

1984, chapter 59

AN ACT TO AMEND THE CHARTER OF THE CITY OF GRANBY

Bill 213

Introduced by Mr Roger Paré, Member for Shefford

Introduced 16 May 1984

Passage in principle 8 June 1984

Passage 8 June 1984

Assented to 12 June 1984

Coming into force: 12 June 1984

Act amended: None



CHAPTER 59

An Act to amend the Charter of the city of Granby

[Assented to 12 June 1984]

Preamble WHEREAS it is in the interest of the city of Granby that certain powers be granted to it;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

c. C-19,
s. 356, am.
for the city **1.** Section 356 of the Cities and Towns Act (R.S.Q., chapter C-19) is amended for the city of Granby by replacing the first paragraph by the following paragraph:

Notice of
motion **“356.** Every by-law, on pain of nullity, must be preceded by a notice of motion given at a sitting of the council and be read at an adjournment or a sitting held on a later day. Not less than two clear days must elapse between the date on which the notice of motion is presented and that on which the by-law is passed by the council.”

c. C-19,
s. 412, am.
for the city **2.** Section 412 of the said Act is amended for the city by inserting, after paragraph 23.2, the following paragraph:

Alarm
systems **“(23.3)** To regulate the installation and operation of alarm systems and require a permit for that purpose on such conditions as are fixed by the council; to enable the city to require the repayment of the costs it has incurred in cases of any defect or malfunctioning of such systems.

Control
centre To make special arrangements with the interested ratepayers to connect their alarm systems to a control centre situated in a municipal building and to authorize an appropriate charge for this service;”.

c. C-19,
s. 415, am.
for the city **3.** Section 415 of the said Act is amended for the city

(1) by replacing subparagraph *a* of paragraph 9 by the following subparagraph:

Lanes for
bicycles

“(9) (*a*) To prescribe and regulate the laying out and use of lanes for bicycles or other cycles of any type on any street, alley or public place.

Pedestrian
paths and
cycle lanes

To order the laying out of pedestrian paths or cycle lanes on any street, lane or public place or any other place on which the city has rights or servitudes and regulate their construction and use, and authorize the city’s appointees to see to the enforcement of the by-law;”;

(2) by inserting, after paragraph 30, the following paragraph:

Parking of
vehicles

“(30.1) To regulate or prohibit the parking of vehicles on any land or in any building intended for parking determined by by-law after an agreement has been reached with the owner;”.

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

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

Sale of
goods out-
side
buildings

“(23) To regulate, licence or prohibit the sale of goods other than food outside a permanent building.”

c. C-19,
s. 463, am.
for the city

5. Section 463 of the said Act is amended for the city by inserting, after paragraph 4, the following paragraph:

Dumps

“(5) To regulate dumps and dumps for motor vehicles.

Removal of
scrapped
objects

The court pronouncing sentence may, in addition to the fines and costs, order the removal of the scrapped objects or motor vehicles which were the subject of the infringement, within eight days from the judgment rendered, by the owner, lessee or occupant of the lot, or by the owners of the motor vehicles, and on failure by such person or persons to comply within such time limit, the removal of the scrapped objects or motor vehicles by the city at the expense of such person or persons.”

c. C-19,
s. 536, am.
for the city

6. Section 536 of the said Act is amended for the city by adding, after the second paragraph, the following paragraph:

Increase of
bid

“However, with the previous authorization of the Commission municipale du Québec, the municipality may increase its bid up to the amount of the municipal assessment.”

c. C-19,
s. 542.3,
replaced for
the city
Centre of
the city

7. Section 542.3 of the said Act is replaced for the city by the following section:

“**542.3** Where a special planning program for that part of the territory of a municipality designated as the “centre” of the city or

town and planning by-laws consistent with the program are in force in a municipality, the council of the municipality may, by by-law, on the conditions it determines and in that part of the territory, order that the municipality grant subsidies for the following purposes:

(1) the renovation, restoration and enlargement of buildings and the construction and reconstruction of residential buildings and the conversion of buildings into residential buildings;

(2) landscaping;

(3) alterations to the electrical, telephone and television cable connections and their accessories where the alterations are occasioned by the burying of the wires or their removal from a street;

(4) the renovation, restoration, construction and conversion of public passageways situated on an immovable that may be located on a private property of the city or of any of its agencies, linking two or more public places such as streets, parks, public squares, parking lots or pedestrian crossings.

