



CHAPTER 83

An Act to amend the charter of the city of Trois-Rivières

[Assented to, the 14th of June, 1940]

WHEREAS the city of Trois-Rivières has represent- Preamble.
ed by its petition, that it is in the interest of the ratepayers and of the good administration of its affairs, that its charter, the act 5 George V, chapter 90, as amended by the acts 6 George V, chapter 45; 7 George V, chapter 63; 8 George V, chapter 85; 9 George V, chapter 93; 10 George V, chapter 88; 11 George V, chapter 113; 18 George V, chapter 99; 19 George V, chapter 98; 21 George V, chapter 128; 22 George V, chapter 108; 23 George V, chapter 126; 25-26 George V, chapter 116; 1 George VI, chapter 106, and 3 George VI, chapter 107, be again amended to the following effect and that certain special powers be granted to it; and

Whereas it is expedient to grant the prayer contained in the said petition:

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Section 15 of the charter is repealed.

5 Geo. V, c.
90, s. 15,
repealed.

2. Section 26 of the charter, as replaced by the act 22 George V, chapter 108, section 2, is amended by striking out the last two paragraphs thereof which refer to the holding of special polling-stations.

Id., s. 26, am.

R.S., c. 102,
s. 101a,
added for
city.

3. The following section is added, for the city, after section 101 of the Cities and Towns' Act (Revised Statutes, 1925, chapter 102):

Duties of
treasurer:

"101a. After the council has received the auditors' report made under section 105 following, the treasurer shall:

Publish de-
tailed
statement;

1. Publish, in French and in English, in a newspaper published in each of these languages, a detailed statement of the revenues and expenditures, and also the balance-sheet of the city;

Have annual
report
printed;

2. Have printed his annual report, in French and in English, for the information of those interested;

Transmit
documents to
Municipal
Commission.

3. Transmit to the Quebec Municipal Commission:

a. A copy of the annual report of the auditors;

b. A copy of the appropriations of the annual expenses as adopted by the council;

c. Every three months, a report stating the part of the expenses appropriated for the current year which have been made at the time of the report;

d. Finally, any report or information required by the Quebec Municipal Commission."

R.S., c. 102,
ss. 496-501,
and 504, re-
placed for
city.

4. Sections 496, 497, 498, 499, section 500 as replaced for the city by the act 19 George V, chapter 98, section 2, and sections 501 and 504 of the said Cities and Towns' Act, are replaced, for the city, by the following:

Complaints
heard
by special
board.

"496. The complaints made under section 495 shall be decided by a special board called "board for hearing complaints against the roll". This board shall be composed of the city recorder, the city engineer and the city superintendent of buildings and properties. The recorder shall be the president of such board. The clerk of the Recorder's Court of the city shall act as secretary of the board.

Composition
of board.

Quorum, etc.

The quorum shall be three. In case of inability to act by reason of illness or otherwise, of one or several of the members of the board, the council shall appoint a substitute for each of the members thus unable to act.

Complaints
remitted to
secretary, etc.

After the thirty days mentioned in section 494, the city clerk shall remit the complaints received under section 495 to the secretary of the board, or a report that no such complaint has been made.

The secretary shall call a meeting of the board which shall give notice in a French and in an English newspaper of the day and the hour when the board shall hear the persons who have made complaints according to law, their witnesses and the witnesses produced by the city, concerning such complaints. Notice of hearing.

After having heard the parties and their witnesses under oath administered by the president, as well as the assessors if it be deemed necessary, the board shall maintain or alter the roll as it may deem just. Decision of board.

“**497.** In all cases, the board shall proceed, at such sitting which it may adjourn as often as may be necessary, to revise the roll, whether it be complained of or not. Duty of board to revise roll.

It may also correct the form of the language used. Correction.

The board may hear the complaints at a single sitting or may divide the hearing into several sittings by mentioning it in the notice. One or more sittings.

“**498.** If any property be omitted from the roll prepared by the assessors, the board may order such officers to value such property and to add it to the roll. Property omitted from roll.

In such case, the roll cannot be homologated until special notice of eight days, in relation to such addition, has been given to the owner, who may, within such delay, file his complaint against the valuation, and be heard before the board upon the expiration of the eight days. Homologation in such case.

After the board has disposed of such complaints, it shall make a report of its operations, and shall remit it to the city clerk with the complaints and other documents which have been used at the hearing, to form part of the archives of the council. Board to make report of operations, etc.

“**499.** The city clerk, upon receipt of such report, must forthwith communicate it to the council which shall declare the roll homologated; and the roll so homologated shall remain in force until the coming into force of a new roll. Roll homologated.

