



CHAPTER 108

An Act to amend the charter of the city of Hull

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

WHEREAS the city of Hull has, by its petition, repre- Preamble.
sented that it is in the public interest and that it is
necessary for the good administration of its affairs that its
charter, the act 56 Victoria, chapter 52, as amended by the
acts 58 Victoria, chapter 53; 61 Victoria, chapter 56;
1 Edward VII, chapter 45; 2 Edward VII, chapter 52; 4
Edward VII, chapter 56; 8 Edward VII, chapter 88; 3
George V, chapter 56; 5 George V, chapter 92; 7 George V,
chapter 68; 9 George V, chapter 96; 13 George V, chapter
94; 15 George V, chapter 96; 20 George V, chapter 112; 22
George V, chapter 109, and 24 George V, chapter 92, be
again amended in order to give it additional powers; 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:

1. Section 9 of the act 56 Victoria, chapter 52, as repla- 56 Vict., c. 52,
ced by the acts 3 George V, chapter 56, section 1, and 24 s. 9, re-
George V, chapter 92, section 1, is again replaced by the placed.
following:

“9. Section 57 of the Cities and Towns’ Act (Revised R.S., c. 102,
Statutes, 1925, chapter 102) is replaced, for the city, by s. 57, re-
the following: placed for
city.

“57. The council, at its monthly meeting, in the month Electing of
of January, shall elect one of the aldermen to act as pro- pro-mayor.
mayor, whenever the mayor may be absent, sick or unable

to act; and the member of the council so elected pro-mayor shall, during such absence, sickness or inability, have and exercise all the powers, authority and privileges, vested by law in the mayor."

56 Vict., c. 52,
s. 21, re-
placed.

2. Section 21 of the said act 56 Victoria, chapter 52, as replaced by the act 15 George V, chapter 96, section 5, is again replaced by the following:

R.S., c. 102, s.
173, replaced
for city.

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

Holding of
general
elections.

"**173.** The municipal elections of the city of Hull shall be held every two years on the second Monday of the month of December, or on the following day, if such Monday be a holiday or non-judicial day; and public notice of such elections shall be given at least ten days before the nomination by a notice in French and in English, posted up during that time in the office of the clerk of the city and on the door of the city hall or published once in a newspaper of the city in French and in English as directed by the council.

Term of
office, etc., of
councillors.

The mayor and the aldermen shall enter into office and shall take possession of their respective seats only on the 1st of January following, and their term of office shall be two years."

56 Vict., c. 52,
s. 21a, re-
placed.

3. Section 21a of the said act 56 Victoria, chapter 52, as enacted by the act 15 George V, chapter 96, section 6, is replaced by the following:

Term of office
of certain
councillors.

"**21a.** The mayor and the fourteen aldermen elected at the election of the month of May, 1936, shall remain in office and represent the city until the 1st of January, 1939, without reëlection."

56 Vict., c. 52,
s. 35, re-
placed.

4. Section 35 of the said act 56 Victoria, chapter 52, as replaced by the act 15 George V, chapter 96, section 9, is again replaced by the following:

R.S., c. 102,
s. 135, re-
placed for
city.

"**35.** Section 135 of the said Cities and Towns' Act (Revised Statutes, 1925, chapter 102) is replaced, for the city, by the following:

When elec-
toral list to be
prepared.

"**135.** Between the 1st of October and the 1st of November of the year in which the general municipal elections are to be held, the city clerk shall make out, separately, for each ward, and according to the last valuation roll then in force, an alphabetical list of persons

entitled to vote at municipal elections in each ward, by entering in as many distinct columns the names and surnames of the electors, their occupation, the street, the property qualifying them, or the nature of the qualification of each of them; which list shall be revised by the council and homologated at the first meeting in the month of November."

