



CHAPTER 139

An Act to amend the charter of the Montreal Metropolitan Commission

[Assented to, the 4th of April, 1931]

WHEREAS the Montreal Metropolitan Commission has, Preamble.

by its petition, represented that it is in its interests as well as in the interest of the municipalities over which its control extends, that the acts 11 George V, chapter 140; 12 George V, chapters 123 and 124; 13 George V, chapter 105; 14 George V, chapter 107; 15 George V, chapter 115; 16 George V, chapter 82; 18 George V, chapter 120; 19 George V, chapter 103, and 20 George V, chapter 147, be amended, and more extended powers be given it to make its action more effective; and

Whereas it is expedient to grant its petition;

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

1. Section 3 of the act 11 George V, chapter 140, is replaced by the following:

“3. Such Commission shall be composed of sixteen members, hereinafter called “commissioners”, of whom one shall represent the Department of Municipal Affairs of the Province of Quebec; eight shall represent the city of Montreal; one the city of Westmount; one the city of Outremont; one the city of Verdun; one the city of Lachine; one the towns of Lasalle, St. Pierre, Hampstead, Mount Royal, St. Laurent and Montreal West; and two the towns of Montreal North, St. Michel, Montreal East, and Pointe-aux-Trembles, of whom one, appointed by the council of the town of Montreal East, may take part in discussions, but cannot vote, and the other appointed in conformity with paragraph *e* of subsection 1 of the following section.”

11 Geo. V,
c. 140, s. 3,
replaced.

Composi-
tion of com-
mission.

11 Geo. V,
c. 140, s.
17a, re-
placed.

2. Section 17a of the act 11 George V, chapter 140, as enacted by the act 18 George V, chapter 120, section 1, is replaced by the following section:

Place of business or domicile.

“**17a.** The place of business or domicile of the Commission shall be in the city of Montreal.”

13 Geo. V,
c. 105, s. 11,
am.

3. Section 11 of the act 13 George V, chapter 105, as amended by the acts 15 George V, chapter 115, section 2, and 18 George V, chapter 120, section 11, is again amended by replacing the first paragraph thereof by the following paragraphs:

Commission may transact and compromise on certain taxes.

“**11.** Notwithstanding any law to the contrary, the Commission may on the affirmative vote of two-thirds of the commissioners, only where it deems it just, transact and compromise with the proprietors of taxable real estate situated within the limits of the town of St. Michel and of the town of Montreal North, without the intervention of the municipal council of the one or of the other of such towns, on all debts for taxes or general or special assessments due including those established by judgments having even the authority of a final judgment. It may likewise remit these taxes and assessments in such proportion that it may consider right and grant delay not exceeding ten years for the payment of the same or of the amount agreed, from the date of the resolution of the Commission containing the terms and conditions of the compromise.

Commission may, by resolution, fix valuation of vacant land in town of St. Michel.

By a resolution passed on the affirmative vote of two-thirds of the commissioners and notwithstanding any law to the contrary, the Commission may, for municipal and school taxation purposes, fix the valuation of any vacant land within the town of St. Michel. As soon as such resolution has been communicated to the secretary of the town of St. Michel, the valuation thereby established shall be entered on the valuation roll of the said town and all general or special taxes and assessments which, by the law or by-laws in force, are imposed on the assessable value, shall, thenceforward as regards the properties so valued, be computed according to such valuation. By such resolution, the Commission may thus fix the valuation for a period not exceeding five years from the date of such resolution.”

16 Geo. V, c.
82, s. 8a,
added.

4. The act 16 George V, chapter 82, is amended by inserting therein, after section 8 thereof, the following section:

Term of fiscal year.

“**8a.** Any municipality subject to the action of the Commission may, by by-law, enact that its fiscal year shall commence on the 1st of January and end on the 31st of December of each year.

In order to permit it to collect the annual general real estate tax at the beginning of the fiscal year, such municipality may, at the date fixed by the council and by employing the valuation rolls then in force, make an assessment and collection roll for the said tax for a portion of a year, or for a period exceeding one year, provided that the period covered by such roll shall extend to the 31st of December, so that the year for which such tax is levied may agree with the fiscal year.

Collection roll for real estate taxes.

When a roll is made for a period exceeding one year, the council may enact that the tax imposed by such roll shall be paid by instalments during such period. Any instalment unpaid shall bear interest at the rate established in the charter of the municipality concerned.

