



## CHAPTER 106

### An Act to amend the charter of the city of Three Rivers

[Assented to, the 17th of May, 1937]

**WHEREAS** the city of Three Rivers has, by its petition, represented that it is in the interest of the ratepayers and of the proper administration of its affairs that its charter, the act 5 George V, chapter 90, as amended by the acts 6 George V, chapter 45; 7 George V, chapter 63; 8 George V, chapter 85; 9 George V, chapter 93; 10 George V, chapter 88; 11 George V, chapter 113; 18 George V, chapter 99; 19 George V, chapter 98; 21 George V, chapter 128; 22 George V, chapter 108; 23 George V, chapter 126, and 25-26 George V, chapter 116, be further amended, as hereinafter set forth, and that certain special powers be granted to it; and

Whereas it is expedient to grant the prayer of 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.** The English version of section 4 of the act 55 Geo. V, c. 90, s. 4, English version, is replaced by the following:

**"4.** The inhabitants and ratepayers of the city of Trois-Rivières and their successors shall continue to be a municipal corporation under the name of "The Corporation of the City of Trois-Rivières".

**2.** Section 64 of the Cities and Towns' Act (Revised R.S., c. 102, Statutes, 1925, chapter 102), as replaced for the city

by the act 25-26 George V, chapter 116, section 1, is amended, for the city, by replacing the words: "not receive any salary, profit or indemnity, in any form whatsoever, for their services, except the mayor who shall receive", in the first, second and third lines thereof, by the words: "receive, respecting the aldermen, an annual salary of one thousand dollars for their services counting from the 1st of January, 1937, and, respecting the mayor,".

5 Geo. V, c. 90, s. 9, replaced. **3.** Section 9 of the city charter (5 George V, chapter 90), as replaced by the acts 18 George V, chapter 99, section 2, and 21 George V, chapter 128, section 2, is again replaced by the following:

R.S., c. 102, ss. 48, 49, replaced for city. Mayoral term of office. **"9.** Sections 48 and 49 of the said Cities and Towns' Act are replaced, for the city, by the following:  
**"48.** The mayor shall be elected for two years by the majority of the municipal electors who have voted.

Aldermen's term of office **"49.** The aldermen for seats No. 1 in each ward shall be elected for two years by the majority of the electors who are real estate owners in the ward and who have voted, and the aldermen for seats No. 2 in each ward, by the vote of the majority of all the municipal electors of the ward who have voted."

R.S., c. 102, s. 69, replaced for city. **4.** Section 69 of the said Cities and Towns' Act, as amended by the act 24 George V, chapter 33, section 1, is replaced, for the city, by the following:

Appointing, etc., of officers. **"69.** The council may appoint such officers as it may deem necessary to carry out the powers vested in it, and grant them such salary or compensation as it may think fit. It may, upon a vote of the absolute majority of all the aldermen, remove any officer and appoint another in his place."

R.S., c. 102, s. 135, replaced for city. **5.** Section 135 of the said Cities and Towns' Act, as replaced, for the city, by the act 21 George V, chapter 128, section 6, is again replaced, for the city, by the following:

Preparing of voters' list. **"135.** Prior to the first of July of each year preceding a general election, there shall be prepared by the clerk, or under his direction, in the manner hereinafter mentioned, a list for the municipality of the names of

persons entered on the valuation roll as well as on the collection roll of the municipality and qualified to be entered in the electoral list."

**6.** Section 173 of the said Cities and Towns' Act is replaced, for the city, by the following sections: R.S., c. 102, s. 173, replaced for city.

"**173.** The general election for mayor and aldermen of the city shall be held every two years, on the third Monday of September, in accordance with the provisions hereinafter contained. Holding of general election.

If the third Monday of September be a non-juridical day, the general election shall be held on the first juridical day following the third Monday of September on which such election is to be held. Alternative date.

"**173a.** A general election for mayor and aldermen shall be held on the third Monday of September, 1937, and, thereafter, every two years, on the third Monday of September, in accordance with the provisions of the city charter." Holding of next general election.

