respecting land use planning and development and the Municipal Code to smooth out certain difficulties that may have been met by regional county municipalities at the time of their incorporation. For example, the power of R.C.M.'s to partially delegate their competence in matters of real estate assessment will be made more precise, in order not to unnecessarily disrupt the continuity of the work begun by the assessors of the present county corporations. Furthermore, amendments are made to facilitate the participation of cities and towns in the activities of the R.C.M.'s.

Finally, the bill specifies the power of municipalities to regroup, in particular, within an intermunicipal board, in order to furnish police services to the population.

ACTS AMENDED BY THIS BILL

- (1) the Municipal Code;
- (2) the Cities and Towns Act (R.S.Q., chapter C-19);
- (3) the Municipal Courts Act (R.S.Q., chapter C-72);
- (4) the James Bay Region Development Act (R.S.Q., chapter D-8);
- (5) the Police Act (R.S.Q., chapter P-13);
- (6) the Act respecting Northern villages and the Kativik Regional Government (R.S.Q., chapter V-6.1);
- (7) the Act respecting land use planning and development (1979, chapter 51);
- (8) the Act respecting municipal taxation (1979, chapter 72);
- (9) the Act respecting the Société québécoise d'assainissement des eaux (1980, chapter 10);

- (10) the Québec Urban Community Act (1969, chapter 83);
- (11) the Montréal Urban Community Act (1969, chapter 84);
- (12) the Outaouais Regional Community Act (1969, chapter 85);
- (13) the Charter of the village of Deauville (1916, 2nd session, chapter 86);
- (14) the Charter of the town of Oka-sur-le-Lac (1942, chapter 90);
- (15) the Charter of the City of Laval (1965, 1st session, chapter 89);
- (16) the Act to incorporate The Montréal South Shore Transit Commission (1971, chapter 98); and
- (17) the Act to incorporate certain municipalities of the Outaouais (1979, chapter 95).

Bill 33

An Act to amend various legislative provisions respecting municipalities

HER MAJESTY, with the advice and consent of the National Assembly of Québec, enacts as follows:

1. Article 1 of the Municipal Code is replaced by the following article:

“**1.** The Municipal Code of Québec applies to all the territory of the Province, saving any derogation contained in a special charter granted by the Legislature to any municipality. It does not apply to cities and towns, unless otherwise provided by law.”

2. Article 3 of the said code, replaced by section 247 of chapter 51 of the statutes of 1979, is amended by replacing the second paragraph by the following paragraph:

“County municipalities and regional county municipalities may include rural and village municipalities; the regional county municipalities to which letters patent have been issued under section 166 of the Act respecting land use planning and development may also include city or town municipalities not being members of an urban or regional community, and municipalities incorporated under the Act respecting municipal organization of certain territories (R.S.Q., chapter O-8).”

3. The said code is amended by inserting, after article 3, the following article:

“**3a.** For the purposes of the exercise by a regional county municipality of a power other than the powers contemplated in the second paragraph of section 188 of the Act respecting land use planning and development, a city or town whose territory forms part of that of the regional county municipality is deemed a local corporation.

The provisions of this code necessary for the purposes mentioned in the first paragraph apply *mutatis mutandis* to such cities and towns.”

4. Article 16 of the said code, amended by section 1 of chapter 99 of the statutes of 1922 (1st session), by section 1 of chapter 83 of the statutes of 1923-24, by section 1 of chapter 103 of the statutes of 1938, by section 1 of chapter 69 of the statutes of 1942, by section 58 of chapter 59 of the statutes of 1949, by section 2 of chapter 53 of the statutes of 1977 and by section 268 of chapter 72 of the statutes of 1979, is again amended

(1) by replacing paragraph 2 by the following paragraph:

“2. The terms “rural municipality” or “country municipality” mean parish municipalities, municipalities of part of a parish, of a township, of part of a township, of united townships and generally every local municipality other than a village municipality;”;

(2) by replacing paragraph 4 by the following paragraph:

“4. The word “local” when it qualifies the words “municipality”, “corporation”, “council” or “councillor”, refers, as the case may be, to rural or village councils, councillors, corporations or municipalities;”.

5. Article 23 of the said code is replaced by the following article:

“**23.** County municipalities are listed in section 12 of the Territorial Division Act (R.S.Q., chapter D-11) and designated under the name of “County municipality of . . . (*name of county*)”.”

6. Article 25 of the said code is amended by replacing the first paragraph by the following paragraph:

“**25.** Every territory which, before the coming into force of this code, had been erected into a village or rural municipality, continues to form a local municipality, operating under the provisions of this code, by the name indicated by the law under which it was erected, until such time as it may be otherwise directed under the authority of this code.”

7. Article 88 of the said code, replaced by section 248 of chapter 51 of the statutes of 1979, is amended by replacing the third paragraph by the following paragraph:

“If the mayor of a municipality which is a member of a county municipality or regional county municipality is absent, refuses to

act or is unable to act, or if the office is vacant the acting mayor may represent that municipality at the sittings of the council.”

8. Article 112 of the said code, amended by section 1 of chapter 81 of the statutes of 1934, replaced by section 13 of chapter 53 of the statutes of 1977 and amended by section 42 of chapter 16 of the statutes of 1980, is again amended by replacing the first paragraph by the following paragraph:

“**112.** The ordinary or general sittings of the county council are held at least once every two months, on the days fixed by by-law of the council, one of such sittings being held on the fourth Wednesday in November. Those of a local council are held on the first Monday in each month, unless otherwise provided by the council.”

9. Article 226 of the said code, amended by section 5 of chapter 69 of the statutes of 1941, replaced by section 7 of chapter 86 of the statutes of 1968 and by section 4 of chapter 82 of the statutes of 1969 and amended by section 13 of chapter 82 of the statutes of 1975, is again amended by replacing subparagraphs *a* and *b* of the first paragraph by the following subparagraphs:

“(a) if he or his spouse has been entered on the valuation roll in the municipality as tenant and if he has been domiciled in such municipality for at least twenty-four months before the date of the nomination or appointment by the council or by the Minister of Municipal Affairs, or

“(b) if he has resided in the municipality and if he or his spouse has been entered on the valuation roll in such municipality as owner for at least twenty-four months before the date of the nomination or of the appointment by the council or by the Minister of Municipal Affairs.”

10. Article 244*a* of the said code, enacted by section 1 of chapter 120 of the statutes of 1933, amended by section 4 of chapter 74 of the statutes of 1950 and section 21 of chapter 86 of the statutes of 1968, and replaced by section 47 of chapter 16 of the statutes of 1980, is amended by replacing subparagraph *a* of the second paragraph by the following subparagraph:

“(a) every natural person being of full age and a Canadian citizen who was the tenant of an immoveable in the municipality on the date of the passing of the by-law or the resolution giving rise to that right or privilege, or who was entered on the valuation roll as owner of an immoveable on that date;”.

11. Article 257*f* of the said code, enacted by section 273 of chapter 72 of the statutes of 1979, is amended by replacing the third paragraph by the following paragraph:

“It must examine the resolutions filed in accordance with article 244*a* and add the name of the representative designated by the resolution after the name of the corporation, commercial partnership or association.”

12. Article 257*i* of the said code, enacted by section 273 of chapter 72 of the statutes of 1979 and amended by section 52 of chapter 16 of the statutes of 1980, is again amended by replacing the first paragraph by the following paragraph:

“**257*i*.** This chapter applies, *mutatis mutandis*, in the case where a by-law or a resolution of the council is submitted to the approval of the persons qualified to vote, except where only the electors who are property owners are qualified to vote, or in the case where a question is submitted to such persons for consultation.”

