



CHAPTER 118

An Act to amend the charter of the town of Chicoutimi

[Assented to, the 4th of April, 1930]

WHEREAS the town of Chicoutimi has, by its petition, Preamble.
represented that it is in the interest of its proper
administration that its charter, the act 4 Edward VII,
chapter 62, as amended by the act 8 Edward VII, chapter
91, be again amended to provide for its erection into a city;
to obtain power to prepare the valuation roll during one
year and impose the tax the next year; to change the date
of the elections; to better define the territory of the mun-
cipality and to annex to its territory certain lots adjoining
the municipality, and for all other purposes mentioned in
its petition; 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 1 of the act 4 Edward VII, chapter 62, is re- 4 Ed. VII, c.
62, s. 1, re-
placed.
placed by the following:

"1. The inhabitants and ratepayers of the said munici- Incorpora-
tion.
pality shall constitute a city corporation under the name
of City of Chicoutimi, with all the powers inherent to a Name.
city.

The corporation constituted by this act shall succeed Succession.
to the rights, obligations, privileges, property, credit and
actions of the town of Chicoutimi, and the charter of the
town of Chicoutimi shall apply to this corporation, except
insofar as may be otherwise provided by law".

2. Section 10 of the said act 4 Edward VII, chapter 62, 4 Ed. VII, c.
62, s. 10, re-
placed.
is replaced by the following:

Territory of
the city.

“**10.** 1. The city of Chicoutimi shall comprise the same territory as heretofore, which is bounded as follows:

Boundaries
thereof.

On the southeast by lot No. 73 of the range I northeast of the Sydenham road, by lot No. 74 of the range I southwest of the Sydenham road and by lots Nos. 1, 2 and 3 and part of lot 4 of the eighth ranges outhwest of the Sydenham road of the township of Chicoutimi; on the southwest, partly by lot No. 74 aforesaid of the range I southwest of the Sydenham road and partly by the lots No. 4 of each of the ninth and tenth ranges southwest of the Sydenham road of the said township; on the northwest by lots No. 1 of the fourteenth and fifteenth ranges of the township of Chicoutimi aforesaid; on the north and northeast the boundaries shall hereafter extend to the middle of the Saguenay river for municipal and school purposes.

Application
of certain
taxes.

However, the annual municipal taxes which may be collected from persons occupying the Chicoutimi Harbour Commissioners' properties, their successors or assigns, other than His Majesty or representatives of His Majesty, shall firstly serve to reimburse the Chicoutimi Harbour Commissioners and the city of Chicoutimi the capital and interest of amounts to be expended for works of public necessity made within the city and approved by the city and the Commissioners, proportionally to the amounts expended by each party.

Annexa-
tions au-
thorized.

2. The city may, by by-law, adopted after thirty days previous notice to the municipal corporation of the township of Chicoutimi, and without other formality except the approval of the Lieutenant-Governor in Council, annex, for municipal and school purposes, the whole or part of the following territories which are adjacent to it, provided that the consent in writing of all the owners be obtained, namely: southeast of the present territory, the following lots: range I, southwest of the Sydenham road, the part of lot No. 62 west of the river du Moulin, part of lot No. 63 west of river du Moulin, and the following entire lots: 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74a, 74b; range I, northeast of the Sydenham road, the part of lot No. 66 situated southwest of the road along river du Moulin, exclusive of the road; the portion of lot No. 67 situated southwest of the above-mentioned road and of the southwestern boundary of the municipality of Rivière-du-Moulin, excluding the road; all the portion of the following lots situated between the south and southwest line of the municipality of Rivière-du-Moulin, and the north line of range I, southwest of the Sydenham road, Nos. 68, 69, 70a, 71a, 72a, 73a; on the southwest side

by prolonging the present northwest boundary of the town southwesterly to its intersection with the dividing line of lots 5 and 6, range XI, southwest of Sydenham road; thence, southeasterly, following such dividing line between the aforesaid lots 5 and 6, to the intersection with the high water line on the west side of river Chicoutimi; then, crossing the river, to the intersection of the high water line on the east side of such river with the dividing line between the lots 6a and 6b of range X, southwest of Sydenham road; then, southeasterly, following the same line between lots 6a and 6b of range X, southwest of Sydenham road, till it meets the road dividing ranges X and IX; then, across such road and following, in a southeasterly direction, the dividing line of lots 6a and 6b of range IX, southwest of Sydenham road, to the line separating ranges IX and VIII, southwest of Sydenham road; thence, northeasterly, following the separation line of ranges IX and VIII aforesaid to the south corner of the present limits of the town of Chicoutimi; such territory comprising:

Range XI, southwest of Sydenham road, part of lots 4b, and 5;

Range X, southwest of Sydenham road, the entire lots 4, 5a, 5b, 6a;

Range IX, southwest of Sydenham road, the entire lots 4, 5a, 5b, 6a;

And all the subdivisions of the aforesaid lots or parts of lots which may exist within the above-described territory.

