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# NATIONAL ASSEMBLY

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SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 200

(Private)

## **An Act to amend the charter of the city of Montréal**

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**Introduction**

**Introduced by  
Mr André Boulerice  
Member for Sainte-Marie — Saint-Jacques**



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# Bill 200

(Private)

## AN ACT TO AMEND THE CHARTER OF THE CITY OF MONTRÉAL

WHEREAS it is in the interest of the city of Montréal that its charter, chapter 102 of the statutes of 1959-60, be amended;

### THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** Article 9b of the charter of the city of Montréal (1959-60, chapter 102), introduced by section 1 of chapter 53 of the statutes of 1994, is amended

(1) by inserting, after subparagraph 2 of the first paragraph, the following subparagraph:

“(2.1) entrusting it with the enforcement of the by-laws relating to the parking of vehicles made under this charter or another Act;”;

(2) by striking out the words “, including the power to enforce the by-laws thereunder” in the fourth paragraph.

**2.** Articles 10a to 10e of the said charter, introduced by section 144 of chapter 27 of the statutes of 1985, are replaced by the following articles:

“**10a.** Notwithstanding sections 468 to 469.1 of the Cities and Towns Act (R.S.Q., chapter C-19), the city may enter into an agreement with a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1), a public utility undertaking or a non-profit agency, for the purchase of equipment or materials, for the awarding of an insurance contract or a contract for the supply of services other than professional services, or for the carrying out of joint works, whether simultaneous or related to works performed by such body or agency and, to that end, make a joint call for tenders in view of awarding the required contracts.

“**10b.** The city, a body, an undertaking or an agency taking part in a joint call for tenders may delegate, to another party, all or part of the powers necessary for making the call or for awarding the contracts. In that case, the acceptance of a tender by the party to which the powers have been delegated shall bind the city and each participating body, undertaking or agency towards the selected tenderer.

The total amount of the contract following a joint call for tenders shall be taken into consideration for the purposes of the rules governing the awarding of contracts by the party to which the powers have been delegated.

**“10c.** The city and any municipality that is a party to an agreement referred to in article 10a are released from the obligations and formalities provided for in sections 468 to 469.1 of the Cities and Towns Act (R.S.Q., chapter C-19).

**“10d.** Notwithstanding any other provision to the contrary, any party to a joint call for tenders is subject to article 107. The Minister of Municipal Affairs may exempt the city, a body, an undertaking or an agency from the application of all or some of the provisions.

**“10e.** The city may enter into an agreement with the Union des municipalités du Québec or the Union des municipalités régionales de comté et des municipalités locales du Québec inc., or with both bodies, for the purchase of equipment or materials, for the carrying out of works or for the awarding of an insurance contract or a contract for the supply of services other than professional services, by the body or bodies in the name of the city.

The rules governing the awarding of contracts set out in article 107 apply to contracts awarded under this article as if the body or bodies were a municipality.”

**3.** The said charter is amended by inserting, after article 10p, the following articles:

**“10q.** Notwithstanding the Municipal Aid Prohibition Act (R.S.Q., chapter I-15), the city may

(1) participate as a member in or provide aid to a body or legal person devoted to in the implementation of research, development or experimental projects relating to soil decontamination;

(2) participate as a member, shareholder or sponsor, as the case may be, in bodies or legal persons engaged in the distribution and marketing of technological processes or innovations which are designed or developed by a body or legal person referred to in paragraph 1.

**“10r.** Notwithstanding the Municipal Aid Prohibition Act (R.S.Q., chapter I-15), the city may, in order to acquire or operate a radiocommunications network for public security purposes,

(1) associate itself with any legal person;

(2) acquire share capital in or provide aid to any legal person whose activities consist, in particular, in operating a radiocommunications network for public security purposes.”

**4.** Article 77 of the said charter is repealed.

**5.** Article 98 of the said charter, replaced by section 5 of chapter 40 of the statutes of 1980 and amended by section 5 of chapter 87 of the statutes of 1988, is again amended by replacing the figure “\$100 000” by the figure “\$250,000”.

