



CHAPTER 107

An Act to amend The Granby City Charter

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

WHEREAS the city of Granby has, by petition, re-^{Preamble.}
presented that it is in the interest of the city and
necessary for the good administration of its affairs that
its charter, the act 7 George V, chapter 70, as amended
by the act 15 George V, chapter 98, be again amended
and that it be granted more ample powers; 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 Assem-
bly of Quebec, enacts as follows:

1. Section 3 of the act 7 George V, chapter 70, as ^{7 Geo. V, c.}
replaced by the act 15 George V, chapter 98, section 7, ^{70, s. 3, re-}
is again replaced by the following: ^{placed.}

“**3.** The territory of the city of Granby shall com-^{Territory.}
prise the lots of land known and designated as lots Nos.
7, 8, 9, 10 and 11 in the 7th range, less lots Nos. 611 and
612 of the cadastre, the north half of lots Nos. 9, 10 and
11 in the 6th range, of the original plan of the township
of Granby.”

2. Section 24 of the act 7 George V, chapter 70, is ^{7 Geo. V, c.}
replaced by the following: ^{70, s. 24, re-}
^{placed.}

“**24.** Section 128 of the Cities and Towns' Act (Re-^{R.S., c. 102,}
vised Statutes, 1925, chapter 102) is amended, for the ^{s. 128, am.}
city, by adding at the end thereof, the following sub-^{for city.}
section:

Persons entitled to vote at municipal elections.

Entering of taxes, etc., owing.

Penalty for delivering ballot to persons owing taxes.

R.S., c. 102, s. 129a, replaced for city.

Right to vote of joint-stock companies.

Where right exercised.

Representatives. Proviso.

“3. No person, except the owner or husband of the owner, shall have the right to vote at any municipal election unless he has paid on or before the 31st day of December of the previous year, all the municipal, school and water taxes which were then due by him.

On the first juridical day of January of each year, the secretary-treasurer shall ascertain the names of those electors who at that time have not paid their municipal, school or water taxes, and he shall write in red ink opposite their respective names, in the column reserved for remarks in the list of electors, the taxes or assessments which they owe.

No deputy returning-officer in charge of the polling-station shall deliver a ballot to a person shown upon the list as owing any municipal, school or water taxes, under penalty of a fine not exceeding fifty dollars, unless such person shows him a certificate from the treasurer, attesting that he has paid his taxes on or before the 31st day of December.”

3. Section 129a of the said Cities and Towns' Act, as enacted by the act 22 George V, chapter 49, section 1, and amended by the act 23 George V, chapter 42, section 1, is replaced, for the city, by the following:

“**129a.** Joint-stock companies shall be entered on the voters' list for the immoveables possessed by each of them respectively, liable for the general and special assessments, and of a sufficient valuation to confer the right to vote upon a municipal elector and may vote in their own name through a representative of the company duly authorized to that effect under a resolution of the said company, a copy whereof shall be filed with the clerk thirty days before the voting day, in the case of an election of mayor or aldermen, and seven days before the day fixed for the voting, in the case of a by-law which must be submitted to the elector-proprietors.

The company may exercise the right to vote at the election of aldermen in every ward in which it pays taxes. Its representative must be a director or employe of the company and a British subject; provided, however, that a joint-stock company may not vote on a by-law having for its object the granting of a commutation of taxes in respect of the property owned by any joint-stock company.”

4. Section 134 of the said Cities and Towns' Act shall not apply to the city. Provisions
not applica-
ble to city.

5. Section 426 of the said Cities and Towns' Act is amended, for the city: R.S., c. 102,
s. 426, am.
for city.

a. By replacing paragraph 1 thereof by the following:

"1. To regulate the height of all buildings, chimneys, stacks and other structures; to prevent the construction or maintenance of the buildings, walls; chimneys, stacks and other structures as are not of the required stability, and provide for their destruction; to prescribe the depth of cellars and basements, the material and methods of construction of foundations and foundation walls, the manner of construction and location of drains and sewer pipes, the thickness, materials and construction of party walls, partitions and outside walls; the size and materials of floor beams, girders, piers, columns, roofs, chimney flues and heating apparatus; to regulate where trading or commercial establishments and buildings intended for special use are to be located within the limits of the municipality; to divide the municipality into districts or zones, the number, shape and area whereof may appear most suitable for the purposes of such regulating, and, as regards such districts or zones, to regulate and prescribe the architecture, dimensions and symmetry of the buildings therein erected, the area of the lots which may be occupied by the buildings, the space which must be left between the buildings, and at what distance from the street line the buildings shall be erected, and to regulate the nature of commercial, business and industrial establishments; to prohibit the construction, occupation, operation and maintenance of houses of less than two or three stories in certain streets, parts of streets, districts or zones; to compel the proprietors to submit the plans of buildings to the building inspector or any other officer and to obtain from the latter a certificate approving of the plan and authorizing the work; to prohibit the construction of buildings and structures not conforming to such by-laws, and to direct the suspension at any time of the erection of any such building as does not conform to such by-laws, and to cause the demolition, if necessary, of any such building, the construction of which is subsequent to the coming into force of the by-laws authorized by this paragraph. Building, etc.
regulations;

Adopting,
etc., of by-
laws;

The by-laws adopted under this paragraph may be amended or repealed only by another by-law which must be submitted to the vote, by secret ballot, of the electors who are proprietors of immoveables situated in the district, zone or street to which the proposed amendment or repeal applies;”;

b. By adding thereto, after paragraph 1 thereof, the following paragraph:

Outside
stairs;

“*1a.* To prohibit the erection hereafter, in the city, on the fronts of buildings or houses, of outside stairs leading to any floor other than the basement, except where facing the yard, when the construction shall not project beyond the outside line of the front wall of such buildings or houses;”.

