

NATIONAL ASSEMBLY
Thirty-second Legislature, fourth session

1983, chapter 66
**AN ACT TO AMEND THE CHARTER
OF THE CITY OF LACHINE**

Bill 207

Introduced by Mr Claude Dauphin

First reading: 31 May 1983

Second reading: 21 December 1983

Third reading: 21 December 1983

Assented to: 21 December 1983

Coming into force: 21 December 1983

Act amended:

Charter of the city of Lachine (1909, chapter 86)



CHAPTER 66

An Act to amend the charter of
the city of Lachine

[Assented to 21 December 1983]

Preamble WHEREAS it is in the interest of the city of Lachine that its charter, chapter 86 of the statutes of 1909 and the Acts amending it, be amended;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

c. C-19, s. 415, am. for the city **1.** Section 415 of the Cities and Towns Act (R.S.Q., chapter C-19) is amended for the city

(1) by adding, after paragraph 1, the following paragraph:

Acquisition of lane “(1.1) The council may transfer, gratuitously or by onerous title, all or part of the bed of a lane closed pursuant to paragraph 1 to any owner of an immovable that is adjacent to the bed of the lane so closed.

Acquisition by council member Notwithstanding any general law or special Act, a member of the council may acquire from the city part of a lane adjacent to the lots where his principal residence is erected and which he owns, on the same conditions as his neighbours bordering on the lane;”;

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

Parking “(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 **2.** Section 460 of the said Act is amended for the city by adding, after paragraph 22, the following paragraphs:

Sex shops «(23) To regulate shops where articles of an erotic character are sold or offered for sale;

Massage parlours	«(24) To regulate massage parlours;
Outdoor sales	«(25) To regulate, licence or prohibit the sale of goods other than food outside a permanent building.»
c. C-19, s. 642.1, added for the city	3. The said Act is amended for the city by adding, after section 642, the following section:
Destruction of records	“642.1 The council, by resolution, may authorize the destruction of records closed for more than five years relating to offences against the Acts of Québec, the municipal by-laws or any other legislation in force in the territory of the city.”
Acquisition of immovables	4. 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 those purposes, and any immovable that is obsolete or the occupancy of which is harmful.
Territory	The city may exercise the power provided in the first paragraph within its territory.
Restriction	This section applies subject to the Act to preserve agricultural land (R.S.Q., chapter P-41.1).
Applicability	This section does not apply to the acquisition of immovables for industrial purposes.
Powers of the city	The city is authorized to hold, lease and manage the immovables acquired under this section. It may equip those immovables and instal therein the necessary public services; it may also demolish or restore buildings and other works erected thereon or construct thereon new buildings for purposes of housing, recreation, amusement and other accessory purposes.
Powers	The city is authorized to exercise the powers provided in the first paragraph in respect of immovables that it already owns.
Alienation	The city may also alienate the immovables on such conditions as it may determine, with the approval of the Commission municipale du Québec, provided that the price of alienation is sufficient to cover all expenses relating to the immovable concerned including those incurred for restoration, demolition and construction, where such is the case.
Alienation	The city may alienate gratuitously or for a price less than that determined in this section, such an immovable or building in favour of the Government, a government agency, a school corporation, its municipal housing bureau or any other non-profit organization; in the latter case, the authorization of the Commission municipale du Québec is required.

Development
of the centre
of the city

5. In order to permit the rational development of the centre of the city, the city is, in the territory described in Schedule "A", authorized

(a) to acquire, by agreement or expropriation, the immovables necessary to achieve that purpose;

(b) to promote the influence of the centre of the city as a public place of social and community, cultural, artistic, sports, commercial, or recreational interest;

(c) to sell all or part of such immovables by auction, public tender or agreement, with the approval of the Commission municipale du Québec, for residential, community, commercial, public or governmental purposes, at a price not lower than the cost of acquisition including the cost of services and related justifiable expenses and costs;

(d) to demolish or restore any buildings or other works erected thereon or erect any new building or complex for public market, recreational, cultural, community, residential, commercial, public or governmental purposes or for parking or garage purposes;

(e) to rent such immovables by emphyteutic lease or otherwise, with the approval of the Commission municipale du Québec, for residential, community, commercial, public or governmental purposes, at a price sufficient to cover the annual expenses related to the immovables or for the amortization of and interest on the purchase price, the cost of services, justifiable expenses or costs related thereto, and municipal or school taxes.

