



CHAPTER 138

An Act to grant certain special powers to the municipality of the parish of Ste. Catherine de Fossambault

[Assented to, the 13th of April, 1933]

WHEREAS Raymond Garneau, broker; Aimé Lamothe, Preamble.
hotelkeeper; Ernest Labrecque, notary public; Honourable Lucien Cannon, King's Counsel; J. G. Coote, advocate; J. E. Caron, insurance agent; Charles Langevin, employee of the Canadian Pacific Railway; W. J. Clarke, manufacturer; E. H. S. Woodside, employee of the Quebec Harbour Commissioners; Paul Malouin, surveyor; Jules Gingras, manufacturer; J. F. Gosselin, manufacturer; Dame Albert Fréchette, widow of the late Albert Fréchette; R. H. Doddridge, manufacturer; J. Emile Robitaille, manufacturer; J. A. Chiquette, annuitant, and C. W. Wiggs, manufacturer, have, by their petition, represented:

That a great number of families from the city of Quebec and elsewhere possess property in that portion of the territory of the municipality of the parish of Ste. Catherine de Fossambault, county of Portneuf, known as a summer resort under the name of Lake St. Joseph;

That a great majority of these families summer at this place and others stay a longer time;

That the municipal administration no longer suffices for their needs and it has become necessary to take more ample measures for the administration of the said territory; and

Whereas it is expedient to comply with these representations by granting more ample powers to the said municipality;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Division
into two
districts.

District
No. 1.

1. The municipality of the parish of Ste. Catherine de Fossambault is divided into two districts.

District No. 1 shall consist of the territory comprised within the following boundaries in the county of Portneuf.

All that territory comprising a portion of lots Nos. 468 and 467 and the northwest part of lots Nos. 466, 465, 464, 463, 462, 461, 460, 459 and their subdivisions, in the sixth concession; and the southwest part of lots Nos. 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693 and their subdivisions, in the northeast concession of Lake St. Joseph.

Which territory is bounded as follows:

Towards the northeast, by the remaining portions of lots Nos. 693, 692, 691, 690, 689, 688, 687, 686, 685, 684, 683, 682, 681, 680, 679, 459, 460, 462 and 464;

Towards the southeast, by the remaining portions of lots Nos. 690, 680, 460, 461, 462, 463, 464 and the Canadian National Railway;

Towards the southwest, by the remainder of lots Nos. 468 and 467 and by Lake St. Joseph;

Towards the northwest, by a part of lots Nos. 694 and 756; and may be more particularly described as follows:

Starting from the point of intersection of Lake St. Joseph with the rear line of the sixth concession and following such line in a southwesterly direction until it meets the dividing line between lots Nos. 467 and 466; thence, following the latter line in a southeasterly direction until it meets the road leading to Lake St. Joseph beach; thence, following the sinuosities of such road towards the south until it meets the northern line of the Canadian National Railway; thence, following the latter line towards the east as far as the dividing line between lots Nos. 464 and 465; thence, following the latter line northwesterly, as far as the southeast line of the property of the Canadian National Railway; thence, following the latter line towards the northeast, and crossing lots Nos. 464 and 463, as far as the dividing line between lots Nos. 463 and 462; thence, following the latter line in a northwesterly direction to a point situated two hundred and fifty feet south of the belt road; thence, following a line in an easterly direction crossing lots Nos. 462 and 461, which line parallels the sinuosities of the belt road at a distance of two hundred and fifty feet from the latter, as far as the public road; thence, following in an easterly direction a line perpendicular to the public road for a distance of two hundred and fifty feet; thence, in a northerly direction, following lines parallel to the sinuosities of the public road and distant two hundred and fifty feet from the latter, as

far as the south line of lot No. 678 of the northeast concession of Lake St. Joseph; thence, following lines parallel to the sinuosities of the public road at a distance of two hundred and fifty feet from the latter, as far as the south-east line of lot No. 680c; thence, following the latter line and its prolongation, in a northeasterly direction, for a distance of six hundred feet from the public road; thence, in a northwesterly direction, crossing lots Nos. 681 and 682 at a distance of six hundred feet from the public road; thence, following a line in a northwesterly direction which meets the dividing line of lots Nos. 690 and 691 at a point one thousand feet distant from the northeast shore of Lake St. Joseph; thence, following such dividing line and including the properties of Messrs. J. J. White and Gerald Coote on lots Nos. 691, 692 and 693; thence, following the dividing line between lots Nos. 693 and 694 in a southwesterly direction as far as the northeast shore of Lake St. Joseph; thence, following the sinuosities of the shore of Lake St. Joseph southeasterly, southerly and southwesterly, to the starting point.

District No. 2 shall comprise all the other lots situated in the parish of St. Catherine de Fossambault. District No. 2.

District No. 1 shall be divided into two wards, as follows: District No. 1 divided into two wards.
Ward No. 1 comprising all the parts of lots and their subdivisions situated in the sixth concession; Ward No. 2 comprising the parts of lots and their subdivisions situated in the northeast concession of Lake St. Joseph.

2. Article 80 of the Municipal Code, as amended by the M. C., art. 12 George V, chapter 100, section 1, and 13 George V, chapter 84, section 1, is amended, for the said municipality, by replacing the second paragraph thereof by the following: M. C., art. 80, am. for municipal-ity.

"The seat of each councillor shall be designated by a number. No person may be elected councillor for seat No. 1, unless he possesses, in Ward No. 1, the qualification required by Article 228, and no person may be elected councillor for Seat No. 2, unless he possesses, in Ward No. 2, the said qualification. No person may be elected to any of the other seats unless he possesses the said qualification in District No. 2. The council may, by by-law, fix a separate territory in District No. 2 for each seat or each group of seats in which the possession of the said qualification shall be necessary." Seats designated by numbers.

