



CHAPTER 102

An Act to amend the charter of the city of Quebec

[Assented to, the 20th of May, 1937]

WHEREAS the city of Quebec has, by its petition, Preamble. represented that it is in the interest of the city and necessary for the proper administration of its affairs, that its charter, the act 29 Victoria, chapter 57, consolidated by the act 19 George V, chapter 95; amended by the acts 20 George V, chapter 110; 21 George V, chapter 122; 22 George V, chapter 104; 23 George V, chapter 122; 24 George V, chapter 87; 25-26 George V, chapter 111, and 1 Edward VIII (2nd Session), chapter 44, be again amended; and

Whereas it is expedient to grant its 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 city of Quebec is authorized by this act to Loan author-borrow a sum of not more than eleven hundred and ^{ized}sixty-one thousand dollars to pay the cost of the follow-^{for:}ing:

a. Fifty thousand dollars for the preparation of the Sewer plans; plans for the main sewer of the river St. Charles;

b. Ten thousand dollars for the new Charlesbourg New road; road;

c. Four hundred thousand dollars to consolidate a Current part of the deficit for the current financial year (1937-year's deficit; 1938);

d. Eight hundred and twenty-six thousand dollars Certain for the workmen's dwellings' deficit, provided that deficit:

- Proviso; such borrowing be submitted to the people by means of a referendum, in conformity with the provisions of the city charter;
- Certain re-
payment; e. Six hundred and twenty-six thousand dollars to repay the Provincial Government the balance of the loan made for the construction of workmen's dwellings;
- Cost of cer-
tain inqui-
ries; f. Fifteen thousand dollars to defray the cost of the inquiries made, those now being made and those to be made to establish the city's financial situation and to reorganize the various services;
- Accounting
system. g. Twenty-five thousand dollars to reorganize the accounting system and the purchase of machines for such purpose;
- Franklin
Hill; h. Ten thousand dollars for completing the work on Franklin Hill;
- Subscrip-
tion; i. Five thousand dollars for a subscription to the second French language convention in Quebec;
- Luminous
signals; j. Twenty thousand dollars for the installation of luminous signals;
- Permanent
paving; k. One hundred thousand dollars for permanent paving in the city streets, provided that such borrowing be submitted to the people by means of a referendum, in conformity with the provisions of the city charter.
- Proviso.

Issue of
bonds au-
thorized.

2. For the purposes authorized above, the city may, by resolution of its council, issue bonds bearing interest at a rate not exceeding five per cent per annum payable half-yearly; such bonds repayable by series or within a period not exceeding thirty years, and, if the city deems it advisable, redeemable at par if the bonds make mention of same, at an interest payment date, after three months notice given by registered letter to the registered holders, and inserted once a week for one month in a French newspaper and in an English newspaper published in Quebec.

Sinking-
fund, etc.

3. The bond issues payable at a term of over fifteen years must be provided with a sinking-fund sufficient to meet the capital within such term. The issues of bonds payable in series must be redeemed proportionately every year, so that the capital thereof be completely extinguished within the period of the issue.

Redeeming
of serial
issues.

4. The issues of bonds for a term of one to fifteen years must be provided with a sinking-fund of not less

than two per cent per annum, and serial issues must be redeemed at the rate of two per cent per annum during the period of the issue, the balance being payable at maturity.

5. Section 17 of the act 19 George V, chapter 95, is replaced by the following; 19 Geo. V, c. 95, s. 17, replaced.

“**17.** At its first meeting after the fifteenth of November, February, May and August, in each year, the city council shall elect one of the aldermen of the said council to perform the duties of pro-mayor during the following three months; and the alderman so elected shall have and exercise all the powers, authority and privileges vested in the mayor, when the mayor is unable to exercise them through absence from the city, illness or other cause. Appointment and powers of pro-mayor.”

In case, through any cause whatever, the said pro-mayor was not elected at such first meeting after the fifteenth of the said months, he may be elected at a subsequent meeting.” If not appointed at first meeting.

6. Section 35 of the act 19 George V, chapter 95, is replaced by the following; 19 Geo. V, c. 95, s. 35, replaced.

“**35.** To be entitled to vote at an election of mayor and alderman a person must be at least twenty-one years of age, be a subject of His Majesty, and be entered on the list of electors for the ward in which he wishes to vote.” Voting qualification.

7. Section 38 of the act 19 George V, chapter 95, is replaced by the following; 19 Geo. V, c. 95, s. 38, replaced.

“**38.** Joint-stock companies or corporations shall vote at municipal elections through a representative authorized to that end by a resolution of the board of directors; such representative must be a British subject, of the full age of twenty-one years, and at the time of the voting be a member, director, attorney or employee of the said company or corporation. Voting by companies, etc.”

A certified copy of such resolution shall be deposited in the office of the city clerk at least fifteen full days prior to voting day. The clerk shall upon application issue, for each polling-station where a company or corporation is entitled to vote, a certificate giving the name of the company or corporation, the name in full, occupation and address of its representative, author- Issuing of certificate by clerk.

ized to vote, and the polling-station where the company or corporation is entitled to vote.

Handing
over of certi-
ficate.

The representative, before voting on behalf of the company or corporation, shall hand over to the officer presiding at the poll, the certificate of the city clerk mentioned in the preceding paragraph.

Keeping of
register.

The city clerk shall keep a register divided by wards in which shall be entered the names of the companies or corporations which have deposited a proxy for voting, the names in full, address and occupation of their representatives, the polling-stations where such companies or corporations are entitled to vote, as well as the property or premises qualifying such companies or corporations. The register may be examined free of charge by any elector.

Representa-
tive.

To exercise such right it is essential that the above representative be himself an elector qualified to vote at the municipal election in question."

19 Geo. V,
c. 95, s. 40,
replaced.

S. Section 40 of the act 19 George V, chapter 95, is replaced by the following:

Preparation
of electoral
lists.

"**40.** Every two years, between the 15th of July and the 1st of September, the assessors shall prepare for each ward, according to the books of the city, for the current fiscal year, two alphabetical lists, to wit:

Contents of
one list.

A list containing the names of all tenants and occupants who appear according to the said books to have the right to vote in such ward for aldermen whose seats are designated by the numbers 2 and 3.

Contents of
the other.

Another list containing the names of all proprietors who appear according to the said books to have the right to vote for the aldermen whose seats are designated by the numbers 1, 2 and 3.

Where to
vote.

Persons entitled to vote, according to the said two lists, shall vote in and for the particular ward in which the property constituting their qualification to vote shall be situated; but, when any such person is qualified as owner, tenant or occupant in more than one ward, or as tenant in one ward, and at the same time as proprietor or householder in any other ward, he may vote for the election of aldermen in any of the wards wherein he is qualified so to do, and he shall be entered once only on the list of electors for each of such wards.

One vote for
mayor.

For the election of mayor, the elector shall vote only once, and, if he is qualified in respect of his residence,

his vote shall be accepted at the polling-station nearest his said residence, when his name on the list shall not be marked with the letter "X", which the assessors shall affix after the name of every elector qualified to vote in any other ward than that in which he is qualified to vote on account of his residing therein.

