



## CHAPTER 8

### An Act to erect the corporation of Victoriaville into a town municipality

[Assented to, the 10th of June, 1936]

**W**HEREAS the corporation of Victoriaville has, by its Preamble. petition, represented that, on abandoning its special charter, it was erected into a town municipality, under the provisions of the Cities and Towns' Act, by letters patent issued by the Lieutenant-Governor in Council, on the 13th of December, 1909, published in the *Quebec Official Gazette* of 1909, at page 2122;

That, for the proper administration of its affairs, it is in the public interest that certain amendments be made to the Cities and Towns' Act in so far as the said municipality of Victoriaville is concerned; and

Whereas it is expedient to grant such 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 inhabitants of the corporation of Victoriaville and their successors are and shall be incorporated under the name of "Town of Victoriaville". Incorporation.  
Name.

**2.** The town of Victoriaville comprises and shall comprise the present territory of the corporation of Victoriaville. Territory.

**3.** Section 30 of the Cities and Towns' Act (Revised Statutes, 1925, chapter 102) is replaced, for the town, by the following: R. S., c. 102,  
s. 30, re-  
placed for  
town.

**"30.** The town of Victoriaville shall be divided into six wards, as follows: Division  
into wards.

Ward No. 1, comprising all the territory south of Notre-Dame street and of the national highway going to Princeville, and east of St. Dominique and St. Zéphirin streets, to the river Nicolet.

Ward No. 2, comprising all the territory between the main line of the Canadian National Railways, Notre-Dame street and St. Dominique and St. Zéphirin streets with, in addition, the territory of the municipality situated to the south of Nicolet river and east of the Canadian National's main line.

Ward No. 3, comprising all the territory between the main line of the Canadian National, and the north side of Notre-Dame street and the national highway going to Princeville.

Ward No. 4, comprising the territory situated between the main line of the Canadian National, and Notre-Dame street, St. Augustin street, College avenue, St. Paul street and St. François street, to the limits of the town.

Ward No. 5, comprising all the territory situated between the main line of the Canadian National, Notre-Dame street and St. Henri street, including the part to the west of the main line of the Canadian National, and to the south of Nicolet river, as far as the town limits.

Ward No. 6, comprising the territory situated between St. Henri street, St. Augustin street, College avenue and St. Paul street, as far as the western boundaries of the town."

R. S., c. 102,  
s. 47, re-  
placed for  
town.

**4.** Section 47 of the said Cities and Towns' Act is replaced, for the town, by the following:

Composi-  
tion of  
council.

**"47.** The municipal council shall be composed of a mayor and six aldermen, elected in the manner hereinafter prescribed."

R. S., c. 102,  
s. 49, re-  
placed for  
town.

**5.** Section 49 of the said Cities and Towns' Act is replaced, for the town, by the following sections:

Term of of-  
fice of alder-  
men.

**"49.** The aldermen shall be elected, for the same period of two years, three each year, in each ward, by the majority of the municipal electors of the ward who have voted.

How alder-  
men to be  
replaced.

**"49a.** However, of the six aldermen elected at the first general election after the passing of the act 1 Edward VIII, chapter 8:

1. Three shall be replaced at an election to be held in the manner provided by law, at the expiration of one year from their said election;

2. And the other three, in the following year, at the general election; and in the same manner thereafter, so that three aldermen must be elected every year.

"**49b.** The aldermen mentioned in paragraph 1 of section 49a shall be chosen by lot by the council at its sitting in the month of January preceding the date of the election at which they are to be replaced. In the event of failure so to do, they shall be drawn by lot by the presiding-officer of the election, on the day prior to that of publishing the notice of the election, after notification to the members of the council."

Certain aldermen to be chosen by lot.

**6.** Section 56 of the said Cities and Towns' Act, as re-placed by the act 19 George V, chapter 34, section 1, is again replaced, for the town, by the following:

R. S., c. 102, s. 56, re-placed for town.

"**56.** If the office of mayor become vacant, the clerk shall, within eight days after such vacancy, fix a day for the nomination of candidates as well as for the election in case of opposition. Such election shall take place within thirty days from the vacancy."

Filling of vacancy in office of mayor.

**7.** Section 173 of the said Cities and Towns' Act, as amended by the act 23 George V, chapter 43, section 1, is replaced, for the town, by the following:

R. S., c. 102, s. 173, re-placed for town.

"**173.** The election for mayor shall be held every two years, on the first juridical day of February."

