



CHAPTER 106

An Act to amend the charter of the city of Verdun

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

WHEREAS the city of Verdun has, by its petition, re-^{Preamble.} presented that it is in the interest of the city and necessary for the proper administration of its affairs that its charter, the act 7 Edward VII, chapter 73, as amended by the acts 3 George V, chapter 61; 4 George V, chapter 80; 6 George V, chapter 48; 7 George V, chapter 72; 8 George V, chapter 88; 9 George V, chapter 95; 11 George V, chapter 115; 12 George V, chapter 108; 13 George V, chapter 95; 14 George V, chapter 91; 15 George V, chapter 97; 16 George V, chapter 73; 18 George V, chapter 98; 19 George V, chapter 100; 21 George V, chapter 127; 23 George V, chapter 124; 24 George V, chapter 90; 25-26 George V, chapter 115; 1 Edward VIII (2nd Session), chapter 48; 1 George VI, chapter 109, and 2 George VI, chapter 107, be further amended in order to give it certain powers which it does not now possess, to wit:

1. To ratify a contract passed between the city of Verdun and the Verdun Protestant Hospital;
2. To ratify by-law No. 328 respecting a loan of \$17,000.00;
3. To levy a special tax on proprietors of moving picture theatres;
4. To authorize the city to build a sidewalk on Boulevard LaSalle;
5. To authorize the city to sell certain unclaimed goods;
6. To exempt the proprietors of Verdun from paying the expropriation tax for Boulevard de l'Aqueduc;
7. To grant a pension to certain employees;

8. To repeal certain provisions of law respecting the executive committee; 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:

R.S., c. 102, s. 526b, added for city.

1. The Cities and Towns' Act (Revised Statutes, 1925, chapter 102), is amended, for the city of Verdun, by adding thereto, after section 526a thereof, the following section:

Special tax on moving picture theatres.

"526b. The council may, in addition to the taxes contemplated in the preceding sections, impose a special tax not exceeding eighty-five cents per each individual seat, upon every owner, occupant or lessee of a hall wherein moving picture shows are given."

Constructing of certain permanent sidewalk authorized.

2. The city of Verdun is authorized, by resolution of its council and without other formality, to construct a permanent sidewalk on the north-west side of LaSalle Boulevard in front of the properties designated as Nos. 4686 and 4686-1-2-3.

Payment therefor by special assessment.

The cost of these works and the interest on the loan contracted for the payment thereof, as well as the costs and disbursements incurred, in such case, in the preparation of the by-laws and the negotiation of the loan, shall be paid by a special assessment on the bordering proprietors, in proportion to the frontage of their properties, in conformity with the by-laws of the city and under the terms of section 576 of the Cities and Towns' Act (Revised Statutes, 1925, chapter 102). The city of Verdun shall comply, as to the period of such loan, the negotiation thereof and other formalities, with the provisions of the act 2 George VI, chapter 107, section 1.

R.S., c. 102, s. 546a, added for city.

3. The said Cities and Towns' Act is amended, for the city of Verdun, by adding thereto, after section 546 thereof, the following section:

Selling of certain unclaimed effects.

"546a. The city may cause to be sold by auction by a bailiff of the Superior Court, without legal formality, and after the notices for a sale of moveable property in a seizure in execution, the articles, moveable effects or other moveable property unclaimed within twelve months, of which it

may be in possession, if such articles, effects or moveable property are the proceeds of thefts or have been seized or confiscated by its police officers or were found in the possession of persons who are dead and for whose funeral the city has had to provide.

If such property be claimed after the sale, the city shall be responsible only for the proceeds of the sale, after deducting the cost of sale and the other disbursements which it may have made. If effects claimed after sale.

If such articles, moveable effects or moveable property, unclaimed as aforesaid, cannot be sold because they have no merchantable value or by reason of the unlawful use which may be made of them, such as slot machines, or other devices of the kind, and if no court or judge has decided their confiscation or ordered their destruction according to law, they may be destroyed after publication of the same notices, *mutatis mutandis*. Destruction of certain effects in certain case.

If such articles, effects or moveable property be claimed after their destruction the city shall not owe any indemnity or recompense." No indemnity, etc.

