

THIRD SESSION

THIRTY-SECOND LEGISLATURE

NATIONAL ASSEMBLY OF QUÉBEC

Bill 220
(PRIVATE)

An Act to amend the charter of the city of Longueuil

First reading
Second reading
Third reading

M. ROLAND DUSSAULT

QUÉBEC OFFICIAL PUBLISHER

1 9 8 2

Bill 220
(PRIVATE)

An Act to amend the charter of the city of Longueuil

WHEREAS it is in the interest of the city of Longueuil that its charter and the Acts amending it be again amended;

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

1. Section 28 of the Cities and Towns Act (R.S.Q., chapter C-19) is amended for the city of Longueuil by adding, at the end of paragraph 2 of subsection 1, the following words: “or lease the same by emphyteutic lease approved by the Commission municipale du Québec;”.

2. Section 47 of the said Act is replaced for the city by the following section:

“**47.** The city shall be represented and its affairs administered

(a) by a council consisting of the mayor and the councillors;

(b) by an executive committee consisting of the mayor and four councillors one of whom acts as chairman and another as vice-chairman.”

3. The said Act is amended for the city by inserting, after section 47, the following section:

“**47.1** The council may

(a) adopt the budgets and vote the appropriations necessary for the administration of the city, submitted by the executive committee;

(b) award contracts of the city in cases where the executive committee cannot do so;

(c) make every by-law of the city;

(d) create by by-law the different departments of the city and determine the scope of their activities;

(e) request reports from the executive committee on any matter respecting the administration of the city, the executive committee being then required to submit the reports within thirty days after the resolution is passed;

(f) approve the job-classification plan and the scales of related wages and allowances;

(g) delegate by by-law, to the executive committee, all the powers conferred by law on the council, except those granted by this section.”

4. The said Act is amended for the city by replacing section 52 by the following sections:

“52. (1) At the meeting of the council following an election held under section 149.1, the mayor may submit to the approval of the council a first motion for the nomination of the four members of the executive committee. If the motion, which shall not be amended, is not adopted, the council shall then, of its own motion, proceed with the nomination and election of the four members of the executive committee in accordance with the procedure indicated hereafter.

The nomination shall be made by secret ballot.

The ballot, prepared and initialed by the clerk, shall be a printed alphabetical list of the names of the councillors, though only the councillors nominated to the vacant seat on the executive committee are eligible.

For the vote, the councillor shall receive a ballot from the clerk, retire to a booth and mark a cross in the square printed for that purpose opposite the name of the councillor for whom he votes.

Each ballot shall be returned by the voter to the clerk in an envelope. The envelopes shall be opened only at the counting of the votes, when the vote for each councillor is made public.

The councillor having received an absolute majority of the votes cast shall be declared elected to the vacant seat; if no candidate obtains a majority, the poll is held again eliminating the candidate who received the lowest number of votes until the required majority is obtained.

If, in a tie-vote, a single additional vote would entitle a councillor to be declared elected, the mayor may vote a second time.

The council shall not adjourn the sitting until the members of the executive committee are elected.

(2) The term of office of a councillor as member of the executive committee ends twenty-four months after he has been elected, unless he is reelected to that office in accordance with the procedure provided above.

(3) If the chairman is absent or if his office is vacant, all the powers vested in him by law shall be exercised by the vice-chairman.

(4) The city clerk is the secretary of the executive committee.

(5) Any vacancy on the executive committee or in the office of its chairman shall be filled by the council at its next meeting.

During the vacancy, the remaining members in office, if a quorum, may act.

(6) The executive committee must make rules for its administration and internal management and may amend them whenever it deems expedient to do so; however, in no case may such rules and amendments be contrary to those of the council or inconsistent with this Act.

(7) Each member of the committee is entitled to one vote.

Three members constitute a quorum at the meetings of the committee.

The chairman of the committee presides at the meetings; if he is absent or if the office of chairman is vacant, the vice-chairman presides at the meetings; if the latter is absent or unable to act, the members present shall designate a chairman from among themselves.

(8) The councillors appointed members of the executive committee retain their seat on the council and are entitled to vote on any motion, question or report submitted to the council.

