



## CHAPTER 120

An Act to amend the charter of the city of Lachine

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

**W**HEREAS the city of Lachine has, by its petition, re- Preamble.  
presented that it is in the interest of the proper  
administration of its affairs that its charter, the act 9  
Edward VII, chapter 86, as amended by the acts 2 George  
V, chapter 61; 3 George V, chapter 57; 4 George V, chapter  
79; 5 George V, chapter 96; 7 George V, chapter 69; 9  
George V, chapter 99; 11 George V, chapter 116; 12 George  
V, chapter 107; 14 George V, chapter 90; 17 George V,  
chapter 83; 19 George V, chapter 101; 21 George V, chapter  
126, and 23 George V, chapter 125, be again amended for  
the purpose of changing the manner of electing members  
of the council; abolishing wards; reducing the number of  
aldermen; further prohibiting trade in the western part of  
its territory; authorizing a forty-year consolidation of a  
portion of its funded debt; authorizing the council to  
regulate childrens' nurseries, to close dance halls at mid-  
night, to levy special taxes on chain stores, to grant a  
pension to its electrician, O. Barbarie; validating a by-law  
applying a surplus of thirty-seven thousand two hundred  
and seven dollars and forty-seven cents borrowed under  
various by-laws to the payment of a like amount expended  
in excess of the sums authorized and borrowed under other  
by-laws; validating the sale of certain immoveables to the  
Montreal Light, Heat and Power Consolidated, and for  
other purposes; 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:

R. S., c. 102, s. 4, a.m., for city.

**1.** Paragraph 14 of section 4 of the Cities and Towns' Act (Revised Statutes, 1925, chapter 102), as enacted by the act 16 George V, chapter 35, section 1, is replaced, for the city, by the following:

"Ward". "14. The word "ward" shall be interpreted as designating the number of the seat for which one or more candidates are nominated or for which an alderman has been elected."

9 Ed. VII, c. 86, s. 10, repealed.

**2.** Section 10 of the act 9 Edward VII, chapter 86, as replaced by the acts 2 George V, chapter 61, section 2, and 3 George V, chapter 57, section 10, and repealed by the act 4 George V, chapter 79, section 26, and reenacted by the act 21 George V, chapter 126, section 1, is again repealed.

Id., s. 11, replaced.

**3.** Section 11 of the said act 9 Edward VII, chapter 86, as replaced by the acts 3 George V, chapter 57, section 11; 4 George V, chapter 79, section 1, and 21 George V, chapter 126, section 2, is again replaced by the following:

Present mayor and aldermen.

"**11.** The mayor and the seven aldermen elected at the general elections of December, 1933, or their substitutes, shall remain in office and represent the city until the next general elections, which shall take place on the first Monday of December, 1935, and from that date the city council shall consist of the mayor and six aldermen whose seats shall be respectively designated under the Nos. 1, 2, 3, 4, 5 and 6.

How aldermen to be elected, etc.

The aldermen for seats numbers 1, 2 and 3 must be nominated and elected by the elector-proprietors alone, and the aldermen for seats numbers 4, 5 and 6 shall be nominated and elected by all the municipal electors.

General election.

A general election for all the members of the council shall be held on the first Monday of December, 1935, in conformity with the charter of the city."

R. S., c. 102, s. 49, replaced for city.

**4.** Section 49 of the said Cities and Towns' Act (Revised Statutes, 1925, chapter 102) is replaced, for the city, by the following:

Term of office of aldermen.

"**49.** The aldermen shall be elected for two years by the majority of the municipal elector-proprietors only or of all the municipal electors, as the case may be, of the city, who have voted, and shall be elected for the seat for which they were nominated."

9 Ed. VII, c. 86, s. 23, replaced

**5.** Section 23 of the said act 9 Edward VII, chapter 86, is replaced by the following:

**"23.** Section 173 of the Cities and Towns' Act (Revised Statutes, 1925, chapter 102) is replaced, for the city, by the following: 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 first Monday of December, and, if such day be a holiday, then on the first following juridical day, in accordance with the following provisions." Election of mayor and aldermen.

**6.** Section 174 of the said Cities and Towns' Act (Revised Statutes, 1925, chapter 102) is replaced, for the city, by the following: R. S., c. 102, s. 174, replaced for city.

**"174.** The city council shall appoint the returning-officer for any election held under the provisions of this act. Appointing of returning-officer.

Whenever, before the appointment of the election clerk in accordance with section 175, the returning-officer appointed is unable to act, the mayor shall appoint, by a commission under his hand, a person whom he deems competent to be returning-officer." Id., by mayor or in certain case.