Maximum amount

The maximum amount of a subsidy may, in no case, exceed the actual cost of the works."

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 In the absence of the judge of the Municipal Court, the clerk of the court may adjourn any case appearing on the roll of the court, in accordance with the law; for that purpose, the clerk is deemed to be a justice of the peace.

Signature

Whenever the signature of the clerk or deputy-clerk of the Municipal Court is legally required, his name may be engraved, lithographed or printed. However, warrants of arrest and search warrants must bear the handwritten signature of the judge."

Surtax deemed applicable

9. The surtax ordered by by-law number 1168-78 of the city of Granby, passed on 13 March 1978, is deemed imposed and it applies to the 1979, 1980, 1981 and 1982 financial years.

Pending cases

This section does not affect a case pending or a decision or judgment rendered on or before 24 May 1984.

Land bank

10. The city is authorized to acquire by agreement or expropriation any immovable the acquisition of which is considered appropriate for land bank or housing purposes and for works related to such purposes, and any immovable that is obsolete or unfit for occupancy.

Territory	The city may exercise the powers provided in the first paragraph, within its territory.
Applicability	This section applies subject to the Act to preserve agricultural land (R.S.Q., chapter P-41.1).
Restriction	This section does not apply to the acquisition of immovables for industrial purposes.
Demolition and restoration	The city is authorized to hold, lease and administer the immovables acquired under the first paragraph. It may equip such immovables and instal the necessary public services thereon; it may also demolish, move or restore the buildings and other structures erected thereon or construct thereon new buildings for purposes of housing, leisure activities, recreation and other related purposes.
Price of alienation	The city may alienate the immovables on the conditions it determines, with the approval of the Commission municipale du Québec, provided that the price of alienation is sufficient to cover all the expenses related to the immovable concerned, including the expenses incurred for restoration, demolition, moving or construction, as the case may be.
Alienation in favour of the Government	The city may alienate, gratuitously or for a price less than the price contemplated in this section, such an immovable or building in favour of a regional county municipality, the Government or, any of its agencies, a school corporation, the municipal housing bureau or any other non-profit agency; in the last case, the authorization of the Commission municipale du Québec is required.
Approval	The city may, by resolution, sell at a price approved by the Commission municipale du Québec, to a corporation constituted pursuant to the eleventh paragraph, any immovable that it has acquired under this section.
Loan by-law	The city may borrow, by a by-law approved in the same manner as a loan by-law pursuant to the Act that governs the municipality, the necessary sums and apply for the subsidies provided for by law for the exercise of those powers and for the purposes of making a loan to the corporation constituted pursuant to the eleventh paragraph.
Exercise of powers	The city is authorized to exercise the powers provided in this section in respect of the immovables that it already owns.
Housing corporation	On an application by the city, the Government may issue, on such conditions as it may determine, letters patent under the Great Seal of Québec incorporating a person as a non-profit corporation having as its object the acquisition of housing for persons or families of other than low or moderate income contemplated in section 57 of the Act respecting the Société d'habitation du Québec (R.S.Q., chapter S-8) and the exercise of the other powers conferred on the city by this section.

Letters patent	The letters patent must state the name of the corporation, the location of its head office, its powers, rights and privileges and the rules respecting the exercise of its powers and the appointment of its members and directors.
Notice	Notice of the issuance of the letters patent must be published in the <i>Gazette officielle du Québec</i> .
Supplementary letters patent	On an application by the corporation constituted pursuant to this section, the Government may issue supplementary letters patent for the purpose of amending the content of the letters patent contemplated in the twelfth paragraph. Notice of the issuance of the supplementary letters patent must be published in the <i>Gazette officielle du Québec</i> .
Powers	A corporation so constituted has, among other powers, those of a corporation constituted by letters patent under the Great Seal of Québec, is a mandatar of the city and is deemed a municipal corporation for the purposes of the Act respecting the Ministère des Affaires intergouvernementales (R.S.Q., chapter M-21).
Exception	11. This Act shall operate notwithstanding the provisions of sections 2 and 7 to 15 of the Constitution Act, 1982 (Schedule B of the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom).
Coming into force	12. This Act comes into force on 12 June 1984.