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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-NINTH LEGISLATURE

**Bill 226**

(Private)

## **An Act to amend the Charter of the City of Laval**

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**Introduced 13 May 2010**

**Passed in principle 10 June 2010**

**Passed 10 June 2010**

**Assented to 11 June 2010**

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## **Bill 226**

(Private)

### **AN ACT TO AMEND THE CHARTER OF THE CITY OF LAVAL**

AS it is in the interest of Ville de Laval that its charter be again amended;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** In exercising its power to install conduits for the burial of an electric power distribution or telecommunications system under the public right-of-way, Ville de Laval has the right to construct such underground conduits on private property without the owner's consent, and may decide that the cost of installing such conduits beyond 10 metres from the street line, except building entry conduits, is to be charged to the owner of the building. The city may also demand from the owner an advance deposit sufficient to guarantee payment of the cost of the work charged to the owner.

**2.** Section 51*a* of the Cities and Towns Act (Revised Statutes, 1964, chapter 193), enacted for the city by section 12 of chapter 89 of the statutes of 1965 (1st session) and amended by section 4 of chapter 96 of the statutes of 1968, section 1 of chapter 112 of the statutes of 1978, section 168 of chapter 57 of the statutes of 1983 and section 2 of chapter 113 of the statutes of 1987, is again amended

(a) by replacing subsection 1 by the following subsection:

“(1) The mayor is the chairman of the executive committee; at the first meeting of the executive committee, he shall appoint a vice-chairman from among the committee's members; the vice-chairman shall assume all the duties of the chairman if the latter is absent or the office of chairman is vacant. The chairman may stand in for the vice-chairman of the executive committee at any time.

The chairman may appoint, at any time, a member of the executive committee to temporarily stand in for the vice-chairman appointed under the first paragraph, if the latter is absent from the territory of the municipality or is unable to perform the duties of office.

The mayor may at any time stand in for a member of the executive committee.

The quorum of the executive committee shall be three members. The chairman shall call and preside at executive committee meetings, and ensure that they are properly conducted. The chairman may vote and also has the casting vote.”;

(b) by adding the following subsection after subsection 3:

“(3.1) Any member of the executive committee who is not present at the place where a meeting is held may take part in the meeting by means of electronic communications equipment.

However, the communications equipment must enable every person using the equipment or attending the meeting to hear clearly everything that is said by another person in an audible and intelligible voice.

Every member participating in such manner in a meeting is deemed to be present at the meeting.”;

(c) by replacing subsection 16 by the following subsection:

“(16) All contracts shall be signed on behalf of the city by the chairman of the executive committee and by the clerk or the assistant clerk.

The chairman may nonetheless designate in writing, generally or specially, another member of the executive committee to sign in his place.

On the proposal of the mayor, the executive committee may generally or specially authorize the director general, a department head or another officer it designates to sign contracts or documents of a nature it determines that are within the jurisdiction of the executive committee or that of the city council, except by-laws and resolutions, and prescribe, in that case, that certain contracts or documents or certain classes of contracts or documents need not be signed by the clerk.

Contracts may also be signed by any other person delegated by the council or the executive committee under section 477.2 of the Cities and Towns Act (R.S.Q., chapter C-19).”

**3.** Insofar as a plan relating to a cadastral operation approved by the city has been filed with the registry office, the sites of thoroughfares that the owner undertakes to convey for the purposes of a provision enacted under subparagraph 7 of the second paragraph of section 115 of the Act respecting land use planning and development (R.S.Q., chapter A-19.1) become, without indemnity, the property of the city and form part of its public domain on registration in the land register of a notice signed by the clerk and drawn up on the earlier of

(1) the date on which the executive committee of the city adopts a resolution to accept the transfer of ownership in accordance with the owner's undertaking; and

(2) the date on which the work described in the municipal works agreement included in the by-law adopted under section 145.21 of the Act respecting land use planning and development is given final acceptance.

The notice of the clerk must mention the fact that the notice is published in the land register under this section.

Hypothecs, charges and real rights affecting the land mentioned in the notice are extinguished by the publication of the notice provided for in this section.

**4.** Insofar as a plan relating to a cadastral operation approved by the city has been filed with the registry office, the land that the owner undertakes to convey for the purposes of a provision enacted under the first paragraph of section 117.1 of the Act respecting land use planning and development becomes, without indemnity, the property of the city and forms part of its public domain on registration in the land register of a notice signed by the clerk and drawn up on the date on which the executive committee of the city adopts a resolution to accept the transfer of ownership in accordance with the owner's undertaking.

The notice of the clerk must mention the fact that the notice is published in the land register under this section.

Hypothecs, charges and real rights affecting the land mentioned in the notice are extinguished by the publication of the notice provided for in this section.

**5.** Sections 486.1 to 486.4 of the Cities and Towns Act (R.S.Q., chapter C-19), enacted for the city by sections 5 and 10 of chapter 84 of the statutes of 1996, are amended by replacing "surtax" wherever it appears by "tax".

**6.** This Act comes into force on 11 June 2010.