

NATIONAL ASSEMBLY
Thirty-third Legislature, first session

1987, chapter 111
**AN ACT TO AMEND THE CHARTER OF
THE CITY OF MONTRÉAL**

Bill 200

Introduced by Madam Violette Trépanier, Member for Dorion

Introduced 11 June 1987

Passage in principle 23 June 1987

Passage 23 June 1987

Assented to 23 June 1987

Coming into force: 23 June 1987

Act amended:

Charter of the city of Montréal (1959-60, chapter 102)



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CHAPTER 111

An Act to amend the charter of the city of Montréal

[Assented to 23 June 1987]

Preamble WHEREAS it is in the interest of the city of Montréal that its charter, chapter 102 of the statutes of 1959-60, be amended;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1959-60,
c. 102,
a. 2a,
repealed

1. Article 2a of the charter of the city of Montréal (1959-60, chapter 102), added by section 1 of chapter 84 of the statutes of 1965 (1st session), is repealed.

1959-60,
c. 102,
a. 10f,
added

2. The said charter is amended by inserting, after article 10e, the following article:

Agreement

“10f. The city and any municipality may enter into an agreement in respect of the leasing of movable or immovable property. Such an agreement is not subject to the procedure provided in sections 468 to 469.1 of the Cities and Towns Act (R.S.Q., chapter C-19) or articles 569 to 624 of the Municipal Code (R.S.Q., chapter C-27.1).”

1959-60,
c. 102,
a. 76, am.

3. Article 76 of the said charter, amended by section 10 of chapter 97 of the statutes of 1960-61, by section 6 of chapter 59 of the statutes of 1962, by section 12 of chapter 70 of the statutes of 1963 (1st session), by section 4 of chapter 84 of the statutes of 1965 (1st session), by section 4 of chapter 96 of the statutes of 1971, by section 7 of chapter 77 of the statutes of 1977, by section 4 of chapter 40 of the statutes of 1980 and by section 95 of chapter 16 of the statutes of 1980, is again amended by replacing the first paragraph by the following paragraph:

Deduction **“76.** A deduction of sixty dollars is made from the indemnity to which a councillor is entitled for each day that the council meets, if the councillor does not attend the meeting or does not vote on a question put to the vote on that day, unless his absence is due to official business for the city, to the performance of a duty related to his office, to childbirth or assistance to his spouse during childbirth, to illness attested by a physician’s certificate, to the discharge of a religious obligation or to the death of an ascendant, a descendant, his spouse, a brother or a sister.”

1959-60,
c. 102,
a. 79a,
added

4. The said charter is amended by inserting, after article 79, the following article:

Motion **“79a.** At the meeting called in accordance with article 112 or at any regular meeting of the council, the mayor may present, for approval by the council, a motion concerning the appointment of not more than eight councillors to assist the members of the executive committee as associate councillors.

Nomination and election of associate councillors A motion under the first paragraph may not be amended. Should it not be adopted, the council, on its own initiative, may then proceed with the nomination and election of such number of associate councillors as may be determined by the mayor, according to the procedure set forth in article 79, adapted as required.

Term of office The term of office of an associate councillor expires at the next general election.

Executive committee Associate councillors do not sit on the executive committee.”

1959-60,
c. 102,
a. 90,
replaced

5. Article 90 of the said charter, replaced by section 11 of chapter 77 of the statutes of 1977, is again replaced by the following article:

Executive committee **“90.** Every matter within the jurisdiction of the council, except if otherwise provided for in this Act, must be submitted to the executive committee which shall report to the council if it deems it expedient.

Resolution Notwithstanding the foregoing, where a matter is referred to the executive committee following a resolution of the council, the executive committee must report to it on or before the sixtieth day following the day the resolution was adopted.”

1959-60,
c. 102,
a. 97a, am.

6. Article 97a of the said charter, enacted by section 7 of chapter 96 of the statutes of 1971 and amended by section 1 of chapter 41 of the statutes of 1980, is again amended by replacing the words “the director of a department” in the second paragraph by the words “an officer”.

1959-60,
c. 102,
a. 105, am.

7. Article 105 of the said charter, amended by section 1 of chapter 84 of the statutes of 1965, is amended by replacing the words “executive secretary of the city” by the words “secretary general”.

1959-60,
c. 102,
a. 106, am.

