



CHAPTER 13

An Act to amend the Public Service Commission Act

[Assented to, the 18th of May, 1935]

HIS MAJESTY, with the advice and consent of the
Legislative Council and of the Legislative Assembly
of Quebec, enacts as follows:

1. Section 2 of the Public Service Commission Act R. S., c. 17, (Revised Statutes, 1925, chapter 17), as replaced by the act^{s. 2, am.} 16 George V, chapter 16, section 1, and amended by the act 19 George V, chapter 18, section 1, is again amended by adding thereto, immediately after sub-paragraph c of subsection 2 thereof, the following sub-paragraph:

“cc. for the establishment and installation, in the future, Gasoline of gasoline stations as defined in section 2 of the Gasoline Act stations. (Chap. 36); or”.

2. Section 28 of the said act, as replaced by the act 16 R. S., c. 17, George V, chapter 16, section 6, and amended by the act^{s. 28, am.} 19 George V, chapter 18, section 2, is again amended:

a. By inserting therein, after the word: “service”, in the first line of sub-paragraph a of subsection 2 thereof, the words: “other than one as contemplated under sub-paragraph cc of subsection 2 of section 2”;

b. By replacing sub-paragraph c of the said subsection 2 thereof by the following:

“c. In the case of conveyance of passengers by taxi, at Taxis. so much per head, when the distance travelled is less than fifteen miles, provided that no permit for regular autobus service has been granted on the said route;”;

c. By adding thereto the following subsection:

“3. Subsection 1 of this section shall apply in the case Applica- of the establishment of gasoline stations and the installa- tion.

tion of any additional gasoline tank or gasoline pump, notwithstanding any general law or special act or municipal by-law to the contrary."

Provisions
not ap-
plicable.

3. The provisions of sections 28*b*, 28*c*, and 28*e* of the said act, as enacted by the act 16 George V, chapter 16, section 6, and those of section 28*d* of the said act, as enacted by the said act 16 George V, chapter 16, section 6, and as amended by the act 23 George V, chapter 13, section 1, inasmuch as they refer to rates, fares, tolls, rentals, charges and classifications, shall not apply to the public service contemplated by sub-paragraph *cc* of subsection 2 of section 2 of the said act.

R. S., c. 17,
ss. 30*b*, 30*c*,
added.

4. The said act is amended by adding thereto, after section 30*a* thereof, as enacted by the act 19 George V, chapter 18, section 5, the following sections:

Informa-
tion to be
given in ap-
plication.

"30*b*. 1. The application by any public service contemplated under sub-paragraph *cc* of subsection 2 of section 2, for the authorization required by section 28, must give the description of each gasoline station that it is proposed to build or of each building that it is proposed to convert, in whole or in part, into a gasoline station; the description and capacity of each gasoline tank that it is proposed to install; the number and capacity of each gasoline pump that it is proposed to install; the number of gasoline outlets connected with each gasoline pump; the location of each such gasoline station; the distance of each gasoline pump from the highway and the distance on each one of the four sides of the gasoline station from the nearest dwelling-house, church, school, hospital and from any other gasoline station.

Idem.

When the application is made for the installation of any gasoline station or of any additional gasoline station, such application shall specify whether it is to be installed in a gasoline station existing prior to the 18th of May, 1935, or in a gasoline station for which a permit has been granted in accordance with this act, and the application shall also state the description and capacity of each gasoline tank that it is proposed to install, the number and capacity of each gasoline pump that it is proposed to install, the number of gasoline outlets connected with each such gasoline pump, the location of such gasoline station, the distance of each gasoline pump from the highway and the distance on each one of the four sides of the gasoline station from the nearest dwelling-house, church, school, hospital and from any other gasoline station.

2. Such application may be transmitted to the Commission by the Comptroller of Provincial Revenue or the Director of the Gasoline Service. Transmission of application.

3. When the Commission grants the authorization applied for, it shall do so by an order indicating the location and the manner in which the gasoline station shall be built, the distance of each gasoline pump from the highway, and the distance of the gasoline station from the nearest existing dwelling-house, church, school, hospital and other gasoline station in operation, the capacity of each overground and underground gasoline tank, and the number of gasoline pumps and of gasoline outlets. Granting of authorization by order.

A copy of each order shall be furnished by the Commission to the Comptroller of Provincial Revenue, at Quebec, as soon as given. Copies of order.

4. Any authorization granted under this section may be conveyed or transferred, but no such conveyance or transfer shall have any effect until ratified by the Commission after ascertaining that the interests of the public have been protected. Notice of such ratification must be given to the Comptroller of Provincial Revenue, at Quebec, as soon as accorded. Transferring, etc., of authorization.

5. Every authorization granted under this section shall remain in force until revoked or amended by the Commission for valid reasons. Duration of authorization.

6. For the purposes of this section, the expressions "gasoline station", "gasoline tank", "gasoline pump" and "gasoline outlet" shall respectively have the meaning given in the Gasoline Act (Chap. 36). Interpretation.

"30c. Whosoever,

a. being bound to obtain the authorization of the Commission, constructs a gasoline station or converts an existing building into a gasoline station or installs overground or underground gasoline tanks or installs gasoline pumps or gasoline outlets, without having obtained such authorization; or,

b. having the authorization of the Commission acts in contravention of the terms of the order granting such authorization,—

shall be guilty of an offence, and be liable, in addition to the payment of the costs, to a fine not exceeding ten dollars for and during each day the offence lasts; and, on failure to pay the fine and costs, to imprisonment for not more than one month.

Offences and penalties.

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