



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 121

(2017, chapter 16)

An Act to increase the autonomy and powers of Ville de Montréal, the metropolis of Québec

Introduced 8 December 2016
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EXPLANATORY NOTES

This Act proposes various legislative amendments respecting Ville de Montréal.

The title of the Charter of Ville de Montréal is changed to “Charter of Ville de Montréal, Metropolis of Québec” and a preamble is added to the Charter.

Under the Act, the mayor may designate the chair and vice-chair of the executive committee, and that committee is granted new powers in connection with granting subsidies and acquiring and alienating immovables.

The quorum of the city council is set at the majority of its members, including the mayor, and the use of technological means to convene special sittings is authorized. The borough councils must now make certain reports to citizens, as was already the case for the city council.

The Act removes provisions from the Charter of Ville de Montréal that expressly create certain advisory bodies, but maintains the city’s power to keep these bodies. The city may apply for the constitution of a non-profit body dedicated to developing and managing parking and a network of electric vehicle recharging stations.

The city contributes, in compliance with government policy directions and policies and through the support services it offers in its territory, to the full participation of immigrants, in French, in the community life of the metropolis and to consolidating harmonious intercultural relations.

The city is granted all the powers required to carry out the duties and obligations imposed on it by an agreement it enters into with the Gouvernement du Québec or the Government of Canada, to the extent that the powers required to carry out those duties are powers the Gouvernement du Québec may delegate to a municipality. It may adopt business assistance programs, which may include compensation for income losses due to municipal work, including work carried out before the coming into force of the Act but after 31 December 2015, and its powers regarding commercial development associations are broadened.

Under the Act, the city council may, despite a borough by-law, authorize a project involving an establishment with a floor area greater than 15,000 m² rather than 25,000 m². In addition, the city may exercise, under certain conditions, a pre-emptive right to acquire any immovable for sale in its territory and may take measures to promote the construction of affordable or family housing units. The Act also further clarifies certain powers allowing the city to intervene with respect to the maintenance of deteriorated buildings.

The entire urban agglomeration will have jurisdiction, previously limited to the city, over towing and vehicle service.

The Act modifies the role of the public safety committee set out in the Charter of Ville de Montréal by removing provisions such as those requiring the city council to obtain the advice of the committee before exercising certain powers. It also removes the city's obligation to reserve at least 1% of its budget for unexpected expenditures, claim settlements, and payments entailed by court sentences.

The Act enables the city's electrical services commission to exercise its powers with respect to certain underground conduits situated in the territory of a reconstituted municipality.

Under the Act, the city may implement housing programs without the authorization or approval of the Société d'habitation du Québec.

The city is granted the power to apply, provided it enters into a delegation agreement with the Minister of Culture and Communications, the policy to integrate the arts with the architecture and environment of government buildings and sites. In addition, the Cultural Heritage Act is amended to allow the city to exercise some of that minister's authorization powers under that Act.

Lastly, the city may determine, in its territory, legal periods of admission applicable to commercial establishments, including during special events, as well as hours of use for permits authorizing alcoholic beverages to be sold or served for consumption on the premises.

LEGISLATION AMENDED BY THIS ACT:

- Charter of Ville de Montréal (chapter C-11.4);
- Act respecting the exercise of certain municipal powers in certain urban agglomerations (chapter E-20.001);
- Act respecting hours and days of admission to commercial establishments (chapter H-2.1);
- Act respecting the Ministère de la Culture et des Communications (chapter M-17.1);
- Cultural Heritage Act (chapter P-9.002);
- Act respecting liquor permits (chapter P-9.1);
- Act respecting the Société d’habitation du Québec (chapter S-8).

Bill 121

AN ACT TO INCREASE THE AUTONOMY AND POWERS OF VILLE DE MONTRÉAL, THE METROPOLIS OF QUÉBEC

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHARTER OF VILLE DE MONTRÉAL

1. The title of the Charter of Ville de Montréal (chapter C-11.4) is replaced by the following title:

“CHARTER OF VILLE DE MONTRÉAL, METROPOLIS OF QUÉBEC”.