8. Article 106 of the said charter, amended by section 15 of chapter 70 of the statutes of 1963 (1st session), by section 10 of chapter 96 of the statutes of 1971, by section 14 of chapter 77 of the statutes of 1977, by section 2 of chapter 41 of the statutes of 1980, by section 3 of chapter 71 of the statutes of 1982 and by section 211 of chapter 38 of the statutes of 1984, is again amended

(a) by adding, after the words “reserved to the council” in the first paragraph of paragraph *p*, the words “as well as any services provided by its employees”;

(b) by adding the following paragraph:

“*t.* establish and amend, at any time, tariffs for the leasing, by third persons, of property owned by the city or of services provided by its employees.

Restriction

Article 725 does not apply in the case of a tariff amended or abolished under this paragraph.”

1959-60,
c. 102,
a. 109,
replaced

9. Article 109 of the said charter, replaced by section 18 of chapter 77 of the statutes of 1977, is again replaced by the following article:

Irresistible
force

“**109.** In case of irresistible force of such a nature as to endanger the life or health of the population, seriously damage the equipment of the municipality or cause greater financial loss to the city than the anticipated expenditure, the mayor or the chairman of the executive committee may, without delay, order any expenditure deemed necessary and award any contract necessary to remedy the situation.

Report

In such a case, the mayor or the chairman of the executive committee must make a report of such action and the reasons therefor to the executive committee at the next meeting held after his decision. The report shall be tabled at the next meeting of the council.

Delegation
of powers

The executive committee may delegate the exercise of the power mentioned in the first paragraph to the head of the department concerned. In such a case, the report, and the reasons for the decision, shall be submitted to the executive committee by the department head, subject to the same requirements.”

1959-60,
c. 102,
a. 115,
replaced

10. Article 115 of the said charter, replaced by section 21 of chapter 77 of the statutes of 1977, is again replaced by the following article:

Regular meetings

“115. Not less than ten regular meetings of the council must be held every year. The date of each meeting shall be fixed by the executive committee and the notice of convocation shall mention that it is for a regular meeting.”

1959-60,
c. 102,
a. 116,
replaced

11. Article 116 of the said charter, amended by section 16 of chapter 70 of the statutes of 1963 (1st session), is replaced by the following article:

Adjournment

“116. Whenever, at a special or regular meeting, the business submitted could not be entirely disposed of on the first day, the council must adjourn to the following juridical day or the day immediately following it, until the items on the agenda have been decided. The clerk is not required to give notice of the adjournment.

Non-juridical day

For the purposes of this article, Saturday is considered a non-juridical day.”

1959-60,
c. 102,
a. 122, am.

12. Article 122 of the said charter, replaced by section 25 of chapter 77 of the statutes of 1977 and amended by section 853 of chapter 57 of the statutes of 1987, is again amended by replacing the first two paragraphs by the following paragraphs:

Meetings

“122. The council shall appoint one of its members to preside over the meetings of the council. When that member is absent, the council shall designate a substitute.

Voting

The person presiding over the meetings of the council may vote only in the case of a tie-vote.”

1959-60,
c. 102,
a. 122a,
added

13. The said charter is amended by inserting, after article 122, the following article:

Annual additional remuneration

“122a. The chairman of the council, except if he is a member of the executive committee, shall receive for his duties as chairman an annual additional remuneration of \$7 000.”

1959-60,
c. 102,
a. 123,
repealed

14. Article 123 of the said charter is repealed.

1959-60,
c. 102,
a. 125, am.

15. Article 125 of the said charter, replaced by section 27 of chapter 77 of the statutes of 1977, is amended by replacing the second paragraph by the following paragraph:

Restriction

“This article does not affect any matter referred to in article 72, 121 or 133 of this charter.”

1959-60,
c. 102,
a. 127,
replaced

16. Article 127 of the said charter is replaced by the following article:

Order and
decorum

“127. The person presiding over the meetings of the council shall maintain order and decorum during the sittings of the council. He may, in case of disturbance, order the suspension or adjournment of the sitting, subject to the requirements of article 116.

Expulsion

He may also cause any person who causes a disturbance at a sitting to be expelled from the council room.”

1959-60,
c. 102,
a. 131*a*, am.

