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# **DIVISION OF MUNICIPAL TERRITORIES INTO ELECTORAL DISTRICTS**

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## **EXTRACTS OF AN ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES**

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LE DIRECTEUR GÉNÉRAL  
DES ÉLECTIONS DU QUÉBEC



## **FOREWORD**

The Act respecting elections and referendums in municipalities (CQLR, chapter E-2.2), approved on June 23, 1987, came into effect on January 1, 1988.

This publication is an administrative codification which groups the provisions of this Act with regard to the division of municipal territories into electoral districts. Where it is intended to interpret or to enforce the Act, the official wording published by the Quebec Official Publisher should be used.

Pierre Reid  
Chief Electoral Officer,  
President of the “Commission de la représentation électorale”.

Updated January 1, 2016



**INFORMATION PERTAINING TO THE  
ACT RESPECTING ELECTIONS AND REFERENDUMS  
IN MUNICIPALITIES**

The Act respecting elections and referendums in municipalities (1987, c. 57) approved June 23, 1987, and effective January 1, 1988, has been modified by the following acts:

1987, c. 100	1995, c. 23	2000, c. 54	2010, c. 32
1988, c. 19	1995, c. 42	2000, c. 56	2010, c. 35
1988, c. 21	1996, c. 2	2001, c. 25	2010, c. 36
1988, c. 64	1996, c. 73	2001, c. 26	2010, c. 42
1989, c. 1	1996, c. 77	2001, c. 68	2011, c. 5
1989, c. 56	1997, c. 8	2002, c. 6	2001, c. 11
1989, c. 54	1997, c. 34	2002, c. 37	2011, c. 21
1990, c. 20	1997, c. 43	2003, c. 19	2011, c. 27
1990, c. 4	1997, c. 93	2005, c. 28	2011, c. 38
1990, c. 85	1998, c. 31	2005, c. 34	2013, c. 3
1990, c. 47	1998, c. 52	2006, c. 22	2013, c. 7
1991, c. 32	1999, c. 15	2007, c. 29	2013, c. 16
1992, c. 21	1999, c. 25	2007, c. 33	2015, c. 6
1992, c. 61	1999, c. 40	2008, c. 18	2015, c. 15
1993, c. 65	1999, c. 43	2009, c. 11	
1994, c. 43	2000, c. 19	2009, c. 26	
1994, c. 23	2000, c. 29	2010, c. 27	



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## Chapter E-2.2

### AN ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

#### TITLE I MUNICIPAL ELECTIONS

##### CHAPTER I SCOPE

- Scope. **1.** This Title applies to all municipalities except regional county municipalities, northern, Cree or Naskapi villages or any municipality whose council, according to the Act establishing or governing the municipality, is not composed of persons elected by its citizens.

1987, c. 57, s. 1; 1996, c. 2, s. 659.

##### CHAPTER II ELECTIONS

- 2.** An election shall be held every four years for all the offices on the council of a municipality.

1987, c. 57, s. 2; 2009, c. 11, s. 2.

- Polling date. **3.** The polling date is the first Sunday in November.

1987, c. 57, s. 3; 2009, c. 11, s. 3.

##### CHAPTER III DIVISION OF TERRITORY FOR ELECTION PURPOSES

###### DIVISION I MUNICIPALITIES REQUIRED TO DIVIDE THEIR TERRITORIES INTO ELECTORAL DISTRICTS

- Electoral districts. **4.** Every municipality having a population of 20 000 or over on 1 January of the calendar year preceding the year in which a general election is to be held must divide its territory into electoral districts.

- Smaller municipalities. The same rule applies to any other municipality that, on 31 December 1987, was required to divide or had divided its territory into electoral districts.

1987, c. 57, s. 4.