2. The Charter is amended by inserting the following before “**CHAPTER I**”:

“AS the Government intends to establish the “Montréal Reflex”, that is, to add a “Montréal chapter” in all policies affecting the metropolis, and to ensure that the characteristics specific to Ville de Montréal due to its special metropolis status are taken into account in the drafting of laws, regulations, programs, policies and directives that concern the metropolis, and as the Government intends to consult the city in a timely manner for that purpose;

AS Ville de Montréal’s economic, social and cultural attributes bestow on it the status of metropolis of Québec and enable it to play its special role as such at the national and international levels on behalf of all of Québec;

AS Ville de Montréal, with nearly two-thirds of Québec’s exporting businesses, some 60 international organizations, including certain UN organizations, and more than 80 foreign consulates, is the second largest consular city in North America and the main centre for international commerce and dialogue within Québec;

AS Ville de Montréal must see to it that quality affordable, social or family housing is available to all its residents, in particular to young families, modest-income households and newcomers;

AS Ville de Montréal, as a cosmopolitan metropolis and crucible of intercultural relations, faces unique challenges in Québec with respect to the reception, integration and francization of the immigrant population;

AS a large part of the heritage property in the territory of Ville de Montréal bears witness to its rich history and its decisive role in Québec’s past, present and future development;”.

3. Section 23 of the Charter is amended by replacing “council” by “mayor” and by striking out “on the recommendation of the mayor”.

4. Section 34.1 of the Charter is amended

(1) by replacing subparagraph 2 of the first paragraph by the following subparagraph:

“(2) granting a subsidy or any other form of assistance the amount or value of which does not exceed \$150,000;”;

(2) by replacing “\$25,000” in subparagraph 3 of the first paragraph by “\$150,000”.

5. Divisions X to XIII of Chapter II of the Charter, comprising sections 83.1 to 83.22, are repealed.

6. Section 89 of the Charter is amended by replacing “25,000” in subparagraph 3 of the first paragraph by “15,000”.

7. Sections 116, 117 and 122 of the Charter are repealed.

8. Section 144.7 of the Charter is replaced by the following section:

“144.7. At a regular sitting of the borough council held in June, the borough mayor shall make a report to the citizens on the highlights of the borough’s financial results and, if applicable, the chief auditor’s report and the external auditor’s report if they contain elements relating to the borough.

The mayor’s report shall be disseminated in the territory of the borough in the manner determined by the borough council.”

9. Schedule C to the Charter is amended by inserting the following section after section 10:

“10.1. To support economic development, the city may, by by-law, adopt a business assistance program.

The assistance may be granted in any form, including subsidies, tax credits, suretyships or the transfer or rental of an immovable.

A program adopted under the first paragraph must be consistent with the city’s economic development plan.

The Municipal Aid Prohibition Act (chapter I-15) does not apply to assistance granted under a program adopted under the first paragraph, to the extent that the assistance

(1) results from joint planning by the city and the Minister of Economic Development, Innovation and Export Trade;

(2) does not contravene the trade agreements to which Québec has declared itself bound;

(3) is not intended for the transfer of activities carried on in the territory of another local municipality in Québec; and

(4) is paid to a person who, in the territory of the city, operates a business and is the owner or occupant of an immovable.

A by-law under the first paragraph determines the total value of the assistance that may be granted under the program.

Such a by-law, and any by-law or resolution adopted under section 92.1 of the Municipal Powers Act (chapter C-47.1), must be approved by the eligible voters of the city if the annual average of the total value of the assistance that may be granted exceeds 1% of the total appropriations provided for in the budget for its operating expenses for the fiscal year during which the by-law or resolution is adopted. If the average exceeds 5% of the total appropriations, the by-law or the resolution must also be approved by the Minister. To determine the average, the total value of the assistance that may be granted in accordance with the adopted by-law or resolution is taken into account, along with that of the assistance that may be granted in accordance with any other by-law adopted under the first paragraph or under section 92.1 of the Municipal Powers Act, if it is or will soon be in force, and any resolution adopted under the second paragraph of that section since the beginning of the fiscal year during which the by-law or resolution is adopted.”