3. Paragraphs 5 and 10 of Article 227, and paragraph 3 of Article 237 of the Municipal Code shall not apply to the said municipality. Provisions not applicable to municipality.

M. C., art.
245, replac-
ed for mu-
nicipality.

4. Article 245 of the Municipal Code, as replaced by the act 19 George V, chapter 88, section 11, is replaced, for the said municipality, by the following:

Nomina-
tion and
voting for
mayor and
councillors.

"245. The mayor and councillors are nominated on the third juridical Tuesday in July, and the voting by ballot, if it takes place, is held on the following Tuesday, or, if such day be a non-juridical day, on the first juridical day following."

M. C., art.
247, replac-
ed for mu-
nicipality.

5. Article 247 of the Municipal Code is replaced, for the said municipality, by the following:

Procedure at
first general
election.

"247. At the first general election held after the 13th of April, 1933, a mayor and six councillors must be elected, or, in default of election, appointed, who go out of office and are replaced in the manner indicated in Article 82, and in Article 248 as replaced, for the municipality of the parish of Ste. Catherine de Fossambault, by the act 23 George V, chapter 138, section 6."

M. C., art.
248, replac-
ed for mu-
nicipality.
Appoint-
ment of
councillors.

6. Article 248 of the Municipal Code is replaced, for the said municipality, by the following:

"248. Of the six councillors elected on such occasion, or appointed by the Lieutenant-Governor in default of an election:

1. Three councillors, whereof one is elected for the seats of District No. 1 and two for the seats of District No. 2, must be replaced at the next general election;

2. The remaining three must be replaced at the same time in the following year;

and so on, in such manner that three local councillors must be elected or appointed each year, one for the seats of District No. 1 and two for the seats of District No. 2."

M. C., art.
257, am. for
municipa-
lity.

7. Article 257 of the Municipal Code, as amended by the acts 16 George V, chapter 68, section 2, and 17 George V, chapter 74, section 4, is amended, for the said municipality, by replacing the first paragraph thereof by the following:

Notice by
presiding
officer.

"257. At least eight days before the third juridical Tuesday of July of each year, the presiding officer must give public notice, over his signature, setting forth:"

M. C., art.
258, re-
placed for
municipa-
lity.

8. Article 258 of the Municipal Code, as amended by the act 16 George V, chapter 68, section 3, is replaced, for the said municipality, by the following:

"258. The nomination of candidates at an election is held from eight o'clock in the evening until ten o'clock in the evening, on the third juridical Tuesday in July." Nomination
of candida-
tes.

9. The second paragraph of Article 259 of the Municipal Code, as amended by the act 12 George V, chapter 100, section 1, is replaced, for the said municipality, by the following: M. C., art.
259, am. for
municipal-
ity.

"The nomination-paper must mention the name of the candidate, the office and number of the seat for which he is nominated, and be signed by the proposers." Particulars
on nomina-
tion paper.

10. Article 266 of the Municipal Code, as amended by the acts 17 George V, chapter 74, section 5; 19 George V, chapter 88, section 12, and 22 George V, chapter 103, section 1, is amended, for the said municipality, by replacing the first two paragraphs thereof by the following: M. C., art.
266, am. for
municipal-
ity.

"266. Voting takes place from four o'clock in the afternoon until ten o'clock in the evening. Voting.

It is done by ballot, in accordance with the provisions of chapter eighth of this title." Done by
ballot.

11. The first paragraph of Article 274 of the Municipal Code, as replaced by the act 20 George V, chapter 103, section 7, is replaced, for the said municipality, by the following: M.C., art.
274, am.
municipal-
ity.

"274. The elector can cast only one vote for each con- tested seat." Only one
vote.

12. Article 283 of the Municipal Code is replaced, for the said municipality, by the following: M.C., art.
283, re-
placed for
municipal-
ity.

"283. At the close of the election, the presiding officer declares elected the candidates obtaining the largest number of votes for each seat." Candidates
elected.

13. Paragraph 1 of Article 302 of the Municipal Code is replaced, for the said municipality, by the following: M. C., art.
302, am. for
municipal-
ity.

"302. 1. Immediately after the ballot-box is locked, as above provided, the presiding officer must, at four o'clock precisely, call upon the electors to vote." Procedure
by presi-
ding officer.

14. The corporation of the said parish shall have the powers granted to certain local corporations by Article 392a of the Municipal Code, as enacted by the act 20 George V, chapter 103, section 14. Powers of
the corpora-
tion.

M. C., art. 403, am. for municipality. **15.** Article 403 of the Municipal Code, as amended by the acts 9 George V, chapter 85, section 1; 17 George V, chapter 84, section 10, and 19 George V, chapter 88, section 19, is amended, for the said municipality, by replacing the first paragraph of paragraph 1 thereof by the following:

Prohibiting, etc., circuses, etc. “1. To prohibit circuses, theatres, dance halls, places of amusement or public exhibitions from being held; to regulate them upon such conditions as may be deemed proper, and subject them to a duty or tax.”

Powers of the corporation. **16.** The corporation of the said parish shall have the powers granted to town or village corporations by Articles 416, 417, 418, 419, 420 and 421 of the Municipal Code.

Holding of first general election. **17.** The first general election under this act shall be held on the 18th day of July, 1933, and the present council of the said municipality shall remain in office until that date.

Coming into force. **18.** This act shall come into force on the day of its sanction.