



CHAPTER 100

An Act to consolidate the charter of the town of Montreal East

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

WHEREAS the town of Montreal East has, by its petition, represented that it is necessary, for the proper administration of its affairs, that its charter the act 1 George V (1910), chapter 63, as amended by the acts 4 George V, chapter 88; 6 George V, chapter 50; 9 George V, chapter 104; 11 George V, chapter 124; 14 George V, chapters 107 and 137; 15 George V, chapters 152 and 153; 16 George V, chapter 72; 17 George V, chapter 82, and 21 George V, chapters 139, 163 and 164, be revised and consolidated, 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. This act may be cited as: Charter of the Town of Montreal East, 1934.

2. The inhabitants and ratepayers of the town of Montreal East and their successors shall continue to form a municipal corporation under the name of "The Town of Montreal East".

3. The town of Montreal East shall be governed in future by the provisions of the Cities and Towns' Act (Revised Statutes, 1925, chapter 102) and its amendments, except in so far as they are inconsistent with the provisions of this act.

4. The territory of the town of Montreal East is bounded as follows:

On the southwest, by the city of Montreal, and the municipality of the parish of St. Léonard de Port Maurice; on the west, by the parish of St. Joseph de la Rivière des Prairies; on the northwest, by the municipality of the parish of St. Léonard de Port Maurice, the parish of St. Joseph de la Rivière des Prairies and by the river des Prairies; on the northeast, by the parish of St. Joseph de la Rivière des Prairies and the town of La Pointe aux Trembles, and on the southeast by the river St. Lawrence.

Division
into wards:

5. The town of Montreal East shall be divided into three wards, called respectively Centre Ward, West Ward and North Ward, and the said wards shall be bounded as follows:

Centre
Ward.

Centre Ward: On the southwest, by the lots of land original numbers 81 and 84, 51, 50 and 18 of the official plan and book of reference of the parish of La Pointe aux Trembles; on the west, by the lot of land original number 58 of the parish of St. Joseph de la Rivière des Prairies; on the northwest, by the lots of land original numbers 53, 51 and 50, the public road of St. Léonard range and the River des Prairies, in the parish of St. Joseph de la Rivière des Prairies; on the northeast, by lot original number 43 of the parish of St. Joseph de la Rivière des Prairies and the town of La Pointe aux Trembles; on the southeast, by the river St. Lawrence.

West Ward.

West Ward: On the southwest, by the city of Montreal; on the northwest, by the base line situated to the southeast of the lands of the parish of St. Léonard de Port Maurice and of the lands of Côte St. Léonard; on the northeast, by the lots of land original numbers 85 and 82, and on the southeast, by the lots of land, original numbers 83 and 82, of the official plan and book of reference of the parish of La Pointe aux Trembles, and by the river St. Lawrence.

North
Ward.

North Ward: On the southwest, by the municipality of the parish of St. Léonard de Port Maurice; on the northwest, by the municipality of the parish of St. Joseph de la Rivière des Prairies; on the northeast, by the lots of land, original numbers 19 and 49 of the official plan and book of reference of the parish of La Pointe aux Trembles; on the southeast, by the public road of St. Léonard range, by the lots of land original numbers 49, part of 87, 86, 52, 85, 84, 79, 78, 77, 76, 75 and part of 74 of the official plan and book of reference of the parish of La Pointe aux Trembles.

6. Sections 47, 48 and 49 of the Cities and Towns' Act (Revised Statutes, 1925, chapter 102) are replaced, for the town, by the following sections: R. S., c. 102, ss. 47, 48, 49, replaced for town.

47. The municipal council shall be composed of a mayor and five aldermen elected in the manner hereinafter prescribed. Composition of council.

48. The mayor shall be elected for two years by the majority of the municipal electors who have voted. Mayor's term of office.

49. The aldermen shall be elected for the same period, three aldermen for the Centre Ward and one for each of the West and North wards, by the majority of the municipal electors who have voted." Term of office of aldermen.

7. Section 348 of the said Cities and Towns' Act is replaced, for the town, by the following: R. S., c. 102, s. 348, replaced for town.

348. Four members of the council, including the mayor or pro-mayor, shall constitute a quorum of the council for the transaction of business, except as otherwise specially provided for by this act." Quorum.

8. Section 209 of the said act is replaced, for the town, by the following: R. S., c. 102, s. 209, replaced for town.

209. The poll in each polling-subdivision shall be held in a room or building convenient of access, with an outside door for the admittance of voters, and having, if possible, another door through which they may leave after having voted. Location of poll.

The returning-officer shall, as far as possible, group the polling-stations. Polling-stations.

One or two compartments shall be made within the room, so arranged that each voter may be screened from observation, and may, without interference or interruption by any person whomsoever, mark his ballot-paper. Compartments.

In each compartment, a table or desk with a hard and smooth surface shall be provided, upon which the voter may mark his ballot-paper; and upon such table or desk a suitable black lead pencil shall be provided and kept properly sharpened throughout the hours of polling." Table, etc., to be provided.

9. Section 211 of the said act is replaced, for the town, by the following: R. S., c. 102, s. 211, replaced for town.

211. In addition to the deputy returning-officer and the poll-clerk, the only persons who shall be permitted, during the time that the polling-station is open, to remain in the room where the votes are given, shall be: the candi- Who may remain in room.

dates and their agents (who shall not be more than two for each candidate in each polling-station), or, in the absence of agents, two electors, who make application therefor, to represent each candidate.

Constables. Nevertheless, when, through a grouping of polling-stations, it is necessary to have more than one elector admitted at a time, the returning-officer shall take steps so that throughout the hours of polling a municipal constable, or another person sworn in as special constable, shall remain at the door of each such place to facilitate traffic, and that a second municipal constable, or other person sworn in as special constable, shall remain within any such place to call the electors by name and direct them to the polling-station in which they are entitled to vote.