(9) Notwithstanding section 51 and subsection 2, the members of the executive committee shall remain in office until they are replaced in accordance with this charter.

(10) The committee shall sit *in camera* except if it considers that, in the interest of the city, its proceedings must be held in public.

(11) The term of office of a councillor as a member of the executive committee shall terminate if he has failed to attend the sittings of the executive committee for forty-five consecutive days following the last sitting which he attended; if he has not attended any sitting since he has become a member of the executive committee, the time

shall be computed from the first sitting which he could legally have attended; the term of office shall end at the closing of the first sitting after such forty-five days, unless, at such sitting, the executive committee is of opinion that it was in fact impossible for the person concerned to attend the sittings. Nevertheless, if the person concerned does not attend any sitting of the executive committee within thirty days following the sitting at which the executive committee expressed such opinion, his term of office shall terminate on the thirtieth day; the clerk shall so inform the council at the first sitting following such thirtieth day.

“52.1 The executive committee shall exercise the executory duties of city government which consist mainly in preparing and submitting to the council

(a) every report on any matter within the jurisdiction of the council;

(b) its decisions and suggestions by means of reports signed by its chairman;

(c) every by-law;

(d) the annual budget of revenues and expenses, not later than on 1 December each year, including the by-laws imposing taxes, licences, permits or other municipal dues;

(e) every demand for the allocation of the proceeds of loans or for any other appropriation required;

(f) every demand for the transfer of funds or appropriations already voted;

(g) every report recommending the granting of franchises and privileges;

(h) every report respecting the exchange or leasing by emphyteutic lease of any immovable owned by the city and in addition, the leasing of its moveable or immovable property, where the term of the lease exceeds one year;

(i) any other demand the object of which is not declared to be of the exclusive jurisdiction of the executive committee;

(j) any job-classification plan and the salaries related thereto.

“52.2 Every demand, by-law or report submitted by the executive committee must, unless otherwise prescribed, be approved, rejected, amended or returned by the vote of the majority of the members of the council present at the sitting.

“52.3 After having taken account of the estimates of revenues of the city and after having studied the estimates of expenditures

submitted by the heads of departments and their reports and suggestions as presented by the manager, the executive committee shall prepare and adopt the budget for the next fiscal year; it shall also prepare and pass the by-laws and resolutions imposing taxes, permits and licences for payment of expenditures, taking into account all the other revenues of the city.

“52.4 Unless otherwise prescribed, the appropriations voted by the council, by way of a budget, out of the proceeds of loans, or otherwise, must remain at the disposal of the executive committee, which shall see that they are used for the purposes for which they have been voted, without any other approval by the council.

“52.5 The executive committee may award any contract involving an expenditure that is less than that requiring public tenders. However, for every insurance contract or any contract for the carrying out of work or for the supply of materials, goods or services other than professional services and involving an expenditure of more than five thousand dollars but less than that requiring the formality of public tenders, the awarding must be preceded by a call made by inviting at least two contractors or, as the case may be, two suppliers to tender.

For the purposes of this section, a contract for the supply of materials also means a contract for the leasing of equipment with an option to purchase.

“52.6 In cases of urgency, the executive committee may make all expenditures it deems necessary; the committee shall then submit a substantiated report to the council, at the first meeting thereafter.

“52.7 Every written contract must be signed, in the name of the city, by the mayor and the clerk. The mayor may, however, in writing, generally or specially, authorize another member of the executive committee to sign the contracts in his place.

“52.8 The executive committee may, without the consent of the council, cause to be carried out by day labour work the cost of which does not exceed the amount requiring the formality of public tenders; however, the council may authorize the executive committee to cause to be carried out by day labour specified work of any nature the cost of which exceeds the said amount.

“52.9 The executive committee must see that the law, by-laws, resolutions and contracts of the city are faithfully observed.

“52.10 The executive committee shall see to the preparation of plans and specifications and to the calling for tenders.

“52.11 The executive committee shall authorize the payment of all sums due by the city, observing the formalities, restrictions and conditions prescribed by law.

“52.12 Every communication between the council and the departments shall be through the executive committee; in its dealings with the executive committee the council must always act by resolution.