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- By-law. **5.** Any municipality that is not required to divide its territory into electoral districts may submit itself to that requirement by by-law of its council passed by a two-third majority of its members, which must, under pain of absolute nullity, come into force during the second calendar year preceding that in which a general election must be held.
- Copy to Minister. As soon as practicable after the coming into force of the by-law, the clerk or the secretary-treasurer shall transmit a certified copy thereof to the Commission de la représentation.  
1987, c. 57, s. 5; 1997, c. 34, s. 1; 1999, c. 40, s. 114.
- Permanent requirement. **6.** A municipality that is required, by operation of law or after voluntarily submitting itself to the requirement, to divide its territory into electoral districts for the purposes of a general election shall be under the same requirement for the purposes of all subsequent general elections.  
1987, c. 57, s. 6.
- Exemption. **7.** Where a municipality having a population of under 20,000 is required to divide its territory into electoral districts, it may exempt itself from that requirement by a by-law of its council passed by a two-thirds majority of its members.
- Cessation of requirement. Subject to a requirement by operation of law or to the municipality voluntarily submitting itself again to the requirement of dividing its territory into electoral districts, the municipality is no longer required to so divide its territory for the purposes of any general election held from the second calendar year following the calendar year in which the by-law referred to in the first paragraph comes into force.
- Copy to Commission. As soon as practicable after the coming into force of the by-law, the clerk or the secretary-treasurer shall transmit a certified copy thereof to the Commission de la représentation.  
1987, c. 57, s. 7; 1997, c. 34, s. 2.
- Districts only. **8.** For election purposes, a municipality shall divide its territory into electoral districts only.  
1987, c. 57, s. 8.

### **DIVISION II**

#### **NUMBER AND CHARACTERISTICS OF ELECTORAL DISTRICTS**

- Number of districts. **9.** The number of electoral districts of a municipality shall be  
(1) not fewer than 6 nor more than 8 if its population is under 20 000;

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(2) not fewer than 8 nor more than 12 if its population is 20 000 or over but under 50 000;

(3) not fewer than 10 nor more than 16 if its population is 50 000 or over but under 100 000;

(4) not fewer than 14 nor more than 24 if its population is 100 000 or over but under 250 000;

(5) not fewer than 18 nor more than 36 if its population is 250 000 or over but under 500 000;

(6) not fewer than 30 nor more than 90 if its population is 500 000 or over.

Population. The population of a municipality is its population on the date of passage, as provided in section 14, of the draft by-law dividing its territory into electoral districts.

1987, c. 57, s. 9.

Special authorization. **10.** The Minister of Municipal Affairs, Regions and Land Occupancy may, upon an application, authorize a municipality to divide its territory into a smaller number of electoral districts than the minimum number or into a greater number than the maximum number.

Copy to Commission. The Minister shall transmit a copy of the authorization to the Commission de la représentation.

1987, c. 57, s. 10; 1997, c. 34, s. 3; 1999, c. 43, s. 13; 2003, c. 19, s. 250; 2005, c. 28, s. 196; 2009, c. 26, s. 109.

Delimitation of districts. **11.** The electoral districts shall be delimited in such a manner as to ensure that each has the greatest possible socioeconomic homogeneity, taking into account criteria such as physical barriers, population trends, parish and borough boundaries, size and distance.

1987, c. 57, s. 11; 2007, c. 33, s. 2.

Number of electors. **12.** Subject to section 12.0.1, each electoral district shall be delimited in such a manner that, according to the document provided for in section 12.1, the number of electors in the district is not more than 15% above or below the quotient obtained by dividing the total number of electors of the municipality by the number of districts. The percentage shall be 25% in the case of a municipality having a population of under 20 000 on the date of passage of the draft by-law dividing its territory into electoral districts.

Approval of Commission. A municipality may make exceptions to the first paragraph; the by-law dividing its territory into electoral districts shall then be submitted to the Commission de la représentation for approval.

1987, c. 57, s. 12; 2001, c. 25, s. 75; 2007, c. 33, s. 3.

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Number of electors, borough councillor elections. **12.0.1.** If an electoral district is to be used only for the purposes of borough councillor elections, it shall be delimited in such a manner that, according to the document provided for in section 12.1, the number of electors in the district is not more than 15% above or below the quotient obtained by dividing the total number of electors of the borough by the number of districts in the borough. The percentage shall be 25% in the case of a borough having a population of under 20,000 on the date of passage of the draft by-law dividing the territory of the municipality into electoral districts.

Exceptions. A municipality may make exceptions to the first paragraph; the by-law dividing its territory into electoral districts is then submitted to the Commission de la représentation for approval.

