



## CHAPTER 113

### An Act to amend the charter of the city of Montreal

[Assented to, the 11th of April, 1935]

**W**HEREAS the city of Montreal has, by its petition, presented that it is in the interest of the city and necessary for the proper administration of its affairs that its charter, the act 62 Victoria, chapter 58, and the acts amending the same, be further 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.** Article 25 of the act 62 Victoria, chapter 58, as replaced by the acts 2 George V, chapter 56, section 3, and 11 George V, chapter 112, (schedule B), section 10, is amended:

*a.* By replacing paragraph *i* thereof by the following:

"*i.* if he is a party to or interested, directly or indirectly, in any case, prosecution or claim against the city, except, with retroactive effect to the 27th of March, 1934, as regards a case, prosecution, or claim for rent due by an unemployed person or for goods supplied or professional services rendered to an unemployed person;"

Disqualifications for municipal office.

*b.* By replacing paragraph *k* thereof by the following:

"*k.* if he is indebted to the city for taxes, for assessments on immoveables or water rates, with the exception of special contributions for local improvements and of the sales' tax; as to the income tax, the candidates' income tax return, accompanied by payment, shall be sufficient to permit of his nomination;"

Idem.

**2.** Article 79 of the act 62 Victoria, chapter 58, as amended by the act 3 Edward VII, chapter 62, section 10, and replaced by the acts 3 George V, chapter 54, section 5;

62 Vict., c. 58, art. 79, replaced.

11 George V, chapter 112 (schedule B), section 22; 16 George V, chapter 71, section 4, and 24 George V, chapter 88, section 3, is again replaced by the following:

Date of  
municipal  
elections.

“**79.** The election of the mayor and aldermen of the city shall be held every two years, on the second Monday of December or, if such day be a non-juridical day, then on the next juridical day, in accordance with the provisions of this charter.

Next general  
election.

The next general election shall be held in the month of December, 1936, and the mayor and the aldermen elected in 1934 shall remain in office until the month of December, 1936, as regards the mayor, until the day his successor has taken the oath of office required by law, and, as regards the aldermen, until the day of the election.

Indemni-  
ties.

The indemnity or indemnities of the mayor and aldermen for the period extending from the month of April, 1934, to the month of December, 1936, shall be calculated on the same basis as those provided for in articles 22 and 39 of this charter.”

62 Viet., c.  
58, art. 86,  
replaced.

**3.** Article 86 of the act 62 Victoria, chapter 58, as replaced by the act 3 George V, chapter 54, section 7, is again replaced by the following:

Nomina-  
tion-papers.

“**86.** Every candidate for the office of mayor and aldermen shall be nominated by means of a nomination-paper drawn up in accordance with the provisions and form No. 7 of this charter, and only on the copy of such form which shall be furnished to the said candidate by the returning-officer, on deposit of one hundred dollars in currency, which shall only be returned to the candidates officially nominated for the said offices of mayor and alderman.

Filing there-  
of.

The nomination-papers shall be filed in the office of the returning-officer, during office hours, on or before the day of the nomination of candidates, which shall take place at noon, on the ninth of the juridical days preceding the date of the election.”

62 Viet., c.  
58, art. 300,  
am.

**4.** Article 300 of the act 62 Victoria, chapter 58, as amended by the acts 63 Victoria, chapter 49, sections 7 and 8; 3 Edward VII, chapter 62, sections 22 and 23; 4 Edward VII, chapter 49, sections 6 and 7; 7 Edward VII, chapter 63, sections 10 and 11; 8 Edward VII, chapter 85, section 15; 9 Edward VII, chapter 81, sections 7, 8 and 9; 1 George V (1910), chapter 48, section 29; 1 George V (1911), chapter 60, sections 10 and 11; 2 George V, chapter

56, sections 11 and 12; 3 George V, chapter 54, section 8; 4 George V, chapter 73, section 8; 6 George V, chapter 44, section 12; 7 George V, chapter 60, section 2; 8 George V, chapter 84, section 29; 10 George V, chapter 86, section 2; 11 George V, chapter 111, section 1; 12 George V, chapter 105, section 4; 13 George V, chapter 91, section 5; 15 George V, chapter 92, section 17; 16 George V, chapter 71, section 11; 18 George V, chapter 97, section 5; 19 George V, chapter 97, section 14; 22 George V, chapter 105, section 14; 23 George V, chapter 123, section 14, and 24 George V, chapter 88, section 6, is again amended:

a. By adding thereto, after paragraph 42 thereof, the following paragraph:

“42a. To compel every person dealing in coal or wood, Coal or wholesale or retail, in Montreal, to obtain from the city a <sup>wood</sup> permit to that effect on payment of the sum of twenty-five <sup>dealers;</sup> dollars per annum; and such person shall be held to legibly inscribe his name and address on both sides of any vehicle used for the delivery of his merchandise.