**7.** Section 175 of the said Cities and Towns' Act, as amended by the act 21 George V, chapter 55, section 1, is replaced, for the city, by the following: R.S., c. 102, s. 175, replaced for city.

"**175.** Ten days at least before the second Monday of September, of the year in which a general election is to be held, the returning-officer, by a commission under his hand, in the form 5, shall appoint an election clerk, and may, at any time during the election, appoint in the same manner, another election clerk, if the one first appointed resigns, or refuses or is unable to perform his duties as such clerk." Appointing of election clerk.

**8.** Section 179 of the said Cities and Towns' Act, as amended by the act 21 George V, chapter 55, section 2, is replaced, for the city, by the following: R.S., c. 102, s. 179, replaced for city.

"**179.** Eight days at least before the second Monday of September, in the year in which a general election is to be held, the returning-officer shall give public notice, in the form 7, over his signature, setting forth: Giving of public notice re:

1. The place, day and hour fixed for the nomination of candidates; Nomination

2. The day on which the poll for taking the votes of the electors will be held in case a poll is necessary; Polling

3. The appointment of the election clerk."

Election clerk.

R.S., c. 102, s. 181, replaced for city.

**9.** Section 181 of the said Cities and Towns' Act, as amended by the act 21 George V, chapter 55, section 3, is replaced, for the city, by the following:

Nomination of candidates.

**"181.** The nomination of candidates at a general election shall be held on the second Monday of September from noon to two o'clock in the afternoon. If such day be a holiday, it shall be held on the first juridical day following the second Monday of September, and during the same hours."

5 Geo. V, c. 90, s. 47, repealed.

**10.** Section 47 of the charter of the city (5 George V, chapter 90), as replaced by the act 8 George V, chapter 85, section 3, is repealed.

R.S., c. 102, s. 428, amended for city.

**11.** Section 428 of the said Cities and Towns' Act, as amended, for the city, by the act 22 George V, chapter 108, section 5, is again amended, for the city, by adding to paragraph 5 thereof the following paragraph:

Regulating of hours for dancing, etc.

**"To determine hours for dancing or to prohibit dancing in dance halls, cafés, restaurants and inns, if such establishments are recognized as places where dancing is habitually carried on; to order the closing of cafés or restaurants between midnight and six o'clock in the morning; to compel such establishments, in order to be authorized to have dancing therein, to obtain a permit or license for which a sum may be exacted not exceeding one hundred dollars in addition to the other taxes or licenses imposed by law;"**

R.S., 1909, art. 5735, amended for city.

**12.** Article 5735 of the Revised Statutes, 1909, as replaced, for the city, by the act 5 George V, chapter 90, section 72, and amended, for the city, by the acts 6 George V, chapter 45, section 5, and 23 George V, chapter 126, section 6, is again amended, for the city:

*a.* By replacing sub-paragraph 6 thereof by the following:

Tax on hackmen, etc.;

**"6.** On all hackmen, carters, expressmen and other persons conveying, in the city, persons, goods, effects and produce of any kind, as well as on persons selling and racing horses, a tax not exceeding thirty dollars for the first vehicle and twenty dollars for any other additional vehicle;"

*b.* By adding thereto, after sub-paragraph 37 thereof, the following sub-paragraph:

"37a. The city council may, in addition to the taxes <sup>Tax on</sup> contemplated by sections 469, 523 and 526 of the Cities <sup>chain-stores;</sup> and Towns' Act (Revised Statutes, 1925, chapter 102), impose and levy from the first of January, 1937,—on every person not residing within the municipality and on every corporation or company not having its chief place of business therein, operating one or more stores for smokers' supplies, candy, articles of domestic use, meat, groceries, dry goods or general merchandise, outside of the municipality and operating one or more of such establishments within the municipality—, an annual special tax not exceeding five hundred dollars for the year begun on the first of May, 1936, and not exceeding two thousand dollars for subsequent years for each such establishment within the municipality.