Use of
proceeds

The proceeds of such sales or leases must be used to discharge the obligations contracted by the city for that purpose;

(f) to exercise the powers provided in paragraphs *b*, *d* and *e* in respect of immovables situated in the territory described in Schedule "A" of which it is already the owner.

Subsidies for
replacing
insulation

6. The council may, by by-law, on such conditions as it may determine, order that the city grant a subsidy for the carrying out of works required to replace the insulation of a residential building insulated with urea formaldehyde foam. In no case may the amount of the subsidy exceed the sum of \$1 000.

Ratification
of
transaction

7. (1) The transaction made on 31 January 1983 between the city and Alexis Nihon Corporation, authorized by the resolution bearing number 83-C-44 and passed by the municipal council on 24 January 1983, is hereby ratified and the city is deemed to have then been empowered to make the transaction.

Amendment of by-laws (2) The council may, by by-law, amend, with effect from adoption, by-laws 1635, 1658, 1661, 1668, 1676, 1681, 1682, 1689, 1730, 1743, 1752, 1801, 1822, 1824, 1826, 1827, 1892, 1896, 1940, 1965, 2143, 2144, 2145 and 2262 to stipulate that the special annual tax imposed by each of those by-laws on an immovable belonging to Industrial Glass Company Ltd or Alexis Nihon Corporation at the time of coming into force of each of the by-laws, is to be levied only from the year following the year in which the immovable is used.

Approval Every by-law made pursuant to the first paragraph requires only the approval of the Minister of Municipal Affairs and of the Commission municipale du Québec.

Special annual tax (3) The council is authorized to impose, by by-law, for a period of not over 15 years, a special annual tax sufficient to reimburse into the city's general fund any sum taken from it from 1979 to 1983 for the annual payments, in capital and interest, of the loan contracted by an issue of bonds pursuant to by-law number 2133, on the immovables situated in the sector enclosed by 55th Avenue and routes 20, 13 and 620; the tax is based on the value of the immovables as entered on the assessment roll in force each year during the period of imposition.

Approval The by-law must be approved in the same manner as a loan by-law pursuant to the Act that governs the city.

Exception **8.** 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).

Provisions repealed **9.** The legislative provisions listed in Schedule "B" are repealed to the extent indicated therein.

Coming into force **10.** This Act comes into force on the day of its sanction.

SCHEDULE "A"

CENTRE OF THE CITY

A territory, bounded on the north by Victoria street, on the east by 6th Avenue, on the south by Lake Saint-Louis and the Lachine Canal and on the west by 34th Avenue.

SCHEDULE "B"

LEGISLATIVE PROVISIONS OF THE CHARTER OF THE CITY
OF LACHINE REPEALED UNDER SECTION 9

YEAR	CHAPTER	PROVISIONS REPEALED
1909	86	Sections 12, 16, 18, 27, 28, 29, 37, 41, 50, 54, 55, 56, 57, 58, 59, 61, 62, 72
1912	61	Sections 4, 7, 8
1912	57	Sections 5, 6, 7, 8, 9, 15, 16, 18
1914	79	Sections 19, 20, 21
1915	96	Sections 10, 11, 12
1916	69	Sections 1, 3, 4, 5, 9
1919	99	Sections 2, 4, 5
1921	116	Sections 1, 3
1924	90	Sections 1, 6
1927	83	Section 7
1929	101	Sections 2, 3
1931	126	Section 3
1935	120	Sections 6, 12
1937	108	Sections 3, 9
1939	109	Section 4
1940	85	Section 4
1941	76	Sections 1, 2, 3
1942	80	Section 6
1945	78	Sections 1, 2, 4, 5, 17, 20
1946	61	Section 10
1948	56	Sections 1, 4
1949	82	Section 6
1951	72	Sections 2, 4, 5
1953	68	Section 1
1953	71	Sections 2, 4, 5, 7, 9
1955	56	Section 10
1956	74	Sections 6, 7
1957	76	Sections 1, 2, 3, 8, 9, 10
1958	58	Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 18, 19
1959	56	Sections 1, 5, 6
1964	79	Section 2
1967	103	Sections 5, 7
1968	105	Section 1
1974	92	Section 1