

Regulations and other acts

M.O., 2005

Order of the Minister of Labour dated 21 December 2005

Building Act
(R.S.Q., c. B-1.1)

Delegation agreements between the Régie du bâtiment du Québec and Ville de Dollard-des-Ormeaux, Ville de Dorval, Ville de Pointe-Claire and Ville de Westmount, respectively

THE MINISTER OF LABOUR,

CONSIDERING the first paragraph of section 132 of the Building Act (R.S.Q., c. B-1.1) which provides that the Régie du bâtiment du Québec may enter into a written agreement with a local municipality to delegate to it, within its territory and to the extent specified, its powers and duties pursuant to sections 14 to 19, 21, 22, 24 to 27, 32 to 37.2 and 37.4 to 39 of the Act, amended or replaced, as the case may be, by chapters 10 and 22 of the Statutes of 2005, with a view to ensuring the quality of construction work and public safety;

CONSIDERING the delegation agreement entered into on 17 May 2001 between the Régie du bâtiment du Québec and Ville de Dollard-des-Ormeaux, which was approved by the Minister's Order dated 18 May 2001;

CONSIDERING the delegation agreements entered into on 4 July 2001 between the Régie du bâtiment du Québec and Ville de Dorval and between the Régie du bâtiment du Québec and Ville de Westmount, which were approved by the Minister's Order dated 11 July 2001;

CONSIDERING the delegation agreement entered into on 12 November 2003 between the Régie du bâtiment du Québec and Ville de Pointe-Claire, which was approved by the Minister's Order dated 21 November 2003;

CONSIDERING section 5 of the Charter of Ville de Montréal (R.S.Q., c. C-11.4) which provides that Ville de Montréal succeeds, on 1 January 2002, to the rights, obligations and charges of, among others, Ville de Dollard-des-Ormeaux, Ville de Dorval, Ville de Pointe-Claire and Ville de Westmount, as those municipalities existed on 31 December 2001;

CONSIDERING that Ville de Montréal, on 22 March 2003 by Resolution CM050181, decided to terminate on 31 December 2005 the delegation agreement entered into with the Régie du bâtiment du Québec for the application of the Building Code in particular in the territory of the Dollard-des-Ormeaux, Dorval, Pointe-Claire and Westmount boroughs;

CONSIDERING the first paragraph of section 178 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001) which provides that as of the time the majority of candidates elected to positions on the council of a related municipality in an election referred to in section 121 have made the oath under section 313 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), the council may perform the acts normally performed in anticipation of the start of a fiscal year, such as adopting the budget and the related by-laws and resolutions, as well as other acts whose effective date is delayed, however, until the date on which the city is reorganized;

CONSIDERING the second paragraph of section 178 of that Act which provides that the same applies, with the necessary modifications, to any borough council;

CONSIDERING the third paragraph of section 178 of that Act which provides that in the case of a reconstituted municipality, for the purposes of the performance of those acts and those provided for in section 178.1, the council exists and the officers and employees act, as if the municipality existed between the time referred to in the first paragraph of section 178 and the date on which the city is reorganized;

CONSIDERING the reconstitution on 1 January 2006 of Ville de Dollard-des-Ormeaux, Ville de Dorval, Ville de Pointe-Claire and Ville de Westmount provided for respectively in Orders in Council 969-2005, 970-2005, 976-2005 and 980-2005 made on 19 October 2005;

CONSIDERING the delegation agreement entered into on 30 November 2005 between the Régie du bâtiment du Québec and Ville de Dollard-des-Ormeaux, which is valid for an indeterminate period;

CONSIDERING the delegation agreement entered into on 30 November 2005 between the Régie du bâtiment du Québec and Ville de Dorval, which is valid for an indeterminate period;

CONSIDERING the delegation agreement entered into on 30 November 2005 between the Régie du bâtiment du Québec and Ville de Pointe-Claire, which is valid for an indeterminate period;

CONSIDERING the delegation agreement entered into on 30 November 2005 between the Régie du bâtiment du Québec and Ville de Westmount, which is valid until 31 December 2006;

CONSIDERING section 136 of the Building Act which provides that an agreement requires approval by the Minister of Labour and comes into force on the tenth day following publication in the *Gazette officielle du Québec* of a notice to that effect or on any later date fixed therein;

CONSIDERING that it is expedient to approve the agreements entered into and to give them effect on 8 January 2006;

ORDERS:

(1) THAT the delegation agreements entered into on 30 November 2005 between the Régie du bâtiment du Québec and Ville de Dollard-des-Ormeaux, between the Régie du bâtiment du Québec and Ville de Dorval, between the Régie du bâtiment du Québec and Ville de Pointe-Claire and between the Régie du bâtiment du Québec and Ville de Westmount are hereby approved;

(2) THAT this Minister's Order be published in the *Gazette officielle du Québec*; and

(3) THAT the date of effect of the delegation agreements is fixed at 8 January 2006.

Québec, 21 December 2005

LAURENT LESSARD,
Minister of Labour

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