

THIRD SESSION

THIRTY-SECOND LEGISLATURE

NATIONAL ASSEMBLY OF QUÉBEC

Bill 203

(PRIVATE)

An Act respecting the town of Anjou

First reading

Second reading

Third reading



M. MICHEL LEDUC

QUÉBEC OFFICIAL PUBLISHER

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(PRIVATE)

An Act respecting the town of Anjou

WHEREAS it is in the interest of the town of Anjou that certain powers be granted to it;

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

1. The territorial limits of the town of Anjou and of the city of Montréal may be amended by a by-law passed by the town council of Anjou within twelve months from the date of the coming into force of this Act, and approved by the executive committee of the city of Montréal and the Minister of Municipal Affairs.

Before the by-law is approved, the Commission municipale du Québec must hold a public hearing to inquire into the advisability of approving the by-law.

The Minister may approve the by-law with the amendments it considers appropriate.

The conditions established by the Minister are effective notwithstanding any inconsistent legislative provision governing the municipal corporations concerned.

The Minister shall publish in the *Gazette officielle du Québec* a notice of the approval of the by-law, which comes into force from the date of publication of the notice or on any later date indicated in the notice.

The notice must contain a description of the territories concerned.

2. Section 412 of the Cities and Towns Act (R.S.Q., chapter C-19) is amended for the town of Anjou

(1) by replacing paragraph 17 by the following paragraph:

“17. To regulate or prohibit the keeping of animals or certain categories of animals and limit the number of such animals a person may keep on or in his immoveable; to require from the owner or keeper of such animals a licence; to prevent the straying of such animals in the town and authorize their elimination in a summary manner or the impounding and sale thereof for the benefit of the city or of any society or person the town may designate; to require the owner or keeper of such animals to remove their excrements both on public and private property and determine the manner of disposing thereof; to compel him to keep at all times the implements required therefor; to enable the town to make agreements with any person or body authorizing such person or body to collect the cost of animal licences and apply any municipal by-law respecting animals; for that purpose, the persons or agencies with whom or with which the council has made an agreement and, where such is the case, their employees, are deemed to be municipal officers;”;

(2) by inserting, after paragraph 20.1, the following paragraph:

“ 20.2 The council may pass a by-law to extend the use of the procedure by way of notice of summons and payment in full discharge to any violation of any municipal by-law and order that the town’s appointees are authorized to fill out any notice of summons and remit it to any person who violates a municipal by-law by giving a copy of it to him or to a reasonable person in charge of his residence;”;

(3) by inserting, after paragraph 23.1, the following paragraph:

“23.2 To regulate the installation and operation of alarm systems and require a permit for that purpose on such conditions as are fixed by the council; to enable the town to require the repayment of the costs it has incurred in cases of any defect or malfunctioning of such systems.

To make special arrangements with the interested ratepayers to connect their alarm systems to a control centre at the nearest police station and to authorize an appropriate charge for this service;”.

3. Section 415 of the said Act is amended for the town

(1) by replacing subparagraph *a* of paragraph 9 by the following subparagraph:

“9*a*. To prescribe and regulate the laying out and use of cycle lanes on any street, lane or public place.

To order the laying out of pedestrian paths or cycle lanes on any street, lane or public place or any other place on which the town has

rights or servitudes and regulate their construction and use, and authorize the town's appointees to see to the enforcement of the by-law;”;

(2) by inserting, after paragraph 30, the following paragraph:

“30.1 To regulate or prohibit the parking of vehicles on any land or in any building intended for parking determined by by-law after making an agreement with the owner;”.

4. Section 463 of the said Act is amended for the town by adding, at the end of paragraph 2, the following paragraph:

“All costs incurred by the town to remove or cause the removal of the nuisances constitute against the property where they were situated a charge assimilated to the real estate taxes, privileged at the same rank and recoverable in the same manner;”.

