

NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

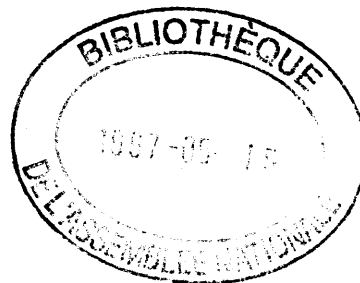
Bill 251

(Private)

An Act respecting the Régie intermunicipale de gestion des déchets sur l'Île de Montréal

Introduction

Introduced by
Madam Nicole Léger
Member for Pointe-aux-Trembles



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Bill 251

(Private)

AN ACT RESPECTING THE RÉGIE INTERMUNICIPALE DE GESTION DES DÉCHETS SUR L'ÎLE DE MONTRÉAL

WHEREAS it is expedient to grant additional powers to the Régie intermunicipale de gestion des déchets sur l'Île de Montréal;

Whereas the management board and Ville de Montréal have adopted a joining agreement which was ratified by all the municipalities in whose territory the management board has jurisdiction;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The Cities and Towns Act (R.S.Q., chapter C-19) is amended for the Régie intermunicipale de gestion des déchets sur l'Île de Montréal, hereinafter referred to as "the management board", by inserting, after section 468.6, the following section:

"468.6.1. The agreement may limit or exclude a municipality's liability arising, even indirectly, from debts or obligations of the management board contracted before the municipality joined the agreement."

2. Section 468.10 of the said Act, amended by section 209 of chapter 2 of the statutes of 1996, is again amended, for the management board, by replacing paragraph 2 by the following paragraph:

"(2) the place of its head office, unless the agreement provides that it may be determined by resolution of the management board, which must be situated in either case in the territory of one of the municipalities that are parties to the agreement;"

3. Section 468.16 of the said Act, amended by section 209 of chapter 2 of the statutes of 1996, is again amended, for the management board, by adding, at the end, the following paragraph:

"The agreement may provide for the mode of designation of a delegate. It may also provide that the mayor is, by virtue of his office, the delegate of the municipality or, if there is more than one delegate, that the mayor is one of them by virtue of his office."

4. Sections 468.16.1 to 468.16.5 of the said Act, enacted for the management board by section 1 of chapter 101 of the statutes of 1989, are replaced by the following sections:

“468.16.1. Under the agreement, an executive committee of not fewer than eight members may be set up for the management board; the composition of the executive committee and the rules and conditions of appointment and revocation of its members shall be set out in the agreement, as well as the quorum for meetings, the number of votes granted to each committee member and the majority required for the making of decisions.

The quorum set out in the agreement may require the presence at meetings of a specified proportion of delegates from one or more municipalities.

The majority required by the agreement for the making of decisions may be a specified majority of members or a specified majority of votes cast by delegates from one or more municipalities.

“468.16.2. The board of directors of the management board may, by by-law,

(1) delegate its powers to the executive committee;

(2) provide that a resolution of the executive committee that has been signed by all its members has the same force as if it had been adopted by the executive committee at a meeting.”

5. Section 468.16.8 of the said Act, enacted for the management board by section 1 of chapter 101 of the statutes of 1989, is repealed.

6. Section 468.19 of the said Act is amended, for the management board, by adding, at the end, the following paragraph:

“However, the agreement may provide for a different quorum, in particular by requiring the presence of a specified proportion of delegates from one or more municipalities.”

7. Section 468.20 of the said Act is amended, for the management board, by adding, at the end, the following paragraph:

“However, the agreement may establish different rules for the making of decisions, in particular by providing that decisions of the board of directors require a majority of members or of votes cast by the delegates, as the case may be, from one or more municipalities.”

8. Section 468.52 of the said Act is amended, for the management board, by replacing the first paragraph by the following paragraph:

“468.52. The management board may enter into an agreement with a municipality, by whatever Act governed and whether or not the management board has jurisdiction in its territory, with an urban community or with another board to supply or receive services or to receive a delegation of jurisdiction under paragraph 2 of section 468.7. Sections 468 to 468.9, adapted as required, apply to the agreement.”

9. Until the coming into force of an agreement to set up an executive committee in accordance with section 468.16.1 of the Cities and Towns Act as enacted for the management board by section 4 of this Act, the executive committee set up under section 468.16.1 of the Cities and Towns Act, as enacted for the management board by section 1 of the Act respecting the Régie intermunicipale de gestion des déchets sur l'Île de Montréal (1989, chapter 101) shall continue to exist and sections 468.16.1 to 468.16.8 of the said Act shall continue to apply to it.

Until the coming into force of a by-law passed by the board of directors of the management board under paragraph 1 of section 468.16.2 of the Cities and Towns Act as enacted by section 4 of this Act, the powers of the executive committee set up under the agreement referred to in the first paragraph are the powers provided for in sections 468.16.5 and 468.16.8 of the Cities and Towns Act as enacted for the management board by section 1 of the Act respecting the Régie intermunicipale de gestion des déchets sur l'Île de Montréal (1989, chapter 101).

10. This Act comes into force on *(insert here the date of assent to this Act)* but has effect from 14 March 1997.