



CHAPTER 83

An Act to amend the Municipal Code

[Assented to, the 20th of April, 1934]

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

1. Article 227 of the Municipal Code, as amended by the M. C., art. acts 9 George V, chapter 83, section 1; 10 George V, chapter 82, section 1; 11 George V, chapter 105, section 1; 15 George V, chapter 84, section 2; 18 George V, chapter 94, section 12, and 23 George V, chapter 119, section 1, is again amended by replacing paragraph 13 thereof by the following:

"13. Any person who has been convicted of any criminal offence punishable by imprisonment for two years or more. ^{Period, etc., of disqualification.} Such disqualification shall continue for five years after the term of imprisonment fixed by the sentence. However, if the term of imprisonment for which such person is liable is for less than two years, or if only a fine was imposed, such disqualification shall continue for two years after the term of imprisonment fixed by the sentence, or for two years from the date of the condemnation if the condemnation was to a fine only. If the sentence is suspended, the ^{Proviso.} provisions of this paragraph shall not apply."

2. Article 237 of the said Code is amended by replacing M. C., art. paragraph 6 thereof by the following: ^{237, am.}

"6. When the resignation of the mayor or of a councillor ^{Resignation.} has been accepted by the council;

However, if, as a result of several vacancies or resignations, a sufficient number of members of the council does ^{When vacancy exists.} not remain to form a quorum, the vacancy, caused by resignation, exists from the moment that the said resignation has been received by the secretary-treasurer, without the necessity of acceptance on the part of the council;"

M. C., art.
245a, am.

3. Article 245a of the said Code, as enacted by the act 16 George V, chapter 68, section 1, is amended by adding thereto, after the word: "May", in the fifth line of the first paragraph thereof, the words: "or July".

Id., art.
257, am.

4. Article 257 of the said Code, as amended by the acts 16 George V, chapter 68, section 2, and 17 George V, chapter 74, section 4, is again amended by adding thereto, after the word: "May", as therein contained and as enacted by the said act 16 George V, chapter 68, section 2, the words: "or of July, as the case may be".

Id., art. 258,
am.

5. Article 258 of the said Code, as amended by the act 16 George V, chapter 68, section 3, is again amended by adding thereto, after the word: "May", as therein contained and as enacted by the said act 16 George V, chapter 68, section 3, the words: "or of July, as the case may be".

16 Geo. V,
c. 68, s. 4,
am.

6. Section 4 of the act 16 George V, chapter 68, is amended by adding thereto, after the word: "following", at the end thereof, the words: "or of the month of July following, as the case may be".

M. C., art.
320, am.

7. Article 320 of the Municipal Code, as amended by the acts 10 George V, chapter 67, section 5; 11 George V, chapter 48, section 23, and 13 George V, chapter 85, section 1, is again amended by replacing paragraph 4 thereof by the following:

Vacancies.

"4. By reason of vacancies, there remain less than four members of a local council in office. In such case, the vacancies caused by resignation exist from the time that the resignation is received by the secretary-treasurer, without requiring acceptance by the council; or".

M. C., art.
423, am.

8. Article 423 of the said Code, as amended by the acts 13 George V, chapter 84, section 2, and 20 George V, chapter 106, section 1, is again amended by replacing paragraph 6 thereof by the following

Production
of certain
certificate
by city or
town cor-
poration.

"6. a. Each city or town corporation in a county, after having been duly requested by the secretary-treasurer of the county council, must produce in the following month a certificate of its taxable immoveable property, according to the valuation roll in force; and if it refuses or neglects to produce such certificate, the county council may fix the amount of the contribution, contemplated by paragraph 5, of the said corporation, according to what it considers just. If such certificate be produced within the above-mentioned

delay, it shall be the duty of the secretary-treasurer of the county council to convene, forthwith, a sitting of the special board of delegates constituted according to the provisions of sub-paragraph *b* of this paragraph, to examine the total valuation of the local municipalities and of the city or town corporation interested.

b. A special board of delegates shall be constituted whenever the provisions of paragraph 5 of this article have to be enforced. Such board shall be composed of the three county delegates, and of three members of the council of the city or town interested duly appointed by a resolution of the council. The secretary-treasurer of the county council shall act as secretary of the board, the quorum of which shall be four delegates. Special board of delegates in certain case.

c. The said board, by the majority of its members, shall have power to increase or decrease the total valuation, as established under Article 667 of this Code, of the local corporations of the county, so as to make it proportional to the valuation made in the city or town interested. The valuation so fixed shall serve as a basis for the contributions to be made, under this article, to the county, by the said city or town. Certain powers of board.

d. Meetings of the said board shall be presided over by the person whom the delegates choose from amongst themselves. In the event of a tie in the choice of the chairman, one of the delegates present, determined by lot, shall preside over the meeting. The chairman has the right to vote like the other delegates. If the votes are equally divided, the question submitted shall be referred to the Minister of Municipal Affairs, and the latter shall appoint a person to act as arbitrator whose order shall have the same effect as a decision rendered by the board. The costs of arbitration shall be borne in equal shares by the county council and the city or town concerned. The remuneration of the arbitrator shall be determined by the Minister of Municipal Affairs." Meetings of board.

9. Article 447 of the said Code is amended by adding M. C., art. 447, am. to paragraph 1 thereof the following paragraph:

"A local road need not follow the division line between two neighbouring municipalities to be declared a county road. It shall be sufficient that such road be used as the main outlet for the neighbouring municipality;" Local road.

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