5. Section 576 of the said Act is replaced for the town by the following section:

“**576.** Every prosecution for the recovery of such fines shall be begun within twelve months from the date when they were incurred, and cannot be brought thereafter.

Such prosecution may be brought by any person of age, in his own name, or by the municipality.”

6. The said Act is amended for the town by adding, after section 642, the following section:

“**642.1** The council by resolution may authorize the destruction of records closed for more than five years relating to offences against the Acts of Québec, the municipal by-laws or any other legislation in force in the territory of the town.”

7. Section 1 of the Act respecting the town of Anjou (1979, chapter 113) is amended by striking out the second paragraph.

8. Section 6 of the said Act is amended by adding the following paragraphs:

“On an application by the corporation established under this Act, the Government may issue supplementary letters patent for the purpose of amending the content of the letters patent contemplated in section 5. Notice of the issuing of the supplementary letters patent must be published in the *Gazette officielle du Québec*.

The town may dissolve the corporation by a notice published in the *Gazette officielle du Québec*. In the case of winding-up, the property of the corporation, after payment of its obligations, is vested in the town.”

9. The schedule to the said Act is repealed.

10. The exemption provided for in article 1658.22 of the Civil Code applies to the corporation known as "Anjou 80" and incorporated under section 5 of the Act respecting the town of Anjou (1979, chapter 113).

The corporation is authorized to acquire, own and alienate the site described in the schedule.

11. The town may pass a by-law requiring every contractor in residential housing operating in the territory of the town of Anjou to hold a certificate establishing that he is certified by a provincial body or agency offering a guarantee program against poor workmanship or construction defects.

12. The town of Anjou is authorized to possess, hold and alienate shares of the capital stock of Falcon Promotions Ltd and to exercise the powers attached to such shares.

13. The Amusement Clubs Act (R.S.Q., chapter C-23) does not apply to the town of Anjou.

14. Notwithstanding the Act to amend the Municipal Code and the Cities and Towns Act in their applicability to intermunicipal agreements (1979, chapter 83), the town of Anjou is authorized to make an agreement of mutual assistance in respect of fire protection with the towns of Montreal East and Pointe-aux-Trembles and with petroleum refineries or petrochemical companies operating in the territory of such municipalities.

15. Any restrictive clause concerning any division or any undivided part of lots 424 to 435 of the cadastre of the parish of Longue-Pointe to the effect that the immoveables or part thereof cannot be used for industrial or commercial purposes but only for residential purposes and which constitutes a conventional servitude encumbering the immoveables or part thereof is abolished in every contract or deed whatever relating to such sites.

If any natural or artificial person or partnership would, but for this section, be entitled to sue for any real right on the whole or any part of the immoveables contemplated in this section, the claim is converted into a personal claim against the town of Anjou for an amount equal to the value of the real right, computed on the date of sanction of this Act.

Every such claim will be prescribed on the same day as the claim regarding the real right which it replaces would have been, had it not been so converted; in no case does the amount of the claim

or the claim itself constitute a real right or a charge respecting such lots or any part thereof, the whole without prejudice to any action in warranty by the present owner or his assigns against any natural or artificial person or partnership that may be bound to the payment of the claim.

16. This Act comes into force on the day of its sanction.

SCHEDULE

An immoveable comprising with reference to the cadastre of the parish of Saint-Boniface, the lots and parts of lots hereinafter described, to wit:

1 — Lots 17 to 32, 34 to 38, 40 to 49 and 134 to 141;

2 — A parcel of land forming part of lot 16, having an area of one acre, through which runs a stream, as marked by Burrill Lumber Co. or as it will be marked by G.C. Piché or his representatives, under the terms of a deed of sale by Benjamin Lavergne and Napoléon Lavergne to V. Burrill, made by E.H. Tremblay, notary, on 10 June 1898 and registered in the registry office of the registration division of Trois-Rivières under number 39489, that part of the lot being bounded on the northwest by the property then owned by V. Burrill, on the southeast, northeast and southwest by the residue of the property then owned by Benjamin Lavergne and Napoléon Lavergne;