The above-described properties belonging to the Quebec Pulp & Paper Corporation shall be deemed to be part of the properties mentioned in the contract ratified by the act 16 George V, chapter 119, if they are annexed under the present act. Annexations.

3. If the city annexes the whole or part of the territories mentioned in subsection 2 of this section, the city shall assume the portion of the debt for which the annexed territories are liable at the time of the coming into force of the by-law, such liability, however, to be established in proportion to the taxable valuation of the property annexed. Apportionment of debts.

The settlement of such debts between the parties shall be effected in accordance with the provisions of articles 50 and following of the Municipal Code of the Province of Quebec. Settlement.

Nevertheless, the city of Chicoutimi shall have the right at any time to finally free itself from the said debts by paying to the said municipal corporations the then value of the principal of its share and of all arrears of interest Idem.

then due. The portion of the capital so paid by the city shall be deposited to the credit of the sinking-funds established for the repayment of the said debts. Every such by-law must be approved by the Minister of Municipal Affairs."

4 Ed. VII, c. 62, s. 11, replaced. **3.** Section 11 of the said act 4 Edward VII, chapter 62, is replaced by the following:

Division into wards. **"11.** The city shall comprise three wards for the purposes of the representation on the municipal council, to wit: East Ward, Centre Ward and West Ward:

East Ward. 1. East Ward shall comprise all the territory bounded as follows: On the east and south, by the present eastern boundaries of the city of Chicoutimi, on the west, by a central line to Lafontaine Avenue or its continuation, starting at the south from the intersection of the said Lafontaine Avenue with the eastern line of Begin Avenue (eastern boundary of the city) and running northerly to the northern boundary of the city in the middle of Saguenay river; on the north, by the boundary of the city in the middle of Saguenay river;

Centre Ward. 2. Centre Ward shall comprise all the territory bounded as follows: On the east and southeast, partly by the western boundary of the East Ward and partly the present southeastern boundary of the city (east side of Begin Avenue); on the southwest, by the present southwest boundary of the city to the central line of Caron Park Avenue; on the northwest and west by the same central line of Caron Park Avenue aforesaid, to the central line of Dubuc street, and thence following such central line of Dubuc street aforesaid, to the intersection of the central line of Montcalm Avenue; and thence following the latter central line of Montcalm Avenue to the continuation of the northern line of Price street; then following the dividing line of lots 702 and 703 of the official cadastre of the city of Chicoutimi to the western line of the wharves along the docks; then following the said western line of the aforesaid wharves or its continuation to the northern boundary of the city (middle of the Saguenay); on the north, by the northern boundary of the city (middle of the Saguenay);

West Ward. 3. West Ward shall comprise all the territory bounded as follows: On the east and southeast, by the western and northwestern boundaries of Centre Ward; on the southwest, by the southwest boundary of the city; on the northwest, by the northwestern boundary of the city; and on

the north, by the northern boundary of the city (in the (middle of Saguenay river).

4. In the event of the annexation of additional territories, such new territories shall belong to the ward or wards adjacent thereto. Addition of territories.

5. The city may, by by-law voted by the ratepayers, change the present boundaries of the said wards, create new ones or reduce their number.” Change of boundaries.

4. Section 12 of the said act 4 Edward VII, chapter 62, is replaced by the following: 4 Ed. VII, c. 62, s. 12, replaced.

“12. The number of aldermen shall be nine; three for each ward. The city may, however, by by-law voted by the owners entitled to vote, reduce the number of aldermen.” Number of aldermen.

5. Section 1 of the act 8 Edward VII, chapter 91, is repealed. 8 Ed. VII, c. 91, s. 1, repealed.

6. Section 2 of the said act 8 Edward VII, chapter 91, is replaced by the following: 8 Ed. VII, c. 91, s. 2, replaced.

“2. Article 157 of the said act is replaced, for the city, by the following: 3 Ed. VII, c. 38, s. 157, replaced, for the city.

“157. The general elections for mayor and aldermen of the municipality are held every two years, on the first juridical day of August, in accordance with the provisions hereinafter contained.” Holding of general elections.

7. Section 3 of the said act 8 Edward VII, chapter 91, is replaced by the following: 8 Ed. VII, c. 91, s. 3, replaced.

“3. The following article is added, for the city, after article 157 of the said act: 3 Ed. VII, c. 38, s. 157a, added, for the city.