When the elector is not qualified in respect of residence, the assessors shall determine where, in their judgment, the said vote for mayor may be most conveniently cast. Where to vote when not qualified by residence.

Whenever the assessors have failed to indicate the place where such elector may vote, or whenever the letter "X" shall have been affixed by error opposite his name, he may vote by declaring under oath before the city clerk, on election day, that he has not already voted at said election for mayor, and the city clerk shall deliver to him a certificate authorizing him to vote, and mentioning the poll where he may vote. Certificate to vote.

The assessors, in making the said list of electors for each ward of the city, shall divide each ward into districts which must not contain more than one hundred and seventy-five electors each. The districts shall be those designated and fixed by the city clerk, who, under article 74 of this charter, shall furnish a list thereof to the assessors on or before the 1st of July in every second year. Division of wards.

The assessors must mention on such lists the corporation proprietors or tenants, under their corporate name." Mention on lists.

9. Section 41 of the act 19 George V, chapter 95, is replaced by the following: 19 Geo. V, c. 95, s. 41, replaced.

"41. In making out the electoral lists, by districts, under article 40 of this charter, the assessors shall enter therein the names of such tenants and occupants, not being proprietors, and the names of the proprietors of immoveables, whether they have or have not paid their taxes and dues whatsoever. If at the time the electoral list is made, the assessors are informed by the registry office that certain persons no longer possess as proprietors the immoveables qualifying them as electors, the assessors shall enter the names of the new proprietors on the electoral list, substituting such names in the place and stead of the former proprietors, provided that they possess the electoral qualifications required by law." Entries on lists.

19 Geo. V, c. 95, s. 42, is replaced by the following:

10. Section 42 of the act 19 George V, chapter 95, is replaced by the following:

Lists certified and deposited with clerk. “**42.** On the 2nd of September following, the assessors shall certify each of such lists and hand them to the city clerk, in whose office they shall remain deposited until the eighth of the same month, from nine o’clock in the morning to ten o’clock in the evening.”

19 Geo. V, c. 95, s. 43, is replaced by the following:

Notice of deposit of lists. “**43.** Before the 2nd of September, the said clerk shall give public notice of the deposit of such lists, informing the public by the notice that such lists shall, during the said period, be shown to any person making application therefor, and that every elector who may wish to apply for the insertion, the correction of a name in any of the said lists, or the striking of a name therefrom, shall do so, by affidavit, within the delay fixed by law for so doing.”

19 Geo. V, c. 95, s. 48, is replaced by the following:

Opening of sittings of board of revisors. “**48.** The board of revisors for revising the electoral lists shall commence to sit on the 9th of September, every two years, at the city hall, in the council room, at the hour specified in the public notice given by the city clerk.

Idem. If the 9th of September be a non-judicial day, the first of such sittings shall be on the following judicial city clerk.

19 Geo. V, c. 95, s. 50, is replaced by the following:

Applications for correction, etc., of name in lists. “**50.** Every application for the insertion or the correction of a name in such lists or the striking of a name therefrom shall be made by an elector, in writing and under oath, whether for himself or for a third person, and no application for such purposes shall be received at the city clerk’s office if it be not made within the legal delays, from nine o’clock in the morning until ten o’clock in the evening, between the 2nd and the 8th of September. The officers charged with the revision of the lists shall be authorized to receive the said oath.”

14. Section 51 of the act 19 George V, chapter 95, 19 Geo. V, c. 95, s. 51, replaced. is replaced by the following:

“51. Every such application shall state the reasons Contents of application and service thereof. upon which it is founded, and if it be for the purpose of striking a name, it shall be served upon the person whose name is sought to be struck, six clear days before its presentation for examination before the board of revisors.

Such service shall be effected and proved by a bailiff By bailiff. of the Superior Court in the same manner as the service of summons in civil matters.”

15. Section 52 of the act 19 George V, chapter 95, 19 Geo. V, c. 95, s. 52, replaced. is replaced by the following:

“52. If the person in question does not reside within When party resides outside of city. the limits of the city, the notice shall be deposited in the post office of the city of Quebec, in a stamped and registered envelope, addressed to such person and posted at least eight days before the presentation of the application for the striking of his name from the electoral list before the board of revisors.”

16. Section 53 of the act 19 George V, chapter 95, 19 Geo. V, c. 95, s. 53, replaced. is replaced by the following:

“53. At least four days before the 9th of September, the clerk shall give notice in a French and in an English newspaper, published in the city, of the day, hour and place at which the board shall proceed to the revision of such lists, and determining the order in which such revision shall be made.” Notice of revision of lists.

17. The act 19 George V, chapter 95, is amended 19 Geo. V, c. 95, s. 54a, added. by inserting therein, after section 54 thereof, the following section:

“54a. At the time of the revision of the list, even Removing of name of deceased person. if there be no application therefor, the said board may remove the name of any deceased person from the list, upon satisfactory proof to that effect.”

18. Section 58 of the act 19 George V, chapter 95, 19 Geo. V, c. 95, s. 58, replaced. is replaced by the following:

“58. The revision of the said lists shall be concluded Conclusion of revision. on or before the 12th of September.”

19 Geo. V, c. 95, s. 60, replaced. **19.** Section 60 of the act 19 George V, chapter 95, is replaced by the following:

Applications not decided before certain date. **“60.** All applications for inserting, correcting and striking names in and from such lists, which are not decided and determined on the 12th of September, shall, from that date, be deemed never to have been made.”

19 Geo. V, c. 95, s. 61a, added. **20.** The act 19 George V, chapter 95, is amended by inserting therein, after section 60 thereof, the following section:

Reimbursement to candidate. **“61a.** Any person who, having so paid for a copy of the said lists of voters, is a candidate at the next election, shall be reimbursed by the treasurer the amount which he has so paid to obtain a copy of the said lists of voters.”

19 Geo. V, c. 95, s. 65, replaced. **21.** Section 65 of the act 19 George V, chapter 95, is replaced by the following:

Nomination of candidates. **“65.** On the Monday preceding the last Monday of October of every second year, commencing in 1940, or on the first juridical day following, if such Monday be a non-juridical day, the nomination of candidates for the office of mayor and alderman shall take place at the office of the city clerk, in the city-hall, between the hours of noon and four o'clock in the afternoon.

Date of next general election. The next general election shall take place in the month of February, 1938, and the mayor and aldermen elected in 1938 shall remain in office until they be replaced by their successors elected in the month of

Indemnities. October, 1940. The indemnities of the mayor and aldermen for the period running from the 1st of March, 1938, to the 15th of November, 1940, inclusively, shall be calculated upon the same basis as that established in articles 15 and 16 of this charter, proportionately to the period elapsed.

Prohibition. The mayor and aldermen are forbidden, under penalty of being disqualified, to receive anything other than what the law allows.”

19 Geo. V, c. 95, s. 66, replaced. **22.** Section 66 of the act 19 George V, chapter 95, is replaced by the following:

Nomination procedure. **“66.** The nomination of the candidates shall be by means of a written requisition, signed by six or more

qualified electors, and deposited in the office of the clerk, on the Monday preceding the last Monday in October, or the first following juridical day if such Monday be a non-juridical day.”