“**500.** Each year, on or before the first of the month of November, the assessors shall prepare a supplementary valuation roll which they shall deposit, within such delay, at the clerk's office, on or before the fifteenth of November. Supplementary roll.

Revision of roll in force. Such roll shall be a revision of the roll in force, but only for the properties which shall have been changed as mentioned below.

Amendments to roll in force The assessors shall amend, in such roll, the real value of the immoveable properties entered on the valuation roll then in force, by increasing or reducing it, following the changes which shall have been made to such properties and which shall have increased or reduced the valuation thereof at the time of the deposit of such supplementary roll.

Notice to persons concerned. The clerk shall immediately give a special notice, in writing, by registered mail, to every person entered on the supplementary roll, the value of whose property has been increased or reduced, according to this section, so as to notify them of the change.

Notice in newspapers. He shall also give a public notice, once in a newspaper published in the French language, and once in a newspaper published in the English language, that the supplementary roll has been prepared and that it has been deposited in his office.

Supplementary roll open to inspection. During the fifteen days following the mailing of such special notice and the publication of the public notice in the newspapers, the supplementary roll shall be open to inspection by the interested parties. Persons, the value of whose property has been changed by the assessors, may then file, within such delay, a complaint at the clerk's office.

Complaints filed.

Reduction through fire, etc. If any immoveable property has suffered considerable reduction in value through fire, demolition or other cause and if the assessors have not taken such reduction into consideration in making the supplementary roll, the owner may then, within the delay mentioned in the preceding paragraph, file a complaint in the clerk's office.

Procedure followed. The board shall examine and hear such complaints according to section 496 hereinabove, and the procedure prescribed for the principal roll shall be followed.

Provisions applicable. The other provisions respecting the principal roll shall apply to the supplementary roll.

Amendment of collective roll. As soon as the supplementary roll shall have been homologated, it shall be the duty of the treasurer to amend accordingly the collection roll or rolls, with a certificate at the end of the roll or rolls attesting such changes. Every person affected by such changes shall receive credit immediately for any reduction in taxes

which shall be granted to him, or pay upon demand any increase in taxes which shall be imposed upon him.

"501. The failure of the assessors or of the board to act within the time prescribed, shall not prevent the completion or homologation of the roll thereafter. Failure to act within delay.

"504. An appeal shall lie to the Magistrate's Court of the district of Three Rivers: Appeals.

1. From any decision of the board or of the council, as the case may be, under sections 496, 497, 498, 499, 500 and 502, within thirty days from such decision, whether the board or the council rendered same of its own accord or upon a complaint or petition filed in virtue of such sections;

2. Whenever the board has neglected or refused to take cognizance of any written complaint, made in virtue of section 495, or of a petition presented in virtue of sections 500 or 502, within thirty days after the sitting at which it should have taken cognizance thereof."

5. The corporation of the city of Trois-Rivières is authorized to borrow to the extent of a sum of three hundred and fifty-five thousand dollars. Loan authorized.

The said loan shall be effected by means of bonds for a period not exceeding thirty years. How loan effected.

Notwithstanding any law to the contrary, the council may effect such loan by causing the by-law or by-laws determining same to be approved solely by the Minister of Municipal Affairs, Trade and Commerce and the Quebec Municipal Commission. Approval of loan.

The proceeds of the said loan shall be assigned to the payment of the administration expenses for the year 1940, and to the contribution of the city for unemployment relief, during the year 1940. Utilization, etc., of loan.

6. Section 102 of the charter, as replaced by the act 3 George VI, chapter 107, section 17, is amended, by replacing paragraph 2 thereof by the following: 5 Geo. V, c. 90, s. 102, am.

"2. In future, all bonds and interest coupons there- to annexed shall be signed by the mayor and the treasurer, but a *facsimile* of the signature of such officers, printed, lithographed or engraved on the coupons, shall be sufficient." Signature on bonds and coupons.

By-law 143A, validated. **7.** By-law 143A, adopted by the council on the 4th of December, 1939, is declared valid and legal.

23 Geo. V, c. 126, s. 7, replaced. **8.** Section 7 of the act 23 George V, chapter 126, is replaced by the following:

Comptroller of Finances. **"7.** The city shall have an officer called Comptroller of Finances, as hereinafter provided.

Financial matters subject to approval. No decision of the council relating to a financial matter shall be executory, nor shall any account be paid by the city, unless, in every such case, such matters and accounts have been approved by the Comptroller of Finances.