10. Schedule C to the Charter is amended by inserting the following sections after section 12.1:

“**12.2.** Within the limits prescribed by law and in compliance with the policy directions and policies of the Gouvernement du Québec regarding immigration, the city contributes, through the support services it offers in its territory, to the full participation of immigrants, in French, in the community life of the metropolis and to consolidating harmonious intercultural relations.

“**12.3.** The city has all the powers required to fulfil its duties and obligations under any agreement between the city and the Gouvernement du Québec or any of its departments, agencies or mandataries, or the Government of Canada or any of its departments or agencies in the case of an agreement exempt from the application of the Act respecting the Ministère du Conseil

exécutif (chapter M-30), to the extent that the powers required for carrying out the duties are included in those the Gouvernement du Québec may delegate to a municipality.”

11. Section 38 of Schedule C to the Charter is repealed.

12. Schedule C to the Charter is amended by inserting the following section after section 40:

“**40.1.** Despite section 40 and section 323 of the Cities and Towns Act (chapter C-19), the notice of meeting for a special council meeting may also be notified to the council members by a technological means in accordance with articles 133 and 134 of the Code of Civil Procedure (chapter C-25.01), with the necessary modifications.”

13. Section 50.2 of Schedule C to the Charter is amended by adding the following paragraph at the end:

“No notice of deterioration may be registered with respect to an immovable owned by a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).”

14. Schedule C to the Charter is amended by inserting the following section after section 50.5:

“**50.6.** The city may acquire, by agreement or expropriation, any immovable for which a notice of deterioration was registered in the land register at least 60 days previously, on which the work required in the notice has not been carried out and whose dilapidated state entails a risk for the health or safety of persons. Such an immovable may then be alienated to any person by onerous title or to any person referred to in section 29 or 29.4 of the Cities and Towns Act (chapter C-19) by gratuitous title.”

15. Schedule C to the Charter is amended by inserting the following subdivision after section 79:

“§7.1. — *Commercial development associations*

“**79.1.** The city may, by by-law, define the limits of a zone within which a single district may be formed and provide for the establishment of a commercial development association having jurisdiction in that district. Such an association must mainly promote the economic development of its district in a manner consistent with all economic development strategies adopted by the city.

“**79.2.** The establishment, dissolution and merger of associations, as well as modifications to the limits of a zone or a district, are carried out on the city’s initiative or at the request of the persons described in section 79.3.

Any initiative or request referred to in the first paragraph must be submitted for consultation, through a register and, if applicable, a poll, to the operators or occupants of a taxable business establishment or the owners of a taxable non-residential immovable located in the district concerned. The city shall send those persons a notice informing them that a register will be open and, if applicable, that a poll will be held.

“79.3. A person who, in an association’s district, operates or occupies a taxable business establishment within the meaning of the Act respecting municipal taxation (chapter F-2.1) or owns a taxable immovable entered on the property assessment roll as a non-residential immovable may be a member of the association.

“79.4. The city may, by by-law,

(1) determine the classes of business establishments or immovables whose operators, occupants or owners, as applicable, are required to be members of the association;

(2) set the minimum number of establishments or immovables by district;

(3) determine the activities an association may carry on;

(4) prescribe any particulars concerning the formalities for establishing, dissolving, modifying and merging associations;

(5) prescribe any particulars concerning the composition of an association’s board of directors, the respective responsibilities of the general meeting of the members and of the board of directors and any matter relating to the organization, operation or dissolution of an association, in particular the distribution of the association’s assets in the case of dissolution; and

(6) prescribe any other matter relating to the association, including the terms governing exemption from or the establishment, collection and repayment of assessments, the transitional rules applicable where the territory in which the association exercises its jurisdiction is modified, and the rules of succession if a member must be replaced during the fiscal year.

“79.5. The city shall approve the association’s internal management rules and authorize any loan to finance a project involving capital expenditures that exceed the percentage of the association’s budget prescribed by a by-law of the city. The city may, by by-law, determine the nature of any other project for which financing by loan requires such authorization.

“79.6. For collection purposes, an assessment ordered under this subdivision from a business establishment is deemed to be a special business tax, while an assessment ordered under this subdivision from an owner entered on the property assessment roll is deemed to be a property tax. In that respect, the clerk and the treasurer have all the powers vested in them by this Act, the

Cities and Towns Act (chapter C-19) and the Act respecting municipal taxation (chapter F-2.1). The assessments collected, minus collection costs, and the list of the members who have paid them must be remitted to the association.

