

NATIONAL ASSEMBLY
Thirty-third Legislature, first session

1987, chapter 113
**AN ACT TO AMEND THE CHARTER OF THE CITY OF
LAVAL**

Bill 249

Introduced by Mr Jean-Pierre Bélisle, Member for Mille-Îles

Introduced 2 December 1987

Passage in principle 18 December 1987

Passage 18 December 1987

Assented to 18 December 1987

Coming into force: 18 December 1987

Acts amended:

Act to amend the charter of the city of Laval (1978, chapter 112)

Cities and Towns Act (Revised Statutes, 1964, chapter 193)

Cities and Towns Act (R.S.Q., chapter C-19)

Act respecting land use planning and development (R.S.Q., chapter A-19.1)



Éditeur officiel
Québec



CHAPTER 113

An Act to amend the charter of the city of Laval

[Assented to 18 December 1987]

Preamble WHEREAS it is in the interest of the city of Laval that its charter and the Acts amending it be again amended and that certain powers be granted to it;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1978,
c. 112,
s. 13, am. **1.** Section 13 of the Act to amend the charter of the city of Laval (1978, chapter 112), replaced by section 3 of chapter 89 of the statutes of 1984, is amended

(1) by replacing the second paragraph by the following paragraphs:

Acquisition
of immova-
bles “The city is authorized to hold, lease and manage an immovable acquired under the first paragraph. It may also equip the immovable and instal the necessary public services thereon. It may also alienate it, on conditions determined by it, in accordance with the Act governing it, provided that the price of alienation is sufficient to cover the expenses incurred in respect of the immovable. The alienation is then deemed to have been made for valuable consideration.

Erection of
buildings The city is authorized to erect, on any immovable acquired under the first paragraph, a building for public and governmental purposes or a building to be used by a non-profit body and lease it for such purposes. It may also alienate the immovable, whether built-upon or

not, for an amount less than the amount of the expenses incurred for the immovable, or gratuitously in favour of the Government, any of its ministers or agencies, a school board, its municipal housing bureau or any other non-profit body.”;

(2) by replacing the third paragraph by the following paragraph:

Alienation
by em-
phyteutic
lease

“In case of alienation by emphyteutic lease, the price of alienation must correspond to the total amount of annual dues, of the value of the improvement to be made by the purchaser, and the charges to be assumed by him; moreover, that price must be sufficient to cover the price of acquisition of the immovable concerned, the cost of services and related expenses or costs, as well as all expenses incurred for the immovable, including, as the case may be, the expenses incurred for construction, renovation, demolition and moving. The alienation is then deemed to have been made for valuable consideration.”

R.S., 1964,
c. 193,
s. 51a, am.
for the city

2. Section 51a of the Cities and Towns Act (Revised Statutes, 1964, chapter 193), enacted for the city of Laval by section 12 of chapter 89 of the statutes of 1965 (1st session) and amended by section 4 of chapter 96 of the statutes of 1968 and by section 1 of chapter 112 of the statutes of 1978, is again amended by replacing subsection 16 by the following subsection:

Signature of
contracts

“(16) All contracts shall be signed in the name of the city by the chairman of the executive committee and by the clerk or the assistant-clerk or clerks. The chairman of the executive committee may, however, authorize, generally or specially, in writing, another member of the executive committee to sign the contracts in his stead. Contracts may also be signed by any other person to whom such power has been delegated by the council by a by-law made under section 477.2 of the Cities and Towns Act.”

c. C-19
s. 412, am.
for the city

3. Section 412 of the Cities and Towns Act (R.S.Q., chapter C-19) is amended for the city by inserting, after paragraph 20.1, the following paragraph:

Towing costs

“(20.2) To establish a tariff of towing costs for vehicles parked contrary to a by-law, which costs may be added to the amount of the fine imposed under the by-law and collected in the same way as the fine;”.

c. C-19,
s. 415, am.
for the city

4. Section 415 of the said Act is amended for the city by replacing the last line of paragraph 10 by the following: “actual storage costs and, where the towing costs have not been added to the amount of the fine in accordance with paragraph 20.2 of section 412, as enacted for the city, on paying those costs;”.

c. C-19,
s. 460, am.
for the city

5. Section 460 of the said Act is amended for the city by adding, after paragraph 22, the following paragraphs:

“(23) To regulate shops where items having an erotic character are sold or offered for sale;

“(24) To regulate massage parlours;

“(25) To regulate sun tan salons.”

c. C-19,
s. 573, am.
for the city

6. Notwithstanding section 573.4 of the said Act, section 573 of the said Act is amended for the city by replacing the figure “\$25 000” in the first line of subsection 1 by the figure “\$50 000”.

c. C-19,
s. 573.1, am.
for the city

7. Notwithstanding section 573.4 of the said Act, section 573.1 of the said Act is amended for the city by replacing the figures “\$5 000” and “\$25 000” in the fourth line of the first paragraph by the figures “\$15 000” and “\$50 000”.

c. C-19,
s. 617.1,
added for
the city

8. The said Act is amended for the city by inserting, after section 617, the following section:

Adjournment
of cases

“617.1 The clerk of the court, in the absence of the judge of the Municipal Court, may adjourn the cases on the court roll, according to law; for that purpose, the clerk is deemed to be a justice of the peace.”

c. C-19,
s. 626, am.
for the city

9. Section 626 of the said Act is amended for the city by adding, at the end, the following paragraph:

Computer-
ized register

“A register may be kept by computer with the authorization of the executive committee.”

c. C-19,
s. 627,
replaced for
the city

10. Section 627 of the said Act is replaced for the city by the following section:

Issue of sum-
mons, orders

“627. Every summons, order, writ or warrant issued by the court shall be issued in the name of Her Majesty, Her heirs or successors.