17. Article 131*a* of the said charter, replaced by section 3 of chapter 41 of the statutes of 1980, is amended

(1) by striking out the words “or of the clerk of the municipal court, if the documents form part of the records of that court,” in subarticle 2;

(2) by striking out subarticle 3;

(3) by striking out the words “or destroy” in subarticle 4.

1959-60,
c. 102,
a. 132, am.

18. Article 132 of the said charter, replaced by section 4 of chapter 71 of the statutes of 1982, is amended by replacing the third paragraph by the following paragraph:

Auditor's
office, elec-
trical com-
mission

“For administrative purposes, the auditor's office and the electrical commission are regarded as departments, and the city auditor and the chairman of the electrical commission rank with the department heads of the city.”

1959-60,
c. 102,
a. 147,
repealed

19. Article 147 of the said charter, enacted by chapter 102 of the statutes of 1960, is repealed.

1959-60,
c. 102,
a. 148,
repealed

20. Article 148 of the said charter, enacted by chapter 102 of the statutes of 1960, is repealed.

1959-60,
c. 102,
a. 160,
repealed

21. Article 160 of the said charter, enacted by chapter 102 of the statutes of 1960, is repealed.

1959-60,
c. 102,
a. 161,
repealed

22. Article 161 of the said charter is repealed.

1959-60,
c. 102,
a. 179*a*,
added

23. The said charter is amended by inserting, after the heading of Title V, the following article:

Standing committees

“179a. The council may, by by-law, establish standing committees composed of members of the council who are not members of the executive committee for the purposes of examining any question within their jurisdiction and making the recommendations they deem appropriate to the council.

Chairman and vice-chairman

The council shall appoint a chairman and a vice-chairman for each of the committees.

Replacement

The council may, when it deems it advisable, replace any member of the committees.

Mayor

The mayor is *ex officio* a member of every committee and has the right to vote.

Reports

Every committee shall give an account of its work and of its decisions by means of reports signed by its chairman or by the majority of its members.”

1959-60,
c. 102,
a. 180, am.

24. Article 180 of the said charter is amended by striking out the second paragraph.

1959-60,
c. 102,
articles
repealed

25. Articles 181, 182, 183, 184, 184a, 186, 188, 189 and 190 of the said charter are repealed.

1959-60,
c. 102,
a. 520, am.

26. Article 520 of the said charter, amended by section 26 of chapter 97 of the statutes of 1960-61, by section 8 of chapter 71 of the statutes of 1964, by section 21 of chapter 84 of the statutes of 1965 (1st session), by section 5 of chapter 90 of the statutes of 1968, by section 4 of chapter 91 of the statutes of 1969, by section 205 of chapter 19 of the statutes of 1971, by section 20 of chapter 96 of the statutes of 1971, by section 57 of chapter 77 of the statutes of 1973, by sections 45 and 183 of chapter 77 of the statutes of 1977, by section 23 of chapter 64 of the statutes of 1982 and by section 1 of chapter 59 of the statutes of 1983 and by section 145 of chapter 27 of the statutes of 1985, is again amended

(a) by adding, at the end of paragraph 41.1, the following: “provide that the owner of an alarm system which is needlessly set off more than twice within a period of 12 months by reason of improper installation, malfunction, lack of maintenance or poor control of the use of the system, is guilty of an offence;”;

(b) by replacing paragraph 77 by the following paragraph:

Vacant property

“77. Compel the owners of vacant property to keep the land clear of bush or other material or substance susceptible of spreading fire

to adjoining property and to surround the property with fences of the height and in the manner determined by the council; prohibit the depositing of old materials or cast-off articles on private grounds; compel the owners or occupants of any land, except farm lands, to cut and remove all tall grass; determine what constitutes tall grass;”.

1959-60,
c. 102,
a. 524, am.

27. Article 524 of the said charter, amended by section 55 of chapter 59 of the statutes of 1962, by section 20 of chapter 70 of the statutes of 1963 (1st session), by section 24 of chapter 86 of the statutes of 1966-67, by section 7 of chapter 90 of the statutes of 1968, by section 1 of chapter 91 of the statutes of 1968, by section 21 of chapter 96 of the statutes of 1971, by section 4 of chapter 76 of the statutes of 1972, by section 58 of chapter 77 of the statutes of 1973, by section 48 of chapter 77 of the statutes of 1977 and by section 10 of chapter 40 of the statutes of 1980, and by section 21 of chapter 71 of the statutes of 1982, is again amended by striking out, in paragraph 17, the words which follow the semicolon.

