



CHAPTER 98

An Act to amend the charter of the town of Pointe Claire

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

WHEREAS the town of Pointe Claire has, by its Preamble. petition, represented that it is expedient and in the interest of its ratepayers that its charter the act 1 George V (1911), chapter 71, as amended by the act 7 George V, chapter 79, and the act 22 George V, chapter 118, be again amended to facilitate for it the creation of a working fund and the management of its finances; to change the date of the municipal elections, and to prolong the term of office of certain aldermen to make the expiration of their term coincide with the new date of the elections;

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:

1. The Cities and Towns' Act is amended, for the R. S., c. 102, town, by adding thereto, after section 484, the follow- ss. 484a-484h, ing subdivision and sections: added, for town.

"§24a.—Working-Fund.

"484a. For the purpose of placing at the disposal Creation of "working-fund." of the council the moneys which it may need to meet the expenses of the city at the beginning and during a fiscal year while awaiting the receipt of the funds produced by the taxes, licenses or other revenues of the same year and to execute certain works of public utility

which are not simply maintenance but the material duration whereof is not sufficiently long to authorize a long term loan, a fund is hereby created to be known as "working-fund".

Principal of fund.

"484b. The principal of such fund shall be sixty thousand dollars and it shall be formed from an equal amount of arrears of taxes and other debts owing to the city on the 31st of December of the year, 1939, not appropriated in the budget for 1940. Such arrears of taxes and debts and the proceeds of the principal thereof shall be specially appropriated to this fund and the amount realized in 1940 may be replaced by an equal amount of the arrears of that year.

Use of fund, etc.

"484c. As the arrears and debts become converted into money through collection, the treasurer shall place them in a special account and the council may use such moneys to purchase municipal bonds which shall remain in the assets of such account and may be given by the council as security for any loan which it may raise to procure the moneys which it may need to make advances to the treasurer, in accordance with the provisions of this subdivision.

Principal must always be intact, etc.

"484d. The principal of this fund must always be intact and the municipal council is authorized to complete the fund by specially appropriating good and valid arrears of taxes at the end of each fiscal year.

Council may borrow from fund.

"484e. The municipal council may also borrow from such fund the moneys which it may need to do any work not being mere maintenance but for a term not exceeding three years and the resolution authorizing the loan must order that the sums so borrowed shall be repaid partly out of the revenues of the then current fiscal year and the balance out of future years, and, in the event of insufficiency of the general revenues, a special tax shall be imposed in conformity with the provisions of the charter to complete each payment.

Interest of working-fund.

"484f. The interest on the working-fund shall be appropriated as ordinary receipts of the fiscal year during which they accrued.

Restriction.

"484g. The principal or part of the principal of such fund shall never be used for other purposes than those mentioned in this subdivision.

"484h. If, at any time, the accounts composing the assets of this fund show that the money on hand, the municipal bonds, the arrears of taxes appropriated to the fund, the credits against the general funds of future fiscal years, aggregate in value less than sixty thousand dollars, the municipal council must, in the first budget after such finding, appropriate from the revenues of the city a sufficient amount to complete the fixed capital of sixty thousand dollars."

When fund does not amount to sixty thousand dollars.

2. Section 9 of the act 1 George V, (2nd Session), chapter 71, as replaced by section 2 of the act 7 George V, chapter 79, is again replaced by the following:

1 Geo. V (2nd Session), c. 71, s. 9, replaced.

"9. Section 47 of the Cities and Towns' Act (Revised Statutes, 1925, chapter 102), is replaced for the town by the following:

R. S., c. 102, s. 47, replaced for town.

"47. The mayor and the six aldermen elected at the general elections of July, 1938 and 1939, shall remain in office and represent the town until the expiration of their respective terms, and shall be replaced in the manner hereinafter prescribed."

Mayor and aldermen continued in office.

3. Section 4 of the act 7 George V, chapter 79, is replaced by the following:

7 Geo. V, c. 79, s. 4, replaced.

"4. Section 128 of the Cities and Towns' Act, Revised Statutes, 1925, chapter 102), is amended, for the town, by adding the following subsection:

R. S., c. 102, s. 128, am. for town.

"3. Shall also be electors and entered on the list of electors every joint stock company and other body politic, duly incorporated by special act or letters patent, or duly licensed to carry on operations in the Province, and entered on the valuation roll in force as a *bona fide* owner or occupant of an immoveable property within the municipality, of the assessed value of two hundred dollars or upwards, according to said roll; and the said company or body politic shall register its vote through its representative duly appointed for that purpose by resolution of its board of directors, a copy of which shall be supplied to the secretary-treasurer on or before the first of November, duly certified under the seal of the company.

Corporations to have vote on certain conditions.

The said resolution shall serve for the purposes above-mentioned, until it is replaced by another

resolution to the same effect, which must be filed on the date hereinabove prescribed."

1 Geo. V (2nd Session),
c. 71, s. 11,
repealed.

4. Section 11 of the act 1 George V, (2nd Session), chapter 71, is repealed.

Id., s. 12,
repealed.

5. Section 12 of the act 1 George V, (2nd Session), chapter 71, is repealed.

Id., s. 13,
repealed.

6. Section 13 of the act 1 George V, (2nd Session), chapter 71, is repealed.

Id., s. 15,
replaced.

7. Section 15 of the act 1 George V, (2nd Session), chapter 71, as replaced by section 10 of the act 7 George V, chapter 79, is again replaced by the following:

R. S., c. 102,
s. 173 re-
placed for
town.

"15. Section 173 of the Cities and Towns' Act (Revised Statutes, 1925, chapter 102), is replaced, for the town, by the following:

When general
elections are
held.

"173. The general elections for the mayor and aldermen shall be held every two years, on the third Monday of January, starting from the month of January, 1943, in accordance with the provisions hereinafter mentioned.

Idem.

If that date falls on a non-juridical day, the elections shall take place on the next following juridical day.

Aldermen for
seats Nos. 1,
3 and 5.

The aldermen elected in July, 1940, for seats numbers 1, 3 and 5 shall remain in office until the third Monday of January, 1943, when they shall be replaced by three others elected to remain in office for a term of two years.

Mayor and
aldermen for
seats Nos. 2,
4 and 6.

The mayor, and the aldermen elected for seats 2, 4 and 6 at the elections of the month of July, 1941, shall remain in office until the third Monday of January, 1944, when they shall be replaced by a mayor and three other aldermen elected to remain in office for a term of two years, and in the future three aldermen shall be elected each year to replace the three retiring."

Coming into
force.

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