

1990, chapter 105
**AN ACT RESPECTING THE SPECIAL BOARD
OF DELEGATES OF THE REGIONAL COUNTY
MUNICIPALITIES OF VAUDREUIL-SOULANGES,
BEAUHARNOIS-SALABERRY AND HAUT-SAINT-LAURENT**

Bill 205

Introduced by Mr Serge Marcil, Member for Salaberry-Soulanges

Introduced 19 December 1989

Passage in principle 22 June 1990

Passage 22 June 1990

Assented to 22 June 1990

Coming into force: 22 June 1990

Act amended: None





CHAPTER 105

An Act respecting the special board of delegates of the regional county municipalities of Vaudreuil-Soulanges, Beauharnois-Salaberry and Haut-Saint-Laurent

[Assented to 22 June 1990]

Preamble

WHEREAS the regional county municipalities of Vaudreuil-Soulanges, Beauharnois-Salaberry and Haut-Saint-Laurent have established a special board of delegates to operate a common waste management system;

Whereas it is expedient that certain powers be granted to that board;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

The
"Board"

1. The special board of delegates established by the agreement signed on 16 March 1989 by the regional county municipalities of Vaudreuil-Soulanges, Beauharnois-Salaberry and Haut-Saint-Laurent forms a legal person of public right, called "Bureau des délégués spécial Vaudreuil-Soulanges — Beauharnois-Salaberry — Haut-Saint-Laurent", which is hereinafter referred to as the "Board".

Corporate
body

2. The Board is a corporation within the meaning of the Civil Code. It is vested with the general powers of such a corporation and the special powers conferred by this Act.

Head
office

3. The head office of the Board is located in the town of Beauharnois.

- Board of directors** **4.** The affairs of the Board are administered by a board of directors composed of delegates from the regional county municipalities in whose territory it has jurisdiction.
- Subsidy program** **5.** The Board may, within the scope of a subsidy program for the regional transport of waste, pay amounts to the regional county municipalities in whose territory it has jurisdiction.
- Amount of subsidies** The Board may, by by-law approved by the regional county municipalities, adopt the subsidy program referred to in the first paragraph and determine the amounts of the subsidies, up to the annual amounts authorized by the Minister of Municipal Affairs, and the conditions for granting subsidies.
- Apportionment of subsidies** Every regional county municipality receiving amounts under the first paragraph must apportion them among the local municipalities in whose territory it has jurisdiction as regards waste management. For that purpose, it shall adopt a subsidy program and determine the terms and conditions for apportioning subsidies.
- Aliquot share** **6.** For the first seven fiscal years of the Board, a proportion of the aliquot share paid annually by the regional county municipalities to the Board shall constitute an investment.
- Refund** The Board shall, from the fiscal year it determines, refund the investment referred to in the first paragraph up to an amount not exceeding \$5 000 000 to each regional county municipality.
- Conditions** The Board may, by by-law, fix the terms and conditions of refunds under the second paragraph.
- Application** **7.** Section 6, adapted as required, applies from the fiscal year determined by the Board under the said section to a regional county municipality in respect of the local municipalities in whose territory it has jurisdiction as regards waste management.
- Change of name** **8.** The Board may, by by-law approved by the regional county municipalities in whose territory it has jurisdiction, change its name and the place of its head office.
- Publication of notice** Notice of a by-law under the first paragraph must be published in the *Gazette officielle du Québec*.
- Powers** **9.** The Board may also, by by-law approved by the regional county municipalities in whose territory it has jurisdiction,

(1) establish an executive committee and determine its composition and operating rules;

(2) provide for the reimbursement of the expenses of its members and the members of the executive committee in accordance with sections 25 to 30 of the Act respecting the remuneration of elected municipal officers (R.S.Q., chapter T-11.001), adapted as required.

Executive committee

The executive committee established under subparagraph 1 of the first paragraph is governed, subject to the said subparagraph 1, by articles 123 to 127 of the Municipal Code of Québec (R.S.Q., chapter C-27.1), adapted as required. Notwithstanding the foregoing, the Board may delegate to the executive committee the awarding of any contract, including contracts the amount of which exceeds \$10 000.

Agreements

10. The Board and any local municipality may, by by-law, authorize the conclusion of an agreement relating to a waste management system. The agreement must be approved by the Commission municipale du Québec and by the regional county municipalities in whose territory the Board has jurisdiction.

Exemption

11. Notwithstanding section 13, the Minister of Municipal Affairs may, on the conditions he determines, exempt the Board from calling for tenders for the awarding of contracts relating to the design or construction of the furnace, the boiler, the smoke purification system and the thermic or electric energy production system used for the purposes of the waste management system, as well as of the machines, equipment, apparatus or accessories necessary for their operation.

Call for tenders

Notwithstanding the exemption granted by the Minister, a contract referred to in the first paragraph may be awarded only after a call for tenders by way of written invitation to at least five contractors or suppliers, as the case may be.

Award of contracts

The Board shall not, without prior authorization of the Minister of Municipal Affairs, award the contract to any person other than the person who submitted the lowest tender.

Publication of notice

The Board shall, before making a call for tenders under the second paragraph, publish a notice of such call for tenders in a newspaper circulated in the territory of the regional county municipalities in which it has jurisdiction. The notice must indicate the names of all the contractors or suppliers to whom the call for tenders is to be made.

Interpretation

12. The Board is a municipality within the meaning of the Environment Quality Act (R.S.Q., chapter Q-2).

Applicable
provisions

13. Articles 14.1, 176, the first paragraph of section 176.1, article 176.2, articles 180 to 182, article 549 except the third paragraph of subarticle 7, articles 582 to 584, 586 and 587, 590 to 594, 596, article 597 except the third paragraph, articles 598 to 601, article 602 except the second sentence of the second paragraph, articles 603 to 606, 609 to 619, 622 and 623, 704, 706 to 711, subarticles 1 to 8 of article 935, articles 936 to 938, 961, 961.1, 966 to 966.4, 966.6, 1076, 1093 and 1094 of the Municipal Code of Québec, sections 22 and 23 of the Act respecting the Commission municipale (R.S.Q., chapter C-35), sections 1, 2, 4 to 8, 12 to 44 and 50 of the Act respecting municipal debts and loans (R.S.Q., chapter D-7) and section 21 of the Act respecting the Ministère des Affaires municipales (R.S.Q., chapter M-22.1) apply to the Board, adapted as required.

Amending
of agreement

14. Subject to this Act, the agreement referred to in section 1 may be amended in accordance with the Municipal Code of Québec.

Coming
into force

15. This Act comes into force on 22 June 1990.