**7.** Section 5 of the act 21 George V, chapter 126, is replaced by the following: 21 Geo. V, c. 126, s. 5, replaced.

**"5.** Section 428 of the Cities and Towns' Act is amended, for the city, by replacing paragraph 5 thereof by the following: R. S., c. 102, s. 428, am., for city

**"5.** To regulate circuses, theatres, dance halls, spectacles and other public exhibitions, and permit them, on obtaining a license, to be held on such conditions as may be deemed fit, and to prohibit those tending to affect public safety and all dancing in public dance halls, hotels, restaurants or other places, where wine, beer or other alcoholic liquor is sold, on Christmas Day and on New Year's Day, and also on any other day of the year between the hours of midnight and seven o'clock in the morning, without special permission of the city council granted under particular circumstances;" Regulating, etc., of circuses, etc.

**8.** The city council may, in addition to the taxes contemplated by sections 469, 523 and 526 of the Cities and Towns' Act (Revised Statutes, 1925, chapter 102), impose and levy,—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, out- Imposing of special tax on certain establishments.

side of the municipality and operating one or more of such establishments within the municipality—, a special tax not exceeding two hundred dollars for each such establishment within the municipality.

23 Geo. V,  
c. 125, s. 1,  
replaced.

Prohibition  
of certain  
trades, etc.,  
in certain  
territory.

**9.** Section 1 of the act 23 George V, chapter 125, is replaced by the following:

**"1.** The following are prohibited in that portion of the territory of the city bounded, on the south and west by the southern and western boundaries of the city, on the north, by lot No. 1025 of the plan and book of reference for the parish of Lachine (former C. N. R.) and, on the east, by Thirty-third Avenue and its extension in a straight line as far as the said lot No. 1025: the erection, occupation, operation and maintenance of factories, workshops, taverns, restaurants, cafés, billiard-rooms, moving-picture halls, dance halls, public garages, gasoline depots, livery stables, blacksmiths' shops, laundries, icehouses, bakeries, groceries, butcher's stalls, shops for dry goods, millinery, toilet articles, drugs, candy, smokers' supplies, or other shops or similar places of business, without prejudice, however, to acquired rights and provided that, in the latter case, any already established trade or business shall retain its present destination or nature."

Childrens'  
nurseries.

**10.** The city council may, by by-law, regulate and even prohibit nurseries for children.

Pension to  
O. Barbarie.

**11.** The city council is authorized to grant, by by-law, a retiring pension to its electrician Ovila Barbarie, not exceeding six hundred dollars per annum.

Power of  
Montreal  
Metropolit-  
an Commis-  
sion con-  
cerning cer-  
tain city  
sinking-  
funds.

Proviso.

**12.** The Montreal Metropolitan Commission is authorized to examine into all sinking-funds created by the city and to establish, in order to pay the loans authorized since the 1st of November, 1925, which have a sinking-fund, an annual contribution to such fund different from that fixed by the by-laws authorizing such loans, and the contribution so fixed shall take the place of that established by the said by-laws, provided that the contribution fixed by the Commission be sufficient to pay in the period of time which the Commission may determine, the total amount of the said loans; such period of time must in no case exceed forty years.

Reimburse-  
ment.

As each loan becomes due, the then accumulated sinking-fund must be used to pay off such loan.

If the sinking-fund at that time is insufficient to pay the total amount of the loan, the balance of the loan may be renewed for a period of time not exceeding that fixed by the Commission for the sinking-fund. Renewing of balance in certain event.

**13.** By-law No. 660 of the city council passed on the 19th of December, 1934, approved by The Montreal Metropolitan Commission, is confirmed and declared valid and obligatory for all legal purposes. Validation of by-law No. 660.

**14.** The sale of certain immoveables made by the city of Lachine to the Montreal Light, Heat & Power Consolidated, by a voluntary deed of sale received before J. A. Meunier, N. P., at Lachine, on the 13th of January, 1932, registered in the office for the registration division of Montreal under No. 298967, is declared as valid as if such sale had been made by auction after public notice, as required by the act 5 George V, chapter 96, section 9. Sale of certain immoveables to Montreal Power Consolidated, validated.

**15.** Section 75 of the act 9 Edward VII, chapter 86, is replaced by the following: 9 Ed. VII, c. 86, s. 75, replaced.

“**75.** Sections 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 342, 343, 344, 522, 537, and 539 of the Cities and Towns' Act (Revised Statutes, 1925, chapter 102) shall not apply to the city of Lachine.” Provisions not applicable to city.

**16.** Section 5 of the act 5 George V, chapter 96, as replaced by the act 14 George V, chapter 90, section 4, and section 7 of the act 9 George V, chapter 99, are repealed. 5 Geo. V, c. 96, s. 5; 9 Geo. V, c. 99, s. 7, repealed.

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