



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 202

(Private)

An Act respecting Ville de Saint-Jean- sur-Richelieu

Introduced 9 May 2006

Passage in principle 15 June 2006

Passage 15 June 2006

Assented to 15 June 2006

**Québec Official Publisher
2006**

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(Private)

AN ACT RESPECTING VILLE DE SAINT-JEAN-SUR- RICHELIEU

AS Ville de Saint-Jean-sur-Richelieu was constituted by Order in Council 17-2001 dated 17 January 2001;

As it is in the interest of Ville de Saint-Jean-sur-Richelieu that it be granted certain powers;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Order in Council 17-2001 dated 17 January 2001, amended by chapter 53 of the statutes of 2005, is again amended by inserting the following sections after section 4:

“4.1. An executive committee consisting of the mayor and the council members he or she designates is hereby established for Ville de Saint-Jean-sur-Richelieu. The number of committee members appointed by the mayor must not be less than three or more than four. The mayor may replace a member of the committee at any time.

“4.2. The mayor is the chair of the executive committee by virtue of office, and designates a vice-chair from among the committee members. The mayor may also designate a committee member to act as chair, and revoke or change that designation at any time.

“4.3. A member of the executive committee may resign by signing a written notice to that effect and sending it to the clerk. The resignation takes effect on the date the clerk receives the notice or on a later date specified in the notice.

“4.4. The executive committee’s regular meetings are held at the place, on the days and at the times set in the by-laws adopted by the council, and its special meetings at the place, on the days and at the times set by the chair.

“4.5. The chair of the executive committee convenes committee meetings, presides at them, and ensures that they run smoothly.

“4.6. The vice-chair replaces the chair if the latter is unable to act or if the office of chair is vacant. The vice-chair may also preside at a meeting of the executive committee at the request of the chair.

“4.7. The meetings of the executive committee are closed to the public.

However, the executive committee sits in public

(1) in the cases provided for in the by-laws of the council; and

(2) for all or part of a meeting if the committee so decides.

“4.8. A majority of members constitutes a quorum at meetings of the executive committee.

“4.9. Each member of the executive committee present at a meeting has one vote.

“4.10. Each decision is made by a simple majority vote.

“4.11. The executive committee exercises the responsibilities set out in section 70.8 of the Cities and Towns Act (R.S.Q., c. C-19) in all cases in which a by-law referred to in section 4.13 assigns the power to perform the act to the executive committee. The executive committee may grant any contract involving an expenditure that does not exceed \$100,000.

“4.12. The executive committee gives the council its opinion if required to do so under the by-law referred to in section 4.14, at the request of the council or on its own initiative.

The opinion of the executive committee does not bind the council. The committee’s failure to submit an opinion required under the by-laws or requested by the council does not limit the council’s power to consider and vote on the matter concerned.

“4.13. The council may delegate to the executive committee by by-law any act within its jurisdiction which it has the power or the duty to perform, and prescribe the terms and conditions of the delegation.

However, the following powers may not be delegated:

(1) the power to adopt a budget, a three-year program of capital expenditures or a document required under the Act respecting land use planning and development (R.S.Q., c. A-19.1), Chapter IV of the Cultural Property Act (R.S.Q., c. B-4), the Act respecting municipal courts (R.S.Q., c. C-72.01), the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) or the Act respecting municipal territorial organization (R.S.Q., c. O-9);

(2) the power to designate a person to a position that may only be held by a member of the council;

(3) the power to appoint the director general, the clerk, the treasurer and their assistants;

(4) the power to create city departments, determine the scope of their activities and appoint the department heads and assistant heads; and

(5) the power to dismiss, suspend without pay or reduce the salary of an officer or employee referred to in the second or third paragraph of section 71 of the Cities and Towns Act.

“4.14. The council may also determine by by-law the matters on which the executive committee must give its opinion to the council, and prescribe the terms and conditions of consultation. The by-law may also prescribe the manner in which a member of the council may request the executive committee to report to the council on a matter within the jurisdiction of the executive committee.

“4.15. The executive committee may adopt an internal management by-law concerning its meetings and the conduct of its affairs. The by-law may also, if the by-laws of the council permit, enable the executive committee to delegate to a city employee the power to authorize expenditures and enter into contracts on behalf of the city, on the conditions determined by the executive committee and in accordance with the rules and restrictions applicable to the city.

“4.16. A decision by the council to delegate a power to the executive committee or withdraw a power from it must be supported by a majority of two thirds of the votes cast.”

2. This Act comes into force on 15 June 2006.