1959-60,
c. 102,
aa. 560a-
560h, added

28. The said charter is amended by adding, after article 560, the following articles:

Right of
way

“**560a.** The riparian owners who wish to acquire the right of way of a lane owned by the city are required to present a petition to that effect to the executive committee.

Petition

The petition must be signed by not less than two-thirds of the riparian owners, representing not less than two-thirds of the frontage of the land bordering on the lane.

Public
interest

“**560b.** Where a petition is presented under article 560a, the executive committee shall decide whether the closing of the lane is in the public interest.

Grant of
petition

“**560c.** If the executive committee grants the petition, it shall propose to the council that a by-law ordering the closing of the lane be passed.

Notice

A notice of the passing of the by-law must be served on each riparian owner entered on the real estate assessment roll and be published in a daily newspaper circulated in the city.

Registration

“**560d.** The city shall register at the registry office a notice, signed by the clerk, attesting that the formalities have been complied with, containing a reference to the cadastral plan prepared beforehand and indicating the name of the owner opposite each lot number shown on the plan.

- Transfer of ownership** “**560e.** The registration of the notice effects the transfer of ownership of each lot.
- Servitude** “**560f.** From the date of registration, a servitude is created in respect of all public utilities including the laying, installation and maintenance of conduits, poles, wires and other accessories necessary for the operations of public utility companies. The servitude must not exceed by more than 2 metres in width each side of the new dividing line between the parcels of land.
- Cadastral plan** The plan referred to in article 560*d* shall mention the existence of the servitude and the site thereof shall be marked on the plan by means of hatchings. The notice provided for in the said article shall state the nature of the servitude and refer to the plan.
- Applicable provision** The last paragraph of article 966 applies to a servitude created under this article.
- Indemnity** “**560g.** A riparian owner who has not signed the petition contemplated in article 560*a* may apply to the Expropriation Division of the Provincial Court for an indemnity which is calculated according to the actual damage directly caused by the by-law ordering the closing of the lane. The value of the land acquired is offset against the indemnity. The application to the Expropriation Division shall be made by a motion filed within thirty days following the date of the service of the notice contemplated in article 560*c*.
- Indemnities** “**560h.** The sums paid by the city as indemnities fixed by the Expropriation Division may be charged to the riparian owners of the closed lane and apportioned among them in proportion to the number of metres of frontage of their respective immovables. The apportionment is subject to the other rules of Title XIII which are applicable to it.”
- 1959-60, c. 102, a. 612a, am.** **29.** Article 612*a* of the said charter, enacted by section 7 of chapter 76 of the statutes of 1972, amended by section 62 of chapter 77 of the statutes of 1977, by section 17 of chapter 40 of the statutes of 1980, by section 32 of chapter 71 of the statutes of 1982 and by section 7 of chapter 117 of the statutes of 1986, is again amended by replacing the second paragraph by the following paragraph:
- Exceptions** “The minimum area requirements do not apply in the case of several parcels of land bounded on all sides by streets, a project for the erection of an educational institution, an establishment contemplated in the Act respecting health services and social services (R.S.Q., chapter S-5), a child day care centre or public administration or public service buildings, land used as a site for the subway and its dependencies,

residential buildings under a municipal or governmental housing program, vacant public buildings and buildings classified or recognized as cultural property or classified as historical monuments or as heritage sites or buildings situated wholly or in part in the protected area of a classified cultural property, in a historic or natural district or on a classified historic site.”

1959-60,
c. 102,
a. 612*b*,
added

30. The said charter is amended by adding, after article 612*a*, the following article:

Perfor-
mance bond

“**612*b*.** Where a construction plan, filed for the purposes of article 612*a*, includes the construction in phases of buildings or other works, the city may, before approving the plan, require the applicant to deposit a performance bond for such amount as it considers sufficient to ensure the construction of all the buildings and works shown on the plan, within the period of time established.”

1959-60,
c. 102,
a. 640,
replaced

31. Article 640 of the said charter, replaced by section 12 of chapter 41 of the statutes of 1980, is again replaced by the following article:

Construction
costs

“**640.** The city may apportion among the riparian owners construction costs of sewers and waterworks conduits. Such apportionment shall be made in proportion to the number of metres of frontage of their respective immovables, according to the rate determined by by-law for each fiscal year.”

