



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-SECOND LEGISLATURE

Bill 209
(Private)

An Act respecting Ville de Saint-Tite

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Passed in principle 8 June 2021
Passed 8 June 2021
Assented to 9 June 2021

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Bill 209

(Private)

AN ACT RESPECTING VILLE DE SAINT-TITE

AS the Act respecting Ville de Saint-Tite (1995, chapter 77) grants the town certain powers necessary to ensure the orderly conduct of special events held in its territory;

AS it is appropriate to grant Ville de Saint-Tite new powers for regulating the holding of such events, in particular the Festival western de Saint-Tite, to replace the powers granted to it under that Act;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Ville de Saint-Tite may, in accordance with this Act, regulate special events held in its territory.

For the purposes of this Act, a special event is an activity of provincial scope that is held in all or part of the territory of the town for a period not exceeding 15 days and that is designated as a special event by a by-law of the municipal council brought into force at least one month before the event is held. Not more than five activities may be designated by the council as special events in any one year.

No provision of this Act prevents the town from regulating such special events using powers conferred on it by any other Act.

2. The town must, before adopting a by-law under this Act, request an opinion from a committee established in accordance with the second paragraph.

The committee is to be composed of members appointed by the town, the majority of whom must be persons chosen from among the residents of the territory of the town and who must include at least one member from each of the following groups:

- (1) members of the municipal council and town officers and employees;
- (2) persons who participate in the organization of special events;
- (3) operators of a commercial establishment; and
- (4) operators of a parking area for recreational vehicles.

3. The town may, by by-law, regulate the occupation of immovables during a special event and may, among other things and for that purpose,

(1) regulate temporary structures, activities and uses authorized only for the duration of the special event;

(2) prescribe that a structure, activity or use referred to in subparagraph 1 is authorized on an immovable to the extent that a use authorized by the zoning by-law has been exercised on the immovable for a minimum period of time before the special event is held; and

(3) prescribe rules that derogate from any other municipal by-law.

Section 6 of the Municipal Powers Act (chapter C-47.1) and sections 124 to 127 of the Act respecting land use planning and development (chapter A-19.1) apply to any by-law adopted under the first paragraph.

4. The town may, by by-law, and for the duration of a special event, authorize any person to carry out any intervention on any immovable that is necessary to eliminate a risk for human health or safety or to avert any adverse effects on the quality of the environment.

The immovable's owner bears the cost of any intervention under the first paragraph. Except in an emergency situation, not less than 24 hours' prior notice must be given for such an intervention.

5. The town may, by by-law, provide that it ensures the supervision of an activity held during a special event in cases where a person subject to a supervision obligation under a municipal by-law or under the conditions of a permit issued for the activity fails to comply with that obligation. The person concerned bears the cost of the supervision ensured by the town.

The town may also, by by-law, prescribe that such a person must pay a monetary guarantee to the town before the activity is held, to ensure compliance with the supervision obligation.

6. The town may, by by-law, require persons offering passenger transportation services by horse or by animal-drawn vehicle during a special event to hold insurance covering riders, passengers and other users of public roads.

7. Despite the second paragraph of section 369 of the Cities and Towns Act (chapter C-19), the town may, by by-law, prescribe that an offence under a provision of any municipal by-law committed during a special event is sanctioned by a fine in an amount not exceeding, for a first offence, \$5,000 if the offender is a natural person or \$10,000 if the offender is a legal person. The amounts are doubled for a subsequent offence.

- 8.** This Act replaces the Act respecting Ville de Saint-Tite (1995, chapter 77).
- 9.** This Act comes into force on 9 June 2021.