“52.13 The executive committee may, at any time, call before it any head of a department to obtain the information it desires.

“52.14 The executive committee may suspend the issue of any permit contrary to a draft amendment to by-laws or to a draft zoning or building by-law, for the period extending from the date of the resolution of the executive committee to suspend the issue of the permit to the date of the decision of the council on the new by-law; in no case may that period exceed one hundred and twenty days, except where the amending by-law requires the approval of the Minister of Municipal Affairs, where the period must in no case exceed one hundred and eighty days between the passing of the resolution of the executive committee and the approval of the by-law by the Minister of Municipal Affairs.

“52.15 Except the manager, all the heads of departments, their assistants and all the assistants of the manager shall be appointed by the council on a report of the executive committee.

The report shall not be amended; it may be rejected only by the majority of all the members of the council. On a report of the executive committee, the council may suspend, demote, transfer or dismiss such officers or reduce their salaries.

“52.16 The executive committee may make, for the administration of the affairs of the city and for its internal management, rules it may amend, provided they are not inconsistent with this Act.

“52.17 Every member of the executive committee must take the oath of office.

“52.18 In addition to their remuneration and expense allowances, the mayor and the members of the executive committee, and the other councillors, are entitled to the reimbursement of the expenses incurred by them on behalf of the city, provided the expenses have been authorized by a resolution of the executive committee or the council.

“52.19 The executive committee may, in the interest of morality and public order, refuse to issue or renew any permit or licence.”

5. Section 112 of the said Act is replaced for the city by the following sections:

“112. The council shall appoint the manager and fix his salary and the terms and conditions of his hiring.

“112.1 The manager must devote his time to the duties of his office on a full time basis and is prohibited from hiring his services or working for any other employer but the city.

The council alone has the right to suspend or dismiss the manager or reduce his salary.

“112.2 If the manager is absent or unable to act or if his office is vacant, the executive committee may appoint a person to replace him, with the same powers and duties until his return or until the council has appointed someone to replace him.”

6. Section 113 of the said Act is replaced for the city by the following section:

“113. The council may establish by by-law that the manager has all or part of the following powers and duties:

(a) to administer the affairs of the city under the supervision of the executive committee;

(b) to exercise authority, as the mandatary of the executive committee, on the heads of departments, except on the clerk and the head of the legal department;

(c) to ensure communications between the executive committee and the heads of departments and supervise the work in the departments;

(d) to forward to the executive committee any communication he receives from the city departments and add his recommendations;

(e) to attend the meetings of the executive committee and take part in the deliberations, but without the right to vote;

(f) to add his own conclusions, if he deems it proper, in the record of any affair submitted to the executive committee or the council;

(g) to attend the meetings of the council and give it all information and advice it requires from him;

(*h*) to report to the council on any matter on which, in his opinion, he must inform the council;

(*i*) to have access to all the records of the city;

(*j*) to compel any officer or employee of the city to give him all the information and documents the latter has required;

(*k*) to provide to the councillors all information they may require;

(*l*) to ensure the carrying out of the plans and programs of the city, under the authority of the executive committee;

(*m*) to have the plans and programs for the repair and maintenance of buildings and equipment of the city prepared under the authority of the executive committee;

(*n*) to have the plans and programs to improve the operation and efficiency of the departments of the city prepared and ensure their carrying out;

(*o*) to obtain, study and forward to the executive committee, and even to the council, if he deems it expedient, the plans prepared by the heads of department on any matter requiring the approval of the executive committee or that of the council, and recommend to the executive committee or the council to take, within the scope of their respective jurisdiction, such measures as he deems in the interest of the city;

(*p*) to coordinate the budgetary estimates of the various departments and submit the same to the executive committee and, if he deems it proper, make to the executive committee or even to the council such recommendation as he deems necessary;

(*q*) to ensure the efficiency of every department of the city;

(*r*) to ensure that the moneys of the city are used in conformity with the appropriations specified in the budget, by-laws and resolutions;

(*s*) to forward without delay to the executive committee the list of the accounts to be paid.”

7. Section 125 of the said Act is replaced for the city by the following section:

“125. The returning-officer shall prepare an electoral list for each district in the municipality between the date of publication of the notice of the election under section 149 and the following 1 October.

