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The Immediate Effects of Bill 79

Bill 79, the *Act to enact the Act respecting contracting by municipal bodies and to amend various provisions mainly for the purpose of reducing the administrative burden of municipal bodies*,¹ received assent on March 25, 2025. This article describes the main legislative developments as of that date.

Municipal Code of Québec²

Ability to split clerk and treasurer roles

Municipalities governed by this code may now appoint a clerk and a treasurer. If they choose to do this, they need to divide the duties and powers of the clerk-treasurer position among them.³

Higher ceiling for “umbrella” loan by-laws

The ceiling for loan by-laws whose objects are described in general terms—also known as “umbrella” loan by-laws—has been raised. It used to be the greater of \$100,000 or 0.25% of the standardized property value. The latter percentage has been raised to 1.5%.⁴

Improvement of energy efficiency

The approval of qualified voters is no longer needed to enter into a contract under which the municipality makes a financial commitment if that contract is intended to improve the energy efficiency of equipment or infrastructure. The financing must be entrusted to the other contracting party or to a third party.⁵

Spending power of an RCM executive committee

The council of a regional county municipality (RCM) may now delegate to the executive committee the awarding of contracts with a value of up to one third of the tendering threshold, rather than just \$25,000.⁶ With the current tendering threshold, this means the executive committee can award contracts of up to \$44,600 ($\$133,800 \div 3$).

Divided co-ownership

There are new rules for divided co-ownerships (condominiums) that are partially owned by municipalities or intermunicipal management boards.⁷ Depending on the fraction owned, the condo board must include a director appointed by the municipality or management board and the municipality or management board must approve the condominium’s budget.

Municipal Powers Act⁸

Where a local municipality operates a hydroelectric power plant, at least 50% of the voting rights attached to the participations must be held by the local municipality.⁹

Act to amend various legislative provisions with respect to housing¹⁰

Municipalities with fewer than 10,000 inhabitants and a vacancy rate of less than 3% may authorize building projects that are at variance with the urban planning by-law. These projects must include the construction of at least three dwellings and consist mostly of dwellings.¹¹

Act respecting municipal territorial organization¹²

As part of the constitution of a municipality (in an unorganized territory), an agreement to apportion the assets and liabilities of the territory of a local municipality may be made:

- For amalgamations that entail detaching the territory of a local municipality from the territory of an RCM¹³
- When the territory of a local municipality is being transferred from one RCM to another¹⁴

Also, in the event of amalgamation or annexation, all by-laws, resolutions, or other acts adopted by the RCM to which the municipality belonged remain in force until they cease to have effect as provided.¹⁵

Act respecting municipal taxation¹⁶

If a resolution is passed to postpone the deposit of the assessment roll or the mailing of the assessment notice and tax bill, municipalities are no longer required to send a certified copy of the resolution to the Minister of Municipal Affairs and Housing.¹⁷

As its name suggests, the new law primarily enacts the *Act respecting contracting by municipal bodies*, most of which will come into force at a date that has yet to be set by the government. It also introduces changes to planning and urban development, most of which will come into force on September 25, 2025. Stay tuned!

¹ SQ 2025, c. 4.

² CQLR, c. C-27.1.

³ Bill 79, s. 61.

⁴ Bill 79, s. 64.

⁵ Bill 79, s. 1 insofar as it enacts section 185 of the *Act respecting contracting by municipal bodies* (ACMB).

⁶ Bill 79, s. 1 insofar as it enacts section 187 of the ACMB.

⁷ Bill 79, s. 1 insofar as it enacts section 192 of the ACMB.

⁸ CQLR, c. C-47.1.

⁹ Bill 79, s. 65.

¹⁰ SQ 2024, c. 2.

¹¹ Bill 79, s. 92.

¹² CQLR, c. O-9.

¹³ Bill 79, s. 77.

¹⁴ Bill 79, s. 82.

¹⁵ Bill 79, s. 78.

¹⁶ CQLR, c. F-2.1.

¹⁷ Bill 79, ss. 72 and 73.