



CHAPTER 94

An Act to amend the charter of the town of Rouyn

[Assented to, the 22nd of June, 1940]

WHEREAS the town of Rouyn has, by its petition, *Preamble.*
represented:

That it was incorporated by the act 17 George V, chapter 89, as amended by the act 3 George VI, chapter 122;

That, owing to its rapid expansion since obtaining its charter, it has need of certain additional powers and certain amendments to its charter;

That it requires to change the hours of voting at its municipal elections;

That, in the interest of its ratepayers, it requires to have ratified and validated the sales of lots for taxes, certified copies whereof are hereto annexed;

That it needs to further tax outsiders, banks and chain stores doing business within its limits;

That it needs to modify the basis of real estate taxation of lots comprised in its non-organized territory;

That it needs a simple mode for the sale by auction of objects or effects found, seized or confiscated by its police;

That its petition has been authorized by a resolution of its council; and

Whereas it is expedient to grant the prayer contained in its petition;

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

17 Geo. V,
c. 89, s. 3,
replaced.

1. Section 3 of the act 17 George V, chapter 89, as replaced by the act 3 George VI, chapter 122, section 1, and by the act 4 George VI, chapter 97, section 1, is again replaced by the following sections:

Territory
comprised.

“3. The territory of the town of Rouyn shall comprise in the township of Rouyn—in reference to the original subdivision of said township—the following lots of land, to wit:

a. The whole of mining blocks eight (8) and forty-one (41);

b. The whole of mining block nine (9) and the territory known and designated under the name of Rouyn-South, which is more particularly described as follows:

1. The whole of mining blocks one hundred and fifty-nine, two hundred and two and two hundred and three (159, 202 and 203);

2. A part of blocks two hundred and two hundred and one (200 and 201), comprised within the following boundaries:

Starting from the southeastern corner of block two hundred and two, following a direction south, zero degree eight minutes west ($S0^{\circ}08'W$) for a distance of sixteen and fifty-hundredths chains (16.50); thence following a direction north eighty-nine degrees and fifty-two minutes west ($N89^{\circ}52'W$) to the point where it meets the line separating blocks two hundred and one hundred and ninety-nine (200 and 199); thence northward, following such separating line of the blocks two hundred and one hundred and ninety-nine (200 and 199), as far as the southwestern corner of block two hundred and two (202); thence easterly, following the southern boundary of block two hundred and two (202) to the starting point;

c. Lots numbers twenty-six, twenty-seven, twenty-eight, twenty-nine and thirty (26, 27, 28, 29 and 30) of range seven (7) south, the whole of block one hundred and twenty-five (125), the portion of blocks two hundred and two hundred and one (200 and 201) not comprised in the territory of Rouyn-South described above; blocks one hundred and ninety-eight and one hundred

and ninety-nine (198 and 199); the lots numbers twelve, thirteen, fourteen, fifteen and sixteen (12, 13, 14, 15 and 16) of range six (6) north; lots numbers twelve, thirteen, fourteen, fifteen and sixteen (12, 13, 14, 15 and 16) of range seven (7) south, and block forty-two (42).

3a. The taxable land comprised within the boundaries mentioned in paragraph *c* of the preceding section shall not be valued at more than one dollar an acre nor be taxed for an amount exceeding one per cent, as long as such land is not subdivided into building lots or placed under mining operations. Maximum valuation and taxation.

3b. The council may, by by-law, enact that no construction except for a mining development by the proprietor may be erected, from the coming into force of such by-law, on the lands comprised within the boundaries mentioned in paragraph *c* of section 3, without a permit to that effect having been previously obtained from the council. The council may, in its discretion, grant or refuse such permit.” Building permits in certain cases.

2. Notwithstanding the provisions of section 9 of the act 17 George V, chapter 89, and any understanding or agreement entered into between the town of Rouyn and Pauline I. Bagshaw and the Union Trust Company Limited, Joint Executors of the Estate of G. A. Bagshaw and J. E. McCuaig, all building lots, all mining lots being operated, all land under cultivation or farmed or used as pasture for cattle, all uncleared land or wood lots, as well as all unexploited mining land, within the boundaries of blocks eight (8) and forty-one (41) of Rouyn township, may henceforth be added to the valuation roll, even after the closing of such roll, at the valuation which shall be made thereof by the assessors in office and shall become liable to taxation, and such tax may be exacted upon such land or lots as upon all other lots entered on the roll. Lots which may be added to valuation roll.

3. The act 17 George V, chapter 89, is amended by adding thereto, after section 13 thereof, as enacted by the act 3 George VI, chapter 122, section 2, the following sections: 17 Geo. V, c. 89, ss. 13a, 13b, 13c, added.

13a. Section 210 of the Cities and Towns' Act, and its amendments, is replaced, for the town of Rouyn, by the following: R. S., c. 102, s. 210, replaced for town.

Hours for
polling.