Election for mayor.

Three aldermen shall be elected, each year, on the same date, in accordance with the provisions of sections 49, 49a and 49b.

Id., for certain aldermen.

The election for mayor and aldermen shall be held in accordance with the provisions hereinafter contained."

Provisions applicable.

**8.** Section 210 of the said Cities and Towns' Act is re-placed, for the town, by the following:

R. S., c. 102, s. 210, re-placed for town.

"**210.** The poll shall be opened at the hour of eight of the clock in the forenoon and kept open until six of the clock in the afternoon of the same day. Each deputy returning-officer shall, during that time, in the polling-station assigned to him, receive, in the manner hereinafter prescribed, the votes of the electors duly qualified to vote at such polling-station."

Polling hours.

**9.** Section 220 of the said Cities and Towns' Act is re-placed, for the town, by the following:

R. S. c. 102, s. 220, re-placed for town.

Calling  
upon elect-  
ors to vote.

Voters not  
to be im-  
peded, etc.

**"220.** At exactly eight o'clock in the morning, immediately after the ballot-box is locked, the deputy returning-officer shall call upon the electors to vote.

The deputy returning-officer shall secure the admittance of every elector into the polling-station, and shall see that he is not impeded or molested in or about the polling-station."

R. S., c. 102,  
s. 239, re-  
placed for  
town.

**10.** Section 239 of the said Cities and Towns' Act is replaced, for the town, by the following:

Proceedings  
if nomina-  
tion or poll-  
ing could  
not be had,  
etc., on day  
fixed.

**"239.** In case, through accident or irresistible force, riot, removal of documents, or other similar cause, the nomination cannot be held, or the voting cannot commence at the hour fixed, or is interrupted by similar causes or by insufficiency of ballot-papers, the returning-officer and the deputy returning-officer, in so far as it concerns either, shall adjourn to the following day to begin anew, and day by day if necessary until the nomination of candidates and the polling may be freely held. In the case of the polling it shall be resumed by commencing at eight o'clock in the forenoon, and be continued until it has lasted ten hours, so that all the electors who wish to vote may have had the opportunity of so doing."

R. S., c. 102,  
s. 240, am.  
for town.

**11.** Section 240 of the said Cities and Towns' Act is amended, for the town, by replacing subsection 1 thereof by the following:

Close of  
poll.

**"240. 1.** At six o'clock in the afternoon the poll and the voting shall be closed; and an entry thereof shall be made in the poll-book."

R. S., c. 102,  
s. 346, re-  
placed for  
town.

**12.** Section 346 of the said Cities and Towns' Act is replaced, for the town, by the following:

Holding of  
council  
meetings.

**"346.** The council shall meet at least once a month, in general or ordinary session, to despatch the business of the town, and shall hold its sittings on the days and at the hours which it determines by by-law.

Notice.

It shall not be necessary that the members of the council receive notice of any general or ordinary sitting."

R. S., c. 102,  
s. 362, re-  
placed for  
town.

**13.** Section 362 of the said Cities and Towns' Act is replaced, for the town, by the following:

Special and  
public  
notices.

**"362.** Every notice shall be either special or public, and shall be in writing.

Public notice shall be published; special notices shall be served.

Public notices must be drawn up in French or may be drawn up both in French and English; but the drawing up in French shall be sufficient in every case.” Drawing up of public notices.

**14.** Section 426 of the said Cities and Towns’ Act is amended, for the town, by replacing paragraph 1 thereof by the following: R. S., c. 102, s. 426, am. for town.

“1. To regulate the height and the construction of all buildings, chimneys, fences, 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 demolition or summary destruction; to regulate the plumbing, ventilation and lighting of any building whatsoever; 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 the architecture, dimensions and symmetry of buildings in certain streets, or parts of streets; to fix the kind of materials to be used for such purpose in certain streets or parts of streets; to prohibit in certain streets or parts of streets the construction of certain buildings; to prohibit the construction of certain kinds of buildings or the construction of any buildings, except at a fixed distance from the street line, in all the streets, or in certain streets or parts of streets; to compel the proprietors to furnish the council, within a fixed delay, a sworn statement of the cost of any new building or construction or the extensions or improvements made to those already existing; to compel the proprietors to submit the plans or any other description required by the council and to previously obtain a written certificate from the building inspector or any other officer appointed by the council, and to obtain from the council a construction permit; to prescribe the manner, conditions and formalities of requesting and obtaining such permit and fix the amount of the fee for the obtaining thereof; 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 of any building not conforming to such by-laws, if necessary.” Regulating, etc., construction, etc., of buildings, etc.