5. Section 151a of the said act 56 Victoria, chapter 52, 56 Vict., c. 52, s. 151a, replaced. as enacted by the act 7 George V, chapter 68, section 11, is replaced by the following:

"151a. The council may, by by-law, order that in Building by-law. certain streets, public squares or parts thereof, no building or structure or part thereof shall be built or rebuilt except at a distance in rear of the line of such street, public square or part thereof, and may order what such distance shall be for such street, public square or part thereof."

6. Section 341 of the said act 56 Victoria, chapter 52, 56 Vict., c. 52, s. 341, replaced. as replaced by the acts 5 George V, chapter 92, section 11, and 15 George V, chapter 96, section 15, is again replaced by the following:

"341. It shall be the duty of the auditors to examine Auditors' duties. and report upon all accounts which may be entered in the books of the said council or concerning it, or which may be connected with any matters or things within control or jurisdiction of the said city council, and to publish a detailed statement of the receipts and expenditure and of the revenues of the said council, in two newspapers, one in English and one in French, published in the city, in the month of May."

7. Section 350 of the said act 56 Victoria, chapter 52, 56 Vict., c. 52, s. 350, replaced. as replaced by the acts 61 Victoria, chapter 56, section 16, and 3 George V, chapter 56, section 8, is again replaced by the following:

"350. The city clerk and the secretary-treasurer of the school commissioners or trustees, as the case may be, are obliged to give, during the course of the month of July, a special notice to each person whose property is to be sold, and whose name appears on the valuation roll then in force, by registered letter sent through the post office to the address of such person. If the name of the proprietor or occupant of such property does not appear in the registry office, notice given to the parties whose names appear on the valuation roll is sufficient." Giving of special notice as to sale of certain immoveables.

56 Vict., c. 52,
s. 356, re-
placed.

8. Section 356 of the said act 56 Victoria, chapter 52, as replaced by the act 61 Victoria, chapter 56, section 17, is again replaced by the following:

R.S., c. 102,
s. 564, re-
placed for
city.

"356. Section 564 of the Cities and Towns' Act (Revised Statutes, 1925, chapter 102) is replaced, for the city, by the following:

Redeeming of
immove-
ables.

"564. The proprietor of the immoveables sold or any other person may redeem the same, but only in the name and for the benefit of the person who was the proprietor thereof at the time of the sale, who shall re-assume his rights.

How effected.

The redemption can be effected during the two years following the date of the sale by paying into the hands of the city clerk the amount payable by the purchaser, with interest at ten per cent per year or part of a year on the price of the adjudication, and by paying to the purchaser the amount necessarily expended for preserving the immoveable."

56 Vict., c. 52,
s. 390, re-
placed.

9. Section 390 of the said act 56 Victoria, chapter 52, as replaced by the acts 61 Victoria, chapter 56, section 27; 4 Edward VII, chapter 56, section 14, and 15 George V, chapter 96, section 16, is again replaced by the following:

Annual ap-
propriations.

"390. Every year, at its first general meeting in the month of February, the council shall make an appropriation of the amounts necessary to meet the expenditure of the year commencing the 1st of January of the said year and ending the 31st of December following, by providing:

1. For the payment of the interest on the debt due by the city and for the sums required during the year for the sinking-fund, but without prejudice to the powers granted to the council regarding sinking-funds in virtue of section 375, as replaced by the act 4 Edward VII, chapter 56, section 12;

2. For the general and ordinary expenditure of the city;

3. For the sums necessary for contemplated improvements;

4. For a reserve fund of not less than five per cent on the gross revenue of the preceding year, to be used exclusively to meet unforeseen expenditure."

56 Vict., c. 52,
s. 427a,
added.

10. The said act 56 Victoria, chapter 52, is amended by adding thereto, after section 427 thereof, the following:

"427a. The tax or license imposed in virtue of sections 419, 421, 422, 427 and 428 shall be payable for every business establishment, and for every kind of business or occupation, when carried on or exercised by the same person, firm or company in two or more distinct and separate buildings or places of business."

Paying of
certain tax or
license.

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

Coming into
force.