13. Article 275 of the said code, amended by section 5 of chapter 74 of the statutes of 1950, is again amended by replacing the second paragraph by the following paragraph:

“I swear (*or I affirm*) that I am a Canadian citizen; that nothing has been given or promised me to induce me to vote at this election; that I am duly qualified to vote at this election; that I am at least eighteen years of age, and that I have not already voted at this election. So help me God”.

14. Article 399 of the said code, amended by section 259 of chapter 51 of the statutes of 1979, is again amended by replacing the second paragraph of paragraph 3 by the following paragraph:

“The provisions of paragraph 3 are binding on every village corporation.”

15. Article 404 of the said code, amended by section 1 of chapter 106 of the statutes of 1921, by section 1 of chapter 90 of the statutes of 1929 and by section 28 of chapter 36 of the statutes of 1979, is again amended by replacing the second paragraph of paragraph 3 by the following paragraph:

“A village corporation may also prohibit the construction of such establishments, and abolish slaughter-houses already existing within the municipality.”

16. Article 412*ai* of the said code, enacted by section 2 of chapter 83 of the statutes of 1979, is amended by replacing the fourth paragraph by the following paragraph:

“Where the budget has not come into force on 1 January, one of the corporations may apply for conciliation on that point and article 412*bb* applies, *mutatis mutandis*. The recourse provided by article 412*bc* cannot be exercised in that case.”

17. Article 414a of the said code, enacted by section 15 of chapter 94 of the statutes of 1928, is amended by replacing what precedes paragraphs 1 and 2 by the following:

“**414a.** A local corporation other than a village corporation, may make, amend or repeal by-laws:”.

18. The title of Chapter Third of Title XV of the said code is replaced by the following title:

“BY-LAWS WITHIN THE JURISDICTION
OF VILLAGE CORPORATIONS”.

19. Article 415 of the said code is replaced by the following article:

“**415.** A village corporation may, in addition to the powers granted by Chapter Second of this title make, amend or repeal by-laws with respect to each of the matters mentioned in this chapter.”

20. Article 416 of the said code is amended by replacing what precedes paragraphs 1 to 10 by the following:

“**416.** A village corporation may make, amend or repeal by-laws:”.

21. Article 417 of the said code is amended by replacing what precedes paragraphs 1 to 7 by the following:

“**417.** A village corporation may make, amend or repeal by-laws:”.

22. Article 418 of the said code is amended by replacing the text before paragraphs 1 and 2 by the following text:

“**418.** A village corporation may make, amend or repeal by-laws:”.

23. Article 419 of the said code is amended by replacing what precedes paragraphs 1 to 14 by the following:

“**419.** A village corporation may make, amend or repeal by-laws:”.

24. Article 443e of the said code, enacted by section 34 of chapter 53 of the statutes of 1977, is amended by adding, at the end, the following paragraph:

“A local or county corporation may, by by-law, take out liability insurance for the benefit of its officers and employees.”

25. Article 443*h* of the said code, enacted by section 64 of chapter 16 of the statutes of 1980, is replaced by the following article:

“**443*h*.** The members of the council of a local or county corporation, as long as they remain in office, may, on the same conditions as those applicable to the officers and employees mentioned in article 443*e*, participate in the group insurance and liability insurance taken out by the corporation pursuant to that article.”

26. Article 460 of the said code, amended by section 1 of chapter 103 of the statutes of 1922, 1st session, is again amended by replacing the fourth paragraph by the following paragraph:

“Roads in village municipalities are front roads, unless otherwise ordered by the council.”

27. Article 548 of the said code is amended by replacing paragraph 2 by the following paragraph:

“2. Make arrangements with the rural corporations and the village corporations with a population of less than four thousand souls, situated within the boundaries of the county, for the purpose of allowing them the use thereof for their roads, and fix the price for their use, or give them the gratuitous use thereof;”

28. Article 686 of the said code is replaced by the following article:

“**686.** In village municipalities in which the population exceeds ten thousand souls according to the last general census, or a special census, certified by the mayor or secretary-treasurer, the taxes destined to the payment of interest on municipal bonds, issued for the purpose of providing for the cost of constructing water works or underground drains, as well as those destined to the payment of the sinking-fund or the redemption of such bonds, may be levied upon the annual revenue of the taxable immoveable property liable for the payment of the sinking-fund or the redemption of such bonds, and shall be levied according to the last valuation roll.”

29. Article 771 of the said code, replaced by section 22 of chapter 60 of the statutes of 1918, amended by section 8 of chapter 34 of the statutes of 1926, by section 21 of chapter 94 of the statutes of 1928, by section 9 of chapter 51 of the statutes of 1937 and by section 11 of chapter 69 of the statutes of 1942 and replaced by

section 31 of chapter 77 of the statutes of 1947, is amended by replacing the first paragraph by the following paragraph:

“771. Whenever the debts of a local corporation, including what it may owe to the county corporation, have reached ten per cent of the value of the taxable immoveable property, if the municipality is a rural municipality, or fifteen per cent of the value of such immoveable property, if the municipality is a village municipality, any other loan or obligation contracted by such corporation must, in order to be valid, be enacted by by-law approved by the ratepayers, in accordance with the provisions of the following paragraph, by the Minister of Municipal Affairs and by the Commission Municipale du Québec.”

30. Section 70.10 of the Cities and Towns Act (R.S.Q., chapter C-19), amended by section 73 of chapter 16 of the statutes of 1980, is again amended by striking out the second paragraph.

31. Section 148.1 of the said Act, enacted by section 74 of chapter 16 of the statutes of 1980, is amended by replacing the second paragraph by the following paragraph:

“The schedule must mention all persons, commercial partnerships and associations that are tenants of immoveables in the municipality and, in the case of natural persons, who are of full age and are Canadian citizens.”

32. Section 148.2 of the said Act, enacted by section 74 of chapter 16 of the statutes of 1980, is amended by replacing the second paragraph by the following paragraph:

“Where a general law or special Act confers a right mentioned in the first paragraph on electors, the word “electors” includes tenants referred to in the first paragraph and owners entered on the assessment roll who, in the case of natural persons, are of full age and are Canadian citizens.”

33. Section 148.3 of the said Act, enacted by section 74 of chapter 16 of the statutes of 1980, is amended by replacing the third paragraph by the following paragraph:

“Every person, commercial partnership or association who or which is the tenant of an immoveable in the municipality at the time of the passing of the by-law or the resolution conferring a right mentioned in the first paragraph and, in the case of a natural person, who is of full age and is a Canadian citizen on that date, may demand to be entered on the schedule to the electoral list during the revision relating to this right. For those purposes, the order of the Minister of Municipal Affairs mentioned in

subparagraph *c* of the second paragraph is deemed to be such a by-law or resolution, where there was no prior joint petition.”

34. Section 464 of the said Act, amended by section 80 of chapter 16 of the statutes of 1980, is again amended by replacing the third paragraph of paragraph 10 by the following paragraphs:

“The council may, by by-law, take out liability insurance for the benefit of its officers and employees.

The members of the council, as long as they remain in office, may participate in the group insurance and liability insurance taken out by the council under this paragraph, on the same conditions as those applicable to the officers and employees mentioned in that paragraph.”

35. Section 658 of the said Act is amended by replacing the first paragraph of subsection 2 by the following paragraph:

“(2) If it approves them, the Government shall issue a proclamation to the effect that, from and after the date therein mentioned, which must not be within thirty days of the date of the proclamation, the territory of the municipality therein mentioned, situated wholly or partly in the same judicial district as the municipality in which a Municipal Court is already established, shall be subject to the jurisdiction of such Municipal Court, as if the two municipalities formed but one, but for such purpose only.”