2007, c. 33, s. 4.

Number of electors. **12.1.** The clerk or the secretary-treasurer shall establish, in a document, the number of electors for the purposes of the division of the territory into electoral districts.

The document shall specify, for each immovable or business establishment in the municipality, the number of electors whose names are on the permanent list of electors according to the data provided by the Chief Electoral Officer not later than 15 January of the year for which the division is required, and the number of electors whose names are on the list of electors of the municipality as owners of the immovable or occupants of the business establishment.

2001, c. 25, s. 76; 2009, c. 11, s. 4.

### **DIVISION III**

#### **PROCEDURE OF DIVISION INTO ELECTORAL DISTRICTS**

Interpretation. **13.** For the purposes of this division, the population of a municipality is its population on the date of passage of the draft by-law dividing its territory into electoral districts, and an elector is a person whose name is entered on the permanent list of electors on the date on which the chief electoral officer receives the request referred to in the second paragraph of section 12.1, and a person whose name is entered on the list of electors of the municipality as the owner of an immovable or the occupant of a business establishment.

1987, c. 57, s. 13; 2001, c. 25, s. 77.

Draft by-law. **14.** The council of a municipality required to divide its territory into electoral districts shall, by resolution, after 1 January of the calendar year preceding that in which the general election for which the division is required must be held, pass a draft by-law effecting the division.

1987, c. 57, s. 14; 1997, c. 34, s. 4.

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- Content. **15.** The draft by-law shall describe the boundaries of the proposed electoral districts according to the standards established by the Commission de la représentation. It shall, wherever possible, use the names of thoroughfares and mention the number of electors included in each district.
- Map. The draft by-law shall also include a map or a sketch of the proposed districts.
- Exemption. The Commission is not governed by the Regulations Act (chapter R-18.1) when establishing standards.
- New procedure. If the draft by-law does not comply with the first or second paragraphs, the municipality must start the procedure for dividing its territory into electoral districts over again, unless it is complying with another measure submitted by the Commission de la représentation.  
1987, c. 57, s. 15; 2007, c. 33, s. 5.
- Publication of notice. **16.** Within 15 days of passage of the draft by-law, the clerk or the secretary-treasurer shall publish, in a newspaper having general circulation in the municipality, a notice setting forth
- (1) the object of the draft by-law;
  - (2) the description of the boundaries of the proposed electoral districts;
  - (3) the number of electors included in each proposed electoral district;
  - (4) the place, days and hours for examining the draft by-law;
  - (5) every elector's right to inform the clerk or the secretary-treasurer in writing of his objection to the draft by-law within 15 days of publication of the notice;
  - (6) the address to which objections must be sent;
  - (7) the number of objections required to oblige the council to hold a public meeting to hear the persons present in respect of the draft by-law.
- Map. In addition to or in lieu of the description required under subparagraph 2 of the first paragraph, the notice may include a map or a sketch of the proposed electoral districts.  
1987, c. 57, s. 16; 1997, c. 34, s. 5.
- Objection. **17.** Within 15 days of publication of the notice, every elector may inform the clerk or the secretary-treasurer in writing of his objection to the draft by-law.  
1987, c. 57, s. 17.

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- Request. **17.1.** On receiving an objection within the time prescribed in section 17, the clerk or the secretary-treasurer shall, to ascertain whether the person making the objection is an elector within the meaning of section 13, request from the chief electoral officer the list of the persons referred to in the second paragraph of section 12.1. For that purpose, section 100 applies, with the necessary modifications.
- Exception. However, the clerk or the secretary-treasurer is not required to make such a request under the first paragraph if the person who has made the objection is a person referred to in the third paragraph of section 12.1.  
2001, c. 25, s. 78.
- Public meeting. **18.** The council shall hold a public meeting to hear the persons present in respect of the draft by-law if the number of objections received within the prescribed time is equal to or exceeds
- (1) 100 in the case of municipalities having a population of under 20 000;
  - (2) five times the total number of full blocks of 1 000 inhabitants in the case of municipalities having a population of 20 000 or over but under 100 000;
  - (3) 500 in the case of municipalities having a population of 100 000 or over.
- 1987, c. 57, s. 18.
- Notice of meeting. **19.** Not later than ten days before the public meeting, the clerk or the secretary-treasurer shall publish, in a newspaper having general circulation in the municipality, a notice indicating the place, day, time and purpose of the meeting, and transmit a copy thereof, along with a certified copy of the draft by-law, to the Commission de la représentation.  
1987, c. 57, s. 19; 1997, c. 34, s. 6.
- Council sitting. **20.** The public meeting does not constitute a sitting of the council.
- Attendance. A majority of the members of the council and the clerk or the secretary-treasurer shall attend the meeting.
- Conduct of meeting. The meeting shall be presided over by the mayor or, where he is unable to act or where the office of mayor is vacant, by one of the council members present designated by them. The designated member may maintain order in the same manner as the chairman of a sitting of the council and has the same powers.
- Representations. The persons present may make representations verbally or table documents. The documents shall be treated as if they had been tabled at a sitting of the council.

