

NATIONAL ASSEMBLY

SECOND SESSION

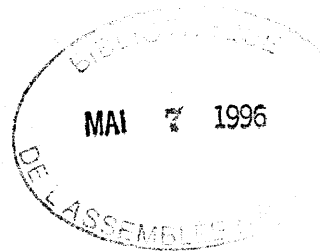
THIRTY-FIFTH LEGISLATURE

Bill 203
(Private)

An Act to amend the charter of the City of Laval

Introduction

**Introduced by
Madam Lyse Leduc
Member for Mille-Îles**



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Bill 203

(Private)

An Act to amend the charter of the City of Laval

WHEREAS it is in the interest of Ville de Laval, hereinafter referred to as "the city", that its charter, chapter 89 of the statutes of 1965 (1st session), and the Acts amending it be again amended and that the city be granted certain powers;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 13 of the Act to amend the charter of the City of Laval (1978, chapter 112), replaced by section 3 of chapter 89 of the statutes of 1984 and amended by section 1 of chapter 113 of the statutes of 1987 and by section 2 of chapter 57 of the statutes of 1994, is again amended

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

"The city is authorized to hold, lease and manage an immovable acquired under the first paragraph. It may also equip the immovable, instal the necessary public services thereon, erect a structure thereon or demolish, move or restore a structure already erected thereon. It may also alienate the immovable, on the conditions it determines, in accordance with the Act governing it.";

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

"The city is authorized to exercise the powers provided for in the second paragraph for the purposes of housing, education, research, leisure, recreation and consolidation of land for agricultural purposes, and for other related purposes."

2. Paragraph 24 of section 460 of the Cities and Towns Act (R.S.Q., chapter C-19), enacted for the city by section 11 of chapter 57 of the statutes of 1994, is renumbered "(26)".

3. Section 486 of the said Act is amended, for the city, by adding, after subsection 4, the following subsection:

"(5) The council may by by-law order that every owner of land subject to the surtax provided for in this section who, pursuant to an agreement entered into with the city, assumes all or part of the costs of the construction of water or sanitary sewer services be exempted from the payment of the surtax. The term of the exemption shall not exceed the three fiscal years following the fiscal year in which the construction work for the water and sanitary sewer services was carried out, but the exemption is valid for every subsequent owner during that period.

For the purposes of this subsection, the work is considered to have been carried out when the water and sanitary sewer services are ready to be used for the use for which they are intended."

4. The said Act is amended, for the city, by inserting, after section 486, the following sections:

"486.1 In addition to any real estate tax that it may impose and levy on unserviced vacant land, the council may impose and levy annually on such land situated in a permanent agricultural zone a surtax equal to the total of the real estate taxes referred to in subsection 1 of section 486. The council may by by-law order that the amount of the surtax for such land shall not be less than a minimum amount it fixes in the by-law and that may not exceed \$100.

The by-law may provide for categories of land subject to the surtax and impose a surtax whose rate may vary according to the category.

Such surtax ranks, in every respect, as a general real estate tax of the city. It applies to the land entered on the assessment roll in force as part of the categories fixed in the by-law.

"486.2 The following land is not subject to the surtax provided for in section 486.1:

(1) land on which there is a building whose real estate value exceeds 25% of the real estate value of the land according to the assessment roll in force;

(2) land owned by a railway undertaking and on which there is a railway track;

(3) land used for overhead electric power lines;

(4) land having an area greater than 3,250 square metres.

"486.3 The debtor of the surtax is entitled to a refund where the unit of assessment subject to the surtax is land more than 50% of which is used by the owner for agricultural purposes, either to cultivate soil and plants, to raise livestock or for forestry purposes, or is land leased to a farm producer within the meaning of the Farm Producers Act (R.S.Q., chapter P-28).

The city may, in the by-law, determine the formalities applicable to surtax refunds.

"486.4 The revenues from the surtax imposed under section 486.1 shall be paid into a special fund.

The sums from the fund shall be used solely to promote consolidation of land situated in permanent agricultural zones and reuse of the land for agricultural purposes. In particular, the sums may be used for the purpose of acquiring land by agreement or by expropriation and of exchanging or alienating land."

5. Section 536 of the said Act is amended, for the city, by adding, at the end, the following paragraph:

"Notwithstanding the foregoing, where the immovable is situated in a permanent agricultural zone, the municipality's bid shall not exceed the standardized value of the immovable according to the assessment roll in force."

6. The said Act is amended, for the city, by adding, after section 542.7, the following section:

"542.8 Notwithstanding the Municipal Aid Prohibition Act (R.S.Q., chapter I-15), in relation to a home-ownership program, the council may, by by-law, on the conditions and in the sectors it

determines, grant subsidies or tax credits to individuals or housing cooperatives who or that acquire residential immovables."

7. Section 569 of the said Act is amended, for the city, by adding, at the end of subsection 1, the following paragraph:

"The council may also pass a by-law in respect of a loan to be repaid within a period not exceeding fifteen years. Such a by-law requires no approval other than the approval of the Minister of Municipal Affairs."

8. The first paragraph of section 24 of the Act respecting municipal debts and loans (R.S.Q., chapter D-7) is amended, for the city, by replacing the word "clerk" in the first line by the word "treasurer".

9. The second paragraph of section 25.1 of the said Act is amended, for the city, by replacing the word "clerk" by the word "treasurer".

10. Section 32 of the said Act is amended, for the city, by replacing the word "clerk" in the first and second lines by the word "treasurer".

11. Section 33 of the said Act is amended, for the city, by replacing the word "clerk" in the first line by the word "treasurer".

12. The second paragraph of section 535 of the Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2) is replaced, for the city, by the following paragraph:

"He shall fix as many consecutive days, up to a maximum of five, as there are multiples of 500 in the number of applications needed under section 553 to require that a referendum poll be held. Where the number is less than 500, he shall fix only one day."

13. Section 57 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1) is amended, for the city, by adding, at the end, the following paragraph:

"The first two paragraphs, with the necessary modifications, apply to the surtax that the council may impose and levy on unserviced vacant land situated in a permanent agricultural zone under section 486.1 of the Cities and Towns Act (R.S.Q., chapter C-19), as amended for the city. The roll must indicate which category, among the

categories provided for in the by-law adopted by the council for that purpose, a unit of assessment subject to the surtax referred to in this paragraph is part of."

14. The second paragraph of section 244.1 of the said Act is replaced, for the city, by the following paragraph:

"A local municipality may, in the same manner, provide that all or part of the aliquot share or other contribution owed by it in respect of property, services or activities of another local municipality, a regional county municipality, a community, an intermunicipal body, another intermunicipal public body or the Société de transport de la Ville de Laval shall be financed as in the first paragraph."

15. The third paragraph of section 6 of the Act respecting municipal industrial immovables (R.S.Q., chapter I-0.1) is replaced, for the city, by the following paragraph:

"The second and fourth paragraphs do not apply in respect of an immovable whose final expropriation indemnity has not been fixed by the Expropriation Division. In such a case, the alienation of the immovable must be authorized by the Minister of Municipal Affairs."

16. Article 688.5 of the Municipal Code of Québec (R.S.Q., chapter C-27.1), with the necessary modifications, applies to the city.

17. Notwithstanding section 22 of the Act respecting municipal taxation, Mr Ernest Lépine, a chartered appraiser, may be the assessor of a municipal body and act in that capacity.

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