

NATIONAL ASSEMBLY
Thirty-second Legislature, fourth session

1983, chapter 71
**AN ACT TO AMEND THE CHARTER
OF THE TOWN OF PLESSISVILLE**

Bill 204

Introduced by Mr Jacques Baril
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

Acts amended:

Charter of the town of Plessisville (1954-55, chapter 94)
Act to amend the charter of the town of Plessisville (1957, chapter 103)



CHAPTER 71

An Act to amend the charter of the town of Plessisville

[Assented to 21 December 1983]

Preamble WHEREAS it is in the interest of the town of Plessisville that its charter, chapter 94 of the statutes of 1954-55, be amended;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

Subsidies **1.** The town is authorized to grant subsidies to any body engaged in waste salvage and recycling.

c. C-19, s. 415, am. for the town **2.** Section 415 of the Cities and Towns Act (R.S.Q., chapter C-19) is amended for the town by inserting, after paragraph 30, the following paragraph:

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

c. C-19, s. 460, am. for the town **3.** Section 460 of the said Act is amended, for the town, 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.”

Acquisition of immovables **4.** The town 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appropriate for land bank or housing purposes and for works related to those purposes, and any immovable that is obsolete or the occupancy of which is harmful.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 town may exercise the powers 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** The town is authorized to hold, lease and manage the immovables acquired under the first paragraph. It may equip those immovables and instal thereon 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 town is authorized to exercise the powers provided in the fifth paragraph with respect to immovables that it already owns.
- Alienation** The town may 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 the expenses relating to the immovable concerned, including those incurred for restoration, demolition and construction, where such is the case.
- Alienation** The town may alienate, gratuitously or for a price less than the price 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 body; in the latter case, the authorization of the Commission municipale du Québec is required.
- Sale to municipal corporation** The town may, by resolution, sell at a price approved by the Commission municipale du Québec, to a corporation created under the eleventh paragraph, any immovable that it has acquired under this section or that it already owns.
- Subsidies and loans** The town 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 formed under the eleventh paragraph.
- Non-profit corporation** On an application by the town, 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 that this section confers on the town.

Letters patent	The letters patent must mention 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.
Issue	Notice of the issue of the letters patent must be published in the <i>Gazette officielle du Québec</i> .
Supplementary letters patent	On an application by the corporation established under 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 issue 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 mandatory of the town and is deemed a municipal corporation for the purposes of the Act respecting the Ministère des Affaires intergouvernementales (R.S.Q., chapter M-21).
Development of the centre of the town	<p>5. In order to allow the rational development of the centre of the town, the town is, in the territory described in the schedule, authorized</p> <p>(a) to acquire, by agreement or expropriation, the immovables necessary to achieve that purpose;</p> <p>(b) to promote the influence of the centre of the town as a public place of social and community, cultural, artistic, sports, commercial or recreational interest;</p> <p>(c) to sell all or part of such immovables by auction, public tenders 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 justifiable expenses or costs related thereto;</p> <p>(d) to demolish or restore buildings or other works erected thereon, or erect any new building or complex for public market, recreational, cultural, residential, community, commercial, public or governmental purposes or for parking or garage purposes;</p> <p>(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 relating 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.</p>
Use of proceeds	The proceeds of such sales or leases must be used to discharge the obligations contracted by the town for that purpose;

(f) to exercise the powers provided in paragraphs *b*, *d* and *e* in respect of the immovables already owned by it.

1954-55, c. 94, ss. 8, 15, repealed **6.** Sections 8 and 15 of chapter 94 of the statutes of 1954-55 are repealed.

1957, c. 103, ss. 1,8, repealed **7.** Sections 1 and 8 of chapter 103 of the statutes of 1957 are repealed.

By-laws deemed valid **8.** The by-laws passed by the town council of Plessisville before 1 August 1980 which have not been published according to law are deemed to be in effect and to have force of law from the date on which they were passed or, as the case may be, from the date of their final approval, where they were submitted for one or more approvals.

Validity No irregularity or illegality may be ascribed to the fact that such by-laws were not published according to law.

Reference The secretary-treasurer shall enter a reference to this Act in the record of the by-laws of the town council, opposite every by-law contemplated in the first paragraph.

Water rate **9.** The water rate imposed for the fiscal year 1982 under section 14 of chapter 94 of the statutes of 1954-55, but at the rate of 5%, is valid.

Exception **10.** 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 **11.** This Act comes into force on the day of its sanction.

SCHEDULE

CENTRE OF THE TOWN

A territory comprising, with reference to the cadastre of the village of Plessisville, the lots and parts of lots and their subdivisions as well as the roads, streets, avenues and boulevards, the whole included within the perimetre hereinafter described, to wit: starting from the centre of the intersection between Savoie street and Saint-Edouard avenue; thence, northeasterly, the centre line of Savoie street to the centre line of Saint-Laurent avenue; the centre line of Saint-Laurent avenue southeasterly, to the centre line of Saint-Calixte street; the centre line of Saint-Calixte street southwesterly, to the centre line of Saint-Luc avenue; the centre line of Saint-Luc avenue southeasterly, to the centre line of Lafond street; the centre line of Lafond street southwesterly, to the centre line of Saint-Louis avenue; the centre line of Saint-Louis avenue southeasterly, to the centre line of Saint-Pierre street; the centre line of Saint-Pierre street southwesterly, to the centre line of Saint-Edouard avenue; the centre line of Saint-Edouard avenue northwesterly, to the starting point.