The provisions of this article do not allow the city to <sup>Restriction;</sup> prevent farmers from selling or offering for sale on the public market the wood from their farm;”;

b. By adding thereto, after paragraph 52 thereof, the following paragraph:

“52a. To regulate the embalming of corpses, and to <sup>Embalmers,</sup> compel embalmers to obtain a permit from the health de- <sup>etc.;</sup> partment and a license from the finance department on payment of a sum not exceeding ten dollars per annum; to regulate undertakers' establishments and to compel persons, companies, corporations or firms carrying on such business to obtain a permit from the health department and a license from the finance department on payment of a sum not exceeding one hundred dollars per annum; and every undertaker having no place of business in the city of Montreal, but habitually plying his business in Montreal, must pay a license equal to that of the Montreal undertakers;”;

c. By adding thereto, after paragraph 55 thereof, the following paragraph:

“55a. To regulate the erection, establishment, enlarge- <sup>Regulation,</sup> ment, extension, modification or reconstruction of oil <sup>etc.,</sup> refineries within the city limits and fix the place where <sup>refineries;</sup> such refineries shall be established;”;

d. By adding thereto, after paragraph 88 thereof, as replaced by the act 10 George V, chapter 86, section 2, the following paragraph:

Inspection  
of poultry,  
etc.;

"88a. To compel every person who sells and delivers, in Montreal, any dead animals or poultry, to have such animals and poultry inspected by the city inspectors, after having paid the market dues;"

e. By replacing paragraph 145 thereof by the following:

Closing of  
tonsonial  
establish-  
ments;

"145. To order that, throughout the whole or part of the year, barber shops and women's beauty parlors, within the limits of the city, shall be closed and remain closed, on each day or any day of the week, after the times and hours fixed and determined therefor; but the times and hours so fixed and determined shall never be later than eight o'clock in the forenoon nor earlier than eight o'clock in the evening;"

f. By replacing paragraph 173 thereof, as enacted by the act 23 George V, chapter 123, section 14, and replaced by the act 24 George V, chapter 88, section 6, by the following:

Keeping of  
records by  
bicycle  
dealers, etc.;

"173. To compel every dealer in bicycles to keep a record of his sales and purchases, to allow the same to be examined by any constable at the request of the latter, and to deliver, once a week, at the office of the director of the police department of the city, an extract from such records showing the purchases and sales of bicycles, or parts or accessories of bicycles as determined by the council, effected by him during the preceding week, with indication of the names and addresses of the persons who have sold or purchased the same, and to enact that no one may use, within the city limits, a bicycle which does not carry in a conspicuous place a permit issued by the city unless such bicycle already carries a permit from another municipality in the province; the sum to be paid for such permit not to exceed two dollars per annum. A motorcycle is not considered as a bicycle for the purposes of this paragraph;"

62 Vict., c.  
58, art. 301,  
replaced.

**5.** Article 301 of the act 62 Victoria, chapter 58, as replaced by the acts 3 George V, chapter 54, section 10, and 15 George V, chapter 92, section 18, is again replaced by the following:

Prerequisi-  
tes as to val-  
idity of by-  
laws.

"**301.** No by-law enacted in virtue of the present charter shall be valid unless a notice of motion for the adoption of such by-law shall have been deposited at least eight days beforehand, in the case of a loan by-law or of a by-law imposing taxes in the form of permits, and at least thirty days beforehand, in the case of any other by-law, nor unless the said by-law shall have received the affirma-

tive vote of a majority of all the members of the council, at a special or monthly meeting of the council; nor shall any by-law be valid or binding and come into force until the same, after approval by the council as aforesaid, has been signed by the mayor and the city clerk and sealed with the corporate seal of the city, nor until public notice of its passing has been given.

This article shall not affect the provisions of the act 23 George V, chapter 123, section 52, and the special provisions contained in any other article of this charter.” Application restricted.

**6.** The act 62 Victoria, chapter 58, is amended by inserting therein, after article 307*d* thereof, as enacted by the act 23 George V, chapter 123, section 15, the following article: 62 Vict., c. 58, art. 307*e*, added.

“**307*e*.** The fine which the Recorder’s Court shall impose for any infraction, after the first one, of the by-laws concerning licenses shall be at least equal to the fee payable for the license mentioned in the complaint lodged in the Recorder’s Court, whatever may be the amount of the fine fixed by the by-law, unless the fee for such license be paid by the offender at the same time as the fine imposed.” Fines for subsequent offences.

**7.** Article 351*b* of the act 62 Victoria, chapter 58, as replaced by the act 13 George V, chapter 91, section 8, and amended by the acts 18 George V, chapter 97, section 7; 22 George V, chapter 105, section 18, and 23 George V, chapter 123, section 22, and replaced by the act 24 George V, chapter 88, section 7, is again amended by replacing sub-paragraph *bc* of paragraph 1 thereof by the following: 62 Vict., c. 58, art. 351*b*, am.

