

NATIONAL ASSEMBLY
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1987, chapter 108

AN ACT TO AMEND THE ACT RESPECTING THE COMMUNAUTÉ URBAINE DE QUÉBEC

Bill 111

Introduced by Mr André Bourbeau, Minister of Municipal Affairs

Introduced 15 December 1987

Passage in principle 16 December 1987

Passage 18 December 1987

Assented to 18 December 1987

Coming into force: 1 January 1988

Act amended:

Act respecting the Communauté urbaine de Québec (R.S.Q., chapter C-37.3)



Éditeur officiel
Québec



CHAPTER 108

An Act to amend the Act respecting the Communauté urbaine de Québec

[Assented to 18 December 1987]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

c. C-37.3,
s. 6,
replaced

1. Section 6 of the Act respecting the Communauté urbaine de Québec (R.S.Q., chapter C-37.3) is replaced by the following section:

Composition

“6. The executive committee consists of its chairman and the mayors of the municipalities mentioned in Schedule A.

Substitute

Where the mayor is unable to act or where the office of mayor is vacant, another member of the council of the municipality designated by that council may be substituted for the mayor. The substitute is deemed to be a member of the executive committee at any sitting whereat he substitutes for the mayor. If the substitute for the mayor of the city of Québec is permanent, he may also be a non-voting member of any other sitting of the committee and participate in the deliberations.”

c. C-37.3,
s. 6.3,
replaced

2. Section 6.3 of the said Act is replaced by the following section:

Vice-
chairman

“6.3 The Council shall also appoint a vice-chairman of the executive committee from among the mayors of the municipalities mentioned in Schedule A.”

c. C-37.3,
ss. 6.9-6.16,
repealed

3. Sections 6.9 to 6.16 of the said Act are repealed.

c. C-37.3,
s. 7, am.

4. Section 7 of the said Act is amended

(1) by replacing the words “The members of the executive committee” in the first line by the words “The chairman of the executive committee”;

(2) by replacing the words “a member” in the second line of the form by the word “chairman”.

c. C-37.3,
s. 7.1,
repealed

5. Section 7.1 of the said Act is repealed.

c. C-37.3,
s. 7.2,
replaced

6. Section 7.2 of the said Act is replaced by the following section:

Resignation

“7.2 In the event of the resignation of the chairman of the executive committee, his term of office ends on the date of receipt by the secretary of the Community of a written notice to that effect, signed by the chairman.”

c. C-37.3,
s. 7.3, am.

7. Section 7.3 of the said Act is amended

(1) by replacing the words “a member of the executive committee other than a member referred to in paragraph 2 of section 6 shall also” in the first and second lines by the words “the chairman of the executive committee shall”;

(2) by replacing the words “a member” in the fifth line by the words “the chairman”.

c. C-37.3,
s. 7.4, am.

8. Section 7.4 of the said Act is amended by replacing the words “every member” in the first line by the words “the chairman”.

c. C-37.3,
s. 10,
replaced

9. Section 10 of the said Act is replaced by the following section:

Vice-
chairman

“10. No appointment to the vice-chairmanship of the executive committee shall be made while any seat on the committee is vacant.”

c. C-37.3,
s. 26,
replaced
Quorum

10. Section 26 of the said Act is replaced by the following section:

“26. A majority of the members of the executive committee constitute a quorum.”

c. C-37.3,
s. 27, am.

11. Section 27 of the said Act is amended by replacing the first paragraph by the following paragraphs:

Number of
votes

“27. The chairman of the executive committee and the member representing the municipality with the smallest population have one vote each.

Number of
votes

Every other member has a number of votes equal to the quotient obtained by dividing the population of the municipality he represents by the population of the municipality referred to in the first paragraph. Where the quotient contains a decimal fraction, only the first two decimal numbers are taken into account.”

c. C-37.3,
s. 29, am.

12. Section 29 of the said Act is amended by striking out the eighth paragraph.

c. C-37.3,
s. 30, am.

13. Section 30 of the said Act is amended by striking out the word “appointed” in the first line of the second paragraph.

c. C-37.3,
s. 37, am.

14. Section 37 of the said Act is amended by striking out the words “in the case of a tie vote” in the second and third lines of the first paragraph of subsection 2.

c. C-37.3,
s. 39,
replaced

15. Section 39 of the said Act is replaced by the following sections:

Number of
votes

“39. The chairman of the executive committee and the representative of the municipality with the smallest population have one vote each on the Council.

Number of
votes

The representative or all the representatives of each of the other municipalities has or have a number of votes equal to the quotient obtained by dividing its population by that of the municipality referred to in the first paragraph. If the municipality has several representatives, each has a number of votes equal to the quotient obtained by dividing the number of votes of the municipality by the number of its representatives. Where the quotient contains a decimal fraction, only the first two decimal numbers are taken into account.

Vote

For the purposes of the first two paragraphs, only the municipalities whose representatives have the right to vote on the question in accordance with the fourth paragraph of section 29 are taken into account.

Decisions

“39.1 Decisions of the Council are taken by a two-thirds majority vote.

Simple
majority
vote

Notwithstanding the first paragraph, decisions taken pursuant to section 94.2 are taken by a simple majority of votes.

Two-thirds
majority
vote

The two-thirds majority vote must include the vote of not fewer than five municipalities. For that purpose, the vote of a municipality is deemed to be cast by its mayor or, if he is absent or unable to vote, by another representative of the municipality capacitated thereto by the council of that municipality.”

c. C-37.3,
s. 74, am. **16.** Section 74 of the said Act is amended by replacing the words “vote of the absolute majority of the members of the Council shall be required in order to” in the first and second lines by the words “Council may, by order,”.

c. C-37.3,
s. 75, am. **17.** Section 75 of the said Act is amended by replacing the words “vote of the absolute majority of the members of the executive committee is required to” in the first and second lines by the words “the executive committee may, by order,”.

c. C-37.3,
s. 95, am. **18.** Section 95 of the said Act is amended by striking out the words “by a two-thirds majority vote” in the first and second lines of the first paragraph.

c. C-37.3,
s. 130, am. **19.** Section 130 of the said Act is amended by replacing the words “by a by-law passed by a majority of two-thirds of the votes” in the first and second lines of the first paragraph by the words “by by-law”.

c. C-37.3,
s. 136, am. **20.** Section 136 of the said Act is amended by striking out the following: “, by a two-thirds majority of the votes,” in the first and second lines of the first paragraph.

c. C-37.3,
s. 247,
replaced **21.** Section 247 of the said Act is replaced by the following section:

Population
of municipi-
pality **“247.** For the purposes of this Act, the population of a municipality is the same as for the purposes of the Act respecting elections and referendums in municipalities and the population of the Community is equal to the sum of the populations of the municipalities in its territory.”

Coming into
force **22.** This Act comes into force on 1 January 1988.