



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 260

(Private)

An Act respecting Ville d'Otterburn Park

Introduced 13 November 1997

Passage in principle 19 December 1997

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Assented to 19 December 1997

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Bill 260

(Private)

AN ACT RESPECTING VILLE D'OTTERBURN PARK

WHEREAS it is expedient to validate the imposition and levy of certain taxes imposed by Ville d'Otterburn Park on immovables in its territory;

Whereas it is in the interest of Ville d'Otterburn Park that certain powers be granted to it;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. The taxes provided for in loan by-laws Nos. 208, 217, 218, 220, 231, 239, 260, 311, E-315, E-325, E-329, E-333, E-335, E-339, E-340, E-347, E-348, E-349, E-355, E-361, E-364, E-365, E-370, E-371, E-372, E-373, E-374, E-375 and E-381 of Ville d'Otterburn Park, imposed and levied by the city, may not be invalidated on the ground that they were not imposed and levied in accordance with the law or the by-laws with respect to

(1) the taxation rate and base, the territory subject to the taxation and the duration of the time period during which the taxes were collected;

(2) the amount and use of the sums collected;

(3) the application of the provisions relating to the payment in one instalment of the part of the loan principal that pertains to an immovable; or

(4) any unauthorized use of the city's general fund.

2. In addition to the grounds in section 1, By-law No. 208 may not be invalidated on the ground that it had not been signed by the mayor and clerk of the city before it was brought into force.

3. In addition to the grounds in section 1, By-law Nos. E-333 and E-339 may not be invalidated on the ground that certain work carried out under the by-laws was not expressly authorized therein.

4. Resolutions Nos. 95-311 and 97-315, adopted by the council, and the tax levied pursuant to those resolutions, may not be invalidated on the ground that the council was not empowered to adopt such resolutions to provide that the payment of interest on temporary borrowings for the period exceeding 15 months after the date of completion of the work was a charge on all the

owners in the territory of the city, without first amending the loan by-laws concerned.

Resolution No. 97-066, adopted by the council, may not be invalidated on the ground that the council was not empowered to adopt such a resolution to postpone the date on which the taxes levied pursuant to certain loan by-laws became due.

5. The council may, under the procedure set out in section 565 of the Cities and Towns Act (R.S.Q., chapter C-19), amend By-law No. 239 to change its purpose and replace the special tax provided for in the by-law.

6. Any amendment to a special tax provided for in By-laws Nos. 239, 260, 311 and E-315 has effect from 1 January 1997.

7. Sections 1 to 4 have effect in respect of any fiscal year preceding 1998.

8. This Act does not affect cases pending on 18 August 1997.

9. The clerk shall enter a reference to this Act in the register of by-laws of the city at the end of each by-law to which the Act applies.

10. This Act comes into force on 19 December 1997.