4. Notwithstanding any law, by-law, ordinance, resolution or assessment roll to the contrary, no portion of the cost of the acquiring by the city of Montreal of the immoveables required for the enlarging of the Montreal waterworks canal or for the construction of each side of the said canal, shall be levied upon the immoveables situate in the city of Verdun nor exigible from the owners of the said immoveables. Non-assessability of certain immoveables, etc.

5. Section 4 of the act 6 George V, chapter 48, is repealed, and section 173 of the Cities and Towns' Act, as amended by the act 23 George V, chapter 43, section 1, is replaced, for the city of Verdun, by the following: 6 Geo. V, c. 48, s. 4, repealed; R.S., c. 102, s. 173, replaced for city.

"173. The general election for the mayor and the aldermen of the municipality shall be held every two years (the first Monday of April, or, if the first Monday in April is a non-juridical day, the juridical day following) in conformity with the following provisions: Date of general elections.

The Lieutenant Governor in Council may, upon petition of the council of the municipality concerned, change the date of the elections and that of the presentation of the candidates by letters patent. Change by letters patent.

The proceedings and the notices on this demand are, insofar as possible, the same as those required for obtaining letters patent under sections 12 and following of this act. Proceedings, etc.

Notice. Notice of this change shall be published in the *Quebec Official Gazette* and in the volume of the statutes adopted at the session next following of the Legislature.

Granting of pension to certain city employees.

6. The council of the city of Verdun is authorized to grant, by resolution of its council, to its employees become incapacitated by an accident or by sickness, who have been employed by the city for twenty-five years, a yearly pension equal to one-third of the average salary earned during the last five years, the whole subject to the approval of the Montreal Metropolitan Commission.

23 Geo. V, c. 124, s. 7, replaced.

7. Section 7 of the act 23 George V, chapter 124, as replaced by the act 25-26 George V, chapter 115, section 7, is again replaced by the following:

Executive.

“**7.** The city of Verdun shall have, commencing from the general elections of “1939”, as executive of its government, an executive committee composed, as follows, of:

Composition.

1. The mayor who shall be chairman thereof;
2. The three aldermen elected to seat No. 1 having received the largest number of votes in proportion to all the votes given; an alderman elected by acclamation shall be considered as having received the largest number of votes given. If more than three aldermen be elected by acclamation, the three aldermen elected by acclamation representing the largest number of electors shall form part of the executive committee;
3. The alderman elected to seat No. 2 having received the largest number of votes in proportion to all the votes given. An alderman elected by acclamation shall be considered as having received the largest number of votes. If there be more than one acclamation, the alderman elected by acclamation representing the largest number of electors shall form part of the executive committee.”

Validation of certain sale by city of Verdun.

8. The sale by the city of Verdun to Verdun Protestant Hospital, of subdivision number one of lot number 4683, subdivision number one of lot number 4685 and subdivision number one of lot number 4733 of the official plan and book of reference of the parish of Montreal, made before J. H. R. Messier, notary, on the 12th of January, 1939, and registered in the registry office, is ratified and confirmed for all legal purposes, and the said Verdun Protestant Hospital is declared owner of the said lots.

The city of Verdun is also declared owner, for all legal purposes, of the following lots: subdivision number three of lot No. 4683, subdivision number five of lot No. 4683, subdivision number three of lot No. 4685, of the official plan and book of reference of the parish of Montreal. City declared owner of certain lots.

9. By-law No. 328, by which the city of Verdun is authorized to borrow a sum of seventeen thousand dollars, for the expropriation of the land belonging to the Green-shields Estate, to carry on certain unemployment relief work, is ratified and validated for all legal purposes. Validation of city by-law No. 328

10. Section 429 of the Cities and Towns' Act (Revised Statutes, 1925, chapter 102) is amended, for the city of Verdun, by adding thereto, after paragraph 32 thereof, the following paragraph: R.S., c. 102, s. 429, am. for city.

"32a. To forbid and prohibit, in the places indicated in the by-laws adopted for such purpose, the construction and the use of signboards, billboards and signs, along or near streets, alleys and public places or upon vacant lots or elsewhere." Signboards, etc.

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