36. The said Act is amended by adding, after section 658, the following sections:

“**659.** The council of a municipality may, by the affirmative vote of its members, pass a by-law revoking a by-law submitting its territory to the jurisdiction of the Municipal Court of another municipality.

“**660.** A certified copy of the by-law shall be transmitted to the Government, along with a petition praying for its approval as well as for the issue of a proclamation ordering its coming into force.

The Government may require from the council of each of the two municipalities all documents and information that it deems necessary to decide upon the advisability or inadvisability of the by-law; and the officers or employees of each of such municipalities shall be bound to furnish the same.

“**661.** The Government may, at its discretion, grant or refuse its approval to the by-law.

If it approves the by-law, the Government shall issue a proclamation to the effect that, from and after the date therein mentioned, which must not be within thirty days of the date of the proclamation, the territory of the municipality therein mentioned ceases to be subject to the jurisdiction of the Municipal Court of the other municipality.

The Government may fix the conditions regarding the end of the subjection of the territory.”

37. Form 7 of the said Act is amended by replacing the words “seven hours till seventeen hours, in each of the polling districts” by the words “nine hours till (*insert here* “eighteen hours” *or the hour fixed by a by-law of the council*) in each of the polling subdivisions.”

38. Form 19 of the said Act is amended by replacing, in the part that illustrates the verso of the counterfoil of the ballot paper, the words “*The Initials of the Deputy Returning-Officer should be placed here*” by the words “*The number entered in the poll-book opposite the name of the elector to whom the ballot-paper is given should be placed here.*”

39. Section 7 of the Municipal Courts Act (R.S.Q., chapter C-72) is amended by replacing the first paragraph of subsection 2 by the following paragraph:

“(2) If it approves them, the Government shall issue a proclamation to the effect that, from and after the date therein mentioned, which must not be within thirty days of the date of the proclamation, the territory of the municipality therein mentioned, situated wholly or partly in the same judicial district as the municipality in which a Municipal Court is already established, shall be subject to the jurisdiction of such Municipal Court, as if the two municipalities formed but one, but for such purpose only.”

40. The said Act is amended by inserting, after section 7, the following sections:

“7.1 The council of a municipality may, by the affirmative vote of its members, pass a by-law revoking a by-law submitting its territory to the jurisdiction of the Municipal Court of another municipality.

“7.2 A certified copy of the by-law shall be transmitted to the Government, along with a petition praying for its approval as well as for the issue of a proclamation ordering its coming into force.

The Government may require from the council of each of the two municipalities all documents and information that it deems

necessary to decide upon the advisability or inadvisability of the by-law; and the officers or employees of each of such municipalities shall be bound to furnish the same.

“7.3 The Government may, at its discretion, grant or refuse its approval to the by-law.

If it approves the by-law, the Government shall issue a proclamation to the effect that, from and after the date therein mentioned, which must not be within thirty days of the date of the proclamation, the territory of the municipality therein mentioned ceases to be subject to the jurisdiction of the Municipal Court of the other municipality.

The Government may fix the conditions relating to the end of the subjection of the territory.”

41. The James Bay Region Development Act (R.S.Q., chapter D-8) is amended by inserting, after section 39, the following section:

“39.1 The board of directors may impose a general real estate tax at different rates according to the parts of the municipality it determines.”

42. Section 73 of the Police Act (R.S.Q., chapter P-13), replaced by section 10 of chapter 83 of the statutes of 1979, is again replaced by the following section:

“73. The council of a municipality contemplated in section 64 may make an agreement, in accordance with the Act governing it, with another such municipality, concerning places of detention or the services of a police force. The agreement must provide, as the case may be, that the territory of a municipality that is a party to the agreement is subject to the jurisdiction of a police force. In the latter case, for the purposes of section 64, the municipalities that are parties to the agreement are presumed to establish and maintain a police force in their territory.

The agreement is made for a period of not more than five years and must be approved by the Commission; failing written notice of six months given by one of the parties, the agreement is renewed for the period provided for initially or for any other period agreed upon by the parties.

Where the agreement provides for the establishment of an intermunicipal management board, that board is a municipality within the meaning of this Act.”

43. Section 27 of the Act respecting Northern villages and the Kativik Regional Government (R.S.Q., chapter V-6.1) is

amended by replacing the first paragraph by the following paragraph:

“27. The council may, by by-law previously approved by the Minister, enter into an agreement with the Regional Government for the delegation to the Regional Government of the exercise and administration of those municipal services and functions specified in the agreement.”

44. The French version of paragraph 5 of section 40 of the said Act is amended by inserting the words “un règlement adopté par” after the word “par” in the third line.

45. Section 168 of the said Act, amended by section 141 of chapter 25 of the statutes of 1979, is again amended by replacing the sixth paragraph by the following paragraph:

“Any municipal corporation may also, by by-law of its council previously approved by the Minister, make an agreement with the Regional Government for the delegation to the Regional Government of the implantation of a municipal service the establishment of which is decided by the corporation, the administration of a municipal service established by the corporation or the coordination of such a service with a service or program of the Regional Government or of another municipal corporation or the performance of a function of the corporation. Such an agreement may be made for a period not exceeding two years, but it may be renewed.”

46. The English version of paragraph 1 of section 173 of the said Act is replaced by the following:

“(1) to authorize an officer designated by it to visit and examine all moveable and immovable property, as also the interior or exterior of any house, building or edifice, to ascertain if the by-laws of the council are executed; for the purpose of adopting any measure deemed necessary for public security; to require the occupants of such property, buildings and edifices to admit such officers of the municipal corporation;”.

47. Section 174 of the said Act is amended by replacing paragraph 11 by the following paragraph:

“(11) to prevent the throwing out or depositing of waste and provide for the collection, removal and disposal of the same; to provide for the periodical cleaning of waste water reservoirs; to impose a compensation each year on the owner, lessee or occupant of each house, store or other building for the services of collection, removal and elimination of waste and for the periodical cleaning of the waste water reservoirs, of an equal amount for each person or

an amount fixed according to the categories determined by regulation;”.

48. The English version of section 203 of the said Act is replaced by the following:

“**203.** All public works of the municipal corporation are performed at the expense of the municipal corporation, which either has them done by its own employees or orders them by contract awarded and passed according to the rules set forth in this title.”

49. The said Act is amended by inserting, after section 218, the following section:

“**218.1** Until it imposes a real estate tax, the council may impose a compensation annually on the owner, lessee or occupant of each house, store or other building of an equal amount for each person or an amount fixed according to the categories as it may determine for the general administration of the corporation and for all municipal services on which a specific tax or compensation may not be imposed.”

50. Section 365 of the said Act, replaced by section 143 of chapter 25 of the statutes of 1979, is again replaced by the following section:

“**365.** The Regional Government may, by ordinance previously approved by the Minister, make an agreement for the delegation to the Regional Government by a municipal corporation in the territory of the implantation of a municipal service the establishment of which is decided by the corporation, the administration of a municipal service established by the corporation or the coordination of such a service with a service or program of the Regional Government or of another municipal corporation or the performance of a function of the corporation. Such an agreement may be made for a period not exceeding two years, but it may be renewed.”

51. Section 1 of the Act respecting land use planning and development (1979, chapter 51) is amended by replacing paragraph 7 by the following paragraph:

“(7) “cadastral operation” means a division, a subdivision, a new subdivision, a redivision, a cancellation, a correction, an addition or a replacement of lot numbers effected under the Cadastre Act (R.S.Q., chapter C-1) or article 2174, 2174a, 2174b or 2175 of the Civil Code;”.