“*bc.* For the fiscal year 1934-35, for the purposes of hospitals and charitable institutions, a sum not exceeding four hundred and seventy thousand five hundred and fifty dollars, provided that, in such case, there shall be voted each year in the budget a sum sufficient to pay the interest and the sinking-fund of the sums employed for the purposes mentioned in this sub-paragraph, whether the sums be raised by a loan or be taken from the proceeds of the special assessments, as authorized by paragraph 2 of this article.” Certain grants in fiscal year 1934-35;

Any unexpended balance of the loan of five hundred thousand dollars authorized by by-law No. 1184 may be utilized for the above-mentioned purposes during the fiscal year 1934-35;”. Unexpended balance;

**8.** Article 361*a* of the act 62 Victoria, chapter 58, as enacted by the act 5 George V, chapter 89, section 8, is replaced by the following: 62 Vict., c. 58, art. 361*a*, replaced.

Entering of  
certain  
buildings on  
valuation  
roll.

“**361a.** Every building, which is completed and ready to be occupied between the 1st of December and the 1st of May, shall be entered on the valuation roll by the board of assessors, after the chairman of the said board has given eight days notice thereof to the proprietor. The said proprietor shall have the right to be heard before the board of assessors to contest the valuation fixed by the assessors. In the event of the proprietor failing to put in an appearance, a certificate shall be prepared by the chairman of the board of assessors fixing the valuation of such building, and, on receipt of such certificate, the director of finance shall add the said building to the valuation roll. If the proprietor contests the valuation of the board of assessors, he may appeal from the decision of the board of assessors within eight days from said decision, to the Recorder’s Court; and articles 383 and 384 shall apply, *mutatis mutandis*. Once such final decision has been rendered, either by the board of assessors or by the Recorder’s Court, or by the Superior Court,—if an appeal is lodged before the latter court—, a certificate of the valuation shall be transmitted by the chairman of the board of assessors to the director of finance, who shall enter the said building on the real estate assessment roll.

Idem.

Every building which is completed and ready to be occupied after the 1st of May of the then current year shall likewise be entered on the valuation roll after eight days notice thereof has been given by the chairman of the board of assessors to the proprietor, and articles 383 and 384 shall apply, *mutatis mutandis*. Once the valuation of such building has been determined either by the board of assessors, by the Recorder’s Court or by the Superior Court, a certificate thereof shall be transmitted by the chairman of the board of assessors to the director of finance. On receipt of such certificate, the director of finance shall enter the said property on the tax roll for the then current year, according to the amount fixed by the valuation, if the roll is not yet in force; if the roll is in force, he shall enter the property on the roll, but, for the portion of the year still to run, for only such amount as the director of finance shall fix for that portion of the year which is still to run from the date of the certificate to the end of the current year.”

62 Vict., c.  
58, art. 362,  
am.

9. Article 362 of the act 62 Victoria, chapter 58, as replaced by the act 3 Edward VII, chapter 62, section 36, and amended by the acts 8 Edward VII, chapter 85, sections 18 and 19; 15 George V, chapter 92, section 24; 18 George V, chapter 97, section 8, and 24 George V, chapter

88, section 8, is again amended by adding thereto, after the first paragraph of paragraph *a* thereof, the following paragraph:

“The immoveables, other than parsonages, occupied as residence by the priest or by the minister in charge of any church whatever in the city, shall be entered on the valuation roll and on the assessment roll, the same as if such immoveables were not exempt from taxation. It shall devolve upon the director of finance to give credit to the proprietors of such immoveables, with right of appeal to the Recorder’s Court within a delay of eight days from the notification of the decision of the director of finance, for the amount of the above exemption, provided that it be established to his satisfaction that the said immoveables have actually been occupied as residence by the priest or by the minister in charge during the year for which the tax is imposed.”

Entering of certain exempted immoveables on valuation roll.

**10.** Article 364 of the act 62 Victoria, chapter 58, as amended by the acts 3 Edward VII, chapter 62, sections 37 and 38; 4 Edward VII, chapter 49, sections 13 and 14; 7 Edward VII, chapter 63, sections 21 and 22; 9 Edward VII, chapter 81, section 16; 1 George V (1911), chapter 60, section 19; 2 George V, chapter 56, section 20; 3 George V, chapter 54, section 17; 4 George V, chapter 73, section 15; 5 George V, chapter 89, sections 9 and 10; 7 George V, chapter 60, section 4; 8 George V, chapter 84, section 34; 10 George V, chapter 86, section 8; 11 George V, chapter 111, section 2; 12 George V, chapter 105, section 5; 13 George V, chapter 91, section 9; 15 George V, chapter 92, section 25; 16 George V, chapter 71, section 14; 18 George V, chapter 97, section 9; 19 George V, chapter 97, section 20; 22 George V, chapter 105, section 20; 23 George V, chapter 123, section 25, and 24 George V, chapter 88, section 11, is again amended by striking out paragraph *a* thereof.