**6.** Article 106 of the said charter, amended by section 15 of chapter 70 of the statutes of 1963 (1st session), section 10 of chapter 96 of the statutes of 1971, section 14 of chapter 77 of the statutes of 1977, section 2 of chapter 41 of the statutes of 1980, section 3 of chapter 71 of the statutes of 1982, section 211 of chapter 38 of the statutes of 1984, section 8 of chapter 111 of the statutes of 1987, section 8 of chapter 87 of the statutes of 1988, section 7 of chapter 80 of the statutes of 1989 and section 4 of chapter 82 of the statutes of 1993, is again amended

(1) by replacing the words “submitted to the council” in the first paragraph of paragraph *o* by the words “submitted to the Commission du développement urbain de Montréal”;

(2) by replacing the first paragraph of paragraph *p* by the following paragraph:

“*p.* lease or loan, for a term not exceeding one year, any property of the city and any services provided by the employees of the city; such lease or such loan may be renewed for a term not exceeding one year.”;

(3) by replacing paragraph *q* by the following paragraph:

“*q.* sell by agreement any movable property belonging to the city whose value does not exceed \$20,000; sell, by auction or following a call for tenders made to at least two tenderers, any movable property whose value exceeds that amount; exercise, in return for a commission, the powers under this paragraph in respect of property belonging to the Crown, the Communauté urbaine de Montréal or a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1);”.

**7.** Article 107 of the said charter, replaced by section 15 of chapter 77 of the statutes of 1977 and amended by section 7 of chapter 40 of the statutes of 1980, section 849 of chapter 57 of the statutes of 1987, section 9 of chapter 87 of the statutes of 1988, section 68 of chapter 27 of the statutes of 1992, section 5 of chapter 82 of the statutes of 1993, section 3 of chapter 53 of the statutes of 1994, section 82 of chapter 34 of the statutes of 1995 and section 174 of chapter 27 of the statutes of 1996, is again amended

(1) by replacing paragraphs *a* and *b* of subarticle 1 by the following paragraphs:

“(a) following a call for tenders by way of a call for bids or a call for proposals made on invitation to at least two contractors or two suppliers, as the case may be, if the contract involves an expenditure of more than \$20,000 but less than \$250,000;

“(b) following a public call for tenders made by way of a call for bids or a call for proposals, if the contract involves an expenditure of more than \$250,000.”;

(2) by inserting, after subarticle 1, the following subarticles:

“(1.1) The council may, by by-law, vary the amounts set out in subarticle 1. Such by-law requires the approval of the Minister of Municipal Affairs.

“(1.2) A call for bids shall be made on the basis of a specification describing the work, the equipment or materials or the service required. It must be prepared and the resulting contract must be awarded on the basis of

- (a) a fixed price,
  - (b) a unit price,
- or any combination of both.

“(1.3) A call for proposals shall be based on a document describing the objective, the problem to be solved or the performance to be attained, and shall allow bidders to propose the approach, technology or method best suited to meeting the objective or attaining the stated performance, or the method best suited to solving the problem. The call for proposals must specify the criteria to be used to assess the proposals and the points assigned to each.”;

(3) by striking out subarticle 2;

(4) by replacing the first paragraph of subarticle 3.1 by the following paragraph:

“(3.1) A call for public tenders for a construction contract involving an expenditure of \$250,000 or more or, where a by-law under subarticle 1.1 is in effect, greater than the amount set out in the by-law, must be published either in a daily newspaper circulated mainly in Québec or in an electronic public tendering system and in a newspaper circulated in the territory of the city.”;

(5) by replacing subarticle 6 by the following subarticles:

“(6) Except with the authorization of the Minister of Municipal Affairs, a contract resulting from a call for bids shall be awarded only to the person who, within the prescribed time, submitted the lowest tender or a tender that does not exceed the lowest tender by more than 1% or \$50,000.

However, if to comply with the conditions for the granting of a government subsidy, the contract must be awarded to a person other than the person who submitted the lowest tender within the prescribed time, the contract may be awarded, without the authorization of the Minister of Municipal Affairs, to the person whose tender is the lowest among the persons meeting those conditions if that tender was submitted within the prescribed time. For the purposes of this paragraph, every tender that does not exceed the lowest tender by more than 1% or \$50,000 is considered to be the lowest tender.