“79.7. Despite the Municipal Aid Prohibition Act (chapter I-15), the city may, on the conditions it determines, grant subsidies to an association established under section 79.1.

“79.8. This subdivision applies in lieu of subdivision 14.1 of Division XI of the Cities and Towns Act (chapter C-19), except sections 458.5, 458.7 to 458.10, 458.13 to 458.18, 458.21, 458.23 and 458.25, the first paragraph of section 458.26, and sections 458.27, 458.28, 458.33 to 458.35, 458.38, 458.40, 458.41, 458.43 and 458.44 of that Act, which apply with the necessary modifications.”

16. Section 80 of Schedule C to the Charter is amended

(1) by replacing the first occurrence of “by-law” in the first paragraph by “resolution”;

(2) by inserting “, which may be increased to take into account any reasonable accessory expenses incurred by the city and made necessary by an intervention under the first paragraph,” after “The expense” in the second paragraph;

(3) by adding the following paragraph at the end:

“The city may not exercise its power under the first paragraph with respect to an immovable owned by a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).”

17. Section 94 of Schedule C to the Charter is repealed.

18. Section 144 of Schedule C to the Charter is amended by striking out the fifth paragraph.

19. Schedule C to the Charter is amended by inserting the following subdivision after section 151:

“§15.1. — *Pre-emptive right*

“151.1. In accordance with the provisions of this subdivision, the city may, in all or part of its territory as determined by the by-law provided for in section 151.2, exercise a pre-emptive right to acquire any immovable, excluding immovables owned by a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

The city's pre-emptive right may only be exercised to acquire an immovable for which a notice of the city's pre-emptive right has been registered.

“151.2. The city shall determine, by by-law, the territory in which its pre-emptive right may be exercised and the municipal purposes for which immovables may be acquired in this manner.

“151.3. The notice of the city's pre-emptive right must identify the immovable concerned and describe the purpose for which it may be acquired.

The notice must be notified to the owner of the immovable and takes effect on being registered in the land register. It is valid for a period of 10 years from the registration date.

“151.4. The owner of an immovable for which a notice of the city's pre-emptive right has been issued may not, on pain of nullity, alienate the immovable for the benefit of a person other than a person to whom the owner is related within the meaning of the Taxation Act (chapter I-3) if the owner has not notified a notice to the city of the owner's intention to alienate the immovable.

The owner's notice must state the price of the proposed alienation, the conditions to which it is subject, and the name of the person who intends to acquire the immovable. If the immovable is to be alienated, in whole or in part, for non-monetary consideration, the notice must include a reliable and objective estimate of the value of that consideration.

“151.5. The city may, not later than 60 days following notification of the notice of intention to alienate, notify a notice to the owner of its intention to exercise its pre-emptive right and to acquire the immovable at the price and on the conditions stated in the notice of intention to alienate, subject to any modifications subsequently agreed on with the owner. If the notice of intention to alienate contains an estimate of the value of a non-monetary consideration, the price must be increased by an equal amount.

The city may, during that period, require from the owner any information allowing it to assess the condition of the immovable. It may also, after giving 48 hours' prior notice, access the immovable to conduct, at its own expense, any study or analysis it considers useful.

If the city does not notify the notice provided for in the first paragraph to the owner within that 60-day period, it is deemed to have decided not to exercise its pre-emptive right.

If the city decides not to exercise its pre-emptive right and the proposed alienation comes into effect, the city must have the notice of its pre-emptive right removed from the land register.

“151.6. If the city exercises its pre-emptive right, it must pay the price of the immovable within 60 days after notifying the notice of its intention to acquire the immovable. If the city cannot pay the amount to the owner, it may deposit it, on the owner’s behalf, at the office of the Superior Court.

Sections 53.15 to 53.17 of the Expropriation Act (chapter E-24) apply, with the necessary modifications.

In the absence of a notarial contract, the city becomes the owner of the immovable by registering a notice of transfer of ownership in the land register; the notice must include a description of the immovable, the price and conditions of its acquisition, and the date on which the city will take possession of the immovable.