62 Vict., c. 58, art. 364, am.

**11.** Article 365 of the act 62 Victoria, chapter 58, as amended by the act 3 Edward VII, chapter 62, section 39, is replaced by the following:

62 Vict., c. 58, art. 365, replaced.

“**365.** Every special tax imposed under articles 364 and 364*a* may, in the discretion of the council, be imposed and levied in the form of a license; and thereupon such tax shall be payable annually, at such time and under such conditions and restrictions as the council may determine, but the director of finance may, however, issue licenses from the 1st of November, for the remainder of the year, on

Special tax may be in form of license.

Semi-annual licenses. payment of half of the annual license-fee. This provision shall not apply to permits for circuses, exhibitions or parades, nor to permits already granted."

62 Viet., c. 58, art. 379, am. **12.** Article 379 of the act 62 Victoria, chapter 58, is amended by replacing the first paragraph thereof by the following:

Publication of completion, etc., of certain roll. **"379.** Immediately upon the completion of the tax roll, the chairman of the board of assessors shall give public notice of such completion in one daily newspaper published in the French and one published in the English languages in Montreal, specifying in each advertisement the delay for examining said roll, as regards the several wards of the city, which delay shall not be less than eight days from the date of the last insertion of such notice; and the said notice shall also announce the days on which the said roll will be revised, specifying, in particular, the days on which the roll affecting the different wards of the city will be revised."

62 Viet., c. 58, art. 380, replaced. **13.** Article 380 of the act 62 Victoria, chapter 58, as replaced by the act 4 Edward VII, chapter 49, section 15, is again replaced by the following:

Receiving of complaints concerning tax roll. **"380.** During the delays fixed by the said notices respectively, the board of assessors shall receive all complaints that may be brought before it, respecting any entries or omissions in the tax roll at the respective times and places mentioned in such notices, and may adjourn, from time to time, as may be necessary, to hear and determine such complaints, provided at least two days' previous notice be given to the complainant, but it shall give its decision in the shortest possible delay, on or before the thirtieth of November."

62 Viet., c. 58, art. 381, replaced. **14.** Article 381 of the act 62 Victoria, chapter 58, as amended by the act 12 George V, chapter 105, section 7, is replaced by the following:

Making, etc., of complaints concerning valuation roll. **"381.** All complaints in respect of the valuation roll must be made in writing, and the board of assessors shall have power to hear and examine upon oath the parties interested or their agents, in respect of such complaints, and, thereupon confirm or amend the entries complained of.

Particulars. Such complaint shall specify the amount of the reduction asked for, if it be for the reduction of the valuation."

62 Viet., c. 58, art. 382, replaced. **15.** Article 382 of the act 62 Victoria, chapter 58, is replaced by the following:

**“382.** The board of assessors shall keep a succinct Record of record of its proceedings upon any verbal or written com- proceedings. plaints.

No complaint as to any entry in any tax roll, or in any Delays. valuation roll, shall be received after the expiration of the delays fixed as aforesaid for the examination and revision of such rolls.

Complaints as to the tax roll need not to be made in Complaints. writing, unless so required by the board of assessors.”

**16.** Article 383 of the act 62 Victoria, chapter 58, as 62 Vict., c. replaced by the act 23 George V, chapter 123, section 27, 58, art. 383, is again replaced by the following: replaced.

**“383.** Any ratepayer who has filed a complaint in Appeal to connection with any entry or omission in the said rolls or Recorder's any one of them, and who may think himself aggrieved by Court from the decision of the assessors, or any ratepayer who has decision and filed a complaint in connection with any entry or omission proceedings in the said rolls or any one of them, which the board of thereon. assessors has failed or refused to dispose of within the delay provided by law, may, within a delay of eight days from the date of the decision of the board of assessors, or within a delay of eight days from the 30th of November, in the case of the tax roll, or from the last day of February in connection with the valuation roll, in the event of the board of assessors having refused or failed to dispose of a complaint, appeal by petition to the Recorder's Court, which shall have jurisdiction in all such cases.

All such petitions, together with a copy of the proceed- Filing of pe- ings had in each case before the assessors, duly certified by titions, etc. the secretary of the board, shall be filed with the clerk of the Recorder's Court, who shall give each petitioner notice of the day and hour when the said court will proceed to hear and determine the merits of the complaint.

When the cases are heard, evidence may be adduced by Hearing of the parties interested upon the matters at issue.” cases.

**17.** Article 384 of the act 62 Victoria, chapter 58, is 62 Vict., c. replaced by the following: 58, art. 384, replaced.

**“384.** A final appeal shall lie from any decision ren- Final appeal ndered by the Recorder's Court in respect of any entry on to Superior the valuation roll or on the tax roll to any one of the Court on judges of the Superior Court, by summary petition, either summary petition and in term or vacation, within a delay of ten days from and proceedings thereon. after the decision, and it shall thereupon be lawful for any judge of the Superior Court to order that the record

and the proceedings of the Recorder's Court, together with the complaint itself, be transmitted to him, and, upon receipt thereof, and after having heard the parties, either in person or by attorney, to give such judgment as to law and justice shall appertain; and such judgment shall be final."

62 Vict., c. 58, art. 385, replaced. **18.** Article 385 of the act 62 Victoria, chapter 58, is replaced by the following:

Delivering of completed rolls.