A contract resulting from a call for proposals shall,

(1) if a proposal submitted contains the lowest price and also obtains the highest number of points on the basis of the criteria determined under subarticle 1.3, be awarded to the person who submitted the proposal unless, with the authorization of the Minister of Municipal Affairs, and to comply with the conditions for the granting of a government subsidy, the contract must be awarded to another person; or

(2) if that is not the case, be awarded to the person who submitted, in the opinion of the city, the most advantageous proposal in terms of price and of the points obtained.

“(6.1) For the purposes of subarticle 6, the executive committee may

(a) exclude and refuse any tender submitted by a person who has defaulted on a contract entered into with the city in the two years preceding the opening of the tenders, and who has failed to remedy the default within the time allowed by the city or within any other time accepted by the city in writing;

(b) allow a tenderer to correct, after the tenders have been opened, any erroneous element in the bid or proposal, and to provide any information inadvertently omitted, provided that, the error not being an error in calculation, the price of the bid or proposal is not affected.

No proceedings may be instituted against the city by reason of or as a result of the exercise, by the executive committee, of the powers provided for in the first paragraph, unless fraud or bad faith are established.”;

(6) by striking out subarticle 7;

(7) by replacing the words “contravention to the requirements of subsection 6, subject to subsection 7,” in paragraph *b* of subarticle 8 by the words “contravention of the requirements of subarticle 6,”;

(8) by adding, after subarticle 11, the following subarticle:

“(12) This article does not apply to a maintenance contract resulting from the acquisition of property in respect of which a contract was awarded following a call for bids or a call for proposals.”

**8.** The said charter is amended by inserting, after article 107, the following article:

“**107.1.** The Minister of Municipal Affairs may, on the conditions he determines, authorize the city to award a contract without calling for tenders or authorize the city to award a contract after calling for tenders by written invitation rather than by publication in a newspaper.”

**9.** Article 118 of the said charter, replaced by section 22 of chapter 77 of the statutes of 1977, is amended by inserting the words “or to the following meeting” after the words “council meeting”.

**10.** Chapter I of Title IX of the said charter is amended by inserting, after article 519a, the following article:

“**519b.** In cases where, in applying a by-law made under this charter, property that is in the public or private domain illegally is removed by the city, the city may keep the property and, before returning it, require payment of a fee it fixes by by-law for the period during which the property is so kept.

The executive committee may, after the publication of a notice to that effect, sell by auction or public tender any property kept pursuant to the first paragraph and remaining unclaimed after a period of 90 days has elapsed. The

city shall be liable to the owner only for the proceeds of the sale, after deducting the costs of storage and sale.

If property referred to in this article cannot be sold either because it has no market value or because trading therein or the use to which the property might be put would be illegal, the property may be destroyed after the same notices as in the case of a sale of movable property in execution; but the city shall not in such case be held to pay any indemnity or damages to the owner thereof.

Articles 1176 and 1177 do not apply to property referred to in this article.”

**11.** Article 520 of the said charter, amended by section 26 of chapter 97 of the statutes of 1960-61, section 8 of chapter 71 of the statutes of 1964, section 21 of chapter 84 of the statutes of 1965 (1st session), section 5 of chapter 90 of the statutes of 1968, section 4 of chapter 91 of the statutes of 1969, section 205 of chapter 19 of the statutes of 1971, section 20 of chapter 96 of the statutes of 1971, section 57 of chapter 77 of the statutes of 1973, sections 45 and 183 of chapter 77 of the statutes of 1977, section 23 of chapter 64 of the statutes of 1982, section 17 of chapter 71 of the statutes of 1982, section 1 of chapter 59 of the statutes of 1983, section 145 of chapter 27 of the statutes of 1985, section 26 of chapter 111 of the statutes of 1987, section 11 of chapter 87 of the statutes of 1988, section 10 of chapter 80 of the statutes of 1989, section 1096 of chapter 4 of the statutes of 1990, section 3 of chapter 89 of the statutes of 1990, section 11 of chapter 90 of the statutes of 1990, section 12 of chapter 82 of the statutes of 1993 and section 115 of chapter 30 of the statutes of 1994, is again amended

(1) by striking out paragraph 67;

(2) by replacing paragraph 68 by the following paragraph:

“68. Prohibit the sounding of false fire alarms;”.

