



## CHAPTER 112

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

[Assented to, the 22nd of December, 1931]

**W**HEREAS the city of Sorel, has, by its petition, re-Preamble.  
presented that is in the interest of the proper ad-  
ministration of its affairs that its charter, the act 52 Vic-  
toria, chapter 80, and the acts amending it, be 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.** Section 9a of the act 52 Victoria, chapter 80, as 52 Vict., c.  
enacted by the act 2 George V, chapter 59, section 1, is re-80, s. 9a,  
placed by the following: replaced.

“9a. If any person claims to have suffered bodily in-Notice of  
jury through an accident for which he purposes to claim action for  
damages from the city, he must, within fifteen days from damages.  
the date of accident give or have a written notice sent to  
the city clerk of his intention to take out a suit, giving at  
the same time the details of his claim, and the place where  
he resides; in default whereof the city shall not be bound to  
pay damages on account of such accident, and, in the case of  
claims for damages to moveable or immoveable property, a  
similar notice shall also be given to the city clerk within  
fifteen days, failing which the city shall not be bound to  
pay for any damages, notwithstanding any provisions of  
law to the contrary, but in no case shall an action claiming Period when  
damages be receivable unless such action is taken within action re-  
four months after the day when the accident happened or ceivable.  
the right of action accrued.

No such action shall be instituted before the expiration of Delay for  
fifteen days of the serving of such notice. instituting  
action.

Proviso.

The default to give such notice shall not, however, deprive the victims of such accidents of their rights of action if they prove that they were prevented from giving such notice by irresistible force or for any other reason deemed valid by the court or judge.

City's  
recourse in  
warranty.

The city shall have its recourse in warranty against any person whose fault or negligence caused the accident and the damages resulting therefrom."

52 Vict., c.  
80, s. 57,  
replaced.

**2.** Section 57 of the act 52 Victoria, chapter 80, is replaced by the following:

Majority to  
decide ques-  
tions, etc.

"**57.** At sittings of the council, the majority of the members present shall decide the questions and matters submitted thereto, except where a larger number of concurring votes may be required by the rules of the council or by law.

Exception.

Casting-  
vote of  
presiding  
officer.

The mayor or the presiding officer may give his opinion, but may not vote except in the case of equal division of votes.

Obligation  
so to do.

In the latter case the presiding officer shall be bound to give the casting-vote, giving his reasons therefor if he so please."

52 Vict., c.  
80, s. 68,  
replaced.

**3.** Section 68 of the act 52 Victoria, chapter 80, is replaced by the following:

Appoint-  
ment of  
officers.

"**68.** The council may appoint such officers as it may deem necessary to carry out the powers vested in it, and grant them such salary or compensation as it may think fit. It may, upon a vote of the majority of all the aldermen, remove any officer and appoint another in his place."

Removal.

52 Vict., c.  
80, s. 72,  
replaced.

**4.** Section 72 of the act 52 Victoria, chapter 80, is replaced by the following:

Term of  
office of  
officers and  
employees.

"**72.** All officers and employees of the council shall remain in office only during good pleasure, excepting the present clerk, chief of police and treasurer of the city who shall remain in office during good conduct."

52 Vict., c.  
80, s. 125,  
replaced.

**5.** Section 125 of the act 52 Victoria, chapter 80, as amended by the act 55-56 Victoria, chapter 52, section 3, is replaced by the following:

Qualifica-  
tion of  
electors.

"**125.** The following persons, if of the full age of twenty-one years, British subjects and not legally disqualified nor otherwise deprived of the right to vote in virtue of this act, shall be electors, and shall be entered on the electoral lists, to wit:

a. Male persons and widows or spinsters of the age of majority whose names are entered on the valuation roll in force as owners of immoveables of a value of two hundred dollars or upwards; Property-owners;

b. The husband whose wife is entered on the valuation roll in force as owner of immoveables of a value of two hundred dollars or upwards; Husband;

c. Every male person whose name is entered on the valuation roll in force as tenant or occupant of an immovable of an annual value of twenty dollars or upwards; Tenants or occupants;

d. Every male person, though neither owner, tenant or occupant of an immovable in the city, who is entered on the valuation roll in force as receiving an annual remuneration, salary or revenue of at least five hundred dollars." Persons in receipt of remuneration.