**"385.** As soon as the board of assessors shall have completed the revision of the valuation roll and the tax roll respectively, it shall deliver the same to the director of finance, duly signed and certified under oath before the mayor or city clerk, and signed by not less than a majority of the members of the board; and thereupon, except in respect of any case appealed from, the said rolls shall be binding upon all persons named or assessed therein for the amounts fixed by the said rolls respectively, and shall remain in force until a new roll or rolls have been completed and put in force in accordance with the provisions of this charter."

Effect of same.

62 Vict., c. 58, art. 385a, replaced. **19.** Article 385a of the act 62 Victoria, chapter 58, as enacted by the act 12 George V, chapter 105, section 8, is replaced by the following:

Establishing of taxes in case of complaint.

**"385a.** Whenever a complaint has been made, under article 381 of the charter, and at the time of putting the assessment roll into force such complaint has not been finally decided, the director of finance shall establish the amount of taxes payable by the interested parties on the uncontested portion of the valuation, and shall enter the same over his signature in the margin of the roll, opposite the names of such persons.

Payment.

The amount of taxes so established shall be payable as if no complaint had been made, but without prejudice to the rights of the parties as to the contested portion of the valuation."

62 Vict., c. 58, art. 386, replaced. **20.** Article 386 of the act 62 Victoria, chapter 58, as replaced by the act 6 George V, chapter 44, section 16, is again replaced by the following:

Notice of roll.

**"386.** Upon receipt of the said tax roll, the director of finance shall give public notice thereof, in the form No. 25."

**21.** Article 536 of the act 62 Victoria, chapter 58, as 62 Viet., c. 58, art. 536, replaced. replaced by the act 7 Edward VII, chapter 63, section 45, and amended by the act 3 George V, chapter 54, section 32, and replaced by the acts 4 George V, chapter 73, section 33, and 19 George V, chapter 97, section 31, is again replaced by the following:

**“536.** Notwithstanding any law to the contrary, no Delay to right of action shall exist against the city for damages give notice resulting from bodily injury, caused by an accident, or in actions for damages to moveable or immoveable property, unless for damages. within thirty days from the date of such accident or damages, and, in the case of accident and of damages caused by a fall on the sidewalk or the roadway, unless, within the ten days from the date of such accident, a written notice has been received by the city, containing the particulars of the damages sustained, indicating the surname, Christian names, occupation and address of the person who has suffered the same, giving the cause of such damages, and specifying the date and the place where the same occurred.

No action for damages or for compensation shall be Delay for instituted against the city before the expiration of thirty instituting days from the date of the receipt of the above notice. action.

Failure to give the above notice shall not, however, Exceptions. deprive the victims of an accident of their right of action, if they prove that they have been hindered from giving such notice by irresistible force, or for any other similar reason deemed valid by the judge or the court, but no reason may be declared to be such, if the said victim has been able to communicate with some relation, friend or acquaintance during the course of the ten days above mentioned, or if, within the same delay, he has signed a document in favour of third parties by which he transfers to them a part of his claim.”

**22.** Section 45 of the act 4 George V, chapter 73, is 4 Geo. V, c. 73, s. 45, replaced. replaced by the following:

**“45.** The executive committee may cause to be sold Selling of by public auction, by a bailiff of the Superior Court, without unclaimed any legal formality, and after the notices required for a articles, etc. sale of personal property on execution, the articles, moveables or other personal property remaining unclaimed for twelve months, which may be in its possession, if such articles, moveables or personal property have been stolen or have been seized or confiscated by its police officers, or were in the possession of persons who have died and for whose funeral the city has had to provide. In the event of such

property being claimed after the sale, the city shall be liable only for the proceeds of the sale, from which shall be deducted the costs of the sale and the other expenses which it may have incurred.

Destruction of articles, etc., in certain case.

If such articles, moveables or other personal property, not claimed as aforesaid, cannot be sold because they have no marketable value or on account of the illegal use which might be made thereof, such as offensive weapons, slot machines or such other devices, and if no court or judge has ordered the confiscation or destruction thereof according to law, they may be destroyed after publication of the same notices, *mutatis mutandis*. If such articles, moveables or other personal property are claimed after the destruction thereof, the city shall not be held to pay any indemnity or compensation therefor."

Validation of resolution approving plan No. G-15, Cartierville.

**23.** Notwithstanding the provisions of section 3 of the act 5 George V, chapter 101, the resolution of the council under date of the 18th of May, 1926, approving the homologation plan of Gouin boulevard, from the western limits of the parish of Sault-au-Récollet to the western limits of Ahuntsic ward, the said plan under date of the 12th of May, 1926, and designated under No. G-15, Cartierville, is declared valid and legal; and the building permits issued by the said city, according to the lines of said boulevard, as the same appear on the said plan, are declared to have been so issued validly and legally.

Validation of plan No. P-26, Sault-au-Récollet.