23. Section 72 of the act 19 George V, chapter 95, 19 Geo. V, c. 95, s. 72, replaced. is replaced by the following:

“**72.** If there be more than one candidate for the Date of vot- same office, the voting shall take place on the last ing. Monday of October or on the first following juridical day if such last Monday be a non-juridical day, between nine o'clock in the morning and six o'clock in the afternoon.”

24. Section 74 of the act 19 George V, chapter 95, 19 Geo. V, c. 95, s. 74, replaced. is replaced by the following:

“**74.** When a poll is held in connection with the Designation and fixing of polling districts. election of a mayor or alderman, at a general or special election, the polling districts shall, in conformity with article 40 of this charter, be designated and fixed by the city clerk, who shall furnish the list thereof to the assessors charged with preparing the lists of electors, on or before the 1st of July in the year during which the list of electors shall be prepared in virtue of this act.”

25. Section 75 of the act 19 George V, chapter 95, 19 Geo. V, c. 95, s. 75, replaced. is replaced by the following:

“**75.** In every ward there shall be a Polling-stations. polling-station, for a number not exceeding one hundred and seventy-five electors qualified to vote for mayor and for aldermen; a person who is qualified to vote for the aldermen for the two seats, or, as the case may be, for the three seats at one time, shall, however, only count as one elector. Every elector shall have the right to vote once for the mayor, according to the provisions of articles 40 and 78 of this charter.”

26. Section 85 of the act 19 George V, chapter 95, 19 Geo. V, c. 95, s. 85, replaced. is replaced by the following:

“**85.** The city clerk shall also deliver to each Lists, etc., delivered to officer presiding. officer presiding at a poll, the list of electors to be used at such poll, and shall also deliver to him, as occasion may require, for each ward, a sufficient number of ballot-papers for the election of mayor, for the election of the

alderman whose seat is designated by the number 1, for the election of the alderman whose seat is designated by the number 2, and, as the case may be, for the election of the alderman whose seat is designated by the number 3, together with a lead pencil for marking the ballot-papers. The lead pencil shall be the same kind for all polls."

19 Geo. V, c. 95, s. 124, is replaced.

27. Section 124 of the act 19 George V, chapter 95, is replaced by the following:

Entering into office of mayor and aldermen.

"**124.** The mayor and aldermen elected at the general election shall enter into and enjoy the rights and privileges appertaining to their respective offices, on the 15th of November following such election. If the said 15th of November be a non-juridical day, they shall enter into such office only on the first following juridical day."

Coming into force of certain sections.

28. Sections 5, 8, 10, 11, 12, 13, 16, 18, 19, 21, 22, 23 and 27 shall only come into force for the general election to be held in 1940, and the articles of the charter amended by the above sections shall remain in force until the said election and until the preparation of the lists for the said election.

19 Geo. V, c. 95, s. 160, is replaced.

29. Section 160 of the act 19 George V, chapter 95, is replaced by the following:

Appointment, etc., of officers, etc.

"**160.** The council may appoint a clerk, a treasurer, an accountant, an engineer, and assistants for them, and such other employees as it may deem necessary; and, subject to the provisions of the act 22 George V, chapter 53, it may remove or dismiss them and appoint others in their places, and may exact security from them, and accord salaries to them, which salaries may be increased or reduced, from time to time, in the discretion of the council. No reduction under this article shall give any claim for damages, as against the corporation, to any person whose salary has been so dealt with."

Prohibition upon employees.

30. From the 1st of July, 1937, no employee may have any interest, directly or indirectly, in any contract or dealings with the city for the performance of work or supplying of materials or merchandise or effects whatsoever, nor shall he receive any emolument or benefit from any such contract, under penalty of dismissal.

31. Section 162 of the act 19 George V, chapter 95, 19 Geo. V, as replaced by the act 21 George V, chapter 122, section c. 95, s. 162, 5, is again replaced by the following: replaced.

“162. The city of Quebec shall provide a pension Pension fund fund for its permanent employees, and all necessary for perma- powers for such purpose are conferred upon it. The nent em- following shall be deemed a permanent employee of ployees. of the city and as such entitled to a pension for life: every person whose name appears in the municipal budget, whose annual salary is fixed and is voted each year and who forms part of the internal service of one of the departments of the city hall, or who is attached by the nature of his employment to one of the internal services of the city hall. No employee, except upon resolution of the administrative committee, may be appointed permanently and put on the pay-roll of permanent employees, save at the time of preparing the annual municipal budget.

The permanent employees above mentioned may be Dismissal removed from their duties as such only upon the affir- upon affir- mative vote of two-thirds of the members of the mative vote. council.

To assure solvency of the above-mentioned pension Amount to fund and notwithstanding any law or by-law to the be paid to contrary, the amount to be paid to every present or pensioners. future pensioner shall be established as follows, to wit:

a. The pension shall be calculated by taking one- How pension sixtieth of the average salary for the last ten years, calculated. multiplied by the number of years of service, the pension thus established in no case to exceed fifty per cent of the said average salary nor the amount of two thousand four hundred dollars.

b. The present pensioners of the pension fund or Present their representatives drawing less than forty dollars pensioners. per month shall not be affected by the reduction arising from this amendment.

The contributions of the active members of the pen- Contribu- sion fund shall be fixed at five per cent of their salary tions to fund. and the city of Quebec shall contribute an equal amount.

In order to make up the present deficit in the sum Making up of about two hundred and forty thousand dollars of of certain the said pension fund, the city shall contribute to such deficit. fund an annual amount of fourteen thousand dollars during the period necessary for such purpose.

Verifying of financial position. The financial position of the said fund shall be verified at least every five years by one or more actuaries appointed upon the recommendation of the Superintendent of Insurance.

Payments to certain non-permanent employees. The city is authorized to pay to its old non-permanent employees and who have become unable to work a pension which shall be fixed by the council upon the report of the administrative committee, and this notwithstanding that such employees have not contributed to any pension fund."

19 Geo. V, c. 95, s. 167a, added. **32.** The act 19 George V, chapter 95, is amended by inserting therein, after section 167 thereof, the following section:

Oath of office. **"167a.** Every permanent employee of the city, before acting as such shall take oath to faithfully and properly fulfil the duties of his office to the best of his judgment and capacity. Such oath shall be administered by the mayor, the city clerk or a commissioner of the Superior Court."

19 Geo. V, c. 95, s. 176, replaced. **33.** Section 176 of the act 19 George V, chapter 95, is replaced by the following:

Permanent auditor. **"176.** The council shall appoint a permanent auditor with a salary. Such auditor shall be a qualified member of an acknowledged association of accountants."

19 Geo. V, c. 95, s. 180, replaced. **34.** Section 180 of the act 19 George V, chapter 95, is replaced by the following:

Report by auditor. **"180.** The city auditor shall be responsible for the auditing of all the accounts and shall make a report of his findings to the council.

"*Vérificateur*". The word "*auditeur*" wherever it appears in the French version of this charter means "*vérificateur*"."

