



## CHAPTER 98

### An Act to amend the Municipal Code

[Assented to, the 16th of March, 1939]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

**1.** Article 165 of the Municipal Code is amended by M.C., art. 165, am. adding thereto the following paragraph:

“All cheques issued and promissory notes executed by the corporation must be signed jointly by the mayor and the secretary-treasurer or, in case of the absence or inability to act of the mayor or of a vacancy in the office of mayor, by any member of the council previously authorized and by the secretary-treasurer.” How cheques, etc., to be signed.

**2.** Article 371 of the said Code, as amended by the act M.C., art. 371, am. 17 George V, chapter 74, section 8, is again amended by adding thereto the following paragraph:

“Nevertheless, whenever, instead of a fixed penalty, a by-law provides either a maximum and minimum penalty or a maximum penalty only, the court may, at its discretion, impose, in the first instance, such penalty as it may see fit within the limits of such maximum and such minimum, and, in the second instance, such penalty as it may see fit up to the extent of such maximum.” Imposing of certain penalties.

**3.** Article 403 of the said Code, as amended by the acts M.C., art. 403, am. 9 George V, chapter 85, section 1; 17 George V, chapter 74, section 10, and 19 George V, chapter 88, section 19, is again amended by replacing the word: “seven”, in the eighth line of paragraph 5 thereof, by the word: “six”.

M.C., art.  
558a, added.

**4.** The said Code is amended by adding thereto, after article 558 thereof, the following article:

Powers of  
certain muni-  
cipal inspect-  
ors.

**“558a.** Every municipal inspector, entrusted with the superintendence or direction of work on any local or county municipal watercourse, may, either in person or by others under his direction, and without previous notice, pass, in the daytime, over any land where he may deem it necessary so to do in order to have access to such watercourse and to there perform such work, subject to the indemnification contemplated in article 559 for the damage occasioned.

Offence and  
penalty.

Every person who hinders or attempts to hinder the exercising of this servitude shall be liable to the penalties contemplated in article 10.”

M.C., art.  
559, am.

**5.** Article 559 of the said Code is amended by replacing the word: “materials”, in the third line of the first paragraph thereof, by the words: “materials or by the exercising of the servitude enacted in article 558a”.

Id., art. 644,  
am.

**6.** Article 644 of the said Code, as replaced by the act 11 George V, chapter 109, section 1, and amended by the acts 16 George V, chapter 69, section 2, and 2 George VI, chapter 103, section 8, is again amended by adding thereto, after the word: “regular”, in the sixth line thereof, the words: “or special”.

Id., art. 729,  
am.

**7.** Article 729 of the said Code, as amended by the act 12 George V, chapter 80, section 11, is again amended:

*a.* By replacing the words: “first Wednesday”, in the fourth line of the second paragraph thereof, by the words: “second Wednesday”;

*b.* By replacing the words: “first Wednesday”, in the first line of the third paragraph thereof, by the words: “second Wednesday”.

Application of  
section 7.

**8.** Section 7 of this act shall not apply to sales of immoveables advertized to take place on the first Wednesday of the month of March, 1939, in accordance with articles 729, 730 and 731 of the said Code.

Coming into  
force.

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