**24.** Notwithstanding the provisions of the act 5 George V, chapter 110, section 4, the plan, under date of the 4th of October, 1934, designated under No. P-26, Sault-au-Récollet, establishing the lines of Perras boulevard, between St. Charles street and the eastern boundary of the city, is declared valid and legal.

9 Geo. V, c. 91, s. 3, replaced.

**25.** Section 3 of the act 9 George V, chapter 91, is replaced by the following:

Granting of certain contracts, etc., authorized.

**3.** The city shall have power to grant, upon such clauses, terms and conditions as are deemed proper, in one or more contracts, but for a period not exceeding twenty years, jointly or severally, the privilege of removing and transporting, in whole or in part, within its limits, all dead animals or carrion, all foodstuff which is spoiled or unfit for food, all refuse and decayed animal matter, and all other refuse or garbage of any nature whatsoever, whether any such thing or object comes from a

public or private place or establishment, and to erect and operate a purification plant for the northern trunk sewer, and an incinerating system.

This section shall not have the effect of annulling existing contracts.” Restriction.

**26.** Section 36 of the act 11 George V, chapter 112, (schedule B), is replaced by the following: 11 Geo. V, c. 112, sch. B, s. 36, replaced.

“**36.** The council may, on a report from the executive committee, create, by by-law, upon a vote of the majority of its members, a city planning commission, which shall be known under the name of “The City Planning Commission of Montreal”.” City Planning Commission.

Such commission shall consist of not more than seven members, who shall be appointed by the council, upon a vote of the absolute majority of its members, on a report from the executive committee. Composition.

The members of the commission shall remain in office at the will of the council, which may cancel their appointment by resolution adopted as aforesaid. Term of office.

The commission shall have the powers given it and the duties imposed upon it from time to time by a by-law of the council adopted as aforesaid. Such delegated powers must relate only to matters concerning city planning. Powers.

It shall be the duty of the commission, even without being requested so to do, to make to the executive committee, which shall transmit the same to the council, if need be, any suggestion or recommendation it may deem useful or necessary in connection with city planning. Duties.

All expenditures by the commission shall not exceed the sum placed at its disposal by the executive committee. Expenditures.

The city shall not be responsible for expenditures made by the commission over and above the appropriations placed at its disposal by the executive committee, nor for the sums spent by the commission for other purposes than those for which such appropriations have been so voted.” Responsibility therefor.

**27.** Section 40 of the act 24 George V, chapter 88, is amended by replacing the second paragraph of subsection 3 thereof by the following: 24 Geo. V, c. 88, s. 40, am.

“As soon as such roll shall have been completed, the chairman of the board of assessors shall give public notice in one daily newspaper published in French and in one daily newspaper published in English, at Montreal, that the valuation roll is completed and deposited, and that any complaint against such roll must be produced before Notice upon completion of roll.

the board of assessors on or before the 20th of December under penalty of being debarred. After the 20th of December, the board of assessors shall proceed to hear and decide the complaints laid, provided that at least two days previous notice thereof be given to the complainants. The board of assessors shall render its decision within the shortest possible delay, but not later than the last day of the following month of February."

24 Geo. V, c. 88, s. 45, replaced.

**28.** Section 45 of the act 24 George V, chapter 88, is replaced by the following

Registration, etc., of certain declarations.

"**45.** In the expropriation made in the year 1919, for the widening of the waterworks' canal and the establishing of boulevards, the city of Montreal may, to provide a remedy for the loss of the arbitration awards and failure to register them, have a declaration registered containing a description of the lands and properties which were the object of the expropriation and a mention of the amount of the indemnity deposited for each property expropriated, accompanied by a receipt or duplicate receipt from the prothonotary showing that the entire sum of the indemnities has been deposited in his hands. The registration of such declaration shall be sufficient for any purpose whatever, and the city shall not be obliged to register any other titles of ownership. The registrar for the Registration Division of Montreal shall accept such declaration and such receipt or duplicate receipt and register them."

Payment of sewer costs in certain case.

**29.** When the cost of a sewer is charged to the bordering proprietors and part of the cost of such sewer is payable, either under the law or under by-laws, by the city itself, such part so charged to the city shall be paid by means of a special real estate tax imposed and levied according to the provisions of section 40 of the act 22 George V, chapter 105.

Apportionment of sewer tax in certain case.

**30.** In the case of a lot whereof both front and rear are bordering on a sewer, the executive committee is authorized to charge on the frontage of said lot the full amount of the sewer tax and, as regards the rear of said lot, if there is no connection with the sewer, the cost of such sewer shall be charged against the annual and mobile special tax imposed on all the immoveables of the city under section 40 of the act 22 George V, chapter 105.

Application. The above provision shall apply to the rolls put in force since the 1st of January, 1930, and such rolls shall be amended accordingly, in accordance with the decision of the executive committee.

**31.** In addition to the powers it already has for such purposes, the city may borrow a sum not exceeding one million six hundred and sixty-five thousand dollars for the enlargement and development of its water-works, for the following purposes and sums:

Loan for water-works authorized.