52. Section 4 of the said Act is amended by replacing the fourth paragraph by the following paragraph:

“Notice of the passing of the resolution shall be published in a newspaper circulated in the territory of the regional county municipality.”

53. Section 26 of the said Act is amended by replacing the second paragraph by the following paragraph:

“Notice of its coming into force shall be published in a newspaper circulated in the territory of the regional county municipality.”

54. Section 28 of the said Act is amended by replacing the fourth paragraph by the following paragraph:

“Notice of its coming into force shall be published in a newspaper circulated in the territory of the regional county municipality.”

55. Section 34 of the said Act is replaced by the following section:

“34. A municipality having a master plan, a planning program, a zoning by-law, a subdivision by-law or a building by-law in force in its territory is required, if necessary, to amend it in order to bring it into conformity with the objectives of the development plan and with the complementary document, and to send a copy thereof, whether amended or not, to the council of the regional county municipality as well as to the Commission, for registration, within twenty-four months of the coming into force of the development plan.”

56. Section 44 of the said Act is amended by replacing the third paragraph by the following paragraphs:

“Notice of its coming into force shall be published in a newspaper circulated in the territory of the municipality and forwarded to the Minister of Energy and Resources for the purposes of the cadastre. Where the coming into force results from the issuance of a certificate of conformity ending the interim control measures, the notice sent to the Minister of Energy and Resources shall mention it.

Where the municipality has not made the amendment contemplated in section 34 since conformity was deemed to exist, the second paragraph does not apply and a notice indicating that a certificate of conformity was issued in respect of such program or by-law shall be published in accordance with the third paragraph, *mutatis mutandis*.”

57. Section 53 of the said Act is amended by replacing the third paragraph by the following paragraph:

“Notice of its coming into force shall be published in a newspaper circulated in the territory of the regional county municipality.”

58. Section 64 of the said Act is amended by replacing the first paragraph by the following paragraph:

“**64.** The interim control by-law may exempt the whole or part of the territory of a municipality from all or any of its provisions provided that the territory is already governed by a zoning by-law, a subdivision by-law and a building by-law.”

59. Section 65 of the said Act is amended by replacing paragraphs 3, 4 and 5 by the following paragraphs:

“(3) the conditions on which the prohibitions referred to in paragraph 2 may be lifted with the issuance of a permit by the officer designated by the council of the regional county municipality, whether or not such conditions are provided in section 62;

“(4) special rules in the matter of zoning, subdivision or building and issuance of required permits and certificates, in which case, sections 113, 115, 116 and 118 to 122 apply, *mutatis mutandis*;

“(5) the administrative terms and conditions governing the issuance of permits by the officer designated by the council of the regional county municipality including, as the case may be, the sending to that officer of the applications for permits made to the designated officer of the municipality in whose territory the immovable contemplated in the application is situated.”

60. Section 67 of the said Act is amended by inserting, after the third paragraph, the following paragraph:

“On receiving copy of the by-law, the Minister must indicate in writing to the regional county municipality the date of its receipt. The secretary-treasurer shall immediately transmit copy of the writing to each municipality in the territory of the regional county municipality. It shall also indicate the date of receipt in the margin of the minute book, opposite the interim control by-law.”

61. Section 68 of the said Act is replaced by the following section:

“**68.** Subject to sections 69 to 71.2, an interim control by-law comes into force ninety days after being received by the Minister. However, if the Minister has indicated in writing that he does not

intend to disallow the by-law, it comes into force on the date when the Minister transmits the writing to the regional county municipality or on the later date indicated by him in the writing. One or the other date must be later than forty-five days after receipt of the by-law by the Minister and earlier than ninety days following that receipt.

Notice of the coming into force of the by-law shall be published by the regional county municipality in a newspaper circulated in its territory.

A copy of the by-law, together with a notice of its coming into force, shall also be sent by the regional county municipality to the Minister of Energy and Resources for the purposes of the cadastre.”

62. Section 69 of the said Act is replaced by the following section:

“**69.** From the adoption of the interim control by-law and until the expiry of forty-five days from its receipt by the Minister, a municipality in the territory of the regional county municipality may, by a written application setting out the reasons for its objection and, where such is the case, the amendments it considers desirable, request the Minister to amend or disallow all or part of the interim control by-law.”

63. The said Act is amended by inserting, after section 71, the following sections:

“**71.1** Notwithstanding section 72, the council of the regional county municipality, by a majority vote of its members, may, by resolution, amend the interim control by-law, provided that a copy of the resolution reaches the Minister before the coming into force of the by-law. The fourth paragraph of section 67 applies, *mutatis mutandis*, where the Minister receives copy of the resolution. Reception of that copy by the Minister suspends the coming into force of the interim control by-law.

The Minister may order the regional county municipality to send copy of the resolution to each municipality in its territory and to adjacent regional county municipalities. In such case, section 69 and the first two paragraphs of section 70 apply, *mutatis mutandis* to the amended by-law, except that the time limit is thirty days and, in the case of section 69, the time limit runs from receipt of the resolution by the Minister.

The Minister may, in respect of the amended by-law, exercise the power provided in the third paragraph of section 70 within sixty days of receipt of copy of the resolution.

“71.2 If the subject of an amendment contemplated in section 71.1, the interim control by-law comes into force sixty days after receipt of copy of the amending resolution by the Minister. However, if the latter indicated in writing, after receiving copy of the resolution, his intention not to disallow the by-law, it comes into force on the date when the Minister sends the writing to the regional county municipality or on the later date fixed by him in the writing. One or the other date must be earlier than sixty days following receipt of copy of the resolution by the Minister and, if the second paragraph of section 71.1 applies, later than thirty days following that receipt.

The second and third paragraphs of section 68 apply to the by-law that comes into force in conformity with this section.”

64. Section 73 of the said Act is amended by replacing the second paragraph by the following paragraph:

“Where a permit is required pursuant to section 65, no registration of any cadastral operation may be validly made unless a certificate from the officer designated by the regional county municipality is filed attesting that he has issued the required permit.”

65. Section 81 of the said Act is amended by replacing the fifth paragraph by the following paragraph:

“Notice of the passing of the resolution shall be published in a newspaper circulated in the territory of the municipality.”

66. Section 86 of the said Act is amended by replacing the second paragraph by the following paragraph:

“On the passing of the resolution, a copy of it shall be sent to the municipality and, for registration, to the Commission.”

67. Section 102 of the said Act is amended by replacing the second and third paragraphs by the following paragraphs:

“However, if a zoning by-law, subdivision by-law or building by-law is in force at the time of the coming into force of the planning program or of an amendment thereto, the council shall, if necessary, amend the said zoning by-law, subdivision by-law or building by-law within the same time, to bring it into conformity with the planning program and send a copy of it to the regional county municipality, where such is the case, and to the Commission, for registration, whether amended or not; the approval provided for in sections 131 to 145 is not required in this case.

Where the council is of opinion that the zoning by-law, subdivision by-law or building by-law conforms to the planning pro-

gram, the municipality must publish a notice indicating that, for that reason, it does not intend to amend the by-law to bring it into conformity with the planning program.

The first three paragraphs do not apply to a municipality in the territory of a regional county municipality in which a resolution provided for in section 4 or a development plan is in force.”