Payment of tax by instalments.

Any municipality wherein the fiscal year already runs from the 1st of January and the year for such tax agrees with the fiscal year, but the tax is levied after the month of January, may make in the same year for the following year an additional assessment and collection roll which shall come into force early enough for the tax leviable under such additional roll to be payable during the month of January following, the council having the privilege of making the tax to be levied under such additional roll payable by instalments as aforesaid.

Additional collection roll.

The provisions of this section shall apply for the school taxes which the said municipalities must impose and levy.

School taxes.

This act shall not affect the powers of such municipalities as regards other taxes."

Powers not affected.

5. Section 1 of the act 19 George V, chapter 103, is amended by adding thereto the following paragraph:

19 Geo. V, c. 103, s. 1, am.

"This section shall not apply, however, in cases where an existing contract authorizes renewal for a longer period."

Provisions not applicable.

6. Section 6 of the act 20 George V, chapter 147, is amended:

20 Geo. V, c. 147, s. 6, am.

a. By replacing the word: "December", in the fifth line of the first paragraph thereof, by the word: "May";

b. By replacing the word: "December", in the first and second lines of the second paragraph thereof, by the word: "May";

c. By replacing the word: "December", in the fifth line of the third paragraph thereof, by the word: "May";

d. By replacing the word: "December", in the second line of the fourth paragraph thereof, by the word: "May";

e. By replacing the word: "December", in the first line of the fifth paragraph thereof, by the word: "May";

f. By replacing the word: "December", in the seventh line of the seventh paragraph thereof, by the word "May".

Subdivided land in St. Michel and Montreal North to be taxed as a whole.

7. Notwithstanding any general or special law to the contrary, all land under cultivation or farmed, or used as pasturage for animals, as well as all uncleared land or wood lots, situated in the towns of St. Michel and Montreal North, divided or subdivided into building lots and which, by law, must be valued for municipal purposes by the arpent, with or without a maximum per arpent, shall, in future, be so valued for the period of time determined by law, notwithstanding the subdivision, and the municipal taxes shall be imposed on the subdivision lots as a whole, as if such subdivision did not exist, and, in the event of a forced sale for taxes, all the lots shall be deemed a single undertaking and be sold as one whole.

Provisions applicable to school taxes.

The above provisions shall apply also to school taxes, save that the valuation for such purpose shall be made according to the real value.

Privileges to affect lots collectively. Retroactive provisions.

The privilege for municipal and school taxes shall affect all the lots collectively as if no subdivision existed.

The municipal and school taxes legally imposed before the coming into force of this act shall be considered as if they had been imposed under the provisions of this section, and such taxes shall affect by privilege the said subdivision lots collectively as if such subdivision did not and never did exist, and in the event of a forced sale for the municipal and school taxes mentioned in this paragraph, all the lots shall be deemed a single undertaking and sold as one whole.

Lots sold not affected. Pending cases.

This section does not and shall not apply to subdivision lots sold, which are thereby detached from land under cultivation, and shall not affect pending cases.

Remaking of collection roll authorized, etc.

8. The town of Montreal North, or, failing it, the Metropolitan Commission, is authorized to remake the assessment and collection roll homologated by the council on the 19th of May, 1928, and by the Metropolitan Commission on the 30th of the same month, imposing a special real estate tax for water-conduits under by-law No. 155; to reimburse the ratepayers who were taxed in error by such roll, and to re-apportion by the new roll, on those really concerned, the tax authorized by the said by-law, the payments already made by the latter remaining to their credit. The procedure to be adopted shall be that followed for the making of the original roll.

The town of Montreal North is further authorized to impose the special real estate tax authorized by by-law No. 132 according to the frontage of the immoveables, instead of imposing it according to valuation, as provided in the said by-law.

Levying
of real
estate tax
according
to frontage.

9. The special real estate tax imposed by the by-law No. 134 of the town of Montreal East for opening Sherbrooke street within the territory of the said town 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 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.

Special real
estate tax
to affect im-
moveables
in their
entirety.

10. By-law No. 58, adopted by the town of Mount Royal on the 30th of May, 1930, and approved by the electors on the 27th of June, 1930, to provide for the establishing of an electric lighting system in the town and for a loan of one hundred and fifty thousand dollars for such purpose, is ratified and declared valid and may be executed in its form and tenor.

Validation
of by-law
No. 58 of
town of
Mount Roy-
al.

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

Coming into
force.