1. Purchase of three low-head pumps of fifty million gallon capacity each per 24 hours, at a cost of \$65,000.00;
2. For pumping-stations' equipment, \$25,000.00;
3. For alterations in Côte des Neiges pumping-station, \$50,000.00;
4. For construction of a new water-intake in the St. Lawrence, \$1,200,000.00;
5. For enlarging Côte des Neiges reservoir and repairs, \$300,000.00;

6. For various investigations \$25,000.00;— and the loans which shall be effected under this section shall not affect the general borrowing powers of the city. If any balance remains it may be employed in replacing defective conduits.

Borrowing power not affected.

**32.** The city is authorized to borrow a sum not exceeding six hundred and fifty-seven thousand and ninety-six dollars for the following works:

Loan authorized for certain works.

1. Connecting the Ville Emard main sewer with the River St. Pierre main sewer, across the property of the Dominion Glass Company, to the south of Wellington Street. . . . . \$ 50,000 00
2. The Trenholme Avenue main, from the environs of Chester Avenue, via Trenholme streets, in Notre-Dame de Grâce Ward, to the High Level section of the River St. Pierre main sewer. . . . . 400,000 00
3. Décarie Boulevard—secondary main—to be connected with the River St. Pierre main at the intersection of St. James Street and Décarie Boulevard, thence by way of Décarie Boulevard and Western Avenue as far as Vendôme Street. . . . . 90,000 00
4. The mains in Maisonneuve Ward, which require important improvements to do away with the inundations and consequently with the claims for damages—cost not yet determined, but the amount at present needed for the engineers' survey. . . . . 25,000 00
5. Connecting the main sewer on St. Denis Street with the North Main near Kelly Street, with regulating chamber. . . . . 4,500 00

- 6. Connecting the St. Lawrence Boulevard main with the North Main near Kelly Street, with regulating chamber..... 7,000 00
- 7. Connecting the existing main sewer on Atwater Street at the intersection of St. James and Atwater streets; connecting the said sewer with the inverted syphon under the Lachine Canal; repairs to the sewer south of the Lachine Canal; the whole to empty into the new sewer on d'Argenson Street and into the River St. Pierre main sewer. To relieve the pressure on the old St. James and Craig main..... 50,000 00
- 8. Connecting the local sewers, Notre-Dame de Grâce Ward, with the River St. Pierre main, High Level section..... 8,825 00
- 9. Connecting the local sewers, between Lille Street and Jeanne Mance Street, with the North Main Sewer..... 21,771 00

Borrowing power not affected.

and the loans which shall be effected under this section shall not affect the general borrowing powers of the city and shall not be subject to the approval of the elector-proprietors. Any surplus available from one of the items hereinabove enumerated may be employed to complete the cost of any other item, if the amount set apart for such item is insufficient.

Loan authorized for water-works service.

**33.** For the fiscal year 1935-1936, the city is authorized to borrow a sum not exceeding one hundred and seventy-five thousand dollars for laying the conduits and the water service; this loan shall be considered as a special loan and over and above any other general or special borrowing power that the city possesses in virtue of any other provision of the acts governing it.

Pension to A. Mann.

**34.** The city is authorized to place on the list of employees entitled to the pension provided by by-law No. 625 and by by-law No. 1094, the name of Arthur Mann, ex-deputy-chief of police who resigned in 1919. Such pension may run from the date of his resignation, namely from the 1st of May, 1919.

Charging of certain costs against certain special tax.

**35.** The city is authorized to charge against the special tax provided by section 23 of the act 6 George V, chapter 44, as replaced by section 40 of the act 22 George V, chapter 105:

a. Notwithstanding any provision to the contrary, the interest between the date of their homologation and the

1st of October, 1935, on the expropriation rolls of Eadie Street, as per resolution under date of 8th of April, 1929, and of Cypress Street, as per resolution under date of 22nd of April, 1932;

b. The cost of the expropriation, as carried out under the resolution of the council dated the 21st of August, 1930, of the lots of cadastre 12, part 233; 161, part 17; 12, part 116, and 12, part 1, forming part of St. Joseph Boulevard.

**36.** Notwithstanding any law to the contrary, the city may enact, by by-law, that the taxes or real estate assessments or certain of the said taxes may be paid by instalments. Instalment payments for taxes, etc.

**37.** Notwithstanding any law to the contrary, the Athletic Commission of the City of Montreal shall have the right to sue in its own name any club, promoter, manager, or insurance company, for the refund of the sums which the said Commission may be called upon to pay in connection with boxing or wrestling tournaments. Taking of actions by Athletic Commission.

**38.** Notwithstanding any provision to the contrary, the city may grant, to those of its officials now in its employ who, after having been dismissed, have been reengaged by it, and who did not, at the time of their reengagement, fulfil the conditions required by the Pension Fund By-law No. 1149, as amended by By-law No. 1209, a pension equal to that to which they would be entitled under such by-laws, if there had not been any interruption in their service, provided that the Pension Fund Commission accept similar cases which may be submitted to them. Granting of pension to reengaged employees. Proviso.