68. Section 103 of the said Act is amended by replacing the first paragraph by the following paragraph:

“**103.** Five owners or lessees of immoveables situated in the territory of the municipality may apply to the Commission in writing for an assessment of conformity within forty-five days

(1) of the passing of a zoning by-law, subdivision by-law or building by-law contemplated in the first paragraph of section 102;

(2) of the passing of a by-law amending a zoning by-law, a subdivision by-law or a building by-law contemplated in the second paragraph of the said section; or

(3) of the publication of the notice contemplated in the third paragraph of the said section.”

69. Section 105 of the said Act is replaced by the following section:

“**105.** The zoning, subdivision or building by-law contemplated in section 102 comes into force, or in the case contemplated in the third paragraph of that section, is deemed to conform to the planning program

(1) at the expiry of the period provided in section 103, where no assessment is requested from the Commission, or

(2) fifteen days after the rendering of a favourable assessment by the Commission.

A notice of the coming into force or, in the case contemplated in the third paragraph of section 102, of the conformity of the by-law shall be published in a newspaper circulated in the territory of the municipality and posted up at the office of the municipality. Copy of the notice is sent to the Minister of Energy and Resources for the purposes of the cadastre.

Where the coming into force or the conformity has the effect of terminating the application of the interim control measures pursuant to section 111 or 112, mention of it is made in the notice sent to the Minister of Energy and Resources.

From the date of its coming into force in conformity with this section, the by-law is deemed to be in conformity with the planning program.

For the purposes of sections 111 and 112, a by-law contemplated in the third paragraph of section 102 is deemed to come into force when it becomes deemed to be in conformity with the planning program.”

70. Section 109 of the said Act is amended by replacing the third paragraph by the following paragraph:

“On the passing of this resolution, a copy of it shall be sent, where such is the case, to the regional county municipality and to the Minister of Energy and Resources for the purposes of the cadastre; it shall also be registered with the Commission and published in a newspaper circulated in the territory of the municipality.”

71. Section 110 of the said Act is amended by replacing the second paragraph by the following paragraph:

“Notice of the coming into force of the amendment shall be published in a newspaper circulated in the territory of the municipality.”

72. The said Act is amended by inserting, after section 112, the following section:

112.1 In the cases contemplated in sections 111 and 112, the interim control measures cease to apply if the council repeals the resolution authorizing the preparation of a planning program before the plan is adopted by by-law or if it repeals the resolution contemplated in the second paragraph of section 109 before a by-law amending the planning program is passed.

Copy of the repealing resolution shall, in either case, be sent to the regional county municipality, if such is the case, and to the Minister of Energy and Resources for the purposes of the cadastre; it shall also be registered with the Commission and published in a newspaper circulated in the territory of the municipality.”

73. Section 113 of the said Act is amended by replacing subparagraph 22 of the second paragraph by the following subparagraph:

“(22) to determine, for each zone, the uses permitted or prohibited in any part of a structure.”

74. Section 115 of the said Act, amended by section 398 of chapter 72 of the statutes of 1979, is again amended by replacing

subparagraph 8 of the second paragraph by the following subparagraph:

“(8) to require, as a precondition to the approval of a plan relating to a cadastral operation, other than a cancellation, a correction or a renumbering of lots, whether it provides for streets or not, that the owner convey to the municipality, for park or playground purposes, an area of land not exceeding ten-per cent of the land comprised in the plan and situated at a place which, in the opinion of the council, is suitable for the establishment of parks or playgrounds; or that the owner, instead of conveying such area of land, pay a sum not exceeding ten per cent of the value entered on the valuation roll regarding the land comprised in the plan, notwithstanding the application of section 214 or 217 of the Act respecting municipal taxation and providing amendments to certain legislation (1979, chapter 72) multiplied by the factor established for the roll by the Minister pursuant to that Act, or that he make this contribution partly in land and partly in money; the proceeds of such payment must be paid into a special fund which may be used only for the purchase or development of lands for parks and playgrounds, and the lands conveyed to the municipal corporation under this subparagraph shall not be used except for parks or playgrounds; the municipality may, however, dispose, for a consideration, by auction, public tenders or in any other manner approved by the Commission municipale du Québec, of lands it has acquired under this subparagraph if they are no longer required for the purposes of establishing parks or playgrounds, and the proceeds must be paid into that special fund;”.

75. Section 123 of the said Act is amended by replacing the second and third paragraphs by the following paragraphs:

“A by-law the object of which is to repeal or amend a provision dealing with any matter contemplated in subparagraphs 1 to 6 and 10 to 22 of the second paragraph of section 113 comes into force only after it has been approved in accordance with sections 131 to 145.

A by-law the object of which is to repeal or amend a provision dealing with any matter contemplated subparagraphs 1, 3 and 4 of the second paragraph of section 115 comes into force only after it has been approved in accordance with sections 131 to 145.”

76. Section 154 of the said Act is amended by replacing the fourth paragraph by the following paragraph:

“Notice of the coming into force of the amendment shall be published in a newspaper circulated in the territory of the regional county municipality.”

77. Section 176 of the said Act is replaced by the following section:

“**176.** The Québec Official Publisher must publish in each yearly compilation of the statutes, a table indicating the date of publication in the *Gazette officielle du Québec* of the letters patent issued during the year, with the date of their coming into force.”

78. Section 187 of the said Act is amended by replacing the fourth paragraph by the following paragraph:

“If the mayor is absent, refuses to act or is unable to act, or if the office is vacant, the acting mayor of the municipality shall represent the latter at the council of the regional county municipality.”

79. Section 188 of the said Act, amended by section 7 of chapter 34 of the statutes of 1980, is replaced by the following section:

“**188.** Subject to the second paragraph, the representatives of all the municipalities whose territories form part of that of a regional county municipality are qualified to participate in the deliberations and votes of the council.

For the purposes of the exercise of the powers vested by or under a general law or special Act in a county corporation and which must apply to the municipalities or to the territory subject to its jurisdiction, only the representatives of such municipalities are qualified to participate in the deliberations and votes of the council of the regional county municipality.”

80. The said Act is amended by inserting the following section after section 189:

“**189.1** Notwithstanding any inconsistent provision of any general law or special Act, the regional county municipality may make an agreement by which it delegates all or part of its jurisdiction in matters regarding assessment to another regional county municipality, to a municipality or to an urban or regional community also having jurisdiction in such matters.

The agreement may concern one or several of the rolls of the municipalities and territories contemplated in article 27 of the Municipal Code, and one or several elements of the jurisdiction in matters regarding assessment.

In no case may the agreement concern a real estate assessment roll or a roll of rental values subsequent to the assessment roll contemplated in section 504 of the Act respecting municipal taxation.

The second paragraph of section 197 and sections 198 to 201 of the Act respecting municipal taxation apply to an agreement provided for by this section.”

81. Section 205 of the said Act, amended by section 399 of chapter 72 of the statutes of 1979, and by section 10 of chapter 34 of the statutes of 1980, is replaced by the following section:

“205. The expenses of a regional county municipality for the purposes of the exercise of a function not provided for by the second paragraph of section 188 shall be apportioned among the municipalities whose territories form part of that of the regional county municipality, pro rata to the standardized assessment, within the meaning of paragraph 40 of article 16 of the Municipal Code, of the taxable immoveables of each municipality, taking into account the second paragraph of paragraph 6 of article 423 of the said Code, *mutatis mutandis*. However, the expenses may be apportioned according to another criterion determined by by-law by the council of the regional county municipality.

The expenses of a regional county municipality for the purposes of the exercise of a function provided for by the second paragraph of section 188 shall be apportioned according to the rules established by or under the Act providing for the function or, failing such, by the Municipal Code.

The regional county municipality may impose a tax and borrow money in carrying out the first paragraph as well as the second paragraph.