For the purposes of the preparation of the electoral list the returning-officer may use the electoral list sent to the city in conformity with section 120 of the Act respecting electoral lists

(R.S.Q., chapter L-4.1) by regrouping, if necessary, the names of the electors entered on that electoral list to meet the requirements to describe the municipal territories and electoral districts. However, he shall not use such electoral list if the census used to prepare the list was made more than 90 days before 1 October following the publication of the election notice referred to in section 149.

The returning-officer, if he considers it necessary, may however, appoint, to assist him, enumerators chosen among the persons domiciled in the municipality; before assuming their duties such enumerators shall take the oath.”

8. Section 126 of the said Act is replaced for the city by the following:

“**126.** Such lists shall be prepared by streets, according to form 2, in the order of the numbers of the buildings where they are numbered, and in the order of the cadastral numbers in other cases; they shall contain the surname and given names of each elector, his age, occupation, the name of the street and the number of the building, and any other pertinent designations, and must mention his qualification as a property-owner, occupant or tenant, as the case may be. However, if the returning-officer decides to use the electoral list sent by the city in conformity with section 120 of the Act respecting Electoral Lists, (R.S.Q., chapter L-4.1) the entries on such list are sufficient for the purposes of an election.”

9. The said Act is amended for the city by adding, after section 183, the following sections:

“**183.1** The returning-officer must appoint to each premises where a polling-station is located, an officer in charge of information and order and, if necessary, one or more assistants to the said official.

“**183.2** The officer in charge of information and order must ask the name of each elector who presents himself and direct him to the polling-station where he is entitled to vote; he may also inform the electors, the returning-officers, the poll-clerks and the agents of the candidates on the procedure to be observed.”

10. Section 185 of the said Act is replaced for the city by the following section:

“**185.** In addition to the deputy returning-officer, the poll-clerk and the officer in charge of information and order, the only persons who shall be permitted, during the time that the polling-station is open, to remain in the room where the votes are given, shall be the candidates and their agents (who shall not be more than

two for each candidate in each polling-station), or, in the absence of agents, two electors, who make application therefor, to represent each candidate.

Any agent bearing a written authorization from the candidate shall always be entitled to represent such candidate in preference to any person who might claim the right of representing such candidate merely as elector."

11. Section 196 of the said Act is replaced for the city by the following section:

"196. (1) Any elector whose name does not appear on the extract from the electoral list used for voting in a polling-station shall be entitled to vote at such polling-station, provided that he furnish the deputy returning-officer with an attestation of the returning-officer or of the election clerk, drawn up according to form 22, establishing that his name is on the revised electoral list used for the current election, and that in all respects he fulfils the conditions required by this Act to be entitled to vote, or that he furnish the deputy returning-officer with an attestation of the returning-officer, made under oath, establishing that he is entitled to vote, his name being entered on the assessment roll or on the collection roll; in the latter case the elector must, however, take the oath before the deputy returning-officer of his polling-station to state that he is duly qualified to vote and has not yet voted.

(2) Before receiving his ballot-paper, every person presenting himself to vote shall, if so required by the deputy returning-officer or the poll-clerk, a candidate or a candidate's agent, take the oath."

12. Section 201 of the said Act is replaced for the city by the following section:

"201. The voter, on receiving the ballot-paper, shall forthwith proceed into one of the compartments of the polling-station. He shall there mark his ballot-paper, making a cross, "X", check or stroke, with a pen or ball-point pen or, as the case may be, with a lead pencil put at the disposal of the electors by the deputy returning-officer, within the white space containing the name of the candidate for whom he intends to vote; he shall then fold up the ballot-paper so that the initials and the number affixed by the deputy returning-officer can be seen without opening it; and shall then hand it to the deputy returning-officer.

The latter shall, without unfolding it, ascertain, by examining his initials and the number entered on the counterfoil, that it is the same which he furnished to the voter; and shall then, in full view of those present, including the voter, remove the counterfoil and

destroy it and place the ballot-paper in the ballot-box, which box shall be placed on a table in full view of those present.”