**39.** The city is authorized to add to any employees' pay-roll, as provided for by the Workmen's Compensation Act, of the 1st of September, 1928, a percentage up to an amount of three per cent to constitute an insurance fund for victims of accidents, against which shall be charged medical treatment, hospitalization expenses and wages in connection with such accidents, as provided for under the Workmen's Compensation Act. Constituting of accident insurance fund.

Such percentage, at the time of the preparation of the apportionment roll, shall be added to the cost of the said works to be paid by the interested proprietors. Addition to cost of works.

**40.** The city is authorized to amend the resolution of the council dated the 13th of April, 1931, ordering the expropriation of the immoveables required for the widening Amending of certain resolution authorized.

of the lane situated to the east of Papineau Avenue, south of Gilford Street, DeLorimier Ward, so that the cost of such expropriation shall be payable by all the owners of the immoveables situated on the west side of the said lane, between Mount Royal Avenue and Gilford Street.

**41.** No person may obtain an unemployment allowance unless he show to the unemployment committee, an identification card issued to him by the city. Every needy person applying to the hospitals in the city for medical attention, except in urgent cases, or asking for public charity, whether for food or shelter, must show an identification card supplied to him by the city. The executive committee shall have the right to grant the necessary delay for the enforcing of this provision.

Unemployment allowance, etc., and production of identification card.

**42.** The city is authorized to acquire, by mutual agreement or by expropriation, in accordance with the provisions of article 421 of its charter, lots No. 9-1 and part of No. 9-1a of the incorporated village of Côte St. Louis, which were included in the old homologated line of Hanotaux Street and in the subsoil of which the city has carried out municipal works, and to cede them gratuitously, upon such conditions as it shall deem suitable, for educational, artistic, charitable or benevolent purposes or in the public interest, or for works destined to promote the physical, intellectual and moral development of the population; the city is also authorized to cede gratuitously, for the same purposes and upon such conditions as it shall deem suitable, lots P. 340, P. 8-554, P. 8-442 and P. 8-442a of the incorporated village of Côte St. Louis, as well as lots Nos. 2628 subdivisions 1, 2 and 3a of the cadastre of the parish of St. Laurent, but for the latter lots 2628-1, 2 and 3a, the said cession can be made only with the consent of the former proprietor who had himself ceded them to the city to form part of Hanotaux Street (now Jean-Talon), or with the consent of his representatives.

Acquisition etc., of certain immoveables authorized.

**43.** The deeds hereunder mentioned are declared valid and legal:

Deeds validated.

1. Deed of conveyance by the city of Montreal to the Canadian Pacific Railway Company, passed before Jean Baudouin, N.P., on the 15th of September, 1933, under No. 13229 of the minutes of his repertory;

2. Deed of conveyance by the city of Montreal to the Montreal Catholic School Commission, passed before Jean Baudouin, N.P., on the 28th of September, 1933, under No. 13240 of the minutes of his repertory;

3. Extension of delay granted by the city of Montreal to Dame Lillian D. Nesbitt, wife of John Roy, Miss Mary D. Nesbitt and William Nesbitt, passed before Jean Baudouin, N.P., on the 2nd of October, 1934, under No. 13245 of the minutes of his repertory;

4. Extension of delay granted by the city of Montreal to the testamentary executors of the late Samuel Johnstone Nesbitt on the 27th of October, 1933, before Jean Baudouin, N.P., under No. 13264 of the minutes of his repertory;

5. Deed of exchange between the city of Montreal and the Canadian Pacific Railway Company, passed before Jean Baudouin, N.P., on the 12th of March, 1934, under No. 13328 of the minutes of his repertory;

6. Deed of agreement between the city of Montreal and the town of Montreal East, concerning the water supply, passed before Jean Baudouin, N.P., on the 5th of April, 1934, under No. 13338 of the minutes of his repertory;

7. Deed of gift to His Majesty the King, passed before Jean Baudouin, N.P., on the 5th of November, 1934, under No. 13415 of the minutes of his repertory, and deed of acquisition by the city, passed before O. Marin, N.P., on the 15th of June, 1885, to wit, the deed of sale by John H. Hodgson to the city of Montreal, as regards the immoveable which was the subject of the sale, namely; lot No. 4 on the official plan and book of reference of the incorporated village of Côte des Neiges;

8. Deed of sale between the city of Montreal and the Famous Players Canadian Corporation, passed before Jean Baudouin, N.P., on the 15th of November, 1934, under No. 13419 of the minutes of his repertory.

9. Emphyteutic lease to the Park Tobogganing Club Limited, passed before Jean Baudouin, N.P., on the 22nd of November, 1934, under No. 13424 of the minutes of his repertory;

10. Contract authorizing an additional issue of \$100,000.00 by the city of Montreal in favour of St. Luke Hospital, passed before Jean Baudouin, N.P., on the 14th of January, 1935, under No. 13454 of the minutes of his repertory.

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