However, in no case may the term of a loan effected by the regional county municipality for the purposes mentioned in the first paragraph exceed five years and such a loan requires only the approval of the Minister and of the Commission municipale du Québec.”

82. Section 262 of the said Act is amended by adding the following paragraphs at the end:

“The Minister may order that, in a municipality or part of a municipality delimited by him and where an interim control by-law applies, the approvals mentioned in the provisions contemplated in paragraphs 4, 6, 7 and 10 of section 261 are not required.

Notice of such order is published in the *Gazette officielle du Québec*.”

83. Section 81 of the Act respecting municipal taxation and providing amendments to certain legislation (1979, chapter 72), amended by section 19 of chapter 34 of the statutes of 1980, is

again amended by inserting the following paragraph after the first paragraph:

“The clerk shall also send to the Minister, within the same period and in the same manner, the notice of assessment relating to an immoveable contemplated in section 255.”

84. Section 108 of the said Act is replaced by the following section:

“**108.** For the hearing of a complaint relating to a real estate value of less than \$250 000 or to a rental value of less than \$25 000, the board shall sit in the territory of the municipal corporation where the immoveable concerned is situated, except with the consent of the complainant.

The chairman of the section may regroup several municipal corporations within a radius of one hundred kilometres, for the purposes of this section, and designate that in which the board shall sit.”

85. Section 132 of the said Act is replaced by the following section:

“**132.** Where, under section 174, the assessor has altered the roll, the complaint regarding the alteration must be filed before the expiry of sixty days from the sending of a notice of the alteration, in accordance with section 180, to the owner of the property concerned or, in the case of a complaint formulated by the Minister regarding an immoveable contemplated in section 255, before the expiry of sixty days from the sending of a copy of the notice to the Minister.”

86. Section 135 of the said Act is amended by adding, at the end, the following paragraph:

“The amount of money determined by the regulation passed by the Government in accordance with paragraph 8 of section 262 must also be sent with the complaint, where applicable. When rendering its decision on the complaint, the board may order that such sum be refunded to the complainant.

For the purposes of the third paragraph, if a complaint concerns several units of assessment, a complaint is deemed to be filed for each unit.”

87. Section 153 of the said Act is amended by adding the following paragraph at the end:

“A copy of the notice shall also be sent to the Minister if the request concerns an immoveable contemplated in section 255.”

88. Section 174 of the said Act, amended by section 24 of chapter 34 of the statutes of 1980, is again amended:

(1) by replacing paragraph 12 by the following paragraph:

“(12) to give effect to one of the following cadastral operations: a division, a subdivision, a new division, a redivision, an annulment, a correction, an addition, a replacement of lot numbers effected under the Cadastre Act (R.S.Q., chapter C-1) or under article 2174, 2174*a*, 2174*b* or 2175 of the Civil Code;”;

(2) by replacing paragraph 13 by the following paragraph:

“(13) to make the necessary changes as regards the information required for the purposes of the surtax on serviced or unserviced vacant land;”.

89. Section 180 of the said Act is amended by adding the following paragraph at the end:

“He shall also forward to the Minister a copy of the notice if it concerns an immoveable contemplated in section 255.”

90. Section 204 of the said Act, amended by section 27 of chapter 34 of the statutes of 1980, is again amended by inserting the following paragraph after paragraph 2:

“(2.1) an immoveable belonging to the Régie de la Place des arts;”.

91. Section 225 of the said Act, amended by section 36 of chapter 34 of the statutes of 1980, is replaced by the following section:

“**225.** A person contemplated in section 221 must, within six months from the end of his fiscal period, forward to the Minister of Revenue a declaration according to the form prescribed by the Minister under section 265 and a statement of his taxable gross revenue for such period.”

92. Section 255 of the said Act, replaced by section 44 of chapter 34 of the statutes of 1980, is amended by replacing the first paragraph by the following paragraph:

“**255.** With respect to an immoveable contemplated in paragraphs 1 and 2.1 of section 204, and to a place of business situated in such an immoveable, the amounts are equal, respectively, to the aggregate of the municipal real estate taxes and to the aggregate of the business taxes that would be exigible if such immoveable were not exempt from real estate tax, and if the activities of the place of business were not exempt from business tax.”

93. Section 262 of the said Act, amended by section 48 of chapter 34 of the statutes of 1980, is again amended by adding the following paragraph at the end:

“(8) require the mandatory payment of an amount of money at the same time as the filing of a complaint; in order to determine the amount, prescribe a tariff which may provide for classes of complaints and may fix the amount in proportion to the value in dispute if the complaint concerns the real estate value or the rental value.”

94. Section 495 of the said Act is replaced by the following section:

“**495.** No school board or regional board may exercise a taxation power except within the limits provided by this Act and the Education Act (R.S.Q., chapter I-14), notwithstanding any general law or special Act or any charter conferring such power upon it.”

95. The said Act is amended by inserting the following section after section 515:

“**515.1** Notwithstanding section 100, a person who is a member of the board on (*insert here the date of the coming into force of Bill 33*) may form, by himself, a division of the board for rendering decisions on the complaints contemplated in section 108, even if he is not an advocate, a notary or a person entitled to act as assessor for a municipality under section 22.”

96. Section 579.2 of the said Act, enacted by section 59 of chapter 34 of the statutes of 1980, is amended by replacing the second paragraph by the following paragraph:

“For the fiscal period 1982, the first paragraph applies, except in the case of the municipal corporations not forming part of the Communauté urbaine de Montréal, where the maximum credit is 5%.”

97. The Act respecting the Société québécoise d’assainissement des eaux (1980, chapter 10) is amended by inserting, after section 29, the following sections:

“**29.1** Following the entry into an agreement contemplated in the third paragraph of section 21, the corporation and the municipality that entered into the agreement may, if that municipality wishes to have the works carried out simultaneously with those of the corporation in the same sector and if it would be advantageous to have all of such works carried out by one contracting party, enter into an agreement for that purpose.

Such agreement prevails over any inconsistent provision of any general law or special Act.

“29.2 The agreement may, among other things, provide that

(1) the corporation and the municipality jointly make, each in its own name and for its own works, a single call for tenders and a single awarding of contract; or

(2) the corporation make, in its own name and the municipality's name, a single call for tenders and a single awarding of contract, in which case the provisions governing the corporation in such matters take precedence over those governing the municipality.

The agreement may also provide that the corporation is the authority responsible for the works of the municipality that are contemplated by its provisions.

“29.3 The call for tenders and the contract must clearly state the respective obligations of the corporation and the municipality.

In the case provided for by paragraph 2 of the first paragraph of section 29.2, the municipality must, after the opening of the tenders by the corporation, give its express consent to the awarding of the contract by the latter. Where such consent is lacking, the corporation shall award the contract for only its part and shall take into account only the section of the tender that relates to that part to determine to whom it shall award the contract. If the municipality gives its consent, it must sign the contract.”

98. The said Act is amended by inserting, after section 44, the following section:

“44.1 The Municipal Works Act (R.S.Q., chapter T-14) does not apply in the case of works carried out pursuant to an agreement contemplated in section 21.”

99. Section 159 of the Québec Urban Community Act (1969, chapter 83), amended by section 13 of chapter 71 and by section 145 of chapter 49 of the statutes of 1972, and replaced by section 34 of chapter 103 of the statutes of 1978, is amended by replacing the third paragraph by the following paragraph:

“If the executive committee decides that the project has intermunicipal repercussions, the Council, by resolution, subject to the approval of the Deputy Minister of the Environment, may order such alterations as it deems expedient to the plans and specifications of the proposed works and authorize the municipality to carry out such works. Failing an agreement between the Community and the municipalities concerned respecting the apportionment of the cost of the works, such apportionment shall be fixed by the Minister of the Environment upon the request of the Community or an interested municipality.”