13. Section 212 of the said Act is amended for the city by replacing subsection 3 by the following subsection:

“(3) In counting the votes, the deputy returning-officer shall reject:

(a) Every ballot-paper which has not been supplied by him;

(b) Every ballot-paper upon which appears more than one vote;

(c) Every ballot-paper upon which there is any writing or mark by which the voter could be identified, other than the numbering by the deputy returning-officer in the cases hereinafter provided for;

(d) Every ballot-paper left in blank or null owing to the intention of the voter not being clearly shown;

(e) Every ballot-paper which does not have his initials thereon, saving the case of section 213.

However, no ballot-paper shall be rejected solely because the mark made in any of the spaces reserved therefor overruns the space where the elector has made his mark.”

14. Section 217 of the said Act is replaced for the city by the following section:

“**217.** (1) The returning-officer, as soon as he receives the ballot-boxes, shall deposit them forthwith in the vault or safe of his office and keep them under lock until they are opened in accordance with the following procedure.

(2) The day after the polling day or, if that day is a non-juridical day, on the next juridical day, at one o'clock in the afternoon, at the place designated by the returning-officer, the latter shall open the ballot-boxes. The candidates or their agents may be present. The returning-officer shall then count votes in favour of each candidate, from the statements or returns placed in such boxes by the deputy returning-officers of the polling-stations as aforesaid.

(3) If, at the addition of the votes, the returning-officer fails to find a statement of the poll in a ballot-box which has been used for the voting, he may open the large envelope deposited therein by the deputy returning-officer, and remove therefrom the statement of the poll which has been placed therein in error. Nevertheless, the returning-officer shall not, for any reason whatsoever, open the envelopes containing the ballot-papers, and, as soon as he has completed his search, he shall replace the contents of the large envelope

(except the statement of the poll) in a new envelope, which shall be sealed with his seal and with the seals of those present who desire to affix the same.

(4) The candidate who, upon such addition, is found to have obtained the greatest number of the votes, shall receive from the returning-officer a certificate to that effect; the returning-officer, upon the expiration of the delay provided for in section 223 if the application contemplated in section 222 has not been made, or upon receipt of the certificate contemplated in section 235 if the application has been made and granted, shall forthwith give such candidate a special notice of his election.

If the application contemplated in section 222 is dismissed, the returning-officer shall give the special notice as soon as he is informed of the dismissal.”

15. Section 257 of the said Act is replaced for the city by the following section:

“**257.** At the office of the returning-officer or the premises of any polling-station, no person shall use a sign showing his support to a party or candidate.”

16. Section 258 of the said Act is repealed for the city.

17. Section 345 of the said Act is replaced for the city by the following section:

“**345.** Notwithstanding any provision to the contrary in any general law or special Act, the publication of a public notice by the city is made by posting it in the office of the city and by inserting it in a French daily or weekly newspaper circulating in the municipality.”

18. Section 412 of the said Act is amended for the city

(1) by replacing paragraph 14 by the following paragraph:

“(14) To regulate or prohibit the playing of games, amusements or loitering on the streets, alleys, sidewalks, public squares and public property;”;

(2) by replacing paragraph 20 by the following paragraph:

“(20) To enact that in the case of an infraction of a municipal by-law relating to traffic, parking or public safety, a police officer or a constable, or, in the case of an infraction of a municipal parking by-law, a person whose services are retained by the council for such purpose, may fill out a notice of summons at the place of the infraction indicating the nature of the infraction, hand over a copy of the

notice to the driver of the vehicle or deposit it in a conspicuous place on the vehicle, and take the original of the notice to the place fixed in the by-law.

The first paragraph does not prevent the authorized person, if he deems it expedient, from filing a complaint and causing the issuance of a summons according to law, without issuing a notice of summons.

The authorized person is also empowered to move a motor vehicle or to cause it to be moved in the case of snow removal or in the cases of urgency determined by by-law. Such moving must be mentioned in the notice of summons, and the city shall collect from the person appearing at the place indicated in the notice to pay the fine as provided for in this section, or pleading guilty or being found guilty, an additional amount to be fixed by by-law but not to exceed fifty dollars.