Signature

After ordering the issue of a summons, order or writ or after ordering the giving of a public notice, the judge, the clerk or the deputy clerk shall sign the document in question or affix his signature to the document by means of a mechanical device or cause it to be so affixed.

Signature

Notwithstanding the foregoing, writs or warrants of eviction and warrants of imprisonment, arrest or search must be signed by hand by the judge.”

c. A-19.1,
s. 264, am.
for the city

11. Section 264 of the Act respecting land use planning and development (R.S.Q., chapter A-19.1) is amended for the city of Laval by replacing, in the second paragraph, what precedes paragraph 1 by the following:

Applicability “Except section 170 and section 204, this Act applies, adapted as required, to the city of Laval, with the following changes:”.

Tenders **12.** Any person may make an undertaking to the city to tender a bid to purchase from the city an immovable situated in a territory described in the schedule on the terms and conditions specified by that person. The person must make an undertaking to pay a sufficient price to cover the expenditures made by the city to acquire the immovable.

Acquisition
of immovable
by the city Following an undertaking made in accordance with the first paragraph, the city may acquire, by agreement or by expropriation, the immovable regarding which the undertaking was made.

Call for
tenders After acquiring the immovable, the city shall make a call for public tenders for the purchase of the immovable by advertisement in a newspaper.

Content The call for tenders must specify the price that is sufficient to cover the expenditures made by the city to acquire the immovable and mention that any tender must be for an amount equal to or greater than that price and comply with the terms and conditions stated in the undertaking.

Receipt Not fewer than 30 days must be allowed for the receipt of tenders.

Applicability Subsections 4 to 6 of section 573 of the Cities and Towns Act apply to the call for tenders.

Powers of
city If the city decides not to resell the immovable following the opening of the tenders, it may use it for its own needs, declare it to be part of its real estate reserve, or alienate it in accordance with paragraph 2.1 of subsection 1 of section 28 of the Cities and Towns Act.

Resale of im-
movable Any resale of the immovable must have the prior approval of the Minister of Municipal Affairs.

Validity of
acquisition **13.** The acquisition of the immovables contemplated in by-law no. L-6618 is hereby declared valid.

Inapplica-
bility This section does not apply to cases pending or decisions or judgments made or rendered on or before 24 September 1987.

1987

Laval

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Effect

14. Section 11 has effect from 1 June 1980.

Inapplica-
bility

This section does not apply to cases pending or decisions or judgments made or rendered on or before 24 September 1987.

Coming into
force

15. This Act comes into force on 18 December 1987.

SCHEDULE

(a) A territory situated in the northwest quadrant of the intersection between the Laval autoroute (440) and the Boulevard Des Laurentides, consisting of lots or parts of lots and their subdivisions being original lots six hundred and forty-three (643), six hundred and forty-four (644), six hundred and forty-five (645), six hundred and forty-five A (645A), six hundred and forty-six (646), six hundred and forty-seven (647), six hundred and forty-eight (648) and six hundred and fifty (650) of the cadastre of the parish of Saint-Martin and bounded as follows: on the north by the back line of the developed land situated on the south side of Edimbourg street, on the east by the dividing line between lots six hundred and fifty (650) and six hundred and fifty-one (651), on the south by the Laval autoroute (440) and on the west by the Canadian Pacific railway track.

(b) A territory situated on the south side of Lévesque boulevard, on the east by the Chomedey autoroute (#13), consisting of lots or parts of lots and their subdivisions being original lots seven (7), nine (9), fourteen (14), fifteen (15), eighteen (18), twenty (20), twenty-four (24) and twenty-five (25) of the cadastre of the parish of Saint-Martin and bounded as follows: on the north by Lévesque boulevard, on the east by the back line of the developed land situated on the west side of Saint-Judes street, on the south by the territory being subject to by-law L-6151 and on the west by the Hydro-Québec power line (HQ).

(c) A territory situated in the southwest quadrant of the intersection between Chemin du Bord-de-l'eau and the Chomedey autoroute (#13) and consisting of lots or parts of lots and their subdivisions being original lots one (1), three (3), four (4), five (5), eleven (11), twelve (12), fifteen (15), sixteen (16) and twenty-one (21) of the cadastre of the parish of Sainte-Dorothée and bounded as follows: on the north by Chemin du Bord-de-l'eau, on the east by the Chomedey autoroute (#13), on the south by the Rivière des Prairies and on the west by lot twenty-two (22).

(d) A territory situated to the north of Saint-Martin boulevard and to the west of Chomedey boulevard and consisting of parts of lots and subdivisions being original lots three hundred and seventy-five (375) and three hundred and seventy-six (376) of the cadastre of the parish of Saint-Martin and bounded as follows: on the north by lots six hundred (600), six hundred and one (601) and six hundred and three (603), on the east by part of lot three hundred and seventy-four (374), on the south by Saint-Martin boulevard and on the west by the dividing line between lots three hundred and seventy-six (376) and three hundred and seventy-seven (377).