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- Minutes. The clerk or the secretary-treasurer shall draw up the minutes of the meeting.  
1987, c. 57, s. 20.
- Passage of by-law. **21.** The council of the municipality shall pass a by-law dividing its territory into electoral districts after the expiry of the time in which electors may make objections to the draft by-law or after the day of the public meeting, as the case may be, but before 1 June of the calendar year preceding that in which the general election for which the division is required is to be held.
- Copy to Commission. As soon as practicable after passage of the by-law, the clerk or the secretary-treasurer shall transmit a certified copy thereof to the Commission de la représentation.
- Errors. On a written recommendation of the Commission de la représentation to the municipality, and if the number of electors is not affected, the council of the municipality may amend a provision of the by-law referred to in the first paragraph in order to correct a clerical error or an error in concordance between the description and the accompanying map or sketch, or to comply with the standards referred to in section 15. The amendment forms an integral part of the by-law, as if it had been adopted with it. The clerk or the secretary-treasurer shall transmit a certified copy of the amended by-law to the Commission without delay.  
1987, c. 57, s. 21; 2007, c. 33, s. 6.
- Publication of notice. **22.** Where the council is obliged to hold a public meeting in respect of the draft by-law, the clerk or the secretary-treasurer, within 15 days after passage of the by-law, shall publish, in a newspaper having general circulation in the municipality, a notice setting forth
- (1) the object of the by-law;
  - (2) the description of the boundaries of the proposed electoral districts;
  - (3) the number of electors included in each proposed electoral district;
  - (4) the place, days and hours for examining the by-law;
  - (5) every elector's right to inform the Commission de la représentation in writing of his objection to the by-law within 15 days of publication of the notice;
  - (6) the address to which objections must be sent;
  - (7) the number of objections required to oblige the Commission to hold a public meeting to hear the persons present regarding the by-law.

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- Map. In addition to or in lieu of the description required under subparagraph 2 of the first paragraph, the notice may include a map or a sketch of the proposed electoral districts.
- Copy to Commission. Within five days of publication of the notice, the clerk or the secretary-treasurer shall transmit a certified copy thereof to the Commission, with an attestation of its date of publication.  
1987, c. 57, s. 22; 1997, c. 34, s. 7.
- Objection. **23.** Within 15 days of publication of the notice, every elector may inform the Commission in writing of his objection to the by-law.  
1987, c. 57, s. 23.
- Transmission to municipality. **24.** The Commission shall inform the municipality in writing of any objection received within the prescribed time.  
1987, c. 57, s. 24.
- Public meeting. **25.** The Commission shall hold a public meeting to hear the persons present in respect of the by-law, if the number of objections received within the prescribed time is equal to or exceeds the number needed under section 18 to require the holding of a public meeting of the council in respect of the draft by-law.  
1987, c. 57, s. 25.
- Notice of meeting. **26.** Not later than ten days before the public meeting, the Commission shall publish, in a newspaper having general circulation in the municipality, a notice indicating the place, day, time and purpose of the meeting and transmit a copy thereof to the municipality.  
1987, c. 57, s. 26.
- Right to be heard. **27.** The municipality is entitled to be heard at the public meeting held by the Commission.
- Representations. The persons present may make representations verbally or table documents.  
1987, c. 57, s. 27.
- 30.** Sous réserve de l'article 34, le règlement divisant le territoire de la municipalité en districts électoraux entre en vigueur le 31 octobre de l'année civile qui précède celle où doit avoir lieu l'élection générale pour laquelle la division doit être effectuée.  
1987, c. 57, a. 30; 1997, c. 34, a. 10; 2011, c. 11, a. 10.