**12.** Article 521 of the said charter, amended by section 63 of chapter 59 of the statutes of 1962, section 22 of chapter 84 of the statutes of 1965, section 148 of chapter 55 of the statutes of 1972, section 46 of chapter 77 of the statutes of 1977, section 9 of chapter 40 and section 8 of chapter 41 of the statutes of 1980, section 24 of chapter 64 and section 18 of chapter 71 of the statutes of 1982, section 2 of chapter 59 of the statutes of 1983, section 12 of chapter 90 of the statutes of 1990 and section 13 of chapter 82 of the statutes of 1993, is again amended

(1) by replacing the first and second paragraphs of paragraph 34 by the following paragraphs:

“34. Distinguish certain classes of parking areas, such as parking lots, define them and regulate their use, occupancy, layout, architecture, dimensions, materials, colour and the siting thereon of any structure, including a fence; prohibit parking lots.

Subject to the third, fourth and fifth paragraphs, a by-law passed under this paragraph is mandatory in respect of all parking areas covered by it, including parking lots, and existing on the coming into force of the by-law.”;

(2) by replacing the words “existing parking lot” in the third paragraph of paragraph 34 by the words “existing parking area”;

(3) by replacing the words “parking lots” and “parking lot” in the fourth paragraph of paragraph 34 by the words “parking areas” and “parking area”, respectively;

(4) by replacing the words “parking lot” in the fifth paragraph of paragraph 34 by the words “parking area”;

(5) by inserting, after paragraph 34, the following paragraph:

“34.1. Regulate the business hours of outdoor cafés connected to a restaurant or to premises serving alcoholic beverages or that in themselves constitute a restaurant or premises serving alcoholic beverages in order to minimize any disadvantages arising from the presence of such cafés in proximity to a dwelling place;”.

**13.** Article 522 of the said charter, amended by section 27 of chapter 97 of the statutes of 1960-61, section 54 of chapter 59 of the statutes of 1962, section 19 of chapter 70 of the statutes of 1963 (1st session), section 9 of chapter 71 of the statutes of 1964, section 23 of chapter 86 of the statutes of 1966-67, section 47 of chapter 77 of the statutes of 1977, section 16 of chapter 22 and section 465 of chapter 72 of the statutes of 1979, section 9 of chapter 41 of the statutes of 1980, section 20 of chapter 71 of the statutes of 1982, section 3 of chapter 59 of the statutes of 1983, section 1 of chapter 75 of the statutes of 1984, section 6 of chapter 117 of the statutes of 1986, section 11 of chapter 80 of the statutes of 1989, section 13 of chapter 90 of the statutes of 1990, section 14 of chapter 82 of the statutes of 1993 and section 116 of chapter 30 of the statutes of 1994, is again amended

(1) by replacing the figure “560” in the introductory sentence by the figure “555”;

(2) by striking out paragraph 10;

(3) by striking out paragraph 25;

(4) by adding, at the end of paragraph 26, the following: “prohibit horse-riding or, by means of appropriate signs or signals, restrict it to part of the public road;”;

(5) by replacing paragraph 27 by the following paragraph:

“27. Regulate, in a manner consistent with the Highway Safety Code (R.S.Q., chapter C-24.2), the movement and use of any vehicle in streets and lanes and in any public road for whose maintenance it is responsible; delegate to the head of the department it designates or to the executive committee the exercise of such power and of any power conferred upon the city by the said Act;”;

(6) by replacing paragraph 28 by the following paragraph:

“28. Notwithstanding any inconsistent legislative provision, regulate or prohibit the parking of any vehicle in streets, lanes and public places, on public land, on land belonging to the city or on land of which it has the use or possession, and in private streets and lanes; fix a fee for parking, in the places and for the periods it determines, and provide for the collection of such fee by means of parking metres or other devices; provide for reserved parking for

certain classes of persons, activities or vehicles, for the periods and subject to the fee and to the other conditions it determines; delegate to the executive committee the exercise of such powers; delegate to the head of the department it designates the exercise of such powers, except the power to fix fees;”;