The notice of transfer must be served on the owner at least 30 days before it is registered in the land register.

To be registered, the notice must be accompanied by documents confirming that the price has been paid to the owner or deposited at the office of the Superior Court and proof that the notice has been served on the owner.

“151.7. If the city exercises its pre-emptive right, it must compensate the person who intended to acquire the immovable for reasonable expenses incurred during negotiation of the price and conditions of the proposed alienation.”

20. Schedule C to the Charter is amended by inserting the following section after section 204:

“204.1. If a reconstituted municipality of the urban agglomeration of Montréal manifests, by a resolution of its council, its intention to transfer responsibility to the commission for any existing or proposed underground conduit situated in its territory, the commission may, by resolution, accept that responsibility.

On the date the commission adopts its resolution accepting the transfer, the city becomes the owner of the existing underground conduits covered by the resolution of the council of the reconstituted municipality. The city is also the owner of any conduit built by the commission in accordance with a resolution of the council of such a municipality identifying it as a proposed conduit or in accordance with the third paragraph to connect a building to an existing conduit.

Once the conduits described in this section have been built or in order to build them, the commission shall exercise the jurisdiction and powers conferred on it by this chapter, with the necessary modifications. The commission is not, however, authorized to extend such conduits, except to connect a building to them.

In addition, with the owner's consent and to ensure that those conduits are fully functional, the commission may carry out any operation on an adjacent installation."

21. Schedule C to the Charter is amended by inserting the following section after section 220.3:

"220.4. The city may apply for the constitution of a non-profit body dedicated to developing and managing, in the territory of the city, parking and a network of electric vehicle charging stations.

The body may carry on commercial activities related to the purposes mentioned in the first paragraph and may grant subsidies for the same purposes."

ACT RESPECTING THE EXERCISE OF CERTAIN MUNICIPAL POWERS IN CERTAIN URBAN AGGLOMERATIONS

22. The Act respecting the exercise of certain municipal powers in certain urban agglomerations (chapter E-20.001) is amended by inserting the following section after section 118.83:

"118.83.1. Section 19 is modified by inserting the following paragraph after paragraph 3:

"(3.1) road service and vehicle towing and impounding;"

23. The Act is amended by inserting the following after section 118.85:

"118.85.1. The following division is inserted after Division III of Chapter II of Title III:

"DIVISION III.1

"ROAD SERVICE AND VEHICLE TOWING AND IMPOUNDING

"24.2. The central municipality's exclusive jurisdiction over road service and vehicle towing and impounding consists in exercising, in addition to the powers provided for in sections 123 to 128 of the Charter of Ville de Montréal (chapter C-11.4) or that constitute acts inherent or accessory to the exercise of an urban agglomeration power, the powers provided for in section 154 of Schedule C to the Charter and sections 80 and 81 of the Municipal Powers Act (chapter C-47.1)."

ACT RESPECTING HOURS AND DAYS OF ADMISSION TO COMMERCIAL ESTABLISHMENTS

24. Section 3.1 of the Act respecting hours and days of admission to commercial establishments (chapter H-2.1) is amended by inserting "4.2," after "4.1," in the first paragraph.

25. The Act is amended by inserting the following section after section 4.1:

“4.2. Ville de Montréal may, by by-law and with respect to commercial establishments situated in its territory, prescribe legal periods of admission that are different from any period prescribed in section 2, 3 or 3.1 or in a regulation made under section 4.1. Such periods may vary according to the time of year, by category of establishment or by part of the city’s territory.

On the occasion of a special event, the city may also, for any commercial establishment and for the period the city determines by resolution, prescribe legal periods of admission that are different from those described in the first paragraph or those prescribed by a by-law adopted by the city under the first paragraph.”

26. Section 14 of the Act is amended by inserting “Except in the territory of Ville de Montréal,” before “The Minister”.

27. Section 37 of the Act is amended

(1) by inserting “, including the provisions of a regulation or resolution made under this Act,” after the first occurrence of “Act”;

(2) by inserting “other” after “over any”.

