

1982, chapter 100

AN ACT RESPECTING THE CITY OF GRAND'MÈRE

Bill No. 258

Introduced by Mr Marcel Gagnon

First reading: 1 June 1982

Second reading: 22 June 1982

Third reading: 22 June 1982

Assented to: 23 June 1982

Coming into force: 23 June 1982

Act amended:

Charter of the city of Grand'Mère (1910, chapter 54)



CHAPTER 100

An Act respecting the city of Grand'Mère

[Assented to 23 June 1982]

Preamble. WHEREAS it is in the interest of the city of Grand'Mère that certain powers be granted to it;

HER MAJESTY, with the advice and consent of the National Assembly of Québec, enacts as follows:

Special
fund.

1. To secure and amortize the loans contracted to finance the system of electric power distribution sold by the city to Hydro-Québec, the city of Grand'Mère must, by by-law, constitute a special fund and deposit therein the proceeds of the sale.

Liquida-
tion.

The fund and the revenue therefrom must be liquidated over a period of fifteen years in the manner determined by by-law and be allocated for the following purposes:

(1) for the fiscal year 1982, to the repayment into the general fund of inventory losses and net revenue losses provided for in the budget and related to the system;

(2) to the payment of the costs of selling the system and of establishing and operating the fund;

(3) to the payment of the indicated portion of the amount due annually, in capital and interest, on loans relating to the system and contracted under the by-laws indicated, as follows:

By-law no.	Percentage
164-A	17.2 %
184-A	7.0 %
193-A	7.61%
224-A	52.15%
241-A	3.20%
270-A	3.08%
275-A	8.83%
302-A	15.0 %
322-A	7.3 %
339-A	18.0 %
340-A	7.0 %
341-A	7.0 %
379-A	16.0 %
430-A	8.0 %
445-A	100.0 %
482-A.A.S.	33.0 %
498-A	100.0 %
520-A	19.0 %
544-A.S.	15.0 %

Balance. After payment of those expenses is ensured, the council shall allocate the balance of the available sums of the fund to amortization of the loans contracted to finance the capital expenditure that is to be repaid by means of a special general real estate tax.

Reduction of tax. The levying of the special taxes imposed in the by-laws referred to in the second and third paragraphs is reduced proportionally to the sums so used or allocated.

Investment. The available sums of the fund must be invested in conformity with section 99 of the Cities and Towns Act (R.S.Q., chapter C-19).

Special account. The operations of the fund must be entered in a special account of the city and appear in a special chapter of the annual financial statement.

Ratification of agreement. **2.** The agreement signed on 11 May 1931 before Dakers Cameron, notary, by The Shawinigan Water and Power Company, Laurentide Company, Limited, and the city of Grand'Mère, under number 15775 of his minutes, establishing an industrial fund, is hereby ratified.

Amendment. The amendments made to the fund are ratified by

(1) an agreement signed on 28 June 1935 before the same notary, by The Shawinigan Water and Power Company, Consolidated Paper Corporation Limited and the city of Grand'Mère under number 17291 of his minutes;

(2) an agreement signed on 29 May 1941 by the same parties before the same notary, under number 19015 of his minutes;

(3) an agreement signed on 2 May 1952, between the same parties, before Henri Desaulniers, notary, under number 8903 of his minutes.

Validity of deeds. In no case may the deeds made, the contracts signed, the agreements entered into or the transactions effected by the city or its officers with respect to the fund be voided on the ground of lack of legislative ability, on the ground of omission of a formality, even a mandatory formality, or for failure to obtain any approval required by law.

Integration of funds. The city may, by a by-law approved by the Minister of Municipal Affairs and the Minister of Industry, Commerce and Tourism and after an agreement is reached with the Shawinigan Water and Power Company and Consolidated Bathurst Inc., combine the fund with the industrial fund established by the city under by-law number 177-A adopted pursuant to the Industrial Funds Act (R.S.Q., chapter F-4). The by-law may provide that the committee set up under the agreements relating to such fund will be converted into an industrial advisory committee.

Operation of the fund. Until the funds are combined or until the expiry of twelve months from the coming into force of this Act, the city may continue to operate the fund referred to in section 1 in conformity with the agreements entered into and with the sole approval of the committee provided for therein.

Extension. Upon request of the council, the Minister of Municipal Affairs may, however, grant an extension for any reason he deems sufficient.

Intermunicipal transport service. **3.** The city of Grand'Mère, the city of Shawinigan, the town of Shawinigan-Sud and the village of Saint-Georges may, by by-law, make a joint agreement to operate, manage and administer a public transport service to transport persons in their territories, and outside their territories, provided the point of departure or the point of arrival is situated in their territories.

Committee. Under the agreement, those municipalities may set up an intermunicipal committee and empower it to exercise their powers in respect of that competence.

Grants. The agreement must provide for the amount of the grants the municipalities shall pay to the intermunicipal committee under section 467 of the Cities and Towns Act (R.S.Q., chapter C-19).

Approval. The agreement requires no other approval than that of the Minister of Transport.

Effect of the agreement. The agreement binds the municipalities and is effective till the date provided in the last paragraph of this section. The agreement may be amended only in the manner provided for its making or approval.

- Amount of liability. No agreement with the person who owns, possesses or holds property used directly or indirectly for a transport service may bind the municipalities for an amount greater than the amount approved under section 467 of the Cities and Towns Act.
- Legislation applicable. The Transport Act (R.S.Q., chapter T-12), the regulations thereunder and the orders referred to in the second paragraph of section 89 of the said Act apply to the said municipalities, except as regards the obligation to hold a permit and determine the routes, time-tables and tariffs.
- Permit. The intermunicipal committee is deemed to hold a public transport service permit of the Commission des transports du Québec for the purposes of the application of general order no. 17 (1969) respecting special or charter trips adopted on 19 March 1970 by the Régie des transports du Québec.
- School bussing. The intermunicipal committee may make a school bussing contract with any school board, private educational institution or general and vocational college authorized to organize the transport of its users. From 15 May 1982, the committee and such educational institutions may also, before the opening of public tenders, make by agreement school bussing contracts involving not more than seven-teen vehicles.
- Contiguous municipalities. Any municipality the territory of which is contiguous to any of the municipalities mentioned in the first paragraph may, with the authorization of the Minister of Transport and on the conditions he determines, become a party to the agreement made under this section.
- Validity of deeds. No deeds made, no contracts signed, no agreements entered into nor any transactions made from 1 June 1981 by the said municipalities or their officers with respect to a transport service may be declared void on the ground of lack of legislative ability, or on the ground of omission of a formality, even a mandatory formality, or for failure to obtain any approval required by law.
- Effect. This section ceases to have effect on the date fixed by order of the Government or, at the latest, on 30 June 1983.
- R.S.Q., c. C-19, s. 415, am. for the city. Parking. **4.** Section 415 of the Cities and Towns Act (R.S.Q., chapter C-19) is amended for the city by adding the following paragraph:
“(40) To regulate or prohibit, after agreement with the owner, traffic or parking of road vehicles on any land or in any building intended for parking to which the public has access.”
- Provisions repealed. **5.** The following sections and paragraphs are repealed:
(1) sections 39 and 55 of chapter 54 of the statutes of 1910;

(2) section 5791*b* of the Revised Statutes, 1909, added for the city by section 53 of chapter 54 of the statutes of 1910;

(3) sections 8, 11 and 12 of chapter 67 of the statutes of 1912 (2nd session);

(4) sections 3 and 6 of chapter 75 of the statutes of 1952-1953.

Effect.

6. Section 3 has effect from 15 December 1981.

Coming
into force.

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