(7) by replacing paragraphs 29 and 30 by the following paragraphs:

“29. Prescribe requirements relating to the movement and parking of vehicles in any parking area, including a parking lot, situated on private land; prohibit the parking of any vehicle on private land without the authorization of the owner or occupant of such land; require the driver or owner of a vehicle parked on private land to provide proof of being authorized to do so by the owner or occupant of the land, and determine the form of such proof; determine the terms and conditions for the towing and impounding, by the city or by others, of any vehicle parked on private land without the authorization of the owner of the land, at the expense of the owner of the vehicle, and fix the maximum amount of such expense; order that such rules apply to land belonging to the city or of which it has the use or the possession or to land having been the subject of an agreement referred to in article 9*b*;

“30. Regulate or prohibit games or amusements on sidewalks and in streets, lanes or public places;”;

(8) by striking out paragraphs 31, 32, 43 and 44.

**14.** Article 524*e* of the said charter, introduced by section 146 of chapter 27 of the statutes of 1985, is amended

(1) by replacing the words “from the council” in paragraph 1 by the words “from the executive committee”;

(2) by inserting, after paragraph 1, the following paragraph:

“(1.1) the procedure by which any interested person may make comments in relation to an application for a minor exemption;”.

**15.** Article 524*f* of the said charter, introduced by section 146 of chapter 27 of the statutes of 1985, is amended by replacing the words “The council may” in the first paragraph by the words “The executive committee may”.

**16.** Article 524*h* of the said charter, introduced by section 146 of chapter 27 of the statutes of 1985, is amended

(1) by replacing the words “at which the council” in the first paragraph by the words “at which the executive committee”;

(2) by replacing the words “sitting of the council” in the second paragraph by the words “sitting of the executive committee”;

(3) by replacing the words “be heard by the council” in the second paragraph by the words “, in accordance with a by-law under article 524*e*, make comments to the executive committee”.

**17.** Article 528 of the said charter, amended by section 56 of chapter 59 of the statutes of 1962, section 9 of chapter 90 of the statutes of 1968, section 1

of chapter 92 of the statutes of 1968, section 22 of chapter 96 of the statutes of 1971, section 53 of chapter 77 of the statutes of 1977, section 12 of chapter 40 of the statutes of 1980, section 23 of chapter 71 of the statutes of 1982, section 26 of chapter 64 of the statutes of 1982, section 5 of chapter 86 of the statutes of 1988, section 14 of chapter 87 of the statutes of 1988, section 19 of chapter 82 of the statutes of 1993, section 119 of chapter 30 of the statutes of 1994 and section 12 of chapter 7 of the statutes of 1995, is again amended by inserting, after paragraph 4, the following paragraph:

“4.1. Authorize the association mentioned in paragraph 4 to organize cultural, recreational and touristic activities throughout the territory of the city.”

**18.** Article 528*b* of the said charter, replaced by section 15 of chapter 87 of the statutes of 1988 and amended by section 20 of chapter 82 of the statutes of 1993, is again amended

- (1) by inserting the figure “4.1,” after the words “paragraphs 3, 4,”;
- (2) by adding the following paragraph:

“The council may also, by by-law, delegate to the executive committee the powers to provide aid or grant a subsidy pursuant to the powers provided for in paragraph 5 of article 9*c* or in paragraph 6 of article 528. Such by-law shall indicate the amount or value below which the executive committee is authorized to provide aid or grant a subsidy. The executive committee shall, at the first meeting of the council following the granting of aid or a subsidy, submit to the council a report indicating the amount of the aid or the subsidy and the person to whom it was granted.”

**19.** Article 543*a* of the said charter, introduced by section 15 of chapter 40 of the statutes of 1980, is amended by adding the words “or the holding of a cultural, sports, recreational, community or charity event” after the words “moving picture”.