19 Geo. V, c. 95, s. 183, replaced. **35.** Section 183 of the act 19 George V, chapter 95, is replaced by the following:

Recovery of certain sums from certain fire insurance companies, etc. **"183.** The city is entitled to recover from any corporation, company, mutual or other association and from any person carrying on the business of fire insurance or the agents thereof, doing business in the said city, two-thirds of the amount that it will have expended for the administration of the Board of Fire Com-

missioners in such manner and at such periods as may be determined by by-law, which it is authorized to make or to amend, from time to time. By such by-law the city may establish the proportion to be paid by each of the said companies, corporations or fire insurance associations or their agents, and, in case of non-payment, the action therefor shall be brought before the Recorder's Court and be decided according to the law regulating the said court. This section shall not apply to *l'Assurance Mutuelle des Fabriques de Québec*.

This section shall apply to the financial year 1936-37 Application. and to the following financial years."

36. Section 184 of the act 19 George V, chapter 95, 19 Geo. V, is amended by adding thereto the following paragraph: c. 95, s. 184, am.

"Nevertheless, the city of Quebec may appoint Mr. Eugène Leclerc, former fire commissioner, in an advisory capacity to the Fire Prevention Department, from the 1st of December, 1936, with an annual salary not exceeding two thousand dollars, payable in the manner provided by articles 182 and 183." Appointment to Fire Prevention Department.

37. The words "Recorder's Court" wherever they appear in the city charter shall mean any court of competent jurisdiction or any other court which the Government may deem expedient to appoint to replace the said court. "Recorder's Court".

38. Section 185 of the act 19 George V, chapter 95, as amended by the acts 20 George V, chapter 110, section 8, and 21 George V, chapter 122, section 6, is replaced by the following: 19 Geo. V, c. 95, s. 185, replaced.

"**185.** At its first meeting after a general election, the council shall appoint an administrative committee composed of six of its members, one of whom chosen among the aldermen of each ward, and of the mayor, which committee shall have the powers and duties conferred upon it by the present charter: Administrative committee; Composition;

a. The mayor shall be *ex officio* a member of the said committee, and chairman thereof; Chairman;

b. The city clerk or, in his absence, the assistant clerk, shall be secretary of the committee; Secretary;

c. Four members shall be a quorum of the administrative committee. The chairman of the committee shall vote as a member and shall have a casting-vote in the case of a tie; Quorum;

- Term of office;** *d.* The members of the administrative committee remain in office until they are replaced;
- Absence of chairman;** *e.* In the absence of the chairman *ex officio*, the pro-mayor shall preside over the committee, and in the absence of such pro-mayor another member shall be appointed by the members present to preside over the meeting. The pro-mayor shall be entitled to preside over the meeting as above provided, even though he be not a member of the said committee, and, in such case, he shall not vote as a member but shall vote in the case of a tie;
- Vacancy;** *f.* Every vacancy in the administrative committee shall be filled by the council within thirty days of its occurrence;
- Idem;** *g.* While the vacancy subsists the remaining members may act, if they constitute a quorum;
- Resignation;** *h.* The resignation of a member of the administrative committee is without effect until it has been accepted by the council;
- Voting;** *i.* The members of the administrative committee are entitled to vote on any measure, question or report submitted to the council;
- Matters submitted to committee;** *j.* Every matter within the jurisdiction of the council, except where otherwise provided, shall be submitted to the administrative committee for a report, and, if the committee does not report to the council, the latter cannot act;
- Decisions;** *k.* No decision of the administrative committee may be rejected or altered by the council, except by the majority of the members present, exclusive of the mayor, and every report of the said committee the adoption whereof has not been opposed by the above number of aldermen, or upon which the council shall not have pronounced for two consecutive meetings, shall be deemed to be approved and adopted by the council;
- Reports to council;** *l.* The administrative committee shall communicate its decisions and suggestions to the council, by means of reports signed by its chairman and secretary;
- Expenditure;** *m.* The expenditure of the sums voted in the city budget each year may be made as follows, to wit:
- Restriction;** No expenditure in excess of one thousand dollars may be incurred without the approval of the council upon a report of the administrative committee;

The administrative committee may authorize any Salaries and expenditure not exceeding one thousand dollars; how- wages; ever, salaries and wages may be paid in the ordinary course of administration;

n. The administrative committee must see that the Observance law, the municipal by-laws and contracts of the city of laws, etc.; be faithfully observed and carried out;

o. The administrative committee shall see to the Plans, etc.; drawing up of plans and specifications and calling for tenders;

p. The committee shall be entitled to make all rules Rules and and regulations which it may deem proper for the regulations. despatch of the business before it."

39. Section 187 of the act 19 George V, chapter 95, 19 Geo. V, is replaced by the following: c. 95, s. 187, replaced.

"**187.** The mayor shall be chairman *ex officio* Chairman of of all special committees of the council and may take special com- part in the discussions and vote. In his absence the mittees. pro-mayor shall act as chairman, with the same powers. In the absence of both the mayor and pro-mayor, the chairman shall be chosen among the members present."

40. Section 193 of the act 19 George V, chapter 95, 19 Geo. V, is replaced by the following: c. 95, s. 193, replaced.

"**193.** The possession of a stall or other premises, Guarantees. leased by the city as above, may be refused until the lessee has furnished the guarantees, if any be required of him."

41. Section 200 of the act 19 George V, chapter 95, 19 Geo. V, as replaced by the act 25-26 George V, chapter 111, c. 95, s. 200, section 12, is again replaced by the following: replaced.

"**200.** Every year, between the first of September Drawing up and the fifteenth of January following, the assessors of valuation shall draw up, for each ward of the city, a valuation book . book of all the immoveables situate therein.

Such book shall contain:

Contents.

a. The names and the numbers of the streets where such immoveables are situate, as well as their cadastral numbers;

b. The names, Christian names and occupations of the proprietors of such immoveables and their actual residence, in so far as it is possible to establish it. In

the case of estates, where the heirs are unknown according to the registers in the registry office or who do not give their names and qualities to the assessors the name of the *auteur* shall be sufficient;

c. The amount of the real value of the said immoveables.

Coming into force of book.

Such valuation book shall come into force in accordance with the provisions of articles 215 and following of the city charter and it shall serve as a basis for the imposition of taxes on real estate (municipal and school) for the fiscal year beginning the 1st of May following.

Transmitting of copy of book to treasurer.

A copy of such valuation book certified by the board of assessors shall be transmitted to the treasurer, not later than the 2nd of March in every year, for the latter to prepare the imposition of real estate taxes or contributions for the ensuing fiscal year, which book must include the real estate taxes imposed by law, by by-laws and by resolutions, including the school tax."

19 Geo. V, c. 95, s. 201, replaced.

42. Section 201 of the act 19 George V, chapter 95, as replaced by the act 25-26 George V, chapter 111, section 13, is again replaced by the following:

Making of supplementary valuation book.

"**201.** Between the 1st of February and the 1st of September of each year the assessors shall make a supplementary valuation book of immoveables for every immoveable or part of an immoveable where changes have taken place since the preparation of the preceding valuation book, in which this supplementary book shall be incorporated to form part thereof.

Changes.

The above-mentioned changes shall include also the change of ownership, transfer by inheritance and otherwise.

Drawing up of book of taxes.

