

NATIONAL ASSEMBLY
Thirty-third Legislature, first session

1987, chapter 114

AN ACT TO AMEND THE CHARTER OF THE CITY OF QUÉBEC

Bill 250

Introduced by Mr Jean Leclerc, Member for Taschereau

Introduced 16 December 1987

Passage in principle 18 December 1987

Passage 18 December 1987

Assented to 18 December 1987

Coming into force: 18 December 1987

Act amended:

Charter of the city of Québec (1929, chapter 95)



Éditeur officiel
Québec



CHAPTER 114

An Act to amend the Charter of the city of Québec

[Assented to 18 December 1987]

Preamble

WHEREAS it is in the interest of the city of Québec that its charter, chapter 95 of the statutes of 1929 and the Acts amending it, be again amended;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1929, c. 95,
s. 336a, am.

1. Section 336a of the Charter of the city of Québec (1929, chapter 95), enacted by section 39 of chapter 86 of the statutes of 1969 and amended by section 13 of chapter 97 of the statutes of 1974 and by section 16 of chapter 54 of the statutes of 1976, is again amended

(1) by replacing the first paragraph by the following paragraph:

Unsafe im-
movable

“336a. Where an immovable is in such a condition that it may endanger the life or health of persons or where a building is unoccupied or in such condition that it cannot be inhabited or occupied, or has lost one-half of its value, a judge of the Superior Court, upon a motion by the city presented even during a suit, may order the owner of the immovable or any other person in charge thereof to carry out such work as he determines or to demolish the building within such time as he fixes and order that, on failure to do so within such time, the city may proceed with such work or demolition at the expense of the owner of the building.”;

(2) by inserting the words “work or” after the word “such” in the third line of the second paragraph;

(3) by replacing the word “building” in the first line of the third paragraph by the word “immovable”;

(4) by inserting the words “work or” before the word “demolition” in the fifth line of the third paragraph;

(5) by replacing the word “building” in the second line of the fourth paragraph by the word “immovable”;

(6) by inserting the words “the carrying out of the work or” after the word “for” in the first line of the sixth paragraph.

1929, c. 95,
s. 386, am.

2. Section 386 of the said charter, amended by section 2 of chapter 85 of the statutes of 1966-67, is amended by adding the following paragraph:

Rules as to
drafting and
publication

“For the purposes of the first paragraph, the council may determine, by by-law, the terminology and set forth rules respecting the drafting, reference to and publication of the revised by-laws; it may also set forth such rules as are necessary in respect of the coming into force of the revised by-laws and provide for an annual updating method that will allow for continuous consolidation.”

1929, c. 95,
s. 453, am.

3. Section 453 of the said charter, replaced by section 29 of chapter 61 of the statutes of 1984, is amended by adding, at the end, the following paragraph:

Servitudes

“(3) The city may, for the purposes of carrying out construction work or for the construction of streets, sidewalks, parks or public places impose, by expropriation, such perpetual or temporary servitudes as are required, and especially

(a) a servitude of non-access to one of its immovables;

(b) a servitude not to build, prohibiting the erection or rebuilding of any construction on a specified parcel of land.”

1929, c. 95,
s. 541, added

4. The said charter is amended by adding, after section 540, the following section:

Historic dis-
trict of
Québec

“**541.** The city shall have all the powers required to carry out the duties and obligations resulting from any convention between the city of Québec and the Government of Québec, any of its departments,

agencies or mandataries, respecting the development, conservation or promotion of the historic district of Québec.”

1929, c. 95,
s. 545d, am.

5. Section 545d of the said charter, enacted by section 40 of chapter 61 of the statutes of 1984 and amended by section 36 of chapter 116 of the statutes of 1986, is amended by replacing the words “a snow removal operation” in the second line of the first paragraph by the words “the maintenance of public thoroughfares”.

1929, c. 95,
s. 546b, am.

6. Section 546b of the said charter, replaced by section 19 of chapter 97 of the statutes of 1974 and amended by section 42 of chapter 61 of the statutes of 1984, is amended by adding, at the end of the fifth paragraph, the words “The judge or the clerk rendering such a judgment by default shall sign it, or shall affix his signature or cause it to be affixed thereto by means of a mechanical device.”

Hôpital Ci-
vique de
Québec

7. Subject to section 8 of chapter 66 of the statutes of 1963, Part III of the Companies Act (R.S.Q., chapter C-38), and more particularly the provisions relating to dissolution, governs “La Corporation de l’Hôpital Civique de Québec”.

Ratification
of contract

8. The contract made on 1 May 1986 between the city of Québec and Val-Pert Inc., before Richard Trudel, notary, under number 2167 of his minutes and registered at the registry office of Québec on 9 May 1986 under number 1 184 509, is hereby ratified.

Acquisition
for industrial
purposes

9. The sole defect remedied by section 8 consists in the fact that the city of Québec may not have had the power to acquire, for industrial purposes, the immovables acquired under that contract.

Registration

The city clerk shall register section 8 and this section of this Act by deposit, in the registry office of the registration division of Québec. The registrar shall enter, opposite the deed ratified, the following: “ratified by the legislative provisions registered under number...”.

Reduction of
business tax

10. The city of Québec may, for the fiscal years 1988, 1989 and 1990, grant a reduction of the amount of the business tax payable for a place of business.

Applicability

For that purpose, section 237 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1) applies to the city, subject to the following adaptations:

(1) the words “where the rate of the business tax exceeds 15%, the” in the first line of the first paragraph are replaced by the word “The”;

(2) the word "twice" in the fourth line of the first paragraph is replaced by the words

(a) "one and one-third" for the fiscal year 1989;

(b) "two-thirds of" for the fiscal year 1990;

(3) the percentage "5%" in the first line of subparagraph 1 of the second paragraph is replaced by the percentage "3%";

(4) the figure "\$1 500" in the first line of paragraph *a* of subparagraph 2 of the second paragraph is replaced by the figure "\$900";

(5) the percentage "10%" in the second line of paragraph *b* of subparagraph 2 of the second paragraph is replaced by the percentage "8%".

Coming into
force

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