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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 215

(Private)

**An Act respecting Ville de La Tuque**

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**Introduced 2 June 2004**

**Passage in principle 16 December 2004**

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**Assented to 17 December 2004**

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# **Bill 215**

(Private)

## **AN ACT RESPECTING VILLE DE LA TUQUE**

AS it is advisable to validate the application of loan by-law No. 85-96 of the former Municipalité de Lac-Édouard;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** By-law No. 85-96 of the former Municipalité de Lac-Édouard, and the work carried out, the expenditures made, the compensations or sums of money required and levied and the payments received from ratepayers under the by-law may not be invalidated for any of the following reasons:

- (1) the cost of the work exceeds the authorized cost;
- (2) the amount of the loan exceeds the authorized amount;
- (3) a compensation or sum of money was required and levied instead of the regular property tax;
- (4) the term of part of the loan exceeds the authorized term;
- (5) the amount levied annually exceeds the amount authorized for the period prior to the permanent financing of the loan;
- (6) the provisions relating to the payment in one instalment of the portion of the loan principal relating to an immovable were not properly applied;
- (7) tax accounts were not sent or were insufficient;
- (8) a compensation or sum of money was required and levied for immovables totally exempt from municipal or school property taxes under the Act respecting municipal taxation (R.S.Q., chapter F-2.1);
- (9) the work benefits immovables not covered by the by-law.

A compensation or sum of money required or levied or a payment relating to an immovable made under the by-law before 17 December 2004 may not be contested and is deemed to have been required, levied or made under the by-law as amended by this Act.

**2.** Despite section 1 of the by-law, the amount of the expenditure the municipality is authorized to make and of the related loan is \$1,078,482.29. In addition, the term of the loan is

(1) five years for the amount of \$19,082; and

(2) 15 years for the amount of \$213,275.

**3.** Section 2 of the by-law is replaced by the following sections:

“2. In order to defray the annual payment of interest and principal of part of the loan, in the amount of \$19,082, a compensation is required of each owner of an immovable mentioned in Schedule A and will be levied each year for five years on each such immovable.

The amount of the compensation is calculated annually by distributing the cost incurred for the annual payment of interest and principal in proportion to the balances set out in Schedule A for each owner concerned.

“2.1. In order to defray the annual payment of interest and principal of part of the loan, in the amount of \$56,775, a compensation is required of each owner of an immovable mentioned in Schedule B and will be levied each year for 15 years on each such immovable.

The amount of the compensation is calculated annually by distributing the cost incurred for the annual payment of interest and principal in proportion to the balances set out in Schedule B for each owner concerned.

“2.2. In order to defray the annual payment of interest and principal of part of the loan, in the amount of \$156,500,

(1) for 50% of that amount, a compensation on each immovable mentioned in Schedule C is required of the owner of the immovable and will be levied each year for 15 years, in an amount calculated annually by dividing the annual payment for that part of the loan by the number of immovables whose owners are subject to payment of the compensation; and

(2) for 50% of that amount, a special tax at a sufficient rate is levied and will be collected each year for 15 years on all taxable immovables in the sector formed by the former Municipalité de Lac-Édouard, on the basis of their value as it appears on the assessment roll in force.”

**4.** An owner or occupant may be exempted from paying the compensation under section 2 or 2.1 or paragraph 1 of section 2.2 of the by-law by paying, in one instalment, the portion of the principal which, upon maturity of that part of the loan, would have been provided by the compensation required for the immovable. That portion must be calculated on the basis of the distribution set out in Schedule A or Schedule B, as the case may be, as it applies at the time of payment, and the calculation must take into account any compensations paid under those sections before the payment.

The payment must be made 30 days before the date of any financing or refinancing of the part of the loan concerned. The amount of the loan is reduced by an amount equal to any sum paid under this section.

This section does not apply with respect to the immovable located at 276 Principale (registration number 9680-53-4972) or the immovable located at 32 Damasse (registration number 9680-62-7931).

- 5.** The clerk must enter a reference to this Act in the book of by-laws of the town, below the by-law referred to in section 1.
- 6.** This Act does not affect cases pending on 4 March 2004.
- 7.** This Act comes into force on 17 December 2004.

SCHEDULE A

	<i>Registration Number</i>	<i>Location</i>	<i>Principal Balance <sup>1</sup></i>	<i>Interest on Arrears</i>	<i>Balance</i>
1	9680-41-5915	305 Principale	\$1,295.00	\$0.00	\$1,295.00
2	9680-53-4972	276 Principale	\$1,503.00	\$113.00	\$1,616.00
3	9680-54-9607	270 Principale	\$1,295.00	\$0.00	\$1,295.00
4	9680-61-2476	44 Damasse	\$1,503.00	\$113.00	\$1,616.00
5	9680-64-1532	266 Principale	\$1,503.00	\$113.00	\$1,616.00
6	9680-64-9475	10 Saint-Henri	\$1,295.00	\$0.00	\$1,295.00
7	9680-84-9307	215 Principale	\$1,295.00	\$0.00	\$1,295.00
8	9680-93-1089	15 Saint-Pierre	\$1,503.00	\$113.00	\$1,616.00
9	9680-93-2983	5 Saint-Pierre	\$1,295.00	\$0.00	\$1,295.00
10	9680-95-4740	196 Principale	\$1,503.00	\$113.00	\$1,616.00
11	9680-96-4893	158 Principale	\$1,295.00	\$0.00	\$1,295.00
12	9680-96-6020	172 Principale	\$1,503.00	\$113.00	\$1,616.00
13	9680-97-9697	140 Principale	\$1,503.00	\$113.00	\$1,616.00
		<b>Total:</b>	\$18,291.00	\$ 791.00	\$19,082.00

<sup>1</sup> Amount that remains to be paid on the initial amount of \$2,198.