100. Section 160 of the said Act, amended by section 147 of chapter 49 of the statutes of 1972, and replaced by section 35 of chapter 103 of the statutes of 1978, is amended by replacing the second paragraph by the following paragraph:

“When exercising the powers provided for in section 35 of the Environment Quality Act (R.S.Q., chapter Q-2), the Minister shall order the execution of intermunicipal works by the municipalities he designates unless the executive committee of the Community has informed him that the Community agrees to carry out such works. In the latter case, he shall not order the execution thereof except by the Community. He shall not establish the apportionment of the cost of the works and the maintenance and operating costs thereof, determine the method of payment or fix the indemnity, periodic or otherwise, payable by the municipalities in the territory of the Community for the use of the works or services provided, before calling upon the Community to make its representations on this matter.”

101. Section 217 of the said Act, replaced by section 57 of chapter 103 of the statutes of 1978, is again replaced by the following section:

“**217.** A majority of the members are a quorum at sittings of the board of management of the Commission.

Each member of the board of management including the chairman but excluding the director general is entitled to one vote at every sitting of the board of management; in the case of a tie-vote, the decision is deemed to be negative.”

102. Section 172 of the Montréal Urban Community Act (1969, chapter 84), amended by section 12 of chapter 90 of the statutes of 1971 and by section 139 of chapter 49 of the statutes of 1972, is again amended by replacing the third paragraph by the following paragraph:

“If the executive committee decides that the project has intermunicipal repercussions, the Council may, by resolution, subject to the approval of the Deputy Minister of the Environment, order such alterations as it deems expedient to the plans and specifications of the proposed works and authorize the municipality to carry out such works. Failing an agreement between the Community and the municipalities involved concerning the apportionment of the cost of the works, such apportionment shall be ordered by the Minister of the Environment.”

103. Section 173 of the said Act, amended by section 13 of chapter 90 of the statutes of 1971 and section 140 of chapter 49 of the statutes of 1972, is again amended by replacing subparagraph *b* of the first paragraph by the following subparagraph:

“(b) exercise as regards any municipality the powers contemplated in section 35 of the Environment Quality Act (R.S.Q., chapter Q-2), except in the case where the Minister of the Environment limits himself to ratifying an agreement among such municipalities which has already been approved by the Community; failing an agreement approved by the Community, the Minister of the Environment shall order the execution of the intermunicipal works contemplated in section 35 by the municipalities that he designates, unless the Community, after being called upon by him, consents to execute them. If the Community consents to execute the works, the Minister of the Environment shall not then order their execution except by the Community; the Minister of the Environment shall not establish the apportionment of the cost of the works and the cost of maintenance and operation thereof, determine the method of payment or fix the indemnity, periodic or otherwise, payable by the municipalities in the territory of the Community for the use of the works or service provided, before calling upon the Community to make its representations on this matter.”

104. Section 174 of the said Act, amended by section 14 of chapter 90 of the statutes of 1971 and by section 141 of chapter 49 of the statutes of 1972, is again amended by replacing the second paragraph by the following paragraph:

“The expenses resulting from the work and works provided for in this section shall be apportioned in accordance with section 257 unless at the request of the Community or of a municipality, the Minister of the Environment himself fixes the apportionment of the cost of such work or works, the cost of maintenance or operation thereof and the method of payment, including the fixing of an indemnity, whether periodic or not, payable for the use of the work, works or service provided by the Community.”

105. The said Act is amended by inserting, after section 191, the following sections:

“**191a.** The Community may, by by-law, determine the site of an intermunicipal park, whether or not it is the owner of the land of such park. Subject to sections 191b and 191c, such by-law it without effect as to third persons as long as the Community has not become the owner of such site or has not established a reserve on such site.

“**191b.** From the coming into force of a by-law contemplated in section 191a, no municipality may change its master plan, planning program or its zoning, subdivision or construction by-laws in a way to allow, in the territory of an intermunicipal

park, a use or occupation other than those specifically authorized by by-law of the Community.

“191c. As soon as an intermunicipal park is established, the Community may enter into an agreement with an owner or holder of a right on an immovable within the limits of such park providing that

(a) the owner or the holder conserves, within the limits prescribed by the agreement, his right on the immovable for a period fixed in the agreement;

(b) the owner or the holder grants to the Community a right of pre-emption on the right that he holds;

(c) the owner or the holder commits himself not to make improvements or changes to the immovable without the consent of the executive committee;

(d) in the case of a total or partial expropriation of the right that he holds, the owner or holder may not claim any indemnity by reason of an increment-value from which the immovable or right that he possesses on it may benefit following the establishment of an intermunicipal park or by reason of improvements or changes made to the immovable without the consent of the executive committee or with such consent, if the agreement entered into at the time that the consent was granted was such;

(e) any other condition related to the use of the immovable or the right.”

106. The said Act is amended by inserting, after section 192, the following sections:

“192a. The Community may, in respect of parks, recreation centres and other recreation equipment of an intermunicipal nature, make by-laws to

(a) ensure the protection and conservation of the natural environment, or any specific element thereof;

(b) determine to what extent and for what purposes the public may be admitted;

(c) fix the conditions governing any person staying, visiting or partaking in any activity in a park and the duties payable therefor;

(d) prohibit or regulate the possession and transport of arms, hunting gear or fishing tackle;

(e) prohibit or regulate the use of boats, aircraft, snowmobiles or any other vehicle;

(f) absolutely or partially prohibit hunting or fishing and determine the conditions on which one or the other may be allowed;

(g) prohibit the transport and the possession of animals or determine the conditions on which the possession of animals may be allowed;

(h) prohibit or regulate the posting of bills;

(i) ensure that the park is kept clean and orderly and that users enjoy peace and quiet;

(j) prohibit certain recreational activities;

(k) fix the conditions for participation in recreational activities;

(l) operate immoveables and permit, on such conditions as it may determine, their leasing to provide sleeping accommodations, food catering or commercial outlets necessary to the users;

(m) prohibit or regulate the operation of commercial enterprises;

(n) determine the cases where a person may be refused admittance or ejected;

(o) determine the powers and duties of the employees.

“192b. The Community and the Minister of Cultural Affairs may enter into an agreement relating to the total or partial applicability or inapplicability of any provision of the Cultural Property Act (R.S.Q., chapter B-4), respecting an intermunicipal park situated totally or partially in a natural district within the meaning of that Act.

An agreement entered into under this section prevails over any inconsistent provision.”

107. Section 279 of the said Act is replaced by the following section:

“279. A majority of the members constitutes a quorum at sittings of the Transit Commission.”

108. Section 281 of the said Act is amended by adding, at the end, the following paragraph:

“Sittings shall be convened by the chairman or by the two commissioners.”

109. Section 282 of the said Act, amended by section 15 of chapter 73 of the statutes of 1972 and by section 33 of chapter 82 of the statutes of 1974, is again amended

(1) by replacing the first paragraph by the following paragraph:

“282. The chairman of the Commission shall preside over the meetings of the Commission. He shall sign the by-laws and the minutes of the meetings over which he presides. He shall represent the Commission generally in any public function and in the negotiation of any matter concerning the Commission. He shall sign all contracts, bonds, cheques, notes or other documents involving any expense or obligation on the part of the Commission.”;

(2) by replacing the fifth paragraph by the following paragraph:

“Each commissioner including the chairman shall be entitled to one vote at any sitting of the Commission; in the case of a tie vote, the decision shall be deemed to be negative.”;

(3) by replacing the seventh paragraph by the following paragraphs:

“In case of temporary absence of the chairman and general manager, the latter may by a proxy in writing valid for a term not exceeding one month, delegate to one of the commissioners all or part of the powers conferred on him. Such proxy may be general or limited to the objects determined by the chairman.