Agents. Any agent bearing a written authorization from the candidate shall always be entitled to represent such candidate in preference to any person who might claim the right of representing such candidate merely as elector."

R. S., c. 102, s. 429, a.m., for town. **10.** Section 429 of the said act is amended, for the town, by adding thereto, after paragraph 1 thereof, the following paragraph:

Making of streets, etc. "1a. To make streets and boulevards, whether by the town, under its direct control or by contractors or by companies authorized for the purpose; to enter into agreements with such contractors or companies respecting the making of streets and boulevards; provided that the streets and boulevards mentioned in this paragraph be situated within the boundaries of the town;"

Proviso.

Restricted valuation of certain land. **11.** Notwithstanding the provisions of section 522 of the said Cities and Towns' Act, no land under cultivation, or farm land, or pasture land, or wood land, may be valued at more than one hundred dollars per arpent, for a period of ten years, to run from the sanction of this act. Such valuation shall include the houses, barns, stables and all other buildings connected with the farm; it shall include also live stock, winter and summer vehicles and farm implements.

Power to make certain by-laws. **12.** Notwithstanding any provision to the contrary, the council may, from time to time, make, amend or repeal by-laws to secure, by special assessment, the money necessary to pay the cost of improvements and work done or to be done, such as sewers, ditches, roads and public places, sidewalks, lighting systems, waterworks and drains, either

by putting in force by-laws already in existence in the town, or by other by-laws, in order to carry out and complete a portion or the whole of the work.

13. In and for any by-law provided for in the preceding section, the town may declare or order that the cost of such improvements and works shall be borne and paid in proportion deemed equitable by the council, by the proprietors of immoveables situated on each side of the streets or public places, or of any part thereof, on which such improvements or works have been or may be made, or by the latter and by the owners of immoveables situated within a specified area or within the limits specified in such by-law and who benefit by such works or improvements, by means of a special assessment made, prepared or imposed upon the owners of the said immoveables in proportion to the frontage or to the area of the said properties when such improvements are made.

Who shall bear cost of improvements and works.

Every special real estate tax imposed by a by-law of the town to levy sufficient money to defray the cost of improvements or work already done or to be done shall be apportioned on the immoveables according to the said by-law and such immoveables, as they existed at the date of the passing of the said by-law by the council of the town, shall be and shall remain affected in their entirety for the payment of the said tax, notwithstanding any division, subdivision, or dismemberment of the said immoveables after the adoption of the said by-law.

Apportionment of special real estate tax.

14. Any exemption or commutation of taxation at present existing or which may exist, in future, in the territory of the said town shall include only the ordinary annual tax on immoveables.

Exemption, etc., restricted.

This section shall not affect, however, the provisions of the acts 14 George V, chapter 137; 15 George V, chapter 152; 15 George V, chapter 153, and 17 George V, chapter 82, nor the exemption from taxation hereinafter provided for in favour of the city of Montreal. The provisions of this section shall not affect in any manner the property declared non-taxable by law.

Provisions safeguarded.

Notwithstanding any law to the contrary, the council of the town of Montreal East may, by resolution, without other formality, grant, for a period not exceeding fifteen years from the sanction of this act, to the city of Montreal, an exemption from all municipal and school taxes on that portion of its waterworks system which is situated in the

Power to grant certain exemption.

territory of the town of Montreal East and/or guarantee to the city of Montreal a minimum annual revenue for the supplying of water by the waterworks of the latter to the residents of the town.

Validation, etc., of certain by-law. **15.** By-law No. 157, respecting the construction of buildings in the town of Montreal East, is ratified, confirmed, declared valid, legal and obligatory, and, furthermore, sections 18, 37, 45, 46 and 47 of the said by-law form part of this act.

Indebtedness of town restricted. **16.** The indebtedness of the town shall never be more than twenty per cent of the value of the taxable immovable property in the town, as it appears by the valuation roll; but sums borrowed for works or expropriations the cost whereof is payable by special apportionment shall not be reckoned in computing the indebtedness of the town, for the purposes of its borrowing power, provided that the sums levied annually by means of the said special apportionments shall be employed only to pay the interest and as a sinking-fund for the repayment of the loans contracted for the carrying out of the said works or expropriations.

Temporary loans. **17.** The town is authorized, whenever the council may deem the time unfavorable for the issue of a long term loan or the negotiation of the bonds or debentures issued under a loan by-law, to effect such loan temporarily, wholly or in part, by giving such bonds or debentures as security, and these, nevertheless, shall continue to be negotiable for all lawful purposes.

Payment of certain creditors. **18.** Notwithstanding any law or by-law to the contrary, in any case where the town has guaranteed, by endorsement or otherwise, loans made by a company or by a person, for the purpose of aiding in the construction of any industrial establishment or dwelling-house, according to the provisions of chapters 128 and 129 of the Revised Statutes of Quebec, 1925, the town may, if legally responsible, pay the creditors by continuing to make the payments of capital and interest which the company or person was bound to make to them, on the loans thus guaranteed by the city, even in the case of liquidation.

Provisions repealed. **19.** The provisions of any other act applicable to the town of Montreal East are repealed in so far as they are inconsistent with the provisions of this act, saving the provisions of the acts 6 George V, chapter 50, sections 7 and

15; 14 George V, chapter 137; 15 George V, chapter 152; Provisions
15 George V, chapter 153; 16 George V, chapter 72, sections ^{safeguarded.}
6 and 7, and 17 George V, chapter 82, section 3. Never-
theless, the town of Montreal East shall remain subject to
the acts governing the Montreal Metropolitan Commission.

20. This act shall come into force on the day of its ^{Coming into}
sanction. ^{force.}