The assessors shall, in addition to the valuation books of immoveables above mentioned, draw up between the 1st of February and the 1st of September of each year, a book for the valuation and imposition of personal taxes, of business taxes and of all other city taxes, under any law or by-law; there shall be entered therein the names and the profession of the persons subject thereto. Such book shall be drawn up by wards."

19 Geo. V, c. 95, s. 204, repealed.

43. Section 204 of the act 19 George V, chapter 95, is repealed.

44. Section 212 of the act 19 George V, chapter 95, 19 Geo. V, c. 95, s. 212, is replaced by the following: replaced.

“212. In taxing immoveable property in the city, the assessors shall base their valuation on the real value, at the time of the assessment of each such immoveable. Basis of valuation.

The real value of the buildings shall be determined by the intrinsic or replacement value, taking into account the depreciation through the state of repair, the capital improvements or the changes made to the property and the site. The lands shall be valued according to their current value, consequent upon their site and general and particular economic fluctuations. In estimating such real value, the yield from the property must be taken into account.” Determining of real value.

45. Section 216 of the act 19 George V, chapter 95, 19 Geo. V, as replaced by the act 25-26 George V, chapter 111, section 14, is again replaced by the following: c. 95, s. 216, replaced.

“216. As soon as the assessors shall have deposited the valuation roll of immoveables, and the valuation roll of personal and business or other taxes in the office of the city treasurer, the latter shall publish a notice of such deposit every juridical day during three weeks, in a French and in an English newspaper of the city. At the expiration of such period, the said rolls shall be transmitted to the city treasurer, duly certified under oath by the assessor for each ward of the city, and thereupon such rolls, except in the case of an appeal, shall become obligatory with respect to any person named or assessed therein for the sums stated in the said rolls respectively, and shall remain in force until a new roll or rolls have been completed and put into force, in accordance with the provisions of this charter. Notice of deposit of rolls.

All persons considering themselves aggrieved by any entry, in the said rolls, shall file a complaint before the board of assessors of the city, in writing, and sworn to before a justice of the peace, or the clerk of the Re- Filing of complaints.

cordors' Court of the city, or before a commissioner of the Superior Court. Such complaint shall be filed during the same period with the board of assessors, and the clerk of the said board shall give, in the same newspapers, notice of the days and hours when they will hear the complaints.

Notice of completion of rolls.

Prior to the 1st of September in each year, the city treasurer shall give notice, every juridical day during three weeks, in a French newspaper and in an English newspaper of the city, that the assessment rolls of real estate taxes have been completed. At the expiration of such period, the said rolls shall be transmitted to the city treasurer, duly certified under oath by the assessor for each ward of the city, and thereupon such rolls, except in the case of a complaint, shall become obligatory with respect to any person named or assessed therein for the sums stated in the said rolls respectively, and shall remain in force until a new roll or rolls have been completed and put into force, in accordance with the provisions of this charter. During such three weeks any person considering himself aggrieved by any entry in such rolls shall file a complaint before the board of assessors of the city, in writing and sworn to before a justice of the peace, or the clerk of the Recorder's Court of the city or before a commissioner of the Superior Court. Such complaint shall be filed during the same period in the office of the assessors and the clerk of the said board shall give, in the same newspapers, notice of the days and hours when the complainants will be heard.

Complaints not decided upon.

In the case of a complaint being made and when, at the time of the putting into force of such rolls, such complaint has not yet been finally decided, the city treasurer shall establish the amount payable by the interested persons on the uncontested portion of the valuation or of the tax, and shall make entry thereof over his signature, opposite the name of the complainant.

Delay for decision.

Every complaint made against the said rolls shall be decided by the board of assessors within the two months following the filing of each such complaint."

19 Geo. V, c. 95, s. 234, replaced.

46. Section 234 of the act 19 George V, chapter 95, as replaced by the acts 20 George V, chapter 110, section 10, and 25-26 George V, chapter 111, section 15, is again replaced by the following:

“234. Each and every special tax imposed in virtue of the foregoing provisions may, at the option of the council, be either a fixed annual tax on all or any of the divers classes of persons subject to such taxes and on the premises by them occupied for the ends of their commerce, trade or industry, or a proportional tax, to be determined by the said council, according to the assessed real value of the immoveable or any part thereof occupied as such, or according to the annual value of the rental of such immoveable or any part thereof occupied as aforesaid by the persons subject to such tax, or to both modes together, that is to say, a fixed tax on the person subject to said tax and a proportional tax on the immoveable occupied as aforesaid, or only a fixed tax on the said person, according as the said council shall in each case consider it more advantageous for the city, provided that, for railway, telegraph or express companies, the fixed tax do not exceed, in any case, the sum of two hundred dollars per annum.

The city treasurer may, however, grant carters' permits, counting from the first of December, for the balance of the year, in consideration of half the annual price of the license, provided that such permits be given only to carters removing snow and that the said carters be ratepayers domiciled in the city.

Nevertheless the business tax imposed by the council in virtue of articles 232 and 234 of this charter shall not, in any case, be less than ten dollars.

The city may, nevertheless, in the case of certain trades, levy the tax imposed on the value of the annual rental of the immoveable or part of an immoveable occupied for commercial purposes, as a permit or license, notwithstanding any law to the contrary.”

47. Section 247 of the act 19 George V, chapter 95, is replaced by the following:

“247. All licenses shall be issued under the signature of the chief of police of the city, on the certificate of the city treasurer that the price of license has been paid by the person applying for such license.

Any license required by the charter and the by-laws of the city, becoming exigible after the 1st of January, may be issued on payment in advance of fifty per cent of the price of such license.”

19 Geo. V, c. 95, s. 249, replaced. **48.** Section 249 of the act 19 George V, chapter 95, is replaced by the following:

Duration of licenses. **"249.** Every license which the corporation of the city is authorized to issue under this charter shall be valid from the day of the issuing thereof until the first day of May then next, and no longer. The fees for such licenses may be recovered by a penal action under the by-law establishing the same and by civil action even if the by-law does not provide for such method of recovery."

Recovery of fees therefor.

19 Geo. V, c. 95, s. 273, replaced. **49.** Section 273 of the act 19 George V, chapter 95, as amended by the act 24 George V, chapter 87, section 5, is replaced by the following:

Interest on sums due. **"273.** Interest at the rate of five per cent per annum shall be payable on all sums exigible by the corporation for any taxes whatsoever not paid before the first day of November of each and every year, which interest shall be computed from the said first day of November until payment is fully made, and on accounts for the cost of snow removal, the interest shall be computed from the 1st of July of each year. As regards other accounts, the interest shall be computed from thirty days from the sending of the account for the current year. Interest of six per cent shall be charged on any license not paid within thirty days from the date of its exigibility.

Discount. Every ratepayer who pays his tax account before the 1st of November shall be entitled to a discount not exceeding three per cent per annum, computed on the number of days between the date of payment and the 1st of November.

No reduction, etc. No remission or reduction of the interest on the amounts exigible by the city and unpaid may be made."