7 Geo. V. c.
70, s. 51, am.

6. Section 51 of the act 7 George V, chapter 70, is amended by replacing paragraph 1 thereof by the following:

Licensing,
etc., of pla-
cards, etc.

“1. To permit, on payment of a license, and regulate the posting of placards or signboards; to prohibit the construction, maintenance and use of placards or signboards in all the streets or in some streets or parts of streets or districts or zones; to prohibit the posting or displaying of indecent placards or signboards or obscene paintings, drawings, statues or inscriptions in any street or public place, or in any shop or other place visible from any street or public place;”.

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

7. Section 428 of the said Cities and Towns' Act is amended, for the city, by replacing paragraph 10 thereof by the following:

Tag days,
etc.

“10. To regulate or prohibit beggars, begging and tag days in the streets and public places or from house to house in the city.”

R.S., c. 102,
s. 429, am.
for city.

8. Section 429 of the said Cities and Towns' Act is amended, for the city, by adding thereto, after paragraph 1 thereof, the following paragraph:

Streets, etc.,
deemed pro-
perty of city.

“*1a.* The streets, lanes, public roads, public places and the sidewalks now open to the use of the public within the limits of the city shall be deemed public roads, places or sidewalks and the property of the city for their whole extent, and every claim and right of action for the ownership of the ground or site shall be absolutely extinguished and prescribed, if it be not exer-

cised by suit brought before a court of competent jurisdiction within one year following the sanction of the act 1 George VI, chapter 107, which must be published during two consecutive weeks twice during the year at an interval of six months in a French and in an English newspaper in the city of Granby;”.

9. Section 469 of the said Cities and Towns’ Act, R.S., c. 102, is amended for the city: s. 469, am. for city.

a. By replacing paragraph 12 thereof by the following:

“12. To prevent any person, residing outside the municipality, from carrying on any trade or business in the municipality or keeping a store therein without being previously authorized thereto by a license, and without having paid for such license an amount of not more than two hundred dollars a year, which may differ according to the kind of trade or business; such annual amount shall be payable in addition to any other tax imposed by this act and especially additional to the taxes imposed under sections 523 and 526 of this act;” Licensing of non-resident traders;

b. By adding thereto, after paragraph 22 thereof, the following paragraphs:

“23. To permit by license, regulate or prohibit circuses, carousels, exhibitions, other public performances, places of amusement, dance halls, *café-concerts*, *café-chantants*, *café-dansants*, ice-cream parlors, restaurants, barbers’ and ladies’ hairdressers shops, in certain streets, districts or zones, and to fix the closing hours thereof; Licensing, etc., of circuses, etc.;

“24. To fix and determine, at its discretion, the conditions, price and duration, whether for a day, a month or a year, of each kind of permit, license or tax which it has power to grant under this or other sections of this or of any other act.” Fixing of license, etc., conditions.

10. Section 55 of the act 7 George V, chapter 70, is repealed. 7 Geo. V. c. 70, s. 55, repealed.

11. Section 523 of the said Cities and Towns’ Act is replaced, for the city, by the following: R.S., c. 102, s. 523, replaced for city.

“**523.** The council may impose and levy annually: Annual tax on: Trades, etc.

1. On all trades, financial or commercial establishments, occupations, arts, professions, callings or means

of profit or livelihood, carried on or exercised by one or more persons, firms or corporations, within the city, a tax of not more than seven and one-half per cent of the rent or annual value of the premises occupied in the city for such purposes; such tax shall not be imposed on the same person, firm or corporation concurrently with the taxes imposed under section 526, subject to the exception mentioned in paragraph 3 of this section.

Tenants.

2. On all tenants paying rent in the municipality, an annual tax of not more than eight cents in the dollar on the amount of their rent or of the annual value of the property as entered on the valuation roll.

Persons liable for tax.

Every person occupying property or part of any property of which he is neither the owner nor the lessee shall be liable for the payment of this tax.

Certain chain-stores.

3. In addition to any other tax, an annual tax, by way of a license, on every person, firm, company or corporation carrying on one or more chain-stores in the city, whose chief place of business is situated outside of the city, not to exceed two hundred and fifty dollars for each store.

"Chain-store" defined.

For the purposes of this paragraph the words "chain-store" mean a store forming part of a series of commercial establishments, practically similar, belonging to the same proprietor."

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

12. The said Cities and Towns' Act is amended, for the city, by adding thereto, after section 526 thereof, the following section:

Imposing, etc., of tax on circuses, etc.

"**526a.** In the case of duties or taxes imposed or levied on circuses, menageries, exhibitions of curiosities, spectacles and travelling amusements and other public performances exhibited or carried on temporarily in the city, such duties or taxes may be imposed and levied day by day and may amount to five hundred dollars for the first day of exhibition or operation, and to three hundred dollars for each subsequent day.

How levied in certain cases.

Any duty or tax imposed under this section, if not paid on demand, may be levied on all the moveables and effects found in the possession of any person attached to such circus, theatre or performance, on a distress warrant signed by the mayor or a justice of the peace, and executory immediately without any other preliminary formality."

13. The failure of the mayor or the secretary-treasurer of the city to have dated, signed or initialled by-law No. 52, if otherwise regularly adopted, does not invalidate such by-law. The mayor or the secretary-treasurer may affix the date and his signature to the original of the said by-law. ^{Validity of}

14. This act shall come into force on the day of its sanction. ^{Coming into force.}