ACT RESPECTING THE MINISTÈRE DE LA CULTURE ET DES COMMUNICATIONS

28. Section 13 of the Act respecting the Ministère de la Culture et des Communications (chapter M-17.1) is amended

(1) by replacing “with architecture and with the environment” in the first paragraph by “with the architecture and environment”;

(2) by inserting “or Ville de Montréal” after “Québec” in the third paragraph.

CULTURAL HERITAGE ACT

29. Section 164 of the Cultural Heritage Act (chapter P-9.002) is amended by replacing “the Conseil du patrimoine de Montréal, established under section 83.11 of the Charter of Ville de Montréal (chapter C-11.4), exercises the functions of the local heritage council” in the second paragraph by “the functions of the local heritage council set out in this chapter are to be exercised by the council for cultural heritage matters that is referred to in section 45 of the Act to increase the autonomy and powers of Ville de Montréal, the metropolis of Québec (2017, chapter 16) or by a council for cultural heritage matters that is under its authority”.

30. The heading of Chapter VI.1 of the Act is amended by adding “AND VILLE DE MONTRÉAL” at the end.

31. Section 179.1 of the Act, as amended by section 186 of chapter 13 of the statutes of 2017, and section 179.2 of the Act are amended by inserting “and Ville de Montréal” after every occurrence of “Ville de Québec”, with the necessary modifications.

32. Section 179.3 of the Act is amended

(1) by inserting “and Ville de Montréal” after the first occurrence of “Ville de Québec”;

(2) by replacing “apply to Ville de Québec, with the necessary modifications, including replacing “Government” and “Minister” by “Ville de Québec”” by “apply to Ville de Québec and Ville de Montréal, with the necessary modifications, including replacing “Government” and “Minister” by “Ville de Québec” or “Ville de Montréal”, as applicable”.

33. Section 179.4 of the Act is amended

(1) by inserting “and Ville de Montréal” after “Ville de Québec” in the first paragraph, with the necessary modifications;

(2) by inserting “or Ville de Montréal” after “Ville de Québec” in the second paragraph, with the necessary modifications.

34. Section 179.5 of the Act is amended by adding the following paragraph at the end:

“If Ville de Montréal files such an application with the Commission, the same applies in the case of any council for cultural heritage matters that is referred to in the second paragraph of section 164 of this Act.”

35. Section 179.6 of the Act is amended

(1) by replacing “may, by by-law and to the extent it determines, delegate to the city’s executive committee the exercise of all or some of the powers provided for in this Act that the city exercises” in the first paragraph by “and the council of Ville de Montréal may, by by-law and to the extent they determine, delegate to their respective executive committees the exercise of all or some of the powers provided for in this Act that each city exercises”;

(2) by replacing “it” and “section 179.5” in the second paragraph by “the council of Ville de Québec” and “the first paragraph of section 179.5”, respectively.

36. Section 179.7 of the Act is amended

(1) by inserting “and Ville de Montréal” after “Ville de Québec” in the first paragraph, with the necessary modifications;

(2) by inserting “and Ville de Montréal” after “Ville de Québec” in the second paragraph, with the necessary modifications.

37. Section 179.8 of the Act is amended

(1) by adding the following sentence at the end of the first paragraph: “The same applies in the case of Ville de Montréal, not later than 21 September 2020 and subsequently every five years.”;

(2) by replacing “the report” in the second paragraph by “the reports”.

38. Section 261.1 of the Act is amended by replacing “submitted to the Minister before 9 June 2017” by “, submitted to the Minister before 9 June 2017 to the extent that that section applies to Ville de Québec, or before 21 September 2018 to the extent that it applies to Ville de Montréal,”.

39. Section 261.1.1 of the Act is replaced by the following section:

“261.1.1. Ville de Québec and Ville de Montréal may not, under the powers conferred on them by Chapter VI.1, issue an authorization for an intervention for which authorization was denied by the Minister on or after 9 June 2012 in the case of Ville de Québec, or on or after 21 September 2012 in the case of Ville de Montréal, or for which authorization was denied under section 261.1.”

