

NATIONAL ASSEMBLY
Thirty-second Legislature, fourth session

1983, chapter 76

**AN ACT RESPECTING THE VILLAGE OF SAINT-SAUVEUR-
DES-MONTS, THE PARISH OF SAINT-SAUVEUR AND THE
MUNICIPALITY OF PIEDMONT**

Bill 241

Introduced by Mr Robert Dean

First reading: 1 December 1983

Second reading: 21 December 1983

Third reading: 21 December 1983

Assented to: 22 December 1983

Coming into force: 22 December 1983

Act amended:

Municipal Code



CHAPTER 76

An Act respecting the village of Saint-Sauveur-des-Monts,
the parish of Saint-Sauveur and the municipality of Piedmont

[Assented to 22 December 1983]

Preamble WHEREAS it is in the interest of the village of Saint-Sauveur-des-Monts
that certain powers be granted to it;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

Interpreta-
tion

1. In this Act

“village”

(1) “village” means the village of Saint-Sauveur-des-Monts;

“parish”

(2) “parish” means the parish of Saint-Sauveur;

“Commis-
sion”

(3) “Commission” means the Commission municipale du Québec.

Financial
contribution

For the purposes of sections 2 and 3, financial contribution means the annual indemnity owing for the capital expenditures in respect of the sewer service and its operation and for the cost of financing the sewer service assumed by the village for the benefit of the parish, including the losses sustained, for the fiscal years 1971 to 1984.

Agreement

2. The village and the parish may, by by-law, authorize the making of an agreement relating to the financial contribution of the parish for the sewer service supplied by the village for the fiscal years 1971 to 1984.

Contribution

The municipalities may in the agreement agree to have all or part of the financial contribution determined by the Commission. The agreement requires only the approval of the Commission.

Contribution
and interest

3. Failing an agreement under section 2, the Commission shall, at the request of the village or the parish, determine the amount of the financial contribution of the parish. The financial contribution bears

interest, from 31 December of the fiscal year in which it should have been paid, at the rate fixed by the parish pursuant to article 687 of the Municipal Code and in force on that date, unless the Commission fixes another rate.

Apportionment The Commission shall, in making its decision, comply with the rules of apportionment and, where such is the case, the costs determined pursuant to order 54 made on 5 March 1976 by the head of the environment protection services.

Expenses The Commission may also order the parish to pay to the village any amount it considers equitable to cover the expenses incurred in view of determining and collecting the financial contribution, taking into account, where such is the case, the expenses incurred in that respect by the parish itself.

Provisions applicable **4.** Article 950 of the Code of Civil Procedure (R.S.Q., chapter C-25) applies to any decision rendered by the Commission under section 2 or 3.

Loan **5.** The parish may, by by-law requiring only the approval of the Minister of Municipal Affairs and the Commission, borrow the sums necessary to provide for the payment of the financial contribution determined under section 2 or 3. The special tax to reimburse that loan is imposed pursuant to article 684*a* of the Municipal Code.

Compensation The by-law may order the imposition of an annual compensation on the owner, lessee or occupant of each house, shop or other building served by the sewer service contemplated in this Act. The amount of the compensation may vary according to the categories and sectors determined in the by-law.

Compensation The by-law may also order the imposition of an annual compensation on the owner or occupant of a trailer, within the meaning of section 231 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1) for the sewer service contemplated in this Act and which is supplied to him.

Reimbursement The compensation contemplated in the second and third paragraphs shall be allocated to the reimbursement of the loan contemplated in the first paragraph and the levying of the special tax is reduced accordingly.

Provisions applicable Subparagraph 3*a* of article 408 and articles 408*b* and 408*c* of the Municipal Code apply, *mutatis mutandis*, to the compensation contemplated in the second paragraph.

Proposed price **6.** (1) The village shall, before 15 November each year, submit the price proposed for supplying water or for sewer services for the subsequent fiscal year to the parish and the municipal corporation of Piedmont served by the village. The price must be accompanied with

an estimate of their financial contributions. If no proposed price is submitted, the price for the current fiscal year applies to the subsequent fiscal year.

Price fixed
by order

(2) Should the price submitted for the services be refused, the village or each municipality served by it may apply, before 15 December, to the Commission, which shall then fix the price by order.

Quarterly
instalments

(3) Each municipality shall discharge its financial contribution in quarterly instalments, the first of which being payable on the 15 January following the receipt of the estimate of its contribution. Every instalment bears interest from the date it is due at the rate determined under section 50 of the Act respecting municipal and school debts and loans (R.S.Q., chapter D-7). Every reimbursement owing by the village pursuant to an order of the Commission bears interest at the same rate from the date fixed in the order.

Agreement

(4) The village and any municipality contemplated in this section may make any agreement determining the conditions for supplying water or sewer services to that municipality other than the price and, in particular, the installation of meters to measure the quantity of water supplied.

Protective
measures

(5) The village may submit to each of the municipalities a list of the provisions of its by-laws that it considers necessary to protect its waterworks and sewer systems and to prevent the water from being wasted or fouled. The municipality is then required to pass a by-law to render the provisions applicable in its territory and present proof of it to the village.

Order

(6) Should an agreement fail to be reached pursuant to paragraphs 4 and 5, the Commission, after consultation with the Minister of the Environment, may make, in respect of the municipality, the order it considers necessary.

Separate
accounting

(7) The village is required to keep a separate account for each service contemplated in this section supplied by it outside its territory. Any surplus or deficit in a fiscal year pertaining to a service shall be entered for that part of the budget that concerns that service under the revenues or expenditures of the following fiscal year.

Apportion-
ment

(8) The Commission, in exercising a power conferred by this section, shall, where there is no agreement, establish the rules of cost apportionment contemplated in paragraph 5 of article 412*d* and articles 412*e* to 412*g* of the Municipal Code.

M. C., a.
410c, added
for the
village

7. The Municipal Code is amended for the village by inserting, after article 410*b*, the following article:

“410c. The corporation may make by-laws 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.”

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).

Coming into
force

9. This Act comes into force on the day of its sanction.