3. — A road or way thirty feet wide chosen by V. Burrill, at the most advantageous location, under the terms of a deed of sale by Benjamin Lavergne and Napoléon Lavergne to V. Burrill, dated 10 June 1898, for the use of V. Burrill or his successors to allow access, on foot or by vehicle, from the lots described in paragraphs 1 and 2, to the Great Northern Railway, as stated in the deed of sale; that way forms part of lots 15 and 16 and is bounded on the north by the land described in paragraph 2 and extends in a southerly direction to the land of G.C. Piché, representing V. Burrill;

4 — A strip of land serving as road or way, thirty feet wide, and chosen by V. Burrill or which, on his behalf, G.C. Piché is entitled to choose and locate under the terms of a deed of sale by Onésime Lafrenière to V. Burrill, made by E.H. Tremblay, notary, on 10 June 1898 and registered in the registry office of the registration division of Trois-Rivières under number 39490, to allow access, from the lots owned by V. Burrill or his representatives, to the public road in the Third Range; that strip of land forms part of lot 52 and is enclosed on each side by the property of Onésime Lafrenière and is subject to the conditions stated in the deed of sale;

5 — A strip of land to be used as a road or way, thirty feet wide, and chosen by V. Burrill or that G.C. Piché or his representatives are entitled to choose under the terms of a deed of sale by L. Lamy and A. Lamy to V. Burrill, made before E.H. Tremblay, notary, on 10 June 1898 and registered in the registry office of the registration division of Trois-Rivières under number 39491, to allow access, from the lots owned by V. Burrill or his representatives, to the public road in the Third Range; that strip of land or road forms part of lots 52, 53 and 54 and is enclosed on each side by the property of L. Lamy, Z. Lamy and A. Lamy;

6 — A parcel of land forming part of lots 53 and 54 and measuring four arpents in width by ten arpents in depth, more or less, bounded at one end by the line of the Second Range, at the other end by a waterway, on one side, to the north, by Onésime Lafrenière and on the other side, in part by the public road and in part by the right of way of the railway of the Great Northern Railway, with buildings and appurtenances;

7 — A parcel of land forming part of lots 53 and 54, measuring seven hundred feet in length between the posts along the Great Northern Railway, marked 896 and 903, respectively, by one hundred and fifty feet in depth from the railroad; the parcel of land being bounded on the southeast by the right of way of the railroad and, on the other sides, by the property of Z.R. Lamy and A. Lamy with buildings and appurtenances;

8 — Another parcel of land, of irregular shape, forming part of lots 53, 54 and 55, seven hundred and fifty feet long on the southeast side of the right of way of the Great Northern Railway and having an area of one acre, more or less; that parcel of land is bounded on the northwest by the right of way of the railroad, to the southeast by the public road of the Third Range, to the northeast by the line of the Second Range and ending in a point to the southwest; the parcels of land described in paragraphs 6, 7 and 8 constitute the right of way of the Canadian Northern Quebec Railway and are described in a deed of sale of G.C. Piché, dated 13 January 1921, made before Louis Bertrand, notary, at Shawinigan;

9 — Part of lot 51, with buildings, except and excluding a parcel of land forming an irregular point, having an area of about one arpent and one-half and bounded at one end by the crest of a slope situated at about one arpent and one-half from the line of the Fourth Range, at the other end and on one side by Henri Beausoleil and, on the other side, by Jos Lafrenière;

10 — Lot 50;

11 — A parcel of land forming part of lot 52, having an area of about fifteen arpents and bounded at one end by the line between the Second and Third Ranges, at the other end by Jos Lafrenière, that is, the foot of the mountain, north side, on one side by Henri Beausoleil and, on the other side, part by V. Burrill and part by Hector Auger.

With all buildings thereon erected, including appurtenances.