The person in possession of a notice of summons may avoid the filing of a complaint against him by appearing at the place fixed by by-law and indicated in the notice of summons and by paying as a fine the sum fixed in the by-law, which must not exceed thirty dollars for a parking infraction and fifty dollars for the infraction of any other by-law contemplated in this paragraph. The payment of the fine and the receipt given by the person designated by the council free the offender of any other penalty in connection with that infraction.

If the person in possession of the notice refuses or fails to comply therewith within the prescribed time limit, the authorized person or the municipality may file a complaint against him according to law.

The notice of summons may contain an order to the offender to appear before the court of competent jurisdiction mentioned therein, at the time and on the date indicated in the notice. In such a case, the authorized person must send a copy of the notice to the clerk of the court within the next forty-eight hours. On the day fixed for the hearing, unless a payment in full discharge has been made, the clerk shall open a record and deposit therein the document which is a summons duly authorized and served within the meaning of the Summary Convictions Act (R.S.Q., chapter P-15), and liable to be returned on the date fixed;”.

19. Section 531 of the said Act is replaced for the city by the following section:

“531. An immovable sold for taxes may be redeemed by the owner or his legal representatives, at any time within the year following the day of adjudication, by paying to the purchaser the price of sale, including the cost of the certificate of adjudication, with

interest at the annual rate established by the council for the year of the sale in accordance with section 481, a fraction of a year being counted as a whole year.

When the immoveable sold is vacant land, the amount payable to the purchaser also includes the total of the municipal and school taxes, general and special, imposed upon the immoveable from the date of adjudication to the date of redemption, if they have been paid by the purchaser; if they have not been paid, the redemption frees the purchaser therefrom and binds the owner to pay them.

However, the adjudication is final and in no case may the redemption be exercised for vacant land that is composed of lots to build with a municipal valuation not exceeding five thousand dollars, if the notice of sale indicates what immoveables will thus be sold.”

20. Section 539 of the said Act is replaced for the city by the following section:

“539. Immoveables so purchased by the municipality, which have not been redeemed, must be sold, either at auction or by private sale, as ordered by resolution of the council, within five years from the expiration of the time limit in which redemption might have been exercised. The Minister of Municipal Affairs may, however, extend the time limit, at the request of the council, for reasons that he may deem sufficient.

However, failure by the council to sell, within the above mentioned time limit or within the additional time granted by the Minister, the immoveables acquired at a sale for taxes, does not invalidate the title that the council may subsequently grant on the immoveables.

The municipality may, with the authorization of the Minister, retain definitively the immoveables so acquired which it needs for its purposes.”

21. The said Act is amended for the city by inserting, after section 542, the following section:

“542.1 The council may, by resolution, grant a 10% rebate up to five hundred dollars on the real estate taxes paid to every owner of a single-dwelling house residing therein.”

22. Section 585 of the said Act is amended for the city by adding the following paragraph:

“(9) No right of action lies against the municipality damages resulting from its failure to maintain sidewalks from 1 October to

1 May of each year, on condition that the city give a notice to that effect in a newspaper circulating in the municipality and that the notice indicates what sidewalks will not be maintained.”

23. Section 30 of chapter 101 of the statutes of 1971 is replaced by the following section:

“30. (1) The council, by by-law, may establish a fund called the “snow removal expenses stabilization fund” to place at its disposal the amounts which it may need to meet snow removal expenses.

(2) For this purpose, the council shall prepare a five-year budget of snow removal expenses and appropriate each year, out of the revenues derived from the general real estate tax, an amount equal to the portion established in such five-year budget to pay the expenses provided for the year concerned.

(3) For the purposes of this section, the expression “snow removal expenses” includes all direct expenses incurred for snow removal and street and sidewalk maintenance during the period from the first of October in any year to the first of May the next year.

In particular, such expenses include:

- (a) salaries and social benefits of employees;
- (b) purchase of material, supplies and fuel;
- (c) lease of equipment and tools;
- (d) job contracts;
- (e) cost of repairing and maintaining of vehicles and equipment;
- (f) other expenses relating to the use of vehicles and equipment;
- (g) annual payment into the working fund for renewal and purchase of equipment and tools;
- (h) debt service of the loans contracted for the purchase of equipment and tools;
- (i) claims for damage to persons and property during snow removal.