R. S., c. 102  
s. 427, am.  
for town.     **15.** Section 427 of the said Cities and Towns' Act, as amended by the act 16 George V, chapter 37, section 1, is again amended, for the town, by adding thereto, after paragraph 11 thereof, the following:

Removal of  
garbage.     "11a. To provide for the removal of garbage in the town; to impose, in order to pay the cost of such removal, a personal tax not exceeding five dollars on every person residing in the town and occupying as owner, tenant or occupant a house or establishment within the town limits, whether such person deposits garbage or not; to prescribe the kind, materials and dimensions of receptacles in which must be deposited garbage, ashes and refuse, and to prohibit the use for such purpose of cardboard containers or others, not in conformity with the by-laws;"

R. S., c. 102,  
s. 428, am.  
for town.     **16.** Section 428 of the said Cities and Towns' Act is amended, for the town, by replacing paragraph 10 thereof by the following;

Regulating,  
etc., of beg-  
ging, etc.     "10. To regulate or prohibit begging and public collections (tag days), in the streets and public places or at the homes in the town;"

R. S., c. 102,  
s. 429, am.  
for town.     **17.** Section 429 of the said Cities and Towns' Act, as amended by the acts 19 George V, chapter 34, section 2, and 23 George V, chapter 44, section 1, is again amended, for the town:

a. By adding thereto, after paragraph 20 thereof, the following:

Removal of  
snow, etc.     "20a. To provide for the removal of snow and ice on the sidewalks, at the cost of the proprietors and occupants of immoveables, on any street or part of a street, in the town; to recover from such proprietors or occupants the cost of removing such snow or ice, as well as a percentage not exceeding fifteen per cent for the general administration expenses, and to determine the method of collection, by means of an assessment, based upon the area of the sidewalk, on the bordering properties or on both sides of the street;"

b. By adding thereto, after paragraph 27 thereof, the following:

Permits for  
bicycles.     "27a. To oblige every person using a bicycle for commercial purposes within the town, to obtain from the town an annual permit, not exceeding two dollars, which permit shall be affixed permanently to the said bicycle. For the purposes of this paragraph, however, a motorcycle shall not be deemed a bicycle;"

**18.** Section 484 of the said Cities and Towns' Act is replaced, for the town, by the following:

**"484.** The fiscal year of the municipality shall begin on the 1st of January and end on the 31st of December of each year, and the taxes, yearly assessments or other charges shall be payable at the dates determined by the council."

R. S., c. 102,  
s. 484, re-  
placed for  
town.

Fiscal year.

**19.** Section 485 of the said Cities and Towns' Act is replaced, for the town, by the following:

**"485.** The assessors shall each year, at the time and in the manner ordered by the council, assess the immoveable property of the town, according to its real value.

The assessors shall also make the valuation of the annual value of such property, and enter it on the roll.

They shall also enter on the roll the names of all tenants and the amount of annual rent paid by each of them.

They shall also annually, on the order of the council, assess the stock in trade and enter it on the roll."

R. S., c. 102,  
s. 485, re-  
placed for  
town.

Annual val-  
uation.

Entering of  
annual value  
on roll.

Tenants.

Stock in  
trade.

**20.** The said Cities and Towns' Act is amended, for the town, by adding thereto, after section 492 thereof, the following:

**"492a.** Any proprietor or agent who knowingly gives a certificate or receipt indicating a sum less than the rent actually paid for the premises therein mentioned or to which reference is made, and any tenant who presents to the assessors any such certificate or receipt falsely stating the value or the amount of rent paid by him, in order to lessen the amount of his valuation, or who directly or indirectly attempts to mislead the assessors respecting the amount of such rents, shall be liable to the fine contemplated by the preceding section."

R. S., c. 102,  
s. 492a,  
added for  
town.

Offence and  
penalty.