19 Geo. V, c. 95, s. 274, replaced. **50.** Section 274 of the act 19 George V, chapter 95, is replaced by the following:

Person subrogated *de jure* in rights etc., of city. **"274.** Whosoever, not being a debtor, pays to the city, with the debtor's consent in writing, any municipal or school, immoveable or personal, general or special tax or water-rate due by a third party, is *de jure* subrogated in the rights and privileges of the city, and may recover the amount of the taxes so paid by him from the real debtor.

Such subrogation has no effect against the third party unless the receipt given by the city treasurer states that the payment was made with subrogation and unless the said subrogation has been registered at the Quebec registry office upon the immoveable affected by such subrogation.” Effect.

51. Section 274a of the act 19 George V, chapter 95, 19 Geo. V, as enacted by the act 1 Edward VIII (2nd Session), chapter 44, section 6, is replaced by the following: c. 95, s. 274a, replaced.

“**274a.** Notwithstanding any law to the contrary, every payment by a ratepayer owing arrears of taxes shall be imputed first on the interest and then on the oldest debt.” Imputation of certain payments.

52. Section 275 of the act 19 George V, chapter 95, is replaced by the following: 19 Geo. V, c. 95, s. 275, replaced.

“**275.** The properties of incorporated institutions of education or charity employed or used for educational or charitable purposes shall be free from the real estate and school tax.” Properties free from certain taxes.

53. Section 284 of the act 19 George V, chapter 95, is replaced by the following: 19 Geo. V, c. 95, s. 284, replaced.

“**284.** On or before the first day of February in each year, the heads of the various departments shall make reports to the administrative committee stating the various requirements of the civic service for the following year and the sums required to meet the same.” Reports to administrative committee.

54. Section 286 of the act 19 George V, chapter 95, is replaced by the following: 19 Geo. V, c. 95, s. 286, replaced.

“**286.** It shall be the duty of the council of the city to make every year, on or before the first day of April, an appropriation of the amounts necessary to meet the expenses of the fiscal year then next by providing:— Making of appropriation of amounts to meet certain expenses for then next year.

a. For the sums required for debt services of the city;

b. For the expenses of the city;

c. For a contingent fund of not less than one per cent of the total anticipated revenue, to meet unforeseen expenditure;

d. For a reserve equal to at least two per cent of the assessments for the year, against the loss in the collection of assessments.

e. For the sums required for projected improvements for which special taxes or assessments are not needed."

Amending,
etc., of cer-
tain budget.

55. The budget prepared by the administrative committee for the fiscal year beginning on the 1st of May, 1937, and ending on the 30th of April, 1938, which was adopted by the administrative committee on the 23rd of April, 1937, and presented on the same day to the council for first reading, as well as the report of the said committee which accompanied such budget, may be amended or annulled. If the said budget and report are annulled, the administrative committee shall prepare a new budget and deposit the same at the office of the council not later than the 25th of June, 1937, together with the report or reports or by-laws required by law, which by-laws may be adopted without previous notice, and such new budget shall be adopted by the council on or before the 1st of July, 1937.

If budget for
fiscal year
1937-1938
annulled.

If the budget for the fiscal year 1937-1938 is annulled, the administrative committee may, before adopting the new budget, authorize the treasurer to make temporary use of the sums on hand derived from any source, to pay the expenditures chargeable against revenue incurred and exigible from the 1st of May. If there is no cash on hand, or if the amount on hand is insufficient, the administrative committee may authorize a temporary loan at the banks, which loan shall be refunded immediately after the adoption of the budget, either out of the revenues collected or by means of a regular loan in anticipation of the collection of revenue for the current fiscal year.

Effect of
adoption of
new budget.

After the adoption of the new budget, the budget deposited on the 23rd of April, 1937, shall be without effect, but the expenditures made and authorized by such budget are declared to have been made legally.

If budget
only amend-
ed.

If the budget is only amended, the administrative committee shall deposit, at the same time as it shall submit the amended budget, the by-laws for new or modified taxes to be adopted, without it being necessary to give previous notice thereof, at the same time as such budget, and such by-laws, once adopted, shall be binding for the fiscal year 1937-1938.

The new licenses and taxes imposed by the by-laws adopted at the same time as the new budget or the amended budget shall be imposable and due from the 1st of May, 1937. Due date of new licenses and taxes.

If the budget is amended, such amendment shall be considered as forming part of the budget deposited on the 23rd of April, 1937, for the fiscal year 1937-1938. Amendment.

56. Section 287 of the act 19 George V, chapter 95, as amended by the act 25-26 George V, chapter 111, section 18, is replaced by the following: 19 Geo. V, c. 95, s. 287, replaced.

“287. The council, before the first of April of each year, must impose, over and above the other revenues of the city, a tax sufficient to meet the expenses provided for by the budget for the following fiscal year. Imposition of tax to meet expenses.

The council or a committee may not in any case authorize expenditure or the payment of a debt for an amount greater than that provided in the budget, and it is forbidden, under the penalties enacted by this charter, for the treasurer, the auditor, the mayor or any member of the council to authorize, to permit or to make such payment. Certain expenditure prohibited.

In a case where, during the fiscal year, an appropriation is exceeded or an unforeseen debt must be paid, such payment cannot be effected unless it is authorized by a by-law of the council, which at the same time levies a special tax to meet it. Such tax must be added separately to the nearest assessment roll, and collected at the same time. By-law for certain special tax.

If, at the end of a fiscal year, there be a deficit in the year's operations, a special tax to pay such deficit shall be imposed, by by-law, before the 1st of July next following, to be collected at the same time as the assessment for the new year. Special tax for deficit.

Any member of the council who knowingly infringes the present provision, besides the other penalties provided by the charter, shall lose the right to his seat, which may be declared vacant by any competent tribunal, on proceedings by *Quo Warranto*. Penalty for infringement.

Every year, during the month of June, the city treasurer must transmit to the council a sworn statement of the financial situation and a summary of receipts and expenses of the city for the preceding fiscal year, duly certified by the city auditor. The clerk shall transmit a certified copy of the said report to the Mi- Transmitting of statement.

nister of Municipal Affairs, Trade and Commerce. But for the fiscal year 1935-1936, the treasurer shall have an extension of time until the 1st of August, 1937, for presenting his report."

19 Geo. V, c. 95, s. 288, is replaced by the following:

57. Section 288 of the act 19 George V, chapter 95, is replaced by the following:
 Voting of certain sums. **"288.** If the sums which should be voted in conformity with article 286 could not be voted on or before the first of April, they may be voted after that date, and the by-law necessary for that purpose may also be passed after that day."

19 Geo. V, c. 95, s. 293, is replaced by the following:

Non-liability for certain debts. **"293.** No debt contracted by the council or by its officers and not covered by a duly voted appropriation shall be recoverable from the corporation.

Recovery. It can be recovered only from the officer or members of the council who incurred it or authorized or approved its being contracted.

Treasurer personally liable. If the treasurer pays such debts out of the funds of the corporation he shall be personally liable for such amount towards the city and any elector of the city may take an action against the treasurer for the recovery of the amount illegally paid."

19 Geo. V, c. 95, s. 300, is replaced by the following:

Signatures of mayor and treasurer. **"300.** No warrant, bond, certificate of registered stock or cheque shall be payable or valid until it has received the signature of the mayor and the treasurer, or any other officer appointed for such purpose by the administrative committee, except, however, in the case of cheques to pay the city employees made out in their names; such cheques may be signed by the paymaster or any other officer authorized for such purpose by the treasurer."