**6.** The act 52 Victoria, chapter 80, is amended by adding thereto, after section 125 thereof, the following section: 52 Viet., c. 80, s. 125a, added.

"**125a.** Furthermore, to be entered on the electoral list and have the right to vote at the election of the mayor and the aldermen, all municipal dues must be paid on or before the 15th of December preceding such election." Qualification of municipal electors.

**7.** The act 52 Victoria, chapter 80, is amended by adding thereto, after section 126 thereof, the following section: 52 Viet., c. 80, s. 126a, added.

"**126a.** Joint-stock companies, possessing immoveables as owners, may be entered on the electoral list and vote in the name of and through a representative of the company, duly authorized to that effect by a resolution of the said company, a copy whereof shall be fyled with the city clerk on or before the 15th of December, and they may so vote at municipal elections and on by-laws submitted to the electors, provided such representative is a director or employee of the company when called upon to cast his vote. The said resolution shall serve for the above purpose until it shall be replaced by another resolution to the same effect." Joint-stock companies or corporations.

**8.** The act 52 Victoria, chapter 80, is amended by adding thereto, after section 138 thereof, the following section: 52 Viet., c. 80, s. 138a, added.

"**138a.** Any person, whose name has been omitted from the electoral list but is entered on the valuation roll and who possesses at the time of the depositing of the list the necessary right of vote, has a right to vote at any municipal election and upon a loan or other by-law submitted to the electors, upon producing a certificate from the clerk or treasurer of the city, which the latter are obliged to Omission of elector's name.

give on application therefor, to the effect that the name of such person has been omitted by inadvertance or error, and upon taking the oath before the deputy returning-officer at any polling-station at which such person has a right to vote, that he is entitled to vote according to law and that he has not already voted under the authority of the said certificate. The certificate produced shall be left in the hands of the deputy returning-officer who shall return it at the close of the poll with the other documents in use at such voting."

52 Vict., c.  
80, s. 168,  
replaced.

**9.** Section 168 of the act 52 Victoria, chapter 80, as replaced by the act 2 George V, chapter 59, section 11, is again replaced by the following:

Establish-  
ing of polls.

**"168.** Polls shall be established in each ward where an election is to be held.

Notice, etc.,  
by presiding  
officer.

The presiding officer shall in due time select the places required for the purpose of establishing polls therein, and shall be bound to indicate and make known the same by means of a public notice, which shall be published and posted up on the door of the poll at least three days before the voting and in the office of the corporation. Nevertheless, when the council shall have done away with the wards, the polls shall be established in the public room of the Richelieu Market or other place fixed by the council and the presiding officer of the election shall be dispensed from giving public notice as aforesaid".

Proviso.

52 Vict., c.  
80, s. 196,  
replaced.

**10.** Section 196 of the act 52 Victoria, chapter 80, as replaced by the act 2 George V, chapter 59, section 12, is again replaced by the following:

Place of  
voting.

**"196.** The voting shall take place for each of the wards where a poll is to be held at the place determined by the presiding officer for the election, as aforesaid, in a room or building of convenient access, with a door for the admittance of the voters, and having, if possible, another door through which they may leave after having voted. And, if the wards are done away with, the voting shall take place in the public room of the Richelieu Market or other place fixed by the council."

52 Vict., c.  
80, s. 329,  
replaced.

**11.** Section 329 of the act 52 Victoria, chapter 80, is replaced by the following:

Railways to  
erect gates,  
etc.

**"329.** Compel every railway company, coming under the legislative authority of the Province, to erect gates and to keep gate-keepers at the expense of the company at each

road or street crossed by such railway within the city, and impose a fine of not more than twenty dollars for each day such company shall refuse and neglect to erect such gates after having been called upon so to do. Penalty for failure.

Prevent the obstruction of streets by the locomotives or cars of any railway company, and impose upon such company a fine of not more than twenty dollars for each infringement of the by-laws passed in that respect. Obstruction of streets by railways. Penalty.

**12.** Section 334 of the act 52 Victoria, chapter 80, is replaced by the following: 52 Viet., c. 80, s. 334, replaced.

**"334.** Regulate, license or prohibit the construction and use of billboards and signs near the streets, roads and public places, or upon any vacant lot or elsewhere."  
Construction, etc., of billboards, etc.

