



CHAPTER 107

An Act to amend the charter of the city of Verdun

[Assented to, the 8th of April, 1938]

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, and 1 George VI, chapter 109, be further amended in order to give it certain powers which it does not now possess, to wit:

1. To renew the city's authority to borrow up to an amount of three hundred thousand dollars annually for local improvements, upon petitions signed by the bordering proprietors;
2. To obtain definite authority to charge the ratepayers with the cost of building and restoring sewers and water mains;
3. To impose a license upon funeral undertakers;
4. To annul certain clauses in the contracts whereby owners have ceded their land for the opening of streets;
5. To appoint a director of finance and general manager of the city;
6. To amend section 8 of the act 25-26 George V, chapter 115; 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:

18 Geo. V.
c. 98, s. 1,
replaced.

1. Section 1 of the act 18 George V, chapter 98, as replaced by the act 21 George V, chapter 127, section 7, and as amended by the act 23 George V, chapter 124, section 4, is again replaced by the following:

Certain
works au-
thorized.

“**1.** Upon petition signed by the proprietors representing at least two-thirds of the land bordering on a street or lane and approved by the Montreal Metropolitan Commission and by the Minister of Municipal Affairs, Trade and Commerce, the city is authorized to do all permanent works, such as side-walks, sewers, paving, aqueducts, and other so-called permanent works, and to borrow, as may be necessary, the amounts for such purposes.

Calculating
two-thirds of
property.

In calculating the two-thirds of the bordering property as above, the exempted part of corner lots shall not operate against such petition.

Costs.

The costs 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 loans, shall be paid by a special assessment on the interested 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).

Borrowing
power in
connection
therewith.

For this purpose, the city is authorized, during five years from the 11th of March, 1938, to borrow all the necessary money to pay for these works, but the amount shall not exceed three hundred thousand dollars per annum.

Terms of
loans.

The terms of each of such loans shall not exceed that of a special assessment made for the works for which such loan is made; and the interest shall not exceed five per cent per annum.

Ordering of
same.

These loans shall be ordered by by-laws of the city council but without being submitted to the ratepayers for approval, as required by sections 574 and following of the said Cities and Towns' Act, but they must be approved by the Montreal Metropolitan Commission and by the Lieutenant-Governor in Council.

Loans to be
made by
means of
debentures,
etc.

They shall be made by means of an issue of debentures or registered stock issued in accordance with the provisions

of the city charter, or, in default of provision on the subject in the charter, in accordance with the provisions of the Cities and Towns' Act.

Any by-law ordering such loan shall, in each case, clearly specify the object of such loan, and no by-law of this nature shall be adopted by the city council without having obtained from the city engineer a written declaration on his oath of office, attesting to the total cost of the works for which such loan is required, and that the works have been entirely executed. Formalities respecting loan by-laws.

The special assessment, collected from the interested proprietors for the permanent works made under this section, shall constitute a sinking-fund to be applied exclusively to paying the interest on the debentures or registered stock issued for the payment of these works, and to redeem such debentures and registered stock at maturity, which said interest and sinking-fund shall nevertheless remain a charge against the general funds of the city. Sinking-fund.

The city is authorized to borrow from the bank or from the Montreal Metropolitan Commission the necessary money for the execution of these works. Such loan shall be reimbursed to the bank or to the Commission with the proceeds of the sale of the said debentures or registered stock. How city may borrow.

These loans and the negotiation of these bonds or debentures shall be made within the year following the completion of the works." Delay.

2. The city of Verdun may charge and impose upon all the ratepayers of the city a tax sufficient to reimburse itself the sums paid by it for the building and restoring of the sewers and water mains on the following streets: Claude, Hickson, Gertrude, Wellington from Gault street to the limits of the city, and Verdun Avenue from LaSalle Boulevard to the limits of the city. Such tax shall be recoverable in the same manner as the other taxes of the city. Imposing, etc., of tax for certain reimbursement.

3. Section 469 of the Cities and Towns' Act (Revised Statutes, 1925, chapter 102), as amended by the acts 19 George V, chapter 35, section 6, and 25-26 George V, chapter 46, section 1, is again amended, for the city, by adding thereto, after paragraph 11 thereof, the following; R.S., c. 102, s. 469, am., for city.

"11a. To license funeral undertakers carrying on business in the city of Verdun. Funeral undertakers.

For the persons, firms, companies or corporations who which have not had in the said city their corporate seat or License fee may be higher in certain case.

their principal establishment for twelve months, the licenses thus imposed may be fifty per cent higher than those imposed on persons who have had their corporate seat or principal establishment there for twelve months;”.

Opening of
new streets
and lanes.

4. Notwithstanding the following clause contained in the contracts whereby certain proprietors ceded streets to the city:

“If the city council or its successors, at any time during the next twenty years, pay any sum of money to any interested party or parties for any street or avenue, within the limits of the territory now called the city of Verdun, then and in such case the said proprietors shall be paid by the said city or its successors, upon request, in the same proportion and at the same rate for the said streets and avenues thus ceded and conveyed”,

the city, without paying such indemnity, is authorized to proceed by expropriation or by private sale to the acquisition of the land necessary for the opening of new streets and lanes within the limits of the city.

Director of
finance and
manager.
How ap-
pointed.

5. The city shall have an official called director of finance and general manager of the city.

Such official shall be appointed by a resolution adopted by the majority of the members of the council.

Powers, etc.

The powers and duties of the director of finance and general manager shall be as follows:

a. To countersign all cheques issued by the city, and such cheques shall be valid only when they bear the signature of the director of finance and general manager or, in case of the absence or incapacity of the latter, of the signature of the person appointed for such purpose by the said council;

b. To supervise carefully the collection of the taxes and other revenues of the municipality and take the necessary means for such purpose;

c. To act as executive officer of the municipality, charged with supervising and directing, under the control of the executive committee, all the business of the city, and, as such, he shall have control over all the departments, and the heads of departments shall make a report to him and consult him with respect to the work of their respective departments;

d. To exercise all the duties and powers of a manager as defined in section 109 of the Cities and Towns' Act;

e. The director of finance and general manager shall also be appointed to the office of city treasurer and may occupy both offices simultaneously;

f. The dismissal of the official carrying out the duties designated under this act as "director of finance and general manager" or a reduction in his remuneration may not be ordered except in conformity with the provisions of the act 22 George V, chapter 53;

g. The director of finance and general manager shall take oath according to form No. 1 to well and faithfully fulfil the duties of his office.

6. Notwithstanding any law to the contrary, the city of Verdun is authorized to pay to John Despins, Charles Roy and Charles Johnson, an annual pension of seven hundred and twelve dollars each. Paying of certain pensions authorized.

7. Section 8 of the act 25-26 George V, chapter 115, is replaced by the following: 25-26 Geo. V, c. 115, s. 8, replaced.

8. Notwithstanding any law to the contrary, and subject to the approval of The Montreal Metropolitan Commission, the city of Verdun is authorized, by resolution of its council, to sell, cede, transfer or exchange any property acquired by it either by sheriff's sale, by giving in payment, by default on the part of the purchasers to meet the obligations assumed under the Workmen's Dwelling Act, or in any other way; the city may receive, in consideration of such transactions, a capital sum, instalments, or other properties or vacant lands. Selling, etc., of certain acquired property.

The contracts of sale authorized by resolution of the council shall be as valid as if passed by by-law of the council." Contracts of sale.

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

