



CHAPTER 84

An act to validate certain by-laws of the city of
Sherbrooke

[Assented to, the 30th of May, 1940]

WHEREAS the city of Sherbrooke has, by its Preamble.
petition, represented:

That, during the year 1931, under the by-laws Nos. 512, 519 and 522, the city of Sherbrooke borrowed certain monies for the relief of unemployment in the municipality through the execution of certain permanent works;

That, in virtue of the said by-laws, paving work and sewer work, as well as sidewalk construction, were effected in certain streets of the city;

That, in 1932, by by-law bearing the No. 518, the city apportioned the cost of the work done in virtue of the by-law No. 512, in halves between the city and the bordering proprietors on the streets where the work was done, in accordance with its charter;

That, in 1937, by a by-law bearing the No. 575, and in 1938, by a by-law bearing the No. 580, and in 1939, by a by-law bearing No. 589, paving, sidewalk and sewer work was done in other streets in the city;

That, both under its by-laws and under the act 12 George V, chapter 106, the cost of the paving of streets, of sidewalks and of sewers was made payable one-half by the city and one-half by the owners of immoveables situated on either side of the streets where such work was done;

That it has been the constant practice for over thirty years that the paving of the streets, the making

of concrete sidewalks, and the construction of sewers be payable one-half by the city and one-half by the bordering proprietors;

That doubts have arisen as to the legality of the by-laws Nos. 518, 519, 522, 575, 580 and 589;

That it is in the interest of the good administration of the affairs of the city of Sherbrooke, to request the validation of the said by-laws and to determine their application;

Whereas the city of Sherbrooke has prayed for the passing of an act for the above purposes; and

Whereas it is expedient to grant such prayer;

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

By-laws, etc.,
validated.

1. The by-laws numbers 518, 519, 522, 575, 580, and 589, made and passed by the municipal council of the city of Sherbrooke and the collection rolls made in virtue of these by-laws and homologated by the said municipal council on the 2nd of May, 1932, the 24th of April, 1933, and the 1st of May, 1939, as well as the collection rolls made under by-law No. 434, for sewer work paid for with the funds voted by the above by-laws, these latter collection rolls having been homologated by the municipal council on the 2nd of May, 1932, 24th of April, 1933, 18th of May, 1936, 17th of May, 1937, 16th of May, 1938, and 1st of May, 1939, are validated for all legal purposes.

Cost of per-
manent work,
one-half
payable by
bordering
proprietors.

2. The municipal council of the city of Sherbrooke shall have the right to collect from bordering proprietors, in accordance with the provisions of the Cities' and Towns' Act and its charter, one-half of the cost of the permanent work done in front of their properties, although such work has been or will be done with a direct or indirect contribution from the Provincial or Federal Government, or from both.

Agreement
with owners
of vacant lots.

3. The municipal council of the city of Sherbrooke may however, by resolution, make an agreement with the owners of vacant lots affected by, or taxable for a special tax, for local improvements or taxable for such purpose by by-laws Nos. 512, 518, and 522, above-

mentioned, to suspend the exigibility of the apportionments made by the collection rolls prepared in virtue of these by-laws, for so long as buildings shall not have been erected thereon.

4. The proceeds of all special taxes for local improvements imposed by by-law 518 of the city of Sherbrooke, or as a result of by-law 522 of the city of Sherbrooke, shall be paid into the general fund to pay, in part, the loans raised in virtue of by-laws No. 512 and 522 of the city of Sherbrooke. Proceeds of special taxes for improvements.

5. In case such an agreement is made, prescription shall be suspended and shall not be invoked as long as the sums payable in virtue of the said collection rolls shall not have become exigible. Prescription suspended.

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

