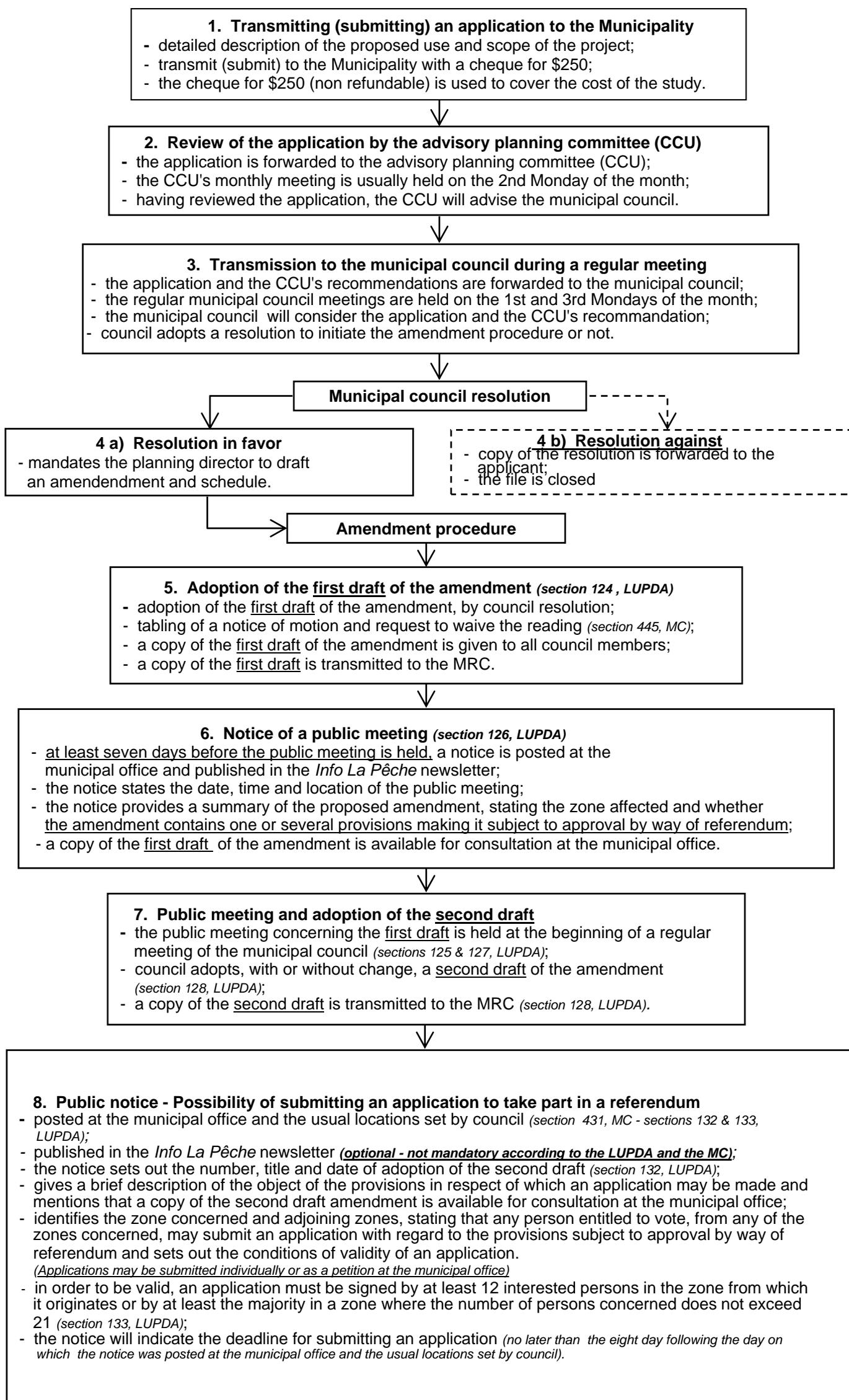


**MUNICIPALITÉ OF PÊCHE - PROCEDURE REGARDING A ZONING BY-LAW AMENDING SUBJECT TO APPROVAL BY WAY OF REFERENDUM**



**MUNICIPALITÉ OF PÊCHE - PROCEDURE REGARDING A ZONING BY-LAW AMENDING SUBJECT TO APPROVAL BY WAY OF REFERENDUM**

**9. Adoption of one or several amendment by-law**

**9 a) Application to take part in a referendum**

- adoption of one or several separate by-laws subject to approval by qualified voters in each zone from which a valid application has been made (sections 136, 136.1 & 137 LUPDA);
- A separate by-law is adopted for each provision of the second draft for which a valid application was received.
- copy of each separate by-law and the resolution adopting it is transmitted to the MRC, which is notified that the by-law requires the approval of the qualified voters (section 137.2, LUPDA).

**9 b) Notice announcing the registration period**  
(section 539, AERM)

- posted at the municipal office and the usual locations set by the council (section 431 MC & section 539, AERM);
- published in the Info La Pêche newsletter (optional - not mandatory according to AERM and the MC);
- sets out the number, title, object and date of passage of the by-law;
- states who is qualified to vote, their right to demand that the by-law be submitted to a referendum poll and the number of applications (signatures) required for that purpose;
- indicates the place where and the days and times when the register will be open for registration;
- states that if the required number of signatures is not reached, the by-law will be deemed approved by the qualified voters.

**9c) Holding a registration** (sections 536 to 557, AERM)

- the register shall be open without interruption from 9 a.m. to 7 p.m. at the municipal office;
- at the end of the registration period, the person in charge of the register draws up a certificate to the effect that the by-law has been deemed approved by the qualified voters or that a referendum poll must be held;
- the certificate is tabled at the next municipal council meeting.
- A referendum poll must be held when the number of signatures reaches 50 % of the qualified voters when there are 25 or fewer or: the number obtained by adding 13 to 10 % of the qualified voters in excess of the first 25 (section 553, AERM)

**9 d) Sufficient number of applications**

- during the council meeting following the registration procedure and the tabling of the certificate, council will adopt a resolution to withdraw the by-law (section 559, AERM)
- or: will adopt a resolution to fix the date of the poll (section)

**10. No applications to take part in a referendum**

- adoption of the by-law as set out in the second draft (section 135, LUPDA);
- OR:**
- adoption of a residual by-law containing solely the provisions of the second draft for which no valid application has been received (section 135, LUPDA);
- such by-law does not require the approval of the qualified voters.

**11. Transmission to the MRC** (section 137.2, LUPDA)

- copy of the by-law is transmitted to the MRC, specifying that it is deemed to have been approved by the qualified voters.

**12. Approval by the MRC** (section 137.3, LUPDA)

- the council of the MRC approves the amendment by-law stating that it is in conformity with the objectives of the development plan and the provisions of the complementary document;
- the secretary-treasurer of the MRC issues a certificate of conformity in respect of the by-law.

**13. Coming into force** (section 137.15, LUPDA)

- the amendment by-law comes into force on the date on which the certificate of conformity is issued;
- a notice thereof is published in the *Info La Pêche* newsletter and posted at the municipal office.

**Insufficient number of applications** (section 554, ERM)

- the by-law is deemed to have been approved by the qualified voters.

AERM: An Act Respecting Elections and Referendums in Municipalities