Subject to the seventh paragraph, in case of absence or inability to act of the chairman or if his office is vacant, the commissioner designated for that purpose by the Commission shall exercise the powers of the chairman.”

110. Section 154 of the Outaouais Regional Community Act (1969, chapter 85), amended by section 156 of chapter 49 of the statutes of 1972, is again amended by replacing subparagraph *b* of the first paragraph by the following subparagraph:

“(b) exercise as regards any of such municipalities the powers contemplated in section 35 of the Environment Quality Act (R.S.Q., chapter Q-2), except where the Minister of the Environment limits himself to ratifying an agreement among such municipalities already approved by the Community; failing an agreement approved by the Community, the Minister shall not order the execution of intermunicipal works except by the Community; the Minister of the Environment shall not establish the apportionment of the cost of the works and the maintenance and operating costs thereof, determine the mode of payment or fix the indemnity, peri-

odic or otherwise, payable by the municipalities in the territory of the Community for the use of the works or services provided, before calling upon the Community to make its representations on this matter.”

111. Section 211 of the said Act is amended by replacing the first paragraph by the following paragraph:

“**211.** The chairman and general manager is appointed for a term of office of ten years and the other commissioners for a term that is fixed by the Council of the Community and that may not exceed five years. Nevertheless, a commissioner remains in office after the expiry of his term until his successor is appointed.”

112. Section 212 of the said Act is amended by replacing the third and fourth paragraphs by the following paragraphs:

“A majority of the members shall constitute a quorum at sittings of the Commission.

Each commissioner including the chairman shall be entitled to one vote at every sitting of the Commission; in the case of a tie-vote, the decision shall be deemed to be negative.

In case of absence or inability to act of the chairman and general manager or if his office is vacant, the commissioner designated for that purpose by the Commission shall exercise the powers of the chairman and director general.”

113. Section 216 of the said Act is amended by striking out the first paragraph.

114. Section 328 of the said Act, amended by section 441 of chapter 72 of the statutes of 1979, is again amended by replacing the first paragraph by the following paragraph:

“**328.** The expenses of the Community, except the expenses relating to a service governed by a special tariff, shall be apportioned among the municipalities in proportion to their respective fiscal potentials. Such apportionment bears interest at the rate and from the date fixed by the Council at the time of the adoption of the budget.”

115. Article 226 of the Municipal Code, replaced for the village of Deauville by section 7 of chapter 86 of the statutes of 1916 (2nd session), is again replaced for that village by the following article:

“226. Every elector of the municipality who is not declared disqualified by a provision of law, is competent to hold a municipal office.”

116. The municipality of the town of Oka-sur-le-Lac is annexed to the municipality of the parish of Oka. The territory so annexed is that described in section 2 of the Act to erect the town of Oka-sur-le-Lac (1942, chapter 90). The other provisions of the said Act cease to have effect.

The acts, by-laws and orders of the corporation of the parish of Oka apply to the annexed territory only to the extent that the said corporation provides therefor by by-law.

117. Section 55 of the Charter of the City of Laval (1965, 1st session, chapter 89), enacted by section 25 of chapter 99 of the statutes of 1971, is replaced by the following section:

“55. A majority of the members shall constitute a quorum at meetings of the Commission.

Each commissioner, including the chairman, shall be entitled to one vote at each meeting of the Commission; in the case of a tie-vote, the decision shall be deemed to be negative.”

118. Section 27 of the Act to incorporate the Montréal South Shore Transit Commission (1971, chapter 98) is replaced by the following section:

“27. A majority of the members shall constitute a quorum at meetings of the Commission.

Each commissioner, including the chairman, shall be entitled to one vote at each meeting of the Commission; in the case of a tie-vote, the decision shall be deemed to be negative.”

119. Section 30 of the Act to incorporate certain municipalities of the Outaouais (1979, chapter 95), amended by section 397 of chapter 72 of the statutes of 1979, is again amended by replacing the first paragraph by the following paragraph:

“30. Any debt involving the present city of Buckingham and which occurs from 1 January 1980 is apportioned between the municipalities incorporated under this chapter proportionately to the total value of the taxable real estate situated in their territory as shown on the valuation roll then in force; the share of each municipality becomes exigible thirty days after a demand for payment is made by the council of the city of Buckingham.”.

120. Any by-law of a municipal corporation respecting the remuneration of members of its council, adopted in 1980 pursuant to article 77e of the Municipal Code or section 65.6 of the Cities and Towns Act and providing for its application on 1 January 1980 has a retroactive effect.

121. The first paragraph of article 112 of the Municipal Code continues to apply, in regard to a county corporation, as if it had not been amended by section 8, as long as such county corporation has not brought into force a by-law pursuant to the first paragraph of article 112 of the said code as it exists, taking into account the amendment made by section 8.

122. No person may be disqualified to hold municipal office for the sole reason that he has benefited as a member of the council of a municipality governed by the Municipal Code or the Cities and Towns Act, before (*insert here the date of the coming into force of Bill 33*), from liability insurance taken out by the municipality.

123. A by-law coming into force before (*insert here the date of the coming into force of Bill 33*), establishing a Municipal Court in a municipality already subject to the jurisdiction of the Municipal Court of another municipality, is deemed to have put an end to such subjection.

124. The budget of the municipality of Baie James, of a northern village corporation, or of a municipal corporation that is part of the Communauté urbaine de Montréal, may be changed to take into account the changes made by section 41, sections 47 and 49 and sections 90, 92 and 96 respectively, even if the budget has come into force automatically.

The budget of an agency that is adopted or approved by a corporation mentioned in the first paragraph may be changed for the same reason.

The change may be submitted to the council of the corporation at any time. From such submission, the rules respecting the adoption, transmission, contesting and the automatic coming into force of the budget, where necessary, apply to such change, *mutatis mutandis*. However, where the council decides so by a two-thirds majority, the periods provided for by such rules may be shortened as determined by it.

The first two paragraphs apply, where necessary, to the by-laws, resolutions or orders that must accompany the budget, and the apportionments arising therefrom.

To avail itself of the changes made by the sections mentioned in the first paragraph, a corporation may adopt or amend any

by-law, resolution or order respecting the imposition or payment of a tax or surtax for the fiscal year 1982 even after the beginning of that fiscal year.

Such by-law or resolution has effect from 1 January 1982.

125. Notwithstanding any inconsistent provision of any general law or special Act, the term of office of the members of the executive committee of the Communauté urbaine de Montréal at the time of the coming into force of this Act is extended by one year, provided that they remain members of the Council of the Community. During that extension, they retain the office they held on the executive committee at the coming into force of this Act.

126. If the Council of the Communauté régionale de l'Outaouais has not, at the time of the adoption of its budget for the fiscal year 1982, fixed the rate of interest and the date contemplated in section 328 of the Outaouais Regional Community Act amended by section 114, it may do so by a by-law distinct from the budget.

127. Sections 90 and 92 have effect from the beginning of the municipal fiscal year 1982.

128. Section 98 has effect from 18 June 1980.

129. Section 115 has effect from 17 May 1941.

130. Section 119 has effect from 17 May 1979.

131. This Act comes into force on the day of its sanction, except section 116, which comes into force on 1 January 1982.