“210. The polling-stations shall be opened at the hour of eight of the clock in the forenoon and kept open until six of the clock in the afternoon of the same day. Each deputy returning-officer shall, during that time, in the polling-station assigned to him, receive, in the manner hereinafter prescribed, the votes of the electors duly qualified to vote at such polling-station; but, from eight o'clock until ten o'clock, workmen, artisans and employees in factories and mines shall have precedence in voting.”.

R. S., c. 102,
s. 220, re-
placed for
town.

“13b. Section 220 of the Cities and Towns' Act, is replaced, for the town of Rouyn, by the following:

Calling upon
electors to
vote.

“220. At exactly eight o'clock in the morning, immediately after the ballot-box is locked, the deputy returning-officer shall call upon the electors to vote.

Voters not to
be impeded.

The deputy returning-officer shall secure the admittance of every elector into the polling-station, and shall see that he is not impeded or molested in or about the polling-station.”.

R. S., c. 102,
s. 240, sub-
section 1, re-
placed for
town.

“13c. Subsection 1 of section 240 of the Cities and Towns' Act is replaced, for the Town of Rouyn, by the following:

Close of poll.

“240. 1, At six o'clock in the afternoon, the poll and the voting shall be closed; and an entry thereof shall be made in the poll-book.”.

17 Geo. V,
c. 89, s. 15,
replaced.

4. Section 15 of the act 17 George V, chapter 89, as added by the act 3 George VI, chapter 122, section 2, is replaced by the following:

R. S., c. 102,
s. 446, repla-
ced for town.

“15. Section 446 of the said Cities and Towns' Act, and its amendments, is replaced, for the town of Rouyn, by the following:

Laying of
pipe.

“446. The town shall lay the distribution pipe to the line of the street or lane, and may exact payment, from the property-owner, of at least the minimum water-rate of the tariff, according to the by-laws in force in that respect, for each lot whether built upon or not. The town, moreover, shall, in no case, be bound to connect the distribution pipe at the line of the lot, unless the lot owner himself has previously done the necessary work to connect his house or buildings at the line of the street or lane.”.

5. Section 17 of the act 17 George V, chapter 89, as added by the act 3 George VI, chapter 122, section 2, is replaced by the following:

17. Section 526 of the said Cities and Towns' Act, and its amendments, is replaced, for the town of Rouyn, by the following section:

526. In addition to the taxes provided for in section 523, the council may establish, impose and levy certain annual dues or taxes on all trades, manufactures, financial or commercial establishments, occupations, arts, professions, callings or means of earning a profit or a livelihood, practised or carried on by one or several persons, partnerships or corporations in the municipality, provided that such dues or taxes do not exceed in any case the sum of five hundred dollars per annum. Such dues or taxes may be different for persons not residing in the municipality or resident therein for less than the past twelve months from those for persons residing therein, provided that the dues and taxes imposed on persons not resident or who have resided less than twelve months in the municipality do not exceed the others by more than fifty per cent."

6. The act 17 George V, chapter 89, is amended by adding thereto, after section 18 thereof, as added by the act 3 George VI, chapter 122, the following:

19. 1. The town may cause to be sold by auction through the agency of a bailiff of the Superior Court or of any other person appointed by the council for the purpose, without any legal formality, after a public notice has been given in conformity with the provisions of section 372 of the Cities and Towns' Act, and its amendments:

a. All objects, articles, moveable effects, automobiles or other vehicles, abandoned on the streets of the town, or other moveables in its possession, and not claimed within six months, if such objects, articles, moveable effects, automobiles, vehicles or other moveables are the proceeds of a theft or of a concealment of stolen goods;

b. All objects, articles, moveable effects, automobiles, vehicles or other moveables, found by the police or otherwise legally seized or confiscated;

c. All objects, articles, moveables or other goods, which were in the possession of deceased persons and for whose funeral the town has had to provide.

Responsibility of town only for proceeds of sale.

2. If such property be claimed after such auction sale, the town shall be responsible only for the proceeds of the sale, deduction being made for the costs of the sale and other expenses incurred by the town.

Judicial sales validated.

“**20.** The judicial sales of lots for taxes due to the town on certain lots or immoveables, which were made against the persons, firms, companies or corporations appearing, on the valuation and collection rolls of the town, to be owners of the said lots or immoveables, sales made by the sheriff of the District of Abitibi, on the 28th of October, 1929, and by the Secretary-Treasurer of the town on the 3rd of October, 1932, 23rd of October, 1933, 29th of October, 1934, and 21st of October, 1935, as well as the various postponements of the said sales, shall be reputed and held good, legal, regular and valid for all lawful purposes, notwithstanding the fact that the persons, firms, companies or corporations appearing on the valuation and collection rolls of the town to be owners of the lots or immoveables may not be the persons, firms, companies, or corporations, appearing in the registration office of the county of Temiscamingue at Ville-Marie to be owners of the said lots or immoveables.”.

Coming into force.

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