1959-60,
c. 102,
a. 709,
replaced

32. Article 709 of the said charter, replaced by section 48 of chapter 71 of the statutes of 1982, is again replaced by the following article:

Transfer of
appropriations

“**709.** The council may, by by-law, establish the rules governing the transfer of appropriations within the items of the budget. The by-law may provide that the chairman of the executive committee or the secretary general may authorize transfers of appropriations.”

1959-60,
c. 102,
a. 710,
repealed

33. Article 710 of the said charter, replaced by section 82 of chapter 77 of the statutes of 1977 and amended by section 49 of chapter 71 of the statutes of 1982, is repealed.

1959-60,
c. 102,
a. 722,
replaced

34. Article 722 of the said charter, amended by section 18 of chapter 41 of the statutes of 1980 and by section 148 of chapter 27 of the statutes of 1985, is replaced by the following article:

Approval

“**722.** No contract or agreement and no discharge or release binds the city unless it has been approved by the council or the executive committee, as the case may be.

Signature However, acquittances received before a notary and the withdrawals of immovables sold for taxes by the sheriff and redeemed by the proprietor or his representative shall bind the city if they are signed by a person designated by the executive committee; no other signature for and on behalf of the city, nor the approval of the council or the executive committee, shall be required for this purpose."

1959-60,
c. 102,
a. 725,
replaced

35. Article 725 of the said charter, amended by section 10 of chapter 59 of the statutes of 1983, is replaced by the following article:

Reduction
of revenue

"**725.** Once the budget is adopted, no by-law or resolution to reduce or cause a reduction of the revenue shall be valid or operative during the fiscal year to which it applies, unless the head of the competent department certifies that the reduction may be effected without causing the expenses to exceed the anticipated revenue for the fiscal year."

1959-60,
c. 102,
a. 728,
repealed

36. Article 728 of the said charter is repealed.

1959-60,
c. 102,
a. 750, am.

37. Article 750 of the said charter, replaced by section 96 of chapter 77 of the statutes of 1977, is amended by replacing the first paragraph by the following paragraph:

Loans

"**750.** The city may effect its loans by means of an issue of bonds and dispose of them at the best price offered. Such bonds may be issued in Canadian dollars or in any other currency."

1959-60,
c. 102,
a. 752, am.

38. Article 752 of the said charter, replaced by section 97 of chapter 77 of the statutes of 1977, is amended by replacing the second and third paragraphs by the following paragraphs:

Refund

"It may agree to refund the capital and to pay the interest on such loans and bonds therefor in one or more countries and in any currency and for such purpose it may establish the basis of the rate of exchange.

Foreign cur-
rency

Whenever the city contracts a loan repayable in foreign currency, and a tax is imposed by the law in Canada, the executive committee may, on a report of the director of finance, order that the city shall pay, in respect of such loan for the account of the bearer or holder of all bonds issued by the city and so repayable, the amount of any tax deducted at the source in connection with the payment to non-residents of the principal, interest or premium, and solely because of the holding of the said bonds in order that the amount paid by the city to the bearer or holder be equal to the full amount of the principal, interest or premium stipulated in such bonds."

1959-60,
c. 102,
a. 753,
replaced

39. Article 753 of the said charter, replaced by section 98 of chapter 77 of the statutes of 1977, is again replaced by the following article:

Issue of
bonds

“753. When the city is authorized, under a by-law, to borrow a certain amount by the issue of bonds either in legal currency of Canada, or in any other currency, the total amount of the loan thus authorized shall be that expressed in legal currency of Canada.

Amount of
loan

The amount of each loan made under such by-law and by an issue of bonds in foreign currency shall be determined in relation to the total amount authorized by the by-law by multiplying the principal amount of the issue, expressed in the currency of the foreign country, by the value of that currency at the rate of exchange made in Canadian dollars.

Foreign cur-
rency

Notwithstanding the preceding paragraph, where a loan is made in foreign currency to reimburse a loan already contracted in the same currency and the proceeds of the new loan are not converted into legal currency of Canada, the amount of the new loan is determined with respect to the total amount authorized by the by-law by using the same exchange rate as for the original loan.”

1959-60,
c. 102,
a. 755, am.