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- Division en districts électoraux. **31.** La Commission effectue la division en districts électoraux du territoire de la municipalité dont le conseil n'a pas adopté le règlement en ce sens dans le délai fixé par l'article 21. Toutefois, même après l'expiration de ce délai, le conseil peut adopter le règlement tant que la Commission n'a pas effectué la division.
- Division par la Commission. La Commission effectue également la division lorsque, à la suite de l'assemblée publique tenue par elle sur le règlement adopté par le conseil, elle juge que la division prévue par le règlement ne doit pas être appliquée.
- Audition. Avant de prendre une décision en vertu du présent article, la Commission peut tenir une assemblée publique aux fins d'entendre les personnes présentes sur la division en districts qu'elle propose ou sur le règlement de la municipalité, selon le cas.  
1987, c. 57, a. 31; 1997, c. 34, a. 11; 2011, c. 11, a. 11.
- Décision. **32.** La Commission transmet à la municipalité une copie certifiée conforme de la décision par laquelle elle effectue la division en districts électoraux ou maintient la division prévue par le règlement de la municipalité.  
1987, c. 57, a. 32; 2011, c. 11, a. 12.
- Publication dans un journal. **33.** La Commission publie un avis de sa décision dans un journal diffusé sur le territoire de la municipalité.
- Contenu. Cet avis contient:
- 1° la mention de l'objet de la décision par laquelle la Commission effectue la division en districts électoraux ou de l'objet du règlement de la municipalité, selon le cas;
  - 2° (*paragraphe abrogé*);
  - 3° la mention de la date de l'adoption de la décision ou du règlement, selon le cas;
  - 4° la mention du lieu, des jours et des heures où toute personne peut prendre connaissance de la décision ou du règlement, selon le cas.
- Carte des districts électoraux. Dans le cas où la Commission effectue la division en districts électoraux, l'avis doit également contenir la description des limites des districts électoraux. En plus ou au lieu de cette description, l'avis peut contenir une carte ou un croquis des districts électoraux.  
1987, c. 57, a. 33; 1997, c. 34, a. 12; 2011, c. 11, a. 13.
- Entrée en vigueur. **34.** La division en districts électoraux effectuée par la Commission entre en vigueur le jour de la publication de l'avis. Il en est de même lorsque la décision de la Commission de maintenir la division prévue par le règlement de la municipalité est prise après la date prévue à l'article 30.  
1987, c. 57, a. 34; 2011, c. 11, a. 14.

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- Costs. **35.** The costs relating to a division into electoral districts effected by the Commission shall be borne by the municipality.  
1987, c. 57, s. 35.
- Applicability. **36.** The division into electoral districts applies for the purposes of the first general election following the coming into force of the by-law of the municipality or of the decision of the Commission, as the case may be. It also applies for the purposes of any subsequent by-election held before the second general election following the coming into force of the by-law or decision.  
1987, c. 57, s. 36.
- Description to chief electoral officer. **36.1.** As soon as possible after the coming into force of the by-law of the municipality or the decision of the Commission dividing the territory of the municipality into electoral districts, the clerk or secretary-treasurer shall transmit the description of the electoral districts to the chief electoral officer according to the parameters he determines.  
1995, c. 23, s. 57.
- No recourse. **37.** Except on a question of jurisdiction, no extraordinary recourse provided in articles 834 to 850 of the Code of Civil Procedure (chapter C-25) may be taken nor any injunction granted against the Commission or any of its members or employees acting in the performance of their duties.
- Annulment. A judge of the Court of Appeal may, on motion, summarily annul any writ, order or injunction issued contrary to the first paragraph.  
1987, c. 57, s. 37.
- Process to documents. **38.** The Commission or any of its members or employees may, in the performance of their duties, examine any document held by a municipality and obtain copy of it free of charge.  
1987, c. 57, s. 38.
- Duties of chairman. **39.** The chairman of the Commission shall coordinate and distribute the work of the members of the Commission.
- Delegation of powers. Any member of the Commission designated by the chairman for that purpose may exercise any power or perform any duty indicated by the chairman.  
1987, c. 57, s. 39.
- Delegation of powers. **40.** The Commission may, in respect of a municipality having a population of under 20 000, delegate the exercise of any power or the performance of any duty it indicates to any person it designates for that purpose.