**21.** Section 502 of the said Cities and Towns' Act is replaced, for the town, by the following:

**"502.** After every change of owner, tenant or occupant of any immoveable set forth on the valuation roll in force, the council, on a written petition for that purpose, and upon sufficient proof, may strike off the name of the former owner, tenant or occupant, and enter on such roll the name of the new one."

R. S., c. 102,  
s. 502, re-  
placed for  
town.

Change of  
owners, etc.

**22.** Section 523 of the said Cities and Towns' Act is replaced, for the town, by the following:

R. S., c. 102,  
s. 523, re-  
placed for  
town.

Levying annually of:

Commercial tax.

**"523.** The council may impose and levy annually:

1. On the stock in trade or articles of commerce of all descriptions kept by merchants and dealers and exposed for sale in shops, or kept in vaults, warehouses or store-houses; on all yards or depots for rough, sawn or manufactured wood or lumber; and on all yards or depots for coal or other articles of commerce kept for sale, a tax called: *commercial tax*, of not more than one per cent on the estimated average value of such stock in trade or other articles of commerce;

Rental tax.

2. On all tenants paying rent in the town, a tax called: *rental tax*, of not more than eight per cent of the annual value of the premises occupied, as entered on the valuation roll.

Persons liable therefor.

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 the rental tax. And the council may enact that such tax be payable by half-yearly or quarterly instalments."

Instalments.

R. S., c. 102, s. 525, replaced for town.

**23.** Section 525 of the Cities and Towns' Act is replaced, for the town, by the following:

Poll-tax.

**"525.** The council may impose and levy on every inhabitant, male or female, of the age of twenty-one years and over, who has employment in the municipality and has resided in the municipality for over six months, and who is not liable to the payment of any other tax under this act, an annual tax of two dollars. Young girls working as servants in private houses shall not be liable for such tax."

Restriction.

R. S., c. 102, s. 526, amended for town.

**24.** Section 526 of the said Cities and Towns' Act is amended, for the town, by adding thereto the following paragraph:

Tax on chain-stores.

"In the case of a person, firm, company or corporation, operating one or more chain-stores within the limits of the town and whose principal place of business is not in the town, such annual tax may be for an amount not exceeding two hundred and fifty dollars per store. For the purposes of this paragraph the word "chain-stores" includes stores forming part of a series of commercial establishments practically similar, belonging to the same owner."

R. S., c. 102, s. 529, replaced for town.

**25.** Section 529 of the said Cities and Towns' Act is replaced, for the town, by the following sections:

Mode of payment of taxes.

**"529.** Every tax imposed by virtue of the foregoing provisions shall be payable annually and at the time fixed by the by-laws.



The council may, by by-law, enact that a discount not exceeding three per cent shall be granted to any person who pays the taxes imposed on him within the delay fixed by such by-law. Granting of discount.

**"529a.** In the case of the taxes contemplated by section 526, the council may, by by-law, impose and levy half the tax when the carrying on of a business or exercise of any of the said means of profit or livelihood begins at such a date as shall not leave more than six months to run before the end of the period during which the tax is payable." Levying of half the tax in certain case.

**26.** Section 564 of the said Cities and Towns' Act is replaced, for the town, by the following: R. S., c. 102, s. 564, replaced for town.

**"564.** An immoveable sold for taxes may be redeemed by the owner or his legal representatives, at any time within the year following the day of adjudication, by paying to the purchaser the price of sale, including the cost of the certificate of adjudication, with interest at the rate of ten per cent per annum, a fraction of a year being counted as a whole year. Redemption of immoveable sold for taxes.

Such owner must, in addition, before retaking possession of his immoveable so sold, hand over to the purchaser the cost of the necessary improvements which such purchaser has made on the immoveable purchased, even where they no longer exist, and hand over, in addition, in the case of vacant lots, the taxes paid by the purchaser during his possession." Additional payment by person retaking possession.

**27.** The said Cities and Towns' Act is amended, for the town, by adding thereto, after section 697 thereof, the following Division and section: R. S., c. 102, s. 697a, added for town.

#### "DIVISION XVII

#### "CERTAIN SPECIAL MATTERS

**"697a.** Notwithstanding any provision to the contrary, the town may, by mere resolution, and out of its general funds, purchase timber cutting rights and cause the timber to be felled. The town is authorized to distribute the said timber as relief for the unemployed and needy of the town and to sell to third parties the wood not required for relief." Purchasing of timber cutting rights, etc.

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