Appointment, etc., of Comptroller of Finances. Notwithstanding any resolution of the council relating to the appointment of Robert Ryan as Director of Finances and notwithstanding also any contract entered into between the city and the said Robert Ryan, as to his appointment as Director of Finances, the latter is by this act appointed Comptroller of Finances for a period of two years starting from the 3rd of January, 1940, and the resolutions and contracts, just mentioned, are declared nul and void.

Salary. His salary shall be \$3,000.00 per annum.

Dismissal, etc. After the expiration of the said two years, the position of Comptroller of Finances cannot be abolished save by a resolution approved by three-fourths of the members of the council, and the holder of such position cannot be dismissed save by a resolution approved by three-fourths of the members of the council.

Inability to act through illness, etc. In the case of the Comptroller of Finances being unable to act through illness, absence or otherwise, the council shall, by a resolution approved by three-fourths of its members, appoint a substitute for him, for the duration of such inability."

Fabrique Notre-Dame des Sept Allégresces. **9.** The city of Trois-Rivières is authorized:

1. To reimburse to the corporation of the *Fabrique Notre-Dame des Sept Allégresces des Trois-Rivières* the sum of one thousand one hundred and fifty-five dollars and fifty-four cents [which the council has collected as school tax according to section 537b of the said Cities and Towns' Act, enacted for the city by the act 21 George V, chapter 128, section 9, but which it has not yet remitted to the school commission;

2. Not to collect the school taxes imposed for the years 1930 and 1931 and which amount to the sum of

two thousand two hundred and sixteen dollars and, this, according to the above-mentioned acts;

3. Not to collect the school taxes for the years 1932 to 1936, inclusive, and to withhold from the school commission the sum of five thousand three hundred and eighteen dollars and forty cents, without interest, that the city has not collected according to the act 3 George VI, chapter 107, section 26, but which it has paid under section 537b.

10. The resolution of the council of the 15th of April, 1940, determining what sums of municipal taxes the Roman Catholic Episcopal Corporation of Three Rivers must pay on two properties belonging to it, situated on Cathedral and Royale streets in the city of Trois-Rivières, and in what way it must pay for the water Supplied to the said properties, is ratified and confirmed. Resolution ratified.

11. The resolution adopted at the meeting of the Catholic School Commission of Three Rivers, on the 15th day of April, 1940, declaring that the immoveables Nos. 1664 and 1662, subdivision I, of the cadastre of the city of Trois-Rivières, belonging to the Roman Catholic Episcopal Corporation of Three Rivers, are exempted from all school taxes under paragraph 3 of section 251 of the Education Act, chapter 133, of the Revised Statutes of the Province of Quebec, 1925, and its amendments, and this, from the 1st of January, 1930, is ratified and confirmed. Idem.

12. Section 22 of the act 3 George VI, chapter 107, is amended by adding thereto the following paragraph: 3 Geo. VI, c. 107, s. 22, am.

“The said properties are also exempted from all school taxes, both as regards the Catholic School Commission of Three Rivers as well as the Dissident School Municipality of the City of Three Rivers, and are considered for all useful purposes as having been so exempt as from the 1st of January, 1939.” Exemption from school taxes.

13. The corporation of the city of Trois-Rivières shall pay an annual pension to the following persons, considering their incapacity of performing the work required, because of their age, their infirmity, or their illness, namely: Annual pensions.

To Mr. Henri Lacerte \$800.00

To Mr. Emmanuel Duguay.....	600.00
To Mr. Anthime Lemire.....	600.00
To Mr. Godefroy Blais.....	600.00

Payable
monthly.

Such pension shall be payable monthly during their lifetime.

Pension of
Josephine
Moreau.

14. The corporation of the city of Trois-Rivières shall pay to Mrs. Joséphine Moreau, widow of Jules Vachon, in recognition of the excellent services the latter rendered to the city as chief of police and of the fire brigade, a monthly pension of \$50.00, during her lifetime, but to the extent of the sum of \$3,000.00 only.

Loan author-
ized, for
paving, etc.

15. The corporation of the city of Trois-Rivières is authorized to borrow the sum of two hundred thousand dollars to be exclusively used for paving and macadamizing the streets of the city, and, notwithstanding any law to the contrary, the council may effect this loan by causing the by-law or by-laws determining same to be approved solely by the Minister of Municipal Affairs, Trade and Commerce and the Quebec Municipal Commission.

How work
done.

The work shall be done by contract after public request for tenders shall have been made by notice in the newspapers.

Coming into
force.

16. This act shall come into force on the day of its sanction.