Publication. The instrument of delegation shall be published in the *Gazette officielle du Québec*.

1987, c. 57, s. 40.

### **DIVISION III.1**

#### **MAINTAINING OF THE DIVISION INTO ELECTORAL DISTRICTS**

Division maintained. **40.1.** If the division of the territory of a municipality into electoral districts complies with sections 9 and 11 and the first paragraph of section 12 or the first paragraph of section 12.0.1, the municipality may maintain the existing division into electoral districts for the purposes of the general election following that for which the division into electoral districts was made or was maintained under this division. The municipality must first apply to the Commission for confirmation that it meets the requisite conditions for maintaining the division.

2007, c. 33, s. 7.

Date de la demande. **40.2.** La demande à la Commission de reconduire la même division en districts électoraux doit être effectuée avant le 15 mars de l'année civile qui précède celle où doit avoir lieu l'élection générale et être accompagnée du document prévu à l'article 12.1. Ce document indique également le nombre d'électeurs de chacun des districts électoraux en vigueur.

Décision. La Commission transmet à la municipalité une copie certifiée conforme de la décision qui confirme ou non que la municipalité remplit les conditions pour reconduire la même division ou qui l'avise qu'elle devra suivre la procédure de division en districts électoraux prévue à la section III.

2007, c. 33, a. 7; 2011, c. 11, a. 15.

Notice. **40.3.** If the municipality meets the conditions for maintaining the existing division of its territory into electoral districts, within 15 days after transmission of the decision, the clerk or the secretary-treasurer shall publish, in a newspaper having general circulation in the municipality, a notice setting forth

- (1) the object of the Commission's decision;
- (2) the description of the boundaries of the electoral districts;
- (3) the number of electors in each electoral district;
- (4) every elector's right to inform the clerk or the secretary-treasurer in writing, within 15 days of publication of the notice, of the elector's objection to the maintaining of the division into electoral districts;
- (5) the address to which objections must be sent; and
- (6) the number of objections required to oblige the municipality to follow the procedure for dividing its territory into electoral districts.

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- Map of sketch. In addition to or in lieu of the description required under subparagraph 2 of the first paragraph, the notice may include a map or a sketch of the electoral districts.
- Copy to Commission. Within five days of publication of the notice, the clerk or the secretary-treasurer shall transmit a certified copy of it to the Commission, with an attestation of the date of publication.  
2007, c. 33, s. 7.
- Objection. **40.4.** Within 15 days of publication of the notice, an elector may inform the clerk or the secretary-treasurer in writing of the elector's objection to the maintaining of the division into electoral districts. Section 17.1 applies in such case.  
2007, c. 33, s. 7.
- Number of objections sufficient. **40.5.** The municipality is required to follow the procedure set out in Division III for dividing its territory into electoral districts if the number of objections received within the prescribed time is equal to or exceeds the number required under section 18 for the council to hold a public meeting on the draft by-law. The clerk or the secretary-treasurer shall inform the Commission of the situation.  
2007, c. 33, s. 7.
- Effective date. **40.6.** If the number of objections received is insufficient, the division into electoral districts is maintained as of the day after the expiry of the time in which electors may make objections to its being maintained.  
2007, c. 33, s. 7.
- First general election. **40.7.** The division into electoral districts maintained under this division applies for the purposes of the first general election following the date as of which it is maintained under section 40.6. It also applies for the purposes of any subsequent by-election held before the second general election following the maintaining of that division.  
2007, c. 33, s. 7.
- Provisions applicable. **40.8.** Sections 36.1 to 40 apply to this division with the necessary modifications.  
2007, c. 33, s. 7.

