

1990, chapter 43
**AN ACT RESPECTING THE TOWN
OF SCHEFFERVILLE**

Bill 54

Introduced by Mr Claude Ryan, Minister of Municipal Affairs

Introduced 8 May 1990

Passage in principle 22 June 1990

Passage 1 November 1990

Assented to 2 November 1990

Coming into force: 2 November 1990

Act repealed:

Act respecting the town of Schefferville (1986, chapter 51)



CHAPTER 43

An Act respecting the town of Schefferville

[Assented to 2 November 1990]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- Municipal service** **1.** The town of Schefferville may cease to provide any municipal service on certain parts of its territory it determines by by-law.
- Interpretation** For the purposes of the first paragraph, the words “municipal service” have the meaning given to those words by section 1 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1).
- Acquisition of immovables** **2.** The town may acquire by agreement or expropriation any immovable situated on any part of the territory determined pursuant to section 1.
- Program** **3.** The town may, by by-law, establish a program for the construction, repair and maintenance of private conduits and water and sewer mains and their connection with public conduits. The program must be approved by the Minister of Municipal Affairs.
- Device to prevent freezing** The town may include, in the program, the obligation for the owner of an immovable to install a device to prevent private conduits and connections from freezing. Should the owner fail to install a device that conforms with the standards prescribed in the program, the town may cease to provide the service to him.
- Compensation** The town may make a grant to any owner of an immovable as compensation for all or part of the expenses he incurred for the work carried out or purchases made for the purposes of the program.
- Required work or purchases** Instead of making a grant, the town may, at its own expense, carry out the work or make the purchases required for the purposes

of the program. This paragraph applies notwithstanding the first paragraph of paragraph 25 of section 413 of the Cities and Towns Act (R.S.Q., chapter C-19).

Inapplica-
bility

4. The second paragraph of section 536 of the Cities and Towns Act does not apply to the acquisition, by the town, of any immovable situated on any part of the territory determined pursuant to section 1.

Application
for reduction
of territory

5. The town may, by by-law, make an application to the Minister of Municipal Affairs for the reduction of its territory.

Applicability

Sections 202 to 209 of the Act respecting municipal territorial organization (R.S.Q., chapter O-9) apply, adapted as required, to the application for a reduction of territory.

Cancellation
of election

6. The general election that was to be held in 1990 for the offices of town council member is cancelled.

Date of
poll

7. The Minister of Municipal Affairs shall fix the date of the poll for the first general election to be held after 2 November 1990. He shall also fix the year in which the second general election will be held.

Provisions
applicable

The Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2), except sections 2 and 3, applies to the first general election. If the date of the poll for the first general election is not the first Sunday of November, sections 341 and 344 of the said Act apply, as if it were a by-election.

Town
council

Notwithstanding section 44 of the said Act, the town council shall consist of the mayor and four councillors until the Minister of Municipal Affairs prescribes, on the terms and conditions he determines, that the number of councillors be changed. The Minister shall, then, publish a notice of his decision in the *Gazette officielle du Québec*.

Appointment
of adminis-
trator

8. The Minister of Municipal Affairs shall appoint a person to administer the affairs of the town until a majority of the council members elected at the first election provided for in section 7 take office. The person is substituted to the municipal council and exercises the duties of the mayor.

Powers

The administrator shall exercise the powers of the council by order. Every order comes into force on the date of its publication, by way of a public notice posted in the office of the municipality and stating the date of adoption and the object of the order.

Acquisition of immovables **9.** The Minister of Municipal Affairs may, for redevelopment purposes, acquire any immovable situated in the town's territory.

Alienation, rental or lease of immovables **10.** The Minister of Municipal Affairs may, for redevelopment purposes, alienate, by onerous or gratuitous title, or rent or lease, to the town or to any other person, any immovable acquired by him under section 4 of the Act respecting the town of Schefferville (1986, chapter 51) or under section 9 of this Act. He may, for this purpose, proceed by agreement, auction or public tenders.

Town's property Any immovable referred to in the first paragraph which is not alienated on the date determined by the Government shall become the town's property from that date.

Registration The town shall register, by deposit and free of charge, a declaration containing the designation, prepared in accordance with article 2168 of the Civil Code of Lower Canada, of any immovable of which it has become the owner pursuant to the second paragraph.

1986, c. 51, repealed **11.** The Act respecting the town of Schefferville (1986, chapter 51) is repealed.

Retroactive effect **12.** The first paragraph of section 10 has effect from 19 June 1986.

Applicability **13.** Sections 4, 5 and 9 shall cease to apply on the date or dates fixed by the Government.

Minister responsible **14.** The Minister of Municipal Affairs is responsible for the administration of this Act.

Coming into force **15.** This Act comes into force on 2 November 1990.