

**BY-LAW CA-10**  
**By-law on the alienation of objects**  
**found in an immovable or in a vehicle**  
**of the Société de transport de Laval**

WHEREAS the Société de transport de Laval (hereinafter called the STL) wants to adopt a by-law on the alienation of objects found in one of its immovables or vehicles;

WHEREAS the Corporate Secretary has prepared a draft by-law to this effect;

WHEREAS this draft by-law has been sent to the Board members, as required by the law;

THEREFORE, on a motion duly proposed by Luc Guay and seconded by Sylvie Clermont, it has been unanimously resolved that it be decreed and ordered, by means of a by-law of the STL's Board and so it is, by this By-law bearing no. CA-10, decreed and ordered as follows:

## By-law CA-10

### SECTION I – DEFINITIONS

1. In this By-law, unless otherwise indicated by the context, the following terms will be construed as follows:
  - a) "**object**": any material possession of a movable nature, including any bank notes, coins or securities, whether negotiable or not, without any known owner, and which in all likelihood has (or have) been lost;
  - b) "**STL**": the Société de transport de Laval;
  - c) "**Board of Directors**": the Board of Directors of the Société de transport de Laval.

## **SECTION II – SCOPE**

2. This by-law establishes the standards on alienating objects found in an immovable or vehicle of the Société de transport de Laval.

## **SECTION III - RIGHT TO ALIENATE**

3. Upon resolution of the Board of Directors, the STL has the right to alienate, for its exclusive advantage and profit, in accordance with the methods provided for in this By-law, any object found in its immovables or vehicles, subject to the following conditions:
  - a) if the object has been in its possession for at least fifteen (15) days; and
  - b) if such object has not been claimed by its owner or rightful claimant within this same period of time.

## **SECTION IV – METHODS OF ALIENATION**

4. The aforementioned resolution of the STL's Board of Directors provides for the alienation of such object in accordance with one of the methods hereinafter described and deemed the most expedient, pursuant to all the provisions of current legislation, and namely:
  - a) if such object is not salvageable, that it be disposed of in a refuse container, all in accordance with the other conditions determined in the resolution of the STL's Board of Directors;
  - b) if such object is one that may be useful to the STL in carrying out its transportation mandate, that it be placed in its inventory or, if the object consists of coins or other negotiable instruments, that it (or they) be handed over to the Treasurer of the STL, in all cases, to be used for the general or special purposes stated in the resolution of the Board of Directors;
  - c) that such object be disposed of, free of charge, for the benefit of any non-profit charitable organization or philanthropic society, all in accordance with the other conditions determined in the resolution of the STL's Board of Directors;

- d) that such object be disposed of by mutual agreement, for a fee or a charge, to a third-party in good faith, all in accordance with the other conditions determined in the resolution of the STL's Board of Directors;
- e) that such object be sold to the highest-bidding third party, following a written invitation for bids sent to at least two potential buyers, all in accordance with the other conditions determined in the resolution of the STL's Board of Directors;
- f) that such object be sold to the highest-bidding third party, by way of a public call for tenders, following the publication of a notice giving a brief description of the object thus offered for sale, in a newspaper distributed in the area of the STL's jurisdiction, all in accordance with the other conditions determined in the resolution of the STL's Board of Directors;
- g) that such object be sold to the highest-bidding third party, by way of a public auction, following the publication of a notice to that effect, at least ten (10) days before such auction is scheduled to take place, in a newspaper distributed in the area of the STL's jurisdiction, all in accordance with the other conditions determined in the resolution of the STL's Board of Directors.

The disposal of more than one object, in accordance with one of the above-described methods, may be carried out in lots.

## **SECTION V – USE OF THE PROCEEDS OF ALIENATION**

- 5. The proceeds from any alienation effected in accordance with one of the methods provided for under paragraphs d), e), f) and g) of Article 4 of the present By-law will be given to the Treasurer of the STL, to be used for the general or special purposes stated in the resolution adopted under the present By-law.

## **SECTION VI – NON-LIABILITY**

- 6. The STL will be held harmless from any and all liability with regard to the owners of the objects found in its immovables or vehicles.

## **SECTION VII – EFFECTIVE DATE**

7. The present By-law will come into force on the fifteenth day following its publication in a newspaper distributed in the area of the STL's jurisdiction.