(4) Any annual surplus or deficit is carried forward from one year to the next, until the five-year budget expires.

At the end of such period the accumulated surplus or deficit forms part of the general budget for the next year.”

24. Section 10 of chapter 82 of the statutes of 1977 is replaced by the following section:

“10. (1) The council, by by-law, may establish a fund called the “stabilization fund for the purchase and replacement of machinery and vehicles” to place at its disposal the amounts which it may need to meet expenses for the purchase and replacement of machinery and vehicles.

(2) For this purpose, the council shall prepare a five-year budget of expenses for the purchase and replacement of machinery and vehicles and appropriate each year, out of the revenues derived from the general real estate tax, and amount equal to the portion established in such five-year budget to pay for the expenses provided for the year concerned.

(3) Any annual surplus or deficit is carried forward from one year to the next, until the five-year budget expires. At the end of such period, the accumulated surplus or deficit forms part of the general budget for the next year.”

25. Notwithstanding section 5 of the Industrial Funds Act (R.S.Q., chapter F-4), the sale made between the city of Longueuil and the Entreprises de Constructions de Mackayville Limitée on 5 May 1977 before J.-P. Hardy, notary, is validated on being approved by the Minister of Municipal Affairs.

26. Section 6 of the Industrial Funds Act (R.S.Q., chapter F-4) is replaced for the city by the following section:

“6. The money derived from the sales or leases must be used to extinguish the liabilities incurred by the municipal corporation, to pay the interest and other expenses incurred for such operations, including all the expenses incurred by the city for the promotion of municipal industrial parks. Any surplus shall be deposited in a special fund the use of which shall be subject to the prior approval of the Minister of Municipal Affairs.”

27. Section 12 of the Act to authorize municipalities to collect duties on transfers of immoveables (R.S.Q., chapter M-39) is replaced for the city by the following section:

“12. Any claim resulting from transfer duties or any balance remaining to be paid on such duties constitutes against the property an expense that can be assimilated to the real estate tax and recovered in the same manner.”

28. The city may acquire by agreement or expropriation any immoveable whose acquisition is considered appropriate for the

purposes of real estate reserves or housing and for the works related to such purposes, and any obsolete immovable or any immovable whose occupancy is harmful.

The city is authorized to hold, lease and manage the immovables acquired under the first paragraph. It may also equip such immovables and install the necessary public services therein. It may also alienate them, on conditions determined by it, with the approval of the Commission municipale du Québec provided that the price of alienation is at least equal to the actual value of such immovables and not less than the acquisition cost including all related expenses.

The city may alienate such an immovable, gratuitously or for a price lower than the price provided for in this section, in favour of the Government, one of its bodies or agencies or a school corporation.

The city is bound to pay, with respect to immovables that it holds under this section, all taxes that may be required from a real estate owner in the municipality.

29. (1) The business tax imposed by by-law 73-412 of the city regarding the business tax and the annual dues imposed on businesses, occupations or activities carried on or operated in the city as amended by by-laws 75-630, 76-773, 77-1063, 78-1108, 78-1149, 79-1374 and 79-1440, is deemed to have been imposed on all categories or classes.

(2) No irregularities or illegalities may be invoked against section 3.1 of by-law 80-1679 of the city regarding the business tax.

(3) Subsections 1 and 2 have effect from the coming into force of those by-laws, but do not affect pending cases, if any, as regards costs.

30. The council may establish, out of the revenues provided for in each annual budget, a reserve fund of up to five million dollars for the purposes of financing its self-insurance program; the annual amounts to be levied must not exceed 1% of the annual budget.

31. Section 1 of chapter 82 of the statutes of 1945, amended by section 1 of chapter 65 of the statutes of 1958-1959, is repealed.

By-law 141 of the city of Longueuil increasing the working fund to four hundred thousand dollars is ratified.

32. The following sections and paragraphs are repealed:

- (a) section 16 of chapter 102 of the statutes of 1950;
- (b) section 4 of chapter 85 of the statutes of 1956-1957;

(c) paragraphs *d* and *e* of section 4 and section 7 of chapter 101 of the statutes of 1971.

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