

FOURTH SESSION
THIRTY-FIRST LEGISLATURE

ASSEMBLÉE NATIONALE DU QUÉBEC

Bill 251

(PRIVATE)

An Act respecting the City of Saint-Laurent

First reading

Second reading

Third reading

M. CLAUDE FORGET

L'ÉDITEUR OFFICIEL DU QUÉBEC

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(PRIVATE)

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WHEREAS it is in the interest of the City of Saint-Laurent that its charter, chapter 94 of the statutes of 1908 and the acts amending it, be again amended;

HER MAJESTY, with the advice and consent of the Assemblée nationale du Québec, enacts as follows:

1. Section 28 of the Cities and Towns Act (R.S.Q., c. C-19) is amended for the City of Saint-Laurent by adding, after subparagraph 2 of section 1, the following subparagraph:

“(2a) In the case of an immovable of a value of less than \$10 000, the corporation may dispose of it by onerous title by agreement;”.

2. Section 1 of chapter 82 of the statutes of 1972 is replaced by the following section:

“**1.** Section 66 of the Cities and Towns Act (R.S.Q., c. C-19) is replaced by for the City of Saint-Laurent by the following section:

“**66.** The council may grant, by by-law, to every person who has held office as mayor or member of the council for eight years or more, and who has ceased to hold such office after 1 January in the year in which the by-law is passed, a pension equal to fifty per cent of his annual remuneration. Such pension shall be payable in equal and consecutive instalments on the first day of each month.

In order to benefit from such pension payments, the members of the council must pay into the general administration fund a contribution equal to five per cent of their annual remuneration.

If a member of the council does not hold office for eight years, the amounts so paid shall be reimbursed to him without interest.

In computing any such period of eight years, a part of a year shall be counted as a full year.

The council may also, by by-law, grant to any person who has been a council member for more than eight years and ceases to be such after 1 January of the year in which the by-law is passed, an additional annual pension of two hundred dollars for each such additional year. The repeal of such by-laws cannot be set up against persons respecting whom they apply or have already applied.

A pension paid under this section to a member of the council shall at no time, however, exceed seventy per cent of the remuneration to which he is entitled during his last year in office.

Such pension is unassignable and unseizable.

The payment of such pension is suspended during any period when the beneficiary holds, temporarily or permanently, any charge, office or employment involving remuneration paid by the municipality.

If the beneficiary dies after acquiring a right to a pension, the city shall pay to his widow, for her lifetime, a pension equal to fifty per cent of the pension he was receiving or which he would have been entitled to receive. The pension thus granted is payable in advance in equal monthly instalments on the first day of each month and it is unassignable and unseizable.

This section does not apply, however, to persons who became members of the council after 1 January 1975."

3. The Cities and Towns Act is amended for the city by adding, after section 410, the following section:

"410.1 For greater certainty as to the powers conferred on the council by section 410, but without limiting the scope of it and subject to the restrictions contained in it, and without reservation as to the scope of the powers conferred on the council by this act, the authority and jurisdiction of the council extend to all the domains provided in Division XI."

4. Section 415 of the said act is amended for the city:

(a) by adding, after paragraph 25, the following paragraph:

“(25a) To regulate the behaviour and conduct of occupants, spectators or visitors inside buildings or on any land in the possession of the city and accessible to the public, and to prohibit any act likely to hinder peace and order or the comfort and well-being of users and to allow the expulsion of contraveners;”;

(b) by adding, at the end of paragraph 30, the following:

“to prohibit or regulate the parking of motor vehicles on any land belonging to the city;”.

5. The said act is amended for the city by adding, after section 653, the following section:

“**653.1** 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.”

6. Notwithstanding any contrary act, the city of Saint-Laurent is authorized to acquire, by agreement or expropriation, any immovable whose acquisition is considered appropriate for land bank or housing purposes or for works relating thereto, and any immovable whose occupancy is considered obsolete or harmful.

The city is authorized to hold, lease and administer any immovable acquired under the first paragraph. It may also equip these immovables and install therein the required public services. It may also alienate them on such conditions as it may determine with the approval of the Commission municipale du Québec, provided the price of alienation is at least equal to the actual value of the immovables and sufficient to cover the expenditures relating to the immovable concerned.

The city may alienate, gratuitously or for a price lower than the price provided for in this section, such an immovable in favour of the Government, a government agency or a school corporation.

The city must pay, in respect of the immovables held by it under this section, the taxes that are payable by a real estate owner in the city.

This section does not apply to the acquisition of immovables for industrial purposes.

7. In order to allow the rational development of the centre of the city and of the zones in which the means of access to the subway will be built, the city is authorized:

(a) to acquire, by agreement or expropriation, the immoveables it considers necessary to achieve that purpose and situated in the territory described in the schedule;

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

(c) to erect any building or complex for public or governmental purposes or for parking or garage purposes;

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

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

8. Notwithstanding the first paragraph of section 576 of the Cities and Towns Act, in the case of contravention of a by-law relating to parking, zoning, building or plumbing, proceedings for the recovery of the fine imposed by the by-law may be instituted within two years after the day on which the offence was committed.

9. The city has, for a period of twenty-four months after the date on which they become exigible, a privilege for the water and business taxes on the goods, merchandize and moveable property found in the place of business of every taxpayer liable for the payment of these taxes so long as they are on the premises assessed, even if their is a change of owner under a transfer by agreement. The place of business of the taxpayer liable for the payment of these taxes is that indicated on the roll.

10. The privilege conferred on the city by section 9 for the taxes due to it and for interest on the taxes and collection costs apply to all merchandize, goods and moveable property that may be found in the premises occupied by the debtor and also applies to any other merchandize or to any other moveable property that may belong to the debtor wherever it is found.

11. Notwithstanding paragraph *d* of article 953 of the Code of Civil Procedure, the city may avail itself of Book Eight of the said Code for the recovery of claims having as their cause a con-

tract, a quasi-contract, an offence or a quasi-offence, a tax, the cost of a permit or any amount due under a municipal by-law.

12. The city may, each year, on the date it considers most appropriate, order the clerk to sell by public auction or public tender any moveable property found or recuperated by the departments of the city and that has remained unclaimed by its owner for a year.

13. Notwithstanding any irregularity that could have been committed at the judicial sales that have preceded them, the following deeds of sale are declared valid and legal:

(a) the private deed of sale, dated 9 April 1931, by the county corporation of Jacques Cartier to the parish municipality of Saint-Laurent of subdivisions 125, 126, 291, 292, 293 and 372 of original lot 210 of the cadastre of the parish of Saint-Laurent, registered in the office of the registration division of Montreal under number 275757;

(b) the private deed of sale, dated 15 October 1940, by the same corporation to the same municipality of subdivisions 19, 64, 306, 472 and 473 of original lot 210 of the same cadastre, registered in the same office under number 487558;

(c) the deed of sale, dated 11 August 1931, by the same corporation to the city of Saint-Laurent of subdivision 26 of original lot 409 of the same cadastre, registered in the same office under number 489438;

(d) the deed of sale, dated 4 March 1940, by the same corporation to Hector Leduc of subdivisions 107, 108 and 109 of original lot 210 of the same cadastre, registered in the same office under number 495165.

14. This act comes into force on the day of its sanction.

SCHEDULE

The territory situated in the city of Saint-Laurent and bounded as follows: on the northwest by Rochon street; on the northeast, first, by boulevard Saint-Germain; on the southeast by chemin Côte Vertu; again on the northeast by Ouimet street; again on the southeast by Saint-Louis street; and on the southwest by Gohier street.