### **DIVISION IV**

#### **MUNICIPALITIES WHOSE TERRITORY IS DIVIDED INTO WARDS**

- Municipal wards. **41.** A municipality that is not required to divide its territory into electoral districts may maintain the division into wards existing on 31 December 1987.
- Cessation of division. The council of such a municipality may, by by-law, order that the territory of the municipality cease to be divided for election purposes, on the terms and conditions it determines.

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Certified copy of by-law. The clerk or the secretary-treasurer shall transmit a certified copy of the by-law to the chief electoral officer as soon as possible after its coming into force.

1987, c. 57, s. 41; 1990, c. 47, s. 21; 1997, c. 34, s. 13.

### DIVISION V

#### EFFECTS OF ALTERATION OF TERRITORIAL BOUNDARIES OF MUNICIPALITY ON DIVISION THEREOF FOR ELECTION PURPOSES

Alteration of boundaries. **41.1.** The Minister of Municipal Affairs, Regions and Land Occupancy may, by order, allow a municipality whose territorial boundaries have been altered to maintain division into wards. The order shall contain the new description of the boundaries of the ward affected by the alteration of the territorial boundaries of the municipality and shall specify the period during which division into wards is to be maintained, where that is the case.

Delimitation of electoral district. Where the territorial boundaries are altered in a municipality which is divided into electoral districts or in a municipality whose council has passed a draft by-law pursuant to section 14, the Minister may, by order, temporarily delimit the electoral district affected by the alteration of the boundaries of the municipality. The order shall contain the new description of the boundaries of the district and specify the period for which it is valid and, where that is the case, prescribe a reduction in the number of electoral districts fixed by by-law; as a result of such a reduction, the number of electoral districts may fall below the minimum number set out in section 9.

Addition of territory. The addition of territory by annexation does not constitute an alteration of territorial boundaries for the purposes of the first and second paragraphs.

1990, c. 47, s. 22; 1999, c. 43, s. 13; 2003, c. 19, s. 250; 2005, c. 28, s. 196; 2009, c. 26, s. 109.

Coming into force of the order. **41.2.** The order comes into force on its date of publication in the *Gazette officielle du Québec* or on any later date indicated in the order.

1990, c. 47, s. 22.

Public notice. **41.3.** As soon as possible after the publication of the order, the clerk or the secretary-treasurer shall give public notice of the publication in the municipality.

1990, c. 47, s. 22.

### CHAPTER IV

#### COMPOSITION OF THE COUNCIL

Composition of council. **42.** The council of a municipality whose territory is divided into electoral districts shall be composed of the mayor and one councillor for each electoral district.

1987, c. 57, s. 42.

## ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

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- Composition of council. **43.** The council of a municipality whose territory is divided into wards shall be composed of the mayor and the number of councillors prescribed for each ward by the Act, letters patent, by-law or other juridical instrument governing the municipality in that respect.  
1987, c. 57, s. 43.
- Composition of council. **44.** The council of a municipality whose territory is not divided for election purposes shall be composed of the mayor and six councillors.  
1987, c. 57, s. 44.
- Application for exception. **45.** On the application of a municipality whose territory is not divided for election purposes, the Minister of Municipal Affairs, Regions and Land Occupancy may fix, on the terms and conditions he determines, a number of councillors under or over six.
- Ministerial order. In similar manner, the Minister may order the number of councillors of the municipality again fixed at six.
- Notice of decision. The Minister shall publish a notice of his decision in the *Gazette officielle du Québec*.  
1987, c. 57, s. 45; 1999, c. 43, s. 13; 2003, c. 19, s. 250; 2005, c. 28, s. 196; 2009, c. 26, s. 109.
- Numbering of seats. **46.** The council of a municipality whose territory is not divided for election purposes shall assign a number to the seat of each councillor.
- Numbering of seats. The council of a municipality whose territory is divided into wards shall assign a number to the seat of each councillor in each ward for which there is more than one councillor.
- Temporary numbering. Until the council numbers the seats, each seat shall be numbered according to the alphabetical order of the names of the councillors in office on 31 December 1987 and of the last persons who held the seats that are vacant on that date.  
1987, c. 57, s. 46.



**DGE-1002 VA (16-01)**