SCHEDULE B

	<i>Registration Number</i>	<i>Location</i>	<i>Principal Balance <sup>1</sup></i>	<i>Interest on Arrears</i>	<i>Balance</i>
1	9680-41-7834	301 Principale	\$1,903.00	\$0.00	\$1,903.00
2	9680-52-3960	286 Principale	\$1,971.00	\$148.00	\$2,119.00
3	9680-53-2122	8 Cloutier	\$2,043.00	\$613.00	\$2,656.00
4	9680-62-7931	32 Damasse	\$2,093.00	\$644.00	\$2,737.00
5	9680-64-4199	11 Saint-Henri	\$2,198.00	\$684.00	\$2,882.00
6	9680-64-7909	265 Principale	\$1,971.00	\$148.00	\$2,119.00
7	9680-65-1433	28 Saint-Henri	\$2,198.00	\$824.00	\$3,022.00
8	9680-65-6236	15 Saint-Henri	\$2,034.00	\$305.00	\$2,339.00
9	9680-65-9709	14 Saint-Henri	\$2,198.00	\$824.00	\$3,022.00
10	9680-71-1173	39 Damasse	\$1,971.00	\$148.00	\$2,119.00
11	9680-71-2989	35 Damasse	\$1,971.00	\$148.00	\$2,119.00
12	9680-72-7433	27 Damasse	\$2,198.00	\$824.00	\$3,022.00
13	9680-72-9263	23 Damasse	\$2,147.00	\$644.00	\$2,791.00
14	9680-83-4233	9 Damasse	\$2,034.00	\$305.00	\$2,339.00
15	9680-83-5862	10 Saint-Pierre	\$1,696.00	\$254.00	\$1,950.00
16	9680-83-8490	223 Principale	\$1,971.00	\$148.00	\$2,119.00
17	9680-84-9593	200 Principale	\$1,903.00	\$0.00	\$1,903.00
18	9680-86-7030	285 Principale	\$1,962.00	\$410.00	\$2,372.00
19	9680-93-2117	8 Saint-Pierre	\$2,198.00	\$762.00	\$2,960.00
20	9680-93-5025	20 Saint-Pierre	\$1,971.00	\$148.00	\$2,119.00
21	9680-95-5773	188 Principale	\$2,198.00	\$824.00	\$3,022.00
22	9680-95-6085	184 Principale	\$2,198.00	\$824.00	\$3,022.00
23	9680-97-9370	144 Principale	\$1,971.00	\$148.00	\$2,119.00
		<b>Total:</b>	\$46,998.00	\$9,777.00	\$56,775.00

<sup>1</sup> Amount that remains to be paid on the initial amount of \$2,198.

SCHEDULE C

	<i>Registration Number</i>	<i>Location</i>		<i>Registration Number</i>	<i>Location</i>
1	9680-41-5915	305 Principale	31	9680-72-9263	23 Damasse
2	9680-53-2122	8 Cloutier	32	9680-83-4233	9 Damasse
3	9680-53-4972	276 Principale	33	9680-83-8490	223 Principale
4	9680-54-9607	270 Principale	34	9680-84-9593	200 Principale
5	9680-61-2476	44 Damasse	35	9680-93-2117	8 Saint-Pierre
6	9680-64-1532	266 Principale	36	9680-93-5025	20 Saint-Pierre
7	9680-64-4199	11 Saint-Henri	37	9680-97-9370	144 Principale
8	9680-64-9475	10 Saint-Henri	38	9679-16-9272	258 Principale
9	9680-83-5862	10 Saint-Pierre	39	9680-52-5218	289 Principale
10	9680-84-9307	215 Principale	40	9680-53-4501	282 Principale
11	9680-86-7030	285 Principale	41	9680-54-6677	16 Edgar
12	9680-93-1089	15 Saint-Pierre	42	9680-54-7895	36 Saint-Henri
13	9680-93-2983	5 Saint-Pierre	43	9680-54-7924	13 Edgar
14	9680-95-4740	196 Principale	44	9680-54-9972	12 Edgar
15	9680-95-5773	188 Principale	45	9680-63-3216	283 Principale
16	9680-95-6085	184 Principale	46	9680-64-3263	5 Saint-Henri
17	9680-96-4893	158 Principale	47	9680-65-3363	24 Saint-Henri
18	9680-96-6020	172 Principale	48	9680-65-5895	20 Saint-Henri
19	9680-97-9697	140 Principale	49	9680-72-1163	28 Damasse
20	9680-41-7834	301 Principale	50	9680-72-4708	31 Damasse
21	9680-52-3960	286 Principale	51	9680-72-5993	22 Damasse
22	9680-62-7931	32 Damasse	52	9680-73-2888	257 Principale
23	9680-64-7909	265 Principale	53	9680-74-9131	254 Principale
24	9680-65-0106	32 Saint-Henri	54	9680-75-0452	16 Saint-Henri
25	9680-65-1433	28 Saint-Henri	55	9680-82-1788	19 Damasse
26	9680-65-6236	15 Saint-Henri	56	9680-83-2714	15 Damasse
27	9680-65-9709	14 Saint-Henri	57	9680-94-1955	201 Principale
28	9680-71-1173	39 Damasse	58	9680-95-5359	192 Principale
29	9680-71-2989	35 Damasse	59	9680-96-6202	180 Principale
30	9680-72-7433	27 Damasse	60	9680-97-4030	154 Principale