



NATIONAL ASSEMBLY OF QUÉBEC

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Bill 209
(Private)

An Act respecting Ville de Longueuil

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AN ACT RESPECTING VILLE DE LONGUEUIL

AS public participation is a democratic requirement for local democratic institutions;

AS public participation improves social cohesion, develops the public's capacities to understand the issues, improves the quality of decisions, policies and services through the contribution of diverse knowledge, and creates the conditions in which innovation can emerge;

AS there are a number of models of public participation bodies in Québec and elsewhere in the world;

AS it is appropriate to establish an independent public participation body in Longueuil and to entrust it with mandates;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The Charter of Ville de Longueuil (chapter C-11.3) is amended by inserting the following division after section 54.14:

“DIVISION VII

“PUBLIC PARTICIPATION OFFICE

“**54.15.** An office to be known as the “Office de participation publique de Longueuil” (the Office) is hereby established.

“**54.16.** The council shall designate, by a decision made by two-thirds of the votes cast, a president of the Office from among the candidates having special competence as regards public consultation, and may designate commissioners. The council shall determine, in the same resolution, their remuneration and other conditions of employment.

The president shall be appointed for a five-year term. The office of president is a full-time position. At the expiry of his term, the president shall remain in office until replaced or reappointed.

The term of office of a commissioner shall be specified in the resolution appointing the commissioner and shall not exceed five years.

The term of office of the president or a commissioner may be renewed once.

“54.17. The city council may, at the request of the president of the Office and by a decision made by two-thirds of the votes cast, appoint, for the period determined in the resolution, any additional commissioner having special competence as regards public consultation and determine his remuneration and other conditions of employment.

“54.18. The members of the city council or of a borough council and the officers and employees of the city are disqualified from holding office as president or commissioner.

“54.19. The president and the commissioners are entitled to reimbursement by the Office of expenses authorized by the Office and incurred in the exercise of their functions.

“54.20. The president may retain the services of the personnel the president requires for the exercise of the functions of the Office and fix their remuneration. Employees of the Office are not city employees.

The city council may also, at the request of the president, assign any city employee it designates to the functions of the Office.

The treasurer of the city or the assistant designated by the treasurer is treasurer of the Office.

“54.21. The fiscal year of the Office coincides with the fiscal year of the city. The auditor of the city shall audit the financial statements of the Office and, within 120 days after the end of the fiscal year, make a report of his audit to the council.

“54.22. The council shall put the sums necessary for the exercise of the Office’s functions at its disposal.

“54.23. The functions of the Office shall be to

(1) propose rules to govern the public consultations carried out by the body of the city in charge of such consultations pursuant to any applicable provision so as to ensure the establishment of credible, transparent and effective consultation mechanisms;

(2) hold a public consultation on any draft by-law amending or revising the city’s planning program;

(3) hold the public consultation on the draft by-law establishing the public participation policy provided for in section 80.1 of the Act respecting land use planning and development (chapter A-19.1);

(4) hold any public participation activity in the territory of the city, at the request of the city council or the executive committee, on any project or any matter of interest designated by the council or the committee; and

(5) hold any public participation measure designated for that purpose in the public participation policy adopted under section 80.1 of the Act respecting land use planning and development.

However, subparagraph 2 of the first paragraph and sections 109.2 to 109.4 of the Act respecting land use planning and development do not apply to a draft by-law whose sole purpose is to amend the city's planning program in order to authorize the carrying out of a project referred to in subparagraph 4 of the first paragraph of section 58.2.

“54.24. The city council may, by by-law, provide that the Office is mandated to hold, at the request of a borough council, any public consultation provided for by the Act respecting land use planning and development (chapter A-19.1) and under the jurisdiction of a borough council under sections 72 and following.

Every decision under the first paragraph shall be made by a two-thirds majority of the votes cast.

“54.25. The urban agglomeration council may, by by-law, provide that the Office is mandated to hold any public consultation on any project under its jurisdiction.

The by-law provided for in the first paragraph shall be of no effect unless a by-law adopted under section 69 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (chapter E-20.001) establishes the criteria for determining what part of the Office's expenditures is an expenditure incurred in the exercise of urban agglomeration powers.

“54.26. Where the Office holds a public consultation provided for by any Act, the Office's consultation replaces the one provided for by that Act.

“54.27. The Office shall report on its activities to the council, at the request of the council and at least once a year. On that occasion, the Office may make any recommendation to the council.

“54.28. The council may, for the benefit of the Office's president, commissioners and employees, avail itself of the provisions of section 464 of the Cities and Towns Act (chapter C-19) that concern pension plans and insurance. For that purpose, the rules applicable with regard to a mandatory body of the city apply to the Office, with the necessary modifications.”

2. Section 58.3 of the Act is amended

(1) by inserting the following paragraphs after the first paragraph:

“The draft version of a by-law referred to in the first paragraph of section 58.2 must be submitted to a public consultation conducted by the Office de participation publique de Longueuil, which for that purpose must hold public hearings and must report on the consultation in a report in which it may make recommendations.

The public consultation under the second paragraph replaces the public consultation provided for in sections 125 to 127 of the Act respecting land use planning and development. In the case of a by-law subject to approval by way of referendum, the filing with the council of the Office’s report replaces, for the purposes of section 128 of the Act respecting land use planning and development, the public meeting to be held pursuant to section 125 of that Act.”;

(2) by replacing “Sections” in the second paragraph by “The second paragraph and sections”.

3. This Act comes into force on 10 June 2022.