40. Article 755 of the said charter, replaced by section 100 of chapter 77 of the statutes of 1977 and amended by section 57 of chapter 71 of the statutes of 1982, is again amended by replacing the second paragraph by the following paragraph:

Signature

“The signature of the mayor or his substitute may be lithographed, printed or otherwise reproduced on all the evidences of indebtedness. The signature of the head of the competent department may only be lithographed, printed or otherwise reproduced on the original evidences of indebtedness.”

1959-60,
c. 102,
a. 756c,
added

41. The said charter is amended by inserting, after article 756*b*, the following article:

Delegation
of powers

“756c. The council may, by by-law, delegate to the executive committee the power to enter into interest rate or currency exchange agreements in respect of present or future loans as well as future contracts or options concerning the rates of interest or the currencies for the purposes of the repayment of the principal of or payment of the interest on its loans.

Department
head

Such power may be exercised by the head of the competent department with the authorization of the executive committee.”

1959-60,
c. 102,
aa. 787g,
787h, added

42. The said charter is amended by inserting, after article 787f, the following articles:

Subsidies

"787g. The council may, for the purposes set forth in articles 787a to 787d, fix different rates for subsidies according as the recipients are non-profit organizations, housing cooperatives or individuals.

Availability
of subsidies

The council may also limit the availability of subsidies to individuals on the basis of the maximum allowable household income and, for that purpose, define the notion of household income and prescribe the modes of evaluation and control of such limitation.

Require-
ments

"787h. The council may, by by-law, require from the applicant of a subsidy under articles 787a to 787d

(a) that he obtains the subsidies or grants that are available under provincial or federal programs for the same purposes; and

(b) that he produces an owner/lessee agreement, signed by a majority of the lessees, concerning the nature of the work to be carried out and possible rent increase.

Proof

Similarly, the council may require that the recipient of a subsidy proves, in the manner prescribed by the council, that the sums received as subsidies are deducted from the costs of work taken into account in fixing the rents after completion of the work."

1959-60,
c. 102,
a. 892, am.

43. Article 892 of the said charter, amended by section 473 of chapter 72 of the statutes of 1979 and by section 16 of chapter 59 of the statutes of 1983, is again amended by inserting, after the first paragraph, the following paragraph:

Costs

"The executive committee shall determine, by resolution, the amount of the costs payable under this division, except in respect of the steps of the procedure for which the sheriff is responsible. The costs have the same order of preference as municipal taxes."

1959-60,
c. 102,
a. 906a,
added

44. The said charter is amended by inserting, after article 906, the following article:

Adjudication

"906a. The adjudication to the city of an immovable sold under this division clears the immovable of all constituted ground rents, rents contemplated by an emphyteutic lease and rents substituted for seigniorial rights, from the date of adjudication and as long as the immovable remains the property of the city. The rents shall again affect the immovable, but for the future only, from the date on which the immovable ceases to be the property of the city."

1959-60,
c. 102,
a. 963a,
replaced

45. Article 963*a* of the said charter, enacted by section 49 of chapter 84 of the statutes of 1965 (1st session), is replaced by the following article:

Acquisition
of immova-
bles

“963*a*. The city is authorized to acquire immovables by agreement or expropriation for the purposes of ceding them by way of exchange, sale or lease with a view to the implementation of a plan for the expansion of the Port de Montréal.”

1959-60,
c. 102,
a. 964*h*,
replaced

46. Article 964*h* of the said charter, added by section 67 of chapter 71 of the statutes of 1982, is replaced by the following article:

Powers

“964*h*. The city may, with the authorization of the Minister of Industry and Commerce,

(*a*) acquire by agreement or expropriation any immovable for industrial purposes;

(*b*) sell, lease or otherwise alienate for industrial or commercial purposes any immovable acquired under subparagraph *a*;

(*c*) on proof that an immovable acquired under one of its powers, including an immovable acquired under article 964*b*, may be more adequately used for industrial purposes, sell, lease or otherwise alienate it for industrial purposes, on such conditions as it may determine;

(*d*) on proof that an immovable acquired under subparagraph *a* cannot be adequately used for industrial or commercial purposes, use it or dispose of it for other purposes.

Repossession
of immovables

If the city takes back any immovable that has been sold, leased or otherwise alienated under subparagraphs *b* and *c* of the first paragraph to protect its claim or to exercise certain privileges contained in the contract, the city may then dispose thereof with the same authorization and for the same purposes provided for in this article.

