



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 215

(Private)

An Act respecting Municipalité de Sainte-Anne-de-Sorel

**Introduced 12 November 2015
Passed in principle 10 June 2016
Passed 10 June 2016
Assented to 10 June 2016**

**Québec Official Publisher
2016**

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(Private)

AN ACT RESPECTING MUNICIPALITÉ DE SAINTE-ANNE-DE-SOREL

AS it is in the interest of Municipalité de Sainte-Anne-de-Sorel that it be granted certain powers, primarily to allow it to consolidate lots situated in an agricultural zone and to be declared the owner of abandoned lots and lots on which property taxes have not been paid for a number of years;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Municipalité de Sainte-Anne-de-Sorel may, to consolidate land, be declared the owner of an immovable on which municipal taxes have not been paid for three consecutive years and which is situated in the part of its territory bounded on the north by Chemin du Chenal-du-Moine, on the northeast by lots 5 608 943, 5 383 665, 5 555 390 and 4 800 571, on the south by the municipal boundary (Rivière Pot au Beurre) and, on the southwest by the municipal boundary, lots 4 799 211 and 4 799 238 and Rue Saint-Martin, all lots mentioned being in the registration division of Richelieu of the cadastre of Québec.

2. The application is made by a motion presented before the Superior Court sitting in the district in which the immovable is situated. The motion may concern immovables belonging to different owners, provided the name of each owner entered on the assessment roll is indicated for his or her immovable.

The motion may be granted only after publication of a notice in a newspaper in the territory of the municipality requesting all persons who may have rights against the immovables to appear in court within 60 days in order to claim compensation equal to the value of their rights, after deduction of an amount sufficient to pay all outstanding municipal and school taxes. The compensation claimed may not exceed the actual value of an immovable on the date of coming into force of this Act before the deduction.

Publication of the notice replaces service. The notice must state that it is given under this Act.

No appeal lies from the judgment rendered on the motion.

3. The judgment declaring ownership is published at the registry office. The real rights, other than public servitudes, encumbering the immovables concerned are extinguished. The municipality draws up a list of the extinguished rights

and submits an application for cancellation in accordance with the rules applicable to the land register.

4. To consolidate land in order to constitute or reconstitute agricultural operations in the sector to be consolidated, the municipality may acquire an immovable by agreement or by expropriation, lease the immovable, or entrust its operation to a non-profit organization, which the municipality helps fund.

5. Acquisition by agreement or expropriation under section 4 and alienation under section 9, if any, do not constitute an alienation within the meaning assigned by section 1 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1).

6. The municipality may create a financial reserve for the purpose of financing the consolidation of land and its reconversion for agricultural purposes, and may, for the purpose of constituting the reserve, impose and levy an annual surtax not exceeding \$100 on land situated in the sector to be consolidated.

7. The following lands must be exempted from the surtax:

(1) land on which there is a building whose property value exceeds 25% of the property value of the land, according to the assessment roll in force;

(2) an immovable exempt from property taxes;

(3) land forming part of an agricultural operation registered in accordance with a regulation under section 36.15 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (chapter M-14);

(4) land that may be used for purposes other than agriculture under an authorization of the Commission de protection du territoire agricole du Québec or that is subject to acquired rights within the meaning of Chapter VII of the Act respecting the preservation of agricultural land and agricultural activities.

The by-law must set out, among other things, the length of time the reserve will exist and the allocation of the amount, if any, by which the reserve's income exceeds its expenditures. If there is no such provision, any excess amount is paid into the general fund.

8. When, under this Act, the municipality becomes the owner of immovables that are sufficient in area or in number to be used for genuine and sustained agricultural purposes, it submits a plan to the Minister of Energy and Natural Resources relating to a cadastral operation entailing replacement in order to consolidate and renumber the lots. This plan must be authorized by the Minister of Agriculture, Fisheries and Food after the opinion of the Commission de protection du territoire agricole du Québec has been obtained.

9. Within two years after the authorization required under section 8, the municipality must offer for sale, at their actual value, the lots concerned by the cadastral amendment so that they can be used for agricultural purposes, and must so advise the Minister of Agriculture, Fisheries and Food and the regional federation of the Union des producteurs agricoles. The Minister may authorize the transfer of the lots at a price that is lower than their actual value and, if necessary, an extension for the selling of the lots.

10. The title obtained by the municipality under this Act to immovables situated in the sector to be consolidated may not be contested.

11. This Act comes into force on 10 June 2016.