40. Section 261.2 of the Act is amended

(1) by replacing the first paragraph by the following paragraph:

“Ville de Québec and Ville de Montréal are responsible for the administration of sections 180, 183 to 192, 195 to 197, 201, 202 and 261 in relation to an authorization referred to in section 261.1 or an authorization issued by the Minister before 9 June 2017 in the case of Ville de Québec, or before 21 September 2018 in the case of Ville de Montréal, for an intervention referred to in section 179.1. The same applies in the case of contraventions of section 49, 64 or 65 that occurred or began before those dates and that concern interventions referred to in section 179.1.”;

(2) by replacing “the city” in the second paragraph by “the cities”;

(3) by inserting “in the case of Ville de Québec, or on 21 September 2018 in the case of Ville de Montréal,” after “9 June 2017” in the third paragraph.

ACT RESPECTING LIQUOR PERMITS

41. Section 61 of the Act respecting liquor permits (chapter P-9.1) is amended by inserting “Subject to section 61.1,” at the beginning.

42. The Act is amended by inserting the following section after section 61:

“61.1. Ville de Montréal may, by by-law and with respect to any permit referred to in the first paragraph of section 59 that is used in its territory, fix hours of use that are different from those prescribed in that paragraph. Such hours may vary according to the time of year, by category of permit or by part of the city’s territory.

The city may also, by resolution, exercise in its territory the power provided for in section 61 with respect to the hours of use specified in the first paragraph of section 59 or the hours it fixes under the first paragraph.”

ACT RESPECTING THE SOCIÉTÉ D’HABITATION DU QUÉBEC

43. The Act respecting the Société d’habitation du Québec (chapter S-8) is amended by inserting the following subdivision after section 56.3:

“§1.1. — *Municipal programs specific to Ville de Montréal*

“56.4. Ville de Montréal may, without the Société’s authorization or approval, prepare, adopt by by-law and implement in its territory a housing program to promote the development of dwellings to be made available to persons or families of low or moderate income and to allow the improvement of existing dwellings.

“56.5. Despite any inconsistent provision of any other Act, Ville de Montréal may, without the Minister’s authorization, grant a loan guarantee in the administration of a program under section 56.4.”

44. Section 94.5 of the Act is amended by adding the following paragraph at the end:

“The first paragraph also applies to Ville de Montréal in the administration of a program under section 56.4.”

TRANSITIONAL PROVISIONS

45. The Conseil interculturel de Montréal, Conseil du patrimoine de Montréal, Conseil des Montréalaises and Conseil jeunesse de Montréal, established by provisions repealed by section 5, are continued in their current form as long as the city council does not modify or dissolve them.

46. For the purposes of section 10.1 of Schedule C to the Charter of Ville de Montréal (chapter C-11.4), enacted by section 9, an assistance program may, if the assistance it provides for is intended for persons who suffer a substantial loss of income because of construction or infrastructure repair work carried out by or for the city, cover work carried out before the coming into force of this section to the extent that the work was carried out after 31 December 2015.

A program that covers only work that meets the conditions set out in the first paragraph is not subject to the condition set out in the third paragraph of

section 10.1 of Schedule C to the Charter. In addition, the fourth paragraph of that section may apply to the assistance granted because of that work even if the assistance does not meet the condition set out in subparagraph 1 of that paragraph.

47. A commercial development association established under subdivision 14.1 of Division XI of the Cities and Towns Act (chapter C-19) and having jurisdiction in a commercial district in the territory of Ville de Montréal remains subject to that subdivision as long as it is not dissolved in accordance with sections 458.17 to 458.18 of that Act or on the initiative of Ville de Montréal in accordance with subdivision 7.1 of Division II of Chapter III of Schedule C to the Charter of Ville de Montréal, enacted by section 15.

48. A regulatory provision, in force on 20 September 2017, adopted by a council of a related municipality of the urban agglomeration of Montréal under, as applicable, section 154 of Schedule C to the Charter of Ville de Montréal or sections 80 and 81 of the Municipal Powers Act (chapter C-47.1), continues to apply until the urban agglomeration council of Ville de Montréal adopts a by-law under the jurisdiction assigned to it over road service and vehicle towing and impounding by sections 22 and 23.

FINAL PROVISION

49. This Act comes into force on 21 September 2017, except sections 31 to 35 and 37 to 40, which come into force on 21 September 2018.