This sub-paragraph shall apply also to every com-<sup>Application.</sup>pany or corporation having its chief place of business in the municipality, when such company or corporation is merely a subsidiary or branch of a company or corporation carrying on the same kind of business outside of the municipality;".

**13.** The city may pay a retiring pension to the <sup>Payment of</sup> permanent officers or employees of the municipality, <sup>certain pen-</sup>after at least thirty years of service, provided that the <sup>sions.</sup>yearly pension does not exceed fifty per cent of the average salary paid to each such officer or employee during their last five years of service. Moreover, the council of the city of Trois-Rivières is authorized to pay to the widow of the former mayor, Mr. Arthur Bettez, the annual pension which it shall fix and which will be payable monthly.

**14.** The said Cities and Towns' Act is amended, <sup>R.S., c. 102,</sup>for the city, by adding thereto, after section 488 there-<sup>s. 488a, add-</sup>of, the following section: <sup>ed for city.</sup>

"**488a.** In order to assist any proprietor who <sup>Granting of</sup>wishes to repair or rebuild his house, the council may, <sup>certain fixed</sup>for a period not exceeding five years, maintain the <sup>valuation.</sup>municipal valuation at the value entered in the valuation roll at the time of the commencement of the work of repairing, improving or rebuilding. The above <sup>Restriction.</sup>benefit, however, shall not be granted to the proprietor who, by such work, increases the number of lodgings in the house."

Changing of  
certain dates  
re collection  
roll, etc.

Discount for  
prior pay-  
ments.

**15.** Notwithstanding any provision to the contrary in the city's charter or in the Cities and Towns' Act, 1925, the council may, by by-law, change the date on which the Treasurer must make his collection roll each year; determine the date at which the Treasurer must give public notice and send a detailed account to every ratepayer, of the sums due by the latter to the city, and may likewise order that every ratepayer, who pays the city all or a part of what he owes to it before a date or dates fixed in the by-law, shall be entitled to a discount or discounts not exceeding five per cent.

Validation of  
certain reso-  
lutions re:

**16.** The following resolutions of the council of the city of Trois-Rivières are confirmed and ratified for all legal purposes, to wit:

Fixed valua-  
tion of cer-  
tain property  
of City Gas  
and Electric  
Corporation;

1. A resolution adopted on the 29th of July, 1935, fixing the valuation of certain property therein mentioned, belonging to City Gas & Electric Corporation and operated for its industry, at the sum of twenty thousand dollars for taxation purposes for a period of five years from the 1st of January, 1936. This resolution shall have effect only when it shall have been approved by a referendum of the elector-proprietors, according to law;

Signing of  
certain deed  
of cession.

2. A resolution adopted on Monday the 1st of March, 1937, authorizing the mayor of the city of Trois-Rivières to sign a deed of cession by the corporation of the city of Trois-Rivières to "*Les Dominicaines du Rosaire*" of an immoveable called "*Vins Jacques-Cartier*", situated on Boulevard des Forges, in the city of Trois-Rivières, provided that such immoveable be utilized for the equipping and maintaining of an orphanage for the poor children of the city and district of Trois-Rivières, and a deed of cession executed by the corporation of Trois-Rivières, following upon the above resolution, by which such corporation ceded, transferred and made over to "*Les Dominicaines du Rosaire*", upon the conditions mentioned in the said resolution, the lots numbers ninety-seven, ninety-eight, ninety-nine, one hundred, one hundred and one, one hundred and two, one hundred and three, one hundred and four, one hundred and five and one hundred and six (97, 98, 99, 100, 101, 102, 103, 104, 105, 106) of the official cadastre of the city of Trois-Rivières, with all the buildings erected on such land, appurtenances and dependencies, the said deed passed before Maître J. A. Trudel, notary, at

Trois-Rivières, the 24th of March, 1937, under No. 15,330 of the minutes of his repertory.

**17.** By-law No. 122 is declared valid and legal and Validation of the loan effected in accordance with its provisions is by-law No. 122. declared to be a legal obligation of the city.

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