19 Geo. V, c. 95, s. 303, is replaced by the following:

Certain expenditure authorized. **"303.** On the occasion of public rejoicings, of demonstrations of a public and popular character, of receptions of foreign public bodies and of distinguished

personages, for grants to playgrounds or for the purpose of providing for public concerts in the public squares of the city or granting relief in cases of fire or other great calamity, or to encourage tourist traffic and the holding of congresses and conventions in the city, or for known charitable works, it is lawful for the said council, on a recommendation to that effect from the administrative committee, to vote or authorize the expenditure of an amount not exceeding twenty thousand dollars in any one year, such sum to be taken from the fund reserved for unforeseen expenses.

The city is also authorized to vote a sum not exceeding ten thousand dollars on such conditions as it thinks proper, for the holding of an agricultural or industrial exhibition within or near the city limits.”

61. Section 311 of the act 19 George V, chapter 95, is replaced by the following:

19 Geo. V,
c. 95, s. 311,
replaced.

“**311.** The school taxes collected by the city may be deposited in the general account of the city, in a chartered bank.”

School taxes.

62. Section 315 of the act 19 George V, chapter 95, is replaced by the following:

19 Geo. V,
c. 95, s. 315,
added.

“**315.** The city is authorized to pay an annual sum, not exceeding one thousand dollars, to the Dom Bosco Refuge.”

Grant to
Dom Bosco
Refuge.

63. The act 19 George V, chapter 95, is amended by inserting therein, after section 316*a* thereof, as enacted by the act 20 George V, chapter 110, section 14, the following section:

19 Geo. V,
c. 95, s. 316*b*,
added.

“**316*b*.** The city is authorized to pay an annual sum not exceeding five thousand dollars to Laval University, Quebec.”

Grant to
Laval Uni-
versity.

64. The act 19 George V, chapter 95, is amended by inserting therein, after section 320 thereof, the following section:

19 Geo. V,
c. 95, s. 320*a*,
added.

“**320*a*.** The city must deposit with the Provincial Treasurer all its sinking-funds, whether in bonds or money. With respect to sinking-funds for loans contracted prior to 1918, the Provincial Treasurer shall not pay the interest fixed by law except on a capital not exceeding one hundred thousand dollars.

Depositing
of city sink-
ing-funds.

Use of monies of sinking-funds.

A city commission consisting of the mayor, one alderman, the city treasurer and the auditor (commission created by this act) may, with the consent of the Quebec Municipal Commission, use the monies of its sinking-funds for the redemption of its outstanding bonds, or with such monies purchase at current market rates other bonds of the city to be issued, or purchase other bonds as provided in section 38 of the Municipal Debt and Loan Act (Revised Statutes, 1925, chapter 111)."

19 Geo. V, c. 95, s. 329a, added.

65. The act 19 George V, chapter 95, is amended by inserting therein, after section 329 thereof, the following section:

Certain payments, etc., authorized.

"**329a.** The city, with the approval of the Quebec Municipal Commission, is authorized to pay out of its ordinary working capital, or to borrow from time to time, by mere resolution of its council, the monies which it may need for expenditures deferred in anticipation of the revenue of the following fiscal years. The city is, moreover, authorized to pay in the same manner any sum it is bound to expend, when through such payment, it will receive an equivalent or greater asset."

19 Geo. V, c. 95, s. 333a, added.

66. The act 19 George V, chapter 95, is amended by inserting therein, after section 333 thereof, the following:

Using of balance of loans.

"**333a.** The balance of any loan made by the city, not required for the purpose for which such loan was made, may, in the discretion of the council, be employed for other expenditures of a permanent nature, or applied to the payment of previous deficits of the city, with the consent of the Quebec Municipal Commission."

19 Geo. V, c. 95, s. 336, am.

67. Section 336 of the act 19 George V, chapter 95, as amended by the acts 21 George V, chapter 122, section 8; 22 George V, chapter 104, section 5, and 25-26 George V, chapter 111, section 19, is again amended:

a. By replacing paragraph 154 thereof, as replaced by the act 21 George V, chapter 122, section 8, by the following;

Removal of snow, etc., from streets;

"154. To declare that the city shall undertake to remove snow or ice from its streets or from some of the

said streets or from certain portions of the said streets as well as from the sidewalks of such streets or parts of streets; to declare that the city, instead of removing snow and ice, as above, shall undertake to scrape or blow away the snow, leaving to the bordering property-owners the removal of the snow or ice from the streets, parts of streets and sidewalks, they paying the actual cost of the scraping or blowing away; to compel the persons obliged to remove such snow or ice to repay the city the actual cost of the removal of such snow or ice by the city, after deducting what has to be paid by the Quebec Railway, Light and Power Company or any other electric tramway company on such streets as are traversed by such electric tramway, and to regulate the manner of recovering and collecting the expense incurred by the city for that object; and, while awaiting recovery, the city is authorized to borrow by means of treasury bonds the amount necessary to pay such expense;

The curb bordering the bed of the street in front of all bordering properties shall be the base upon which shall be calculated, in linear feet of the length of the said curb, the cost of the removal of the snow; but such cost may also be based, at the council's option, on the valuation of the immoveable properties, or on the linear foot and valuation combined;

If the bed of the street is not determined, it shall be considered to be twenty-eight feet wide and, if the bed at a point of intersection is in the form of a curve, the limit of the bed on both sides shall be the point of intersection of the prolongation of the respective beds of each of the intersecting streets;"

b. By replacing paragraph 161 thereof by the following;

"161. To prescribe where and in what manner hay, straw, lime and undressed building stone may be weighed and sold, and how firewood, coal and cut stone may be measured and sold, and that such various articles and merchandise be weighed on public scales controlled and approved by the city;"

c. By inserting therein, after paragraph 191 thereof, as enacted by the act 25-26 George V, chapter 111, section 19, the following;

"192. To enact when and how the proprietors, tenants or occupants of houses or buildings shall

proceed to clear the roofs of the snow which has accumulated thereon when such snow has to be thrown into the streets on which the city does the snow removing in the place of such proprietors, tenants or occupants;

Tax on certain mechanical gaming apparatus; "193. To levy on every person, corporation or partnership, possessing or operating in any manner whatsoever any mechanical gaming apparatus whatsoever operated by means of a coin or a counter, an annual tax or license of twenty-five dollars;

Tax on "Lloyds", etc. "194. To impose taxes or licenses on any group or syndicate of insurers commonly called "Lloyds" or other insurers of the same kind, and upon cash mutuals and individual insurers insuring risks for their own benefit, or their agents or representatives, whenever they take insurance risks in the city of Quebec;

Additional tax on chain stores; "195. To levy on every merchant, merchant partnership or merchant company (commonly called chain stores) who or which has a place of business and sells by retail in the city, but whose main office is outside of the city, an additional tax of five hundred dollars on each store, such tax being in addition to all taxes imposed on such stores;

Examining of books of places of amusement; "196. To oblige every person or company operating theatres or other places of amusement falling under the Amusement Tax Act to show and allow their books to be examined by any person authorized so to do by the city, for the purpose of checking the collection of the charity tax;

Tax on seating capacity; "197. To impose a special annual tax, not exceeding fifty cents per individual seat, on every owner, occupant or lessee of any hall where moving pictures are exhibited.

