



BY-LAW 623-2021
Regarding the Municipality's bilingual character

Explanatory note

This by-law reiterates the Municipality's fundamental bilingual character.

It recognizes the Municipality's essential and historical value of coexisting harmoniously amongst anglophones and francophones.

It requires that the by-laws, resolutions and minutes be adopted in French and English.

It establishes everyone's right to obtain services in French and English from the municipal administration and its obligation to provide such services.

It adopts the English version of various municipal by-laws presently in effect and prior to the adoption of the present by-law.

CONSIDERING Article 16 of the 1855 Municipalities and roads Act, law which created the Municipality from the southern section of the Morin township regarding the adoption and publication of by-laws in French and English;

CONSIDERING Articles 4(1, paragraph 1) and 5 of the Municipal Powers Act (RLRQ, ch. C-47.1) regarding culture and general rule enactment;

CONSIDERING THAT the harmonious coexistence of francophone and anglophone communities is one of the Municipality's fundamental characteristics;

WHEREAS THAT the Act respecting municipal territorial organization (RLRQ, ch. O-9) and the Municipal Code (RLRQ, ch. C-27.1) have replaced the Act dated 1855 without having replaced its Article 16 but without restricting the powers of Council in this matter;

CONSIDERING Article 133 de la Constitution du Canada;

WHEREAS THAT in 1977, the Charter of the French Language (RLRQ, ch. C-11), as per Article 29.1, granted bilingual status to the Municipality;

WHEREAS THAT Council would like to preserve the Municipality's fundamental bilingual character and provide legal regulatory basis on which the Administration's actions must be based;

WHEREAS a notice of motion was given by Councillor Peter MacLaurin at the regular meeting of July 14th, 2021;

WHEREAS THAT the draft by-law was presented at the regular meeting of July 14th, 2021;

WHEREAS the summary presentation of the draft by-law by the Director general;

CONSEQUENTLY, the municipal council decrees the following:

CHAPTER 1: INTRODUCTORY PROVISIONS

1. **Preamble** - The preamble forms an integral part of the by-law.

2. **Goal** - The goal of the present by-law is to reiterate the Municipality's fundamental bilingual character.

3. **Objectives** – The present by-law aims at establishing a regulatory basis for certain current and established practices regarding the bilingual character, such as the adoption and translation in English and French of the official documents, including by-laws.

It also aims at guaranteeing the providing of municipal services in French and English to anyone dealing with the municipal administration.

Also, this by-law recognizes the Municipality's fundamental bilingual character, each of its actions must be interpreted in such a way as to ensure its respect.

CHAPTER 2 : MUNICIPAL COUNCIL ACTIONS

4. **Interpretation of by-laws and resolutions** – Each of the Municipality's by-laws and resolutions in effect must be interpreted in consideration of the Municipality's bilingual character and the harmonious coexistence of its anglophone and francophone communities.

5. **Adoption of by-laws**– Each of the council's by-laws must be adopted in French and English.

6. **Adoption of minutes** – Each of the minutes must be adopted in French and English.

7. **Legal status of the French and English versions** – The French and English versions of by-laws and resolutions have the same legal status.

8. **Discrepancy**– In the case of discrepancy between the French and English versions of the by-laws and resolutions, the French version prevails.

9. **Adoption of resolutions**– Every resolution adopted in French is reputed having been adopted in English even if it is not specified in each resolution's text.

10. **Swearing-in** – The swearing-in stipulated in Article 313 of the Act respecting elections and referendums in municipalities (RLRQ, ch. E-2.2) must be done in French and English.

CHAPTER 3 : MUNICIPAL SERVICES PROVISIONS

11. **Bilingual services** – Each person may require that the Municipality receive a service in French or English, as per the preference of the person requiring the service.

12. **Bilingual services provision** – The Municipality must guarantee that these services are provided to anyone requiring such a service, in French and English.

CHAPTER 4 : FINAL PROVISIONS

13. **Adoption of English versions previous to the present by-law** – The English version of the following by-laws is adopted pursuant to the notice of motion stipulated by Law and duly presented to council:

- By-law (153-1992) regarding the agreement with the Sainte-Adèle municipal court ;
- By-law (332-2002) regarding peddling ;
- By-law (339-2002) regarding pesticides ;
- By-law (370-2003) regarding truck and utility vehicle traffic ;

- By-law (461-2009) regarding the connections of water entrances ;
- By-law (379-2004) regarding the establishment of the fire department
- By-law (380-2004) regarding the establishment of the first responders department
- By-law (458-2008) regarding the constitution of local reserved funds for the repairs and maintenance of certain roads
- By-law (463-2009) regarding the planning advisory committee
- By-law (495-2012) regarding the use of drinking water
- By-law (496-2012) regarding the code of conduct and ethics for municipal employees
- By-law (504-2013) which stipulates the payment of an indemnity in the case of prejudice occurring while exercising duties
- By-law (509-2013) which establishes cleanliness norms applicable to buildings throughout the municipality of Morin-Heights territory
- By-law (531-2015) regarding fire prevention
- By-law (532-2015) which governs the occupation of municipal buildings
- By-law (550-2017) regarding the code of conduct and ethics for elected municipal representatives
- By-law (553-2018) regarding property transfers
- By-law (560-2018) regarding municipal representative's remuneration
- By-law (564-2018) regarding the rules of operation of council meetings
- By-law (567-2018) regarding the environment advisory committee
- By-law (569-2019) regarding snow removal
- By-law (571-2019) regarding contractual management
- By-law (577-2019) regarding financial administration
- By-law (579-2019) regarding the AccèsLogis Québec additional financial assistance program
- By-law (583-2019) regarding nuisances
- By-law (586-2019) regarding the operating fund.

14. ***Entering into effect*** – The present by-law enters into effect on the day of its publication.

Timothy Watchorn
Mayor

Michel Grenier
Director, Finance and Administration