

Examples of cases falling
under central jurisdiction (City)

Right of Initiative in public consultations

Examples of cases falling under <u>central</u> jurisdiction	
Request for a public consultation:	Application of the Right of Initiative
<ul style="list-style-type: none"> For an indoor soccer arena in Montréal 	<p><u>Eligible request:</u></p> <ul style="list-style-type: none"> On the desirability of such a project. <p>This is a case where young people could make a difference.</p>
<ul style="list-style-type: none"> For better noise management in Montréal 	<p><u>Eligible request:</u></p> <ul style="list-style-type: none"> On the desirability of such a project, possible courses of action, modification of certain behaviours, better control, or revision of by-laws. <p>Note: A matter which, by its nature and in the opinion of the executive committee, has an impact on the entire territory of the City of Montréal may be eligible within the parameters of the Right of Initiative [<i>Right of Initiative in public consultations: article 1</i>].</p>
<ul style="list-style-type: none"> For the fluoridation of Montréal drinking water 	<p><u>Eligible request:</u></p> <ul style="list-style-type: none"> On the desirability of such a project for the citizens of the city of Montréal. <p>Note: For a matter under agglomeration jurisdiction [<i>Right of Initiative in public consultations: article 1</i>], Montréal may at any time consult its population to defend their interests before the Agglomeration Council.</p>
<ul style="list-style-type: none"> For the construction of social housing 	<p><u>Eligible request:</u></p> <ul style="list-style-type: none"> On the desirability of such a project. <p>Note: The Right of Initiative may be exercised in a matter over which jurisdiction is shared between one of the decision-making bodies of the City and another level of government [<i>Right of Initiative in public consultations: article 1</i>].</p>

Examples of cases falling under <u>central</u> jurisdiction	
Request for a public consultation:	Application of the Right of Initiative
<ul style="list-style-type: none"> To transfer borough powers to the central City 	<p><u>Ineligible request:</u></p> <ul style="list-style-type: none"> On a subject concerning the sharing of powers, as provided for in the <i>Charter of Ville de Montréal</i> [<i>Right of Initiative in public consultations: article 3, first paragraph</i>].
<ul style="list-style-type: none"> On the location of the future MUHC 	<p><u>Ineligible request:</u></p> <ul style="list-style-type: none"> The <i>Charter of Ville de Montréal</i> (article 89) provides for a public consultation by the <i>Office de consultation publique de Montréal (OCPM)</i> for this type of project [<i>Right of Initiative in public consultations: article 3, seventh paragraph</i>]. <p>Note: Other urban planning matters excluded from the Right of Initiative owing to an existing consultation under the <i>Act respecting land use planning and development</i>: special planning program, amendments to by-laws or the Master Plan [<i>Right of Initiative in public consultations: article 3, seventh paragraph</i>].</p>
<ul style="list-style-type: none"> On Taser use 	<p><u>Ineligible request:</u></p> <ul style="list-style-type: none"> On a matter which, under the <i>Charter of Ville de Montréal</i>, may be referred to the <i>Commission de la sécurité publique</i> [<i>Right of Initiative in public consultations: article 3, fourth paragraph</i>].

Examples of cases falling under
borough jurisdiction

Right of Initiative in public consultations

Examples of cases falling under <u>borough</u> jurisdiction	
Request for a public consultation:	Application of the Right of Initiative
<ul style="list-style-type: none"> • For the development of soccer fields in borough parks • For the construction of a recreation centre • For the transformation of a commercial street into a pedestrian mall 	<p><u>Eligible request:</u></p> <ul style="list-style-type: none"> • On the desirability of such projects for the borough. <p>Note: Such projects include a budgetary aspect, but are not <u>mainly</u> budgetary matters to which the Right of Initiative does not apply, such as a budget, local tax, or loan by-law required for their completion. [<i>Right of Initiative in public consultations: article 3, third paragraph</i>].</p> <p><u>Ineligible requests:</u></p> <ul style="list-style-type: none"> • A matter that was subject to a public consultation process initiated by the borough council within the three years preceding the request [<i>Right of Initiative in public consultation: article 3, eighth paragraph</i>]. • A matter covered by a call for tenders, pending or completed, or for which a contract has already been awarded [<i>Right of Initiative in public consultation: article 3, tenth paragraph</i>].
<ul style="list-style-type: none"> • For a cleanliness (or snow removal) program 	<p><u>Eligible request:</u></p> <ul style="list-style-type: none"> • On the desirability of a program determining the desired level of service. <p><u>Ineligible requests:</u></p> <ul style="list-style-type: none"> • On the management of resources and contracts required to achieve the desired level of service: organizational matter to which the Right of Initiative does not apply [<i>Right of Initiative in public consultations: article 3, second paragraph</i>]. • A matter that was already submitted for public consultation within the previous three years [<i>Right of Initiative in public consultations: article 3, eighth paragraph</i>].

Examples of cases falling under <u>borough</u> jurisdiction	
Request for a public consultation:	Application of the Right of Initiative
<ul style="list-style-type: none"> On parking regulations in the borough 	<p><u>Eligible request:</u></p> <ul style="list-style-type: none"> On the desirability of such regulations, including night parking and the installation of parking meters. <p><u>Ineligible request:</u></p> <ul style="list-style-type: none"> On the hourly fees and hours of operation of parking meters. <p>Note: The Right of Initiative does not apply to <u>mainly</u> budgetary matters, such as a budget, fees or taxes [<i>Right of Initiative in public consultations: article 3, third paragraph</i>].</p>
<ul style="list-style-type: none"> To establish priorities for capital projects 	<p><u>Eligible request:</u></p> <ul style="list-style-type: none"> On the desirability of having an annual participatory budget allowing citizens the opportunity to publicly discuss capital projects. <p><u>Ineligible request:</u></p> <ul style="list-style-type: none"> To directly establish through the consultation the priorities for capital projects: this is a <u>mainly</u> budgetary matter [<i>Right of Initiative in public consultations: article 3, third paragraph</i>].

Examples of cases falling under <u>borough</u> jurisdiction	
Request for a public consultation:	Application of the right of initiative
<ul style="list-style-type: none"> • On the impacts of an annual festival 	<p><u>Eligible request:</u></p> <ul style="list-style-type: none"> • On the desirability of holding the festival, or on the choice of location for the event and its impacts. <p><u>Ineligible request:</u></p> <ul style="list-style-type: none"> • A complaint about the noise or other nuisances related to the festival: the ombudsman is the recourse available for citizens' complaints [<i>Right of Initiative in public consultations: article 3, eleventh paragraph</i>].
<ul style="list-style-type: none"> • On a zoning change for the establishment of a place of worship on a residential street 	<p><u>Ineligible request:</u></p> <ul style="list-style-type: none"> • The <i>Act respecting land use planning and development</i> already provides for a consultation for projects requiring amendments to by-laws or the Master Plan [<i>Right of Initiative in public consultations: article 3. seventh paragraph</i>].