**20.** Article 543*b* of the said charter, introduced by section 11 of chapter 41 of the statutes of 1980 and amended by section 26 of chapter 71 of the statutes of 1982, section 5 of chapter 59 of the statutes of 1983, by section 516 of chapter 48 of the statutes of 1993 and section 22 of chapter 82 of the statutes of 1993, is again amended by replacing paragraph 21 by the following paragraph:

“(21) The city may stand surety for the association as regards the repayment of a loan of the association. The second paragraph of article 9*c* applies in respect of such a surety.”

**21.** Articles 556 to 560 of the said charter are repealed.

**22.** Article 560*d* of the said charter, replaced by section 24 of chapter 82 of the statutes of 1993, is again replaced by the following article:

**“560d.** After the coming into force of the by-law, the clerk shall apply to the registrar for registration of each riparian lot in the land register. The application for registration is effected by means of a notice.”

**23.** Article 560e of the said charter, replaced by section 24 of chapter 82 of the statutes of 1993, is amended

(1) in the French text, by replacing the words “L’enregistrement” by the words “L’inscription”;

(2) by adding the following paragraphs:

“Registration also entails the extinction of any right of way existing in favour of a riparian lot.

The Act respecting duties on transfers of immovables (R.S.Q., chapter D-15.1) does not apply to such transfer.”

**24.** Article 570 of the said charter is amended

(1) by striking out the word “itself,”;

(2) by striking out the words “; it may also, observing the same formalities, acquire, possess and rent to the public, boats, gondolas, canoes and motor launches, in Lafontaine Park.”

**25.** Article 649a of the said charter, replaced by section 38 of chapter 71 of the statutes of 1982, is amended by replacing the words “and operate” by the words “a parking area and operate it as”.

**26.** The said charter is amended by inserting, after article 674a, the following article:

**“674b.** Subject to any other legislation, the council may, as often as it considers it expedient, fix the rate of interest that applies to any excess payment of a tax or to any sums overpaid to the city.

For such purpose, the council may determine the terms and conditions of payment of such interest and may, in particular,

a. fix a minimum amount of excess payment that gives entitlement to interest;

b. determine the time from which such interest is to run.

The council may fix such rate in the form of a uniform percentage or a scale.”

**27.** Division 3 of Chapter VII of Title X of the said charter is amended by adding the following article:

**“763.1.** Part of the loan, not exceeding 5% of the amount of the expenditure authorized by the loan by-law in force, may be reserved for the repayment to the general fund of the municipality of all or part of the sums expended, before the passage of the loan by-law, in connection with the object of the by-law.

That part of the loan must be specified in the by-law.”

**28.** Article 826 of the said charter is amended by striking out the words “under the terms of article 985 or, as the case may be, previous to the date of the deposit of indemnity, under the provisions of article 981” in the second paragraph.

**29.** Article 908 of the said charter, amended by section 474 of chapter 72 of the statutes of 1979, is again amended by adding, at the end, the following paragraph:

“An application to the court for the recovery of a real estate tax filed before the expiry of the period prescribed in the first paragraph and served, not later than 60 days after the expiry of the prescription period, on a person mentioned in article 792, shall interrupt prescription with respect to any person mentioned in that article.”

**30.** Articles 966a to 967 of the said charter are repealed.

**31.** Articles 970 to 984 of the said charter are repealed.

**32.** Articles 986 to 997 of the said charter are repealed.

**33.** Articles 1000 and 1001 of the said charter are repealed.

**34.** Article 1007 of the said charter is amended by replacing the figure “1003” by the figure “1004”.

**35.** Article 1012 of the said charter, amended by section 13 of chapter 91 of the statutes of 1969 and section 19 of chapter 76 of the statutes of 1972, is again amended

(1) by replacing the words “prothonotary, or when a deposit required either by article 981 or by article 986 has been made” in the first paragraph by the words “clerk of the court”;

(2) by replacing the word “prothonotary” in the second paragraph by the words “clerk of the court”.

**36.** Article 1013 of the said charter is amended by replacing the words “Treasury Department Act” by the words “Deposit Act (R.S.Q., chapter D-5)”.