**13.** The act 52 Victoria, chapter 80, is amended by adding thereto, after section 406a thereof, as enacted by the act 2 George V, chapter 59, section 30, the following section: 52 Viet., c. 80, s. 406b, added.

**"406b.** Prohibit the throwing or depositing of ashes, paper, refuse of any kind or other matter in the streets, lanes, roads, yards, public or private lands, water-courses or banks of rivers;  
Depositing of refuse, etc., in streets, etc.;

Provide for the removal of garbage, either by the city itself or by contract, and impose a special tax to defray the cost of such removal upon all persons who benefit or may benefit from such service; Removal of garbage;

Establish one or more dumps, subject to the regulations of the Provincial Bureau of Health, and acquire or appropriate land for such purpose; Establishing of dumps;

Build an incinerator and acquire or expropriate land for such purpose."  
Building of incinerator.

**14.** Section 507 of the act 52 Victoria, chapter 80, is replaced by the following: 52 Viet., c. 80, s. 507, replaced.

**"507.** The assessors or valuers shall each year, at the time and in the manner ordered by the council, assess the taxable and non-taxable property of the municipality, according to its real value. Assessment of property.

The council may, by resolution, relieve the assessors from the duty of making a valuation roll as oftener than every three years; and in such case, the council itself shall revise the roll or cause it to be revised by the assessors, as it deems expedient, giving the same notices and delays as for the making of the valuation roll. Revision of valuation roll by council.

The assessors shall also make the valuation of the annual value of such property, and enter it in the roll in a separate column. Valuation.

Tenants. They shall also enter in the roll the names of all tenants and the amount of annual rent paid by each of them.

Salaried persons. They shall also enter in the roll the names of every male person who though neither owner nor tenant, receives an annual salary or revenue of at least five hundred dollars.

Information. The assessors shall also enter in the roll all other information required by the council"

52 Vict., c. 80, s. 511, replaced. **15.** Section 511 of the act 52 Victoria, chapter 80, is replaced by the following:

Signing of valuation roll. **"511.** The valuation roll shall be signed by at least two of the assessors who drew it up or caused it to be drawn up, and by the clerk or any other person whom they employed as secretary.

Deposit. The assessors shall deposit the valuation roll in the office of the council, immediately after its completion; and public notice of such deposit shall be given by the clerk, during the two days following. The notice shall state that the roll will remain open to the examination of parties interested, or their representatives, for the thirty days next following its deposit."

52 Vict., c. 80, s. 528, replaced. **16.** Section 528 of the act 52 Victoria, chapter 80, is replaced by the following:

Tax on owners of dogs. **"528.** To impose, upon every person owning or in possession of dogs, a tax, in the form of a license, not exceeding ten dollars a year for each such animal.

Straying, etc. To prevent dogs from straying and to have them muzzled."

52 Vict., c. 80, s. 535a, added. **17.** The act 52 Victoria, chapter 80, is amended by adding thereto, after section 535 thereof, the following section:

Option of council. **"535a.** Notwithstanding that the by-law of the council ordering the imposition and levying of certain taxes, in the form of permits or licenses, enacts an imprisonment for failure to pay such taxes and licenses, the council may, at its option, instead of prosecuting for such imprisonment, sue for the recovery of the said taxes or licenses, whether a license be issued or not and whether the name of the person liable for the taxes or licenses be entered or not in the valuation roll or in the collection roll."

52 Vict., c. 80, s. 556a, added. **18.** The act 52 Victoria, chapter 80, is amended by adding thereto, after section 556 thereof, the following section:

Prescription. **"556a,** Arrears of municipal taxes shall be prescribed by three years."

**19.** Section 13 of the act 55-56 Victoria, chapter 52, 55-56 Viet., amending section 631 of the act 52 Victoria, chapter 80, is <sup>e. 52, s. 13,</sup> repealed.

**20.** By-law No. 420 adopted by the council of the city of Sorel, on the 2nd of May, 1931, and ratified by a vote of the ratepayers, fixing the valuation of the properties therein described of the North American Elevators, Limited, for a period of ten years, is confirmed and ratified for all legal purposes. <sup>Validation of certain by-law.</sup>

**21.** This act shall come into force on the day of its sanction. <sup>Coming into force.</sup>