Inapplicable
Act

The city is not subject to the Act respecting municipal industrial immovables (R.S.Q., chapter I-0.1).

Presumption

The land acquired by the city under the Industrial Funds Act is deemed to have been acquired under subparagraph *a* of the first paragraph and any money from a sale or rental under the said Act is paid into the general fund of the city.

Authoriza-
tion

For the purposes of subparagraph *a* of the first paragraph, the authorization of the Minister of Municipal Affairs is required.”

1959-60,
c. 102,
a. 966, am. **47.** Article 966 of the said charter, amended by section 55 of chapter 97 of the statutes of 1960-61 and by section 78 of chapter 59 of the statutes of 1962, is again amended by adding the following paragraph:

Constitution
of servi-
tudes "The servitudes mentioned in this article may be constituted without a description of the land to which the servitude is due."

1959-60,
c. 102,
a. 1018, am. **48.** Article 1018 of the said charter, replaced by section 29 of chapter 41 of the statutes of 1980, is amended by replacing the second paragraph by the following paragraph:

Paving cost "The city may include in the paving cost that of lighting installations and traffic signs or signals, except that of traffic lights."

1959-60,
c. 102,
a. 1038*b*,
added **49.** The said charter is amended by inserting, after article 1038*a*, the following article:

Apportion-
ment of cost "**1038*b*.** The city may apportion, among the owners who benefit therefrom, the cost of improvement works carried out in respect of a street, lane or public place or pursuant to an agreement between itself and one-half or more of the owners of immovables which benefit from the improvement works provided that the immovables belonging to the owners who are parties to the agreement represent, according to the real estate assessment roll, three-quarters or more of the value of all the immovables affected.

Apportion-
ment of cost The cost of the improvements shall be apportioned, in the form of local improvement taxes, proportionately to the value of each immovable according to the assessment roll or in the proportion determined in the agreement."

1959-60,
c. 102,
a. 1079*a*,
repealed **50.** Article 1079*a* of the said charter, amended by section 47 of chapter 70 of the statutes of 1963 (1st session) and by section 57 of chapter 84 of the statutes of 1965 (1st session), is repealed.

1959-60,
c. 102,
a. 1111, am. **51.** Article 1111 of the said charter, replaced by section 68 of chapter 96 of the statutes of 1971, is amended by striking out, at the end, the words "with the approval of the chief attorney".

1959-60,
c. 102,
a. 1125, am. **52.** Article 1125 of the said charter, replaced by section 70 of chapter 96 of the statutes of 1971, is amended by replacing the words "chief attorney" in the first paragraph by the words "head of the competent department or any other officer designated for that purpose".

1959-60,
c. 102,
a. 1129*b*,
am.

53. Article 1129*b* of the said charter, added by section 55 of chapter 40 of the statutes of 1980 and amended by section 72 of chapter 71 of the statutes of 1982, is again amended by replacing the words “chief attorney” in subarticle 6 by the words “head of the competent department or any other officer designated for that purpose”.

1959-60,
c. 102,
a. 1139, am.

54. Article 1139 of the said charter, replaced by section 88 of chapter 77 of the statutes of 1973 and amended by section 169 of chapter 77 of the statutes of 1977, by section 36 of chapter 41 of the statutes of 1980 and by section 75 of chapter 71 of the statutes of 1982, is again amended

(1) by striking out the words “but not exceeding fifty dollars” in subarticle 5;

(2) by replacing the word “traffic” in subarticle 6 by the word “competent”.

1959-60,
c. 102,
a. 1149*a*,
am.

55. Article 1149*a* of the said charter, replaced by section 78 of chapter 71 of the statutes of 1982, is amended by replacing the words “chief attorney” in the first paragraph by the words “head of the competent department or any other officer designated for that purpose”.

Ratification
of appoint-
ment

56. The appointment of associate councillors recorded in the minutes of the municipal council meeting of 25 November 1986 is ratified.

Applicability
of rules

57. The rules provided by articles 709 and 710 of the said charter which governed the transfer of appropriations before the coming into force of this Act continue to apply until the coming into force of a by-law adopted by the council under section 32 of this Act.

Effect

58. Section 13 has effect from 1 January 1987.

Coming into
force

59. This Act comes into force on 23 June 1987.