**37.** Article 1065 of the said charter is amended by striking out the figure “967,”.

**38.** Article 1079 of the said charter, replaced by section 64 of chapter 96 of the statutes of 1971 and amended by section 229 of chapter 38 of the statutes of 1984 and section 13 of chapter 112 of the statutes of 1987, is again amended

(1) by replacing the figure “\$25,000” wherever it appears in paragraph 3 by the figure “\$100,000”;

(2) by replacing the words "ten thousand dollars" in paragraph 5 by the figure "\$100,000";

(3) by striking out the second sentence of paragraph 5.

**39.** Article 1138a of the said charter, introduced by section 74 of chapter 71 of the statutes of 1982 and amended by section 1119 of chapter 4 of the statutes of 1990 and section 16 of chapter 82 of the statutes of 1991, is again amended

(1) by inserting, after the first paragraph, the following paragraph:

"In the case of a vehicle not registered in Québec, the filing of a document containing information regarding the identity of the owner of a vehicle the number of the registration plate of which is mentioned in the statement of offence, whether in computerized or printed form, forwarded either by a person or body responsible for vehicle registration or by a person or body authorized by a person or body responsible for vehicle registration to divulge such information, has the same probative value as proof under the first paragraph for the purposes of a penal proceeding instituted before the Municipal Court for an offence mentioned in the first paragraph.";

(2) by adding, at the end of the second paragraph, the words "or a person or body referred to in the second paragraph. Such attestation may bear the signature of any of those persons, and may be affixed by any method approved by a by-law of the council."

**40.** Article 1139 of the said charter, replaced by section 18 of chapter 82 of the statutes of 1991, is amended by replacing the words "traffic or parking by-law, ordinance or resolution" in the first paragraph by the words "by-law, ordinance or resolution respecting vehicle traffic or the immobilization or parking of a vehicle".

**41.** Article 1143 of the said charter is repealed.

**42.** Article 1144 of the said charter is amended by replacing the words "sections 1142 and 1143" in the second paragraph by the words "article 1142".

**43.** Article 1166 of the said charter, amended by section 1144 of chapter 4 of the statutes of 1990, is again amended by inserting the words "of any notice required to be given to the city in accordance with law and" after the word "Service".

**44.** Article 1176 of the said charter, replaced by section 177 of chapter 77 of the statutes of 1977, is amended by adding the following paragraph:

"The executive committee may in addition transfer by agreement, by gratuitous title or for a consideration the property referred to in the first paragraph, where such transfer is made to a non-profit organization."

**45.** Title XVII of the said charter is amended by inserting, after article 1178, the following heading and article :

*“Application of the Act respecting labour relations, vocational training and manpower management in the construction industry*

**“1178a.** In addition to the work already excluded from the application of the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., chapter R-20) by subparagraph 3 of the first paragraph of section 19 of the said Act, maintenance, renovation, repair and alteration work done by employees of the city is also excluded from the application of the said Act.”

**46.** Section 24 of chapter 54 of the statutes of 1994 is amended by striking out the words “for the 1995, 1996 and 1997 fiscal years,”.

**47.** The by-laws, ordinances and resolutions respecting vehicle traffic or the parking, stopping, towing or impounding of a vehicle, made under a provision of the said charter that is replaced or repealed by this Act, remain in force until repealed or replaced by a provision introduced in the said charter by this Act.

**48.** Notwithstanding the Municipal Aid Prohibition Act (R.S.Q., chapter I-15), the city may furnish a contribution, in the form of a sum of money, to the common stock of a limited partnership whose object is to operate a franchise of the Canadian Football League within the city boundaries, or grant a loan of money or other value to such a partnership.

Where applicable, the city may grant a loan of money or other value or acquire capital stock in a legal person established for the purpose set out in the first paragraph.

The city may also, notwithstanding the Municipal Aid Prohibition Act, transfer any share in a partnership acquired pursuant to the first paragraph or, as the case may be, any shares acquired pursuant to the second paragraph. For the purposes of such transfer, the city may accept any cash payment or any payment including a guarantee which it considers sufficient.

**49.** Nothing in section 4 shall affect the rights of persons who, on (*insert here the date of assent to this Act*), were eligible for the pension provided for in article 77 of the charter of the city of Montréal (1959-60, chapter 102) or who were members of the municipal council of the city.

**50.** This Act comes into force on (*insert here the date of assent to this Act*).