Exemption; Parochial halls and educational institutions shall be exempt from such tax;

Closing of barber shops; "198. To enact the closing of barber shops at certain hours of the evening and on certain days of the year;

Vision to be unobstructed. "199. To enact that in barber shops the glass in windows facing the street must be kept clear and uncovered so as to afford unobstructed vision from the outside."

19 Geo. V, c. 95, s. 358, is repealed. **68.** Section 358 of the act 19 George V, chapter 95, repealed.

69. Section 383 of the act 19 George V, chapter 95, 19 Geo. V, as replaced by the act 20 George V, chapter 110, section 17, is again replaced by the following: c. 95, s. 383, replaced.

383. The sale by the city of the lots, either vacant or built upon, which it owns, shall be effected by public auction. Sale by public auction.

Nevertheless the city may sell, by private sale, to the adjoining owners, pieces of land of which it has become owner through expropriation or otherwise. Private sale.

The city, in addition, may sell, by private sale, the houses erected under the Workmens' Dwelling Act of which it has become owner. Idem.

70. The act 19 George V, chapter 95, is amended by inserting therein, after section 426 thereof, the following: 19 Geo. V, c. 95, s. 426a, added.

426a. Whenever a proprietor is obliged to reimburse to the city the half of the cost of a permanent sidewalk, built opposite his property, he may apportion such reimbursement over a period of three years, payable one-third annually with interest. Apportioning of certain reimbursement.

71. The act 19 George V, chapter 95, is amended by inserting therein, after section 428 thereof, the following: 19 Geo. V, c. 95, s. 428a, added.

428a. When, through the changing of the level of a sidewalk, street or lane, damage is caused to a property bordering on such sidewalk, street or lane, in the valuation of the damage the added value given to such property by such change of level and the municipal work done by the city must be considered, and such added value shall serve to indemnify for so much the damage suffered. Valuation of certain damage.

72. Section 437 of the act 19 George V, chapter 95, is replaced by the following: 19 Geo. V, c. 95, s. 437, replaced.

437. From the time when the city roads and streets are covered with snow, the proprietors, tenants or occupants of houses, lots or vacant spaces of ground in the city shall keep in repair and good condition the roads and streets whereby their property is bounded on every side, conformably to the regulations which may be in force, and shall do so for as long as the said public roads, streets and lanes are wholly or partly covered by snow. Keeping of certain roads, etc., in repair, etc.

19 Geo. V, c. 95, s. 445, replaced. **73.** Section 445 of the act 19 George V, chapter 95, is replaced by the following:

Depositing of copy of general plan of city.

“445. A copy of the general plan of the city, certified by the city engineer, shall be deposited in the office of the prothonotary of the Superior Court, for the district of Quebec, in the office of the city clerk and in the registry office of Quebec; and copies of all modifications or alterations of, or additions to the said plan or map shall be certified and deposited in the same manner; and the said copies of the general plan of the city, and all modifications, alterations, or additions thereto, shall be certified by the prothonotary of the said Superior Court in the following words: “Confirmed by the Superior Court, on the day of .”

Mention of deposit.

After the deposit of every plan as above prescribed, the registrar shall have mention of such deposit made in the index to immoveables at the cadastral number affected by such plan as follows: “Plan confirmed by the Superior Court, on the day of”.

19 Geo. V, c. 95, s. 497a, added. **74.** The act 19 George V, chapter 95, is amended by adding thereto, after article 497 thereof, the following article :

Non-taxable property.

“497a. The conduits of the city waterworks which cross the territory of the municipalities adjacent to the city of Quebec are declared non-taxable property except as regards school taxes.”

19 Geo. V, c. 95, s. 499, am. **75.** Article 499 of the act 19 George V, chapter 95, is amended by adding thereto the following:

Extent of certain prohibition.

“In so far as the Nelson river is concerned, the prohibition enacted by this article extends to a distance of seven miles, measured by following the bed of the said river and not otherwise; subject to the control and approval of the bureaus of health, Provincial or municipal.”

19 Geo. V, c. 95, s. 535a, added. **76.** The act 19 George V, chapter 95, is amended, by inserting therein, after article 535 thereof, the following article:

Accidents on sidewalks due to snow or ice.

“535a. Notwithstanding any general law or special act to the contrary, the city shall not be held responsible for damages resulting from an accident to any person on any sidewalk, street, or road due to

snow or ice, unless the claimant establishes that such accident was caused by the negligence or fault of the said corporation. The court must take into consideration climatic conditions."

77. The act 19 George V, chapter 95, is amended 19 Geo. V, c. 95, s. 538a, added. by inserting therein, after article 538 thereof, the following article:

"**538a.** Notwithstanding any law to the contrary Executing of a certain judgment. no judgment against the city consisting merely of a pecuniary condemnation shall be executory before the expiration of thirty days from the date of such judgment."

78. Article 547 of the act 19 George V, chapter 95, 19 Geo. V, c. 95, s. 547, am. as amended by section 9 of the act 24 George V, chapter 87, is again amended by replacing the first paragraph thereof by the following:

"**547.** The city may unite with the Government in Town-planning commission. appointing a town-planning commission for the embellishment of the whole extent of its territory. Such commission shall be composed of six members, three of whom, including the mayor *ex officio*, to be appointed by the council and the other three by the Government. This commission shall be known under the name of "Quebec Town-planning and Conservation Commission". The powers and duties of such commission, including powers to establish zones and control architecture, shall be defined, by a by-law passed for the purpose by the city council. The said by-law shall require the approval of the Lieutenant-Governor in Council."

79. Section 600 of the act 19 George V, chapter 95, 19 Geo. V, c. 95, s. 600, replaced. is replaced by the following:

"**600.** In all cases of offences as aforesaid, and in all cases of offences committed against the by-laws of the city now in force, or which hereafter shall be in force, the Recorder's Court may summon the offender from any place within any district of the Province, to appear before the said court, or may issue a warrant against him to bring him before the said court."

80. Notwithstanding any law to the contrary the Grant to Quebec Technical School. contribution by the city of Quebec to the Quebec Technical School shall not exceed ten thousand dollars.

Transmit-
ting of chan-
ge of address
by public
utility com-
panies.

81. Public utility companies, particularly The Quebec Power Company and The Bell Telephone Company of Canada shall be bound to transmit to the city clerk any notice of change of address to their subscribers every fifteen days for the months of April and May, and, for the other months of the year, it shall suffice to send such changes monthly. The information so furnished shall be confidential.

Exemption
from pay-
ment of cer-
tain Govern-
ment licen-
ses.

82. Notwithstanding the provisions of the Motor Vehicle Act, the city of Quebec shall be exempt from the payment to the Government of this Province of licenses for the motor vehicles belonging to the city and used by it for municipal purposes. But previous application for such exemption must be made to the Revenue Branch, at Quebec.

Coming into
force.

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