“157a. The next election of mayor and aldermen for the city of Chicoutimi shall be held on the first juridical day of August, 1930.” Holding of next general election.

8. Section 4 of the said act 8 Edward VII, chapter 91, is repealed. 8 Ed. VII, c. 91, s. 4, repealed.

9. Section 6 of the said act 8 Edward VII, chapter 91, is repealed. Id., s. 6, repealed.

10. Section 7 of the said act 8 Edward VII, chapter 91, is replaced by the following: Id., s. 7, replaced.

3 Ed. VII, c. 38, s. 118, replaced, for the city. **"7.** Article 118 of the said act is replaced, for the city, by the following:

"118. During the month of May of each year, there is prepared by the clerk, or under his direction, in the manner hereinafter mentioned, a list for the municipality of the names of persons entered on the valuation roll and qualified to be entered upon the electors' list."

8 Ed. VII, c. 91, s. 8, repealed. **11.** Section 8 of the said act 8 Edward VII, chapter 91, is repealed.

8 Ed. VII, c. 91, s. 9, replaced. **12.** Section 9 of the said act 8 Edward VII, chapter 91, is replaced by the following:

3 Ed. VII, c. 38, s. 127, replaced, for the city. **"9.** Article 127 of the said act is replaced, for the city, by the following:

"127. If the clerk has not made the alphabetical list of electors, or has not given or published the notice required by section 139 of the Cities and Towns' Act (Revised Statutes, 1925, chapter 102), by the third day of the month of June, the judge of the Superior Court for the district, or, in the event of the absence of the district judge, or of his inability to act, a judge of a neighboring district or the district magistrate, on summary petition of any person entitled to be entered as an elector in the municipality, shall appoint a clerk *ad hoc* to prepare the alphabetical list of electors."

8 Ed. VII, c. 91, s. 10, repealed. **13.** Section 10 of the said act 8 Edward VII, chapter 91, is repealed.

Id., s. 11, replaced. **14.** Section 11 of the said act 8 Edward VII, chapter 91, is replaced by the following:

3 Ed. VII, c. 38, s. 159, replaced, for the city. **"11.** Article 159 of the said act is replaced, for the city, by the following:

"159. Ten days at least before the twentieth day of July, at noon, in the year in which a general election is to be held, the returning-officer, by a commission under his hand, in the form E, shall appoint an election clerk, and may, at any time during the election, appoint, in the same manner, another election clerk, if the one first appointed resigns, or refuses or is unable to perform his duties as such clerk."

8 Ed. VII, c. 91, s. 12, replaced. **15.** Section 12 of the said act 8 Edward VII, chapter 91, is replaced by the following:

"12. Article 163 of the said act is replaced, for the city, 3 Ed. VII, c. 38, s. 163, replaced, for the city.
by the following:

"163. Eight days at least before the twentieth day of July in the year in which a general election is to be held, the returning-officer shall give public notice, in the form G, Notice of election and contents thereof.
under his signature, setting forth:

a. The place, day and hour fixed for the nomination of candidates;

b. The day on which the poll for taking the votes of the electors is to be held, in case a poll is necessary;

c. The appointment of the election clerk."

16. Section 13 of the said act 8 Edward VII, chapter 8 Ed. VII, c. 91, s. 13, replaced.
91, is replaced by the following:

"13. Article 165 of the said act is replaced, for the city, by the following: 3 Ed. VII, c. 38, s. 165, replaced, for the city.

"165. The nomination of candidates at a general election is held on the twentieth of July from noon to two o'clock in the afternoon. If such day be a holiday, it is held on the first juridical day following such date, also Date of nomination of candidates.
from noon to two of the clock in the afternoon."

17. Section 496 of the Cities and Towns' Act (Revised Statutes, 1925, chapter 102) is replaced, for the city, by R. S., c. 102, s. 496, replaced, for the city.
the following:

"496. The council, at its first general sitting after the expiration of the thirty days mentioned in section 494, shall take into consideration and decide all the complaints made under section 495. Hearing of complaints.

After having heard the parties and their witnesses, under oath administered by its presiding officer, as also the assessors, if they wish to be heard, and the witnesses produced on behalf of the municipality, the council shall maintain or alter the roll, as it may deem just. Decision of council.

The roll made or revised during one year may serve for fiscal purposes for the following year until it has been changed in accordance with the provisions of this act." Duration of roll.

18. The act 4 Edward VII, chapter 62, is amended by adding, after section 20 thereof, the following section: 4 Ed. VII, c. 62, s. 20a, added.

"20a. Whenever a by-law has to be submitted to the electors who are property-owners, the companies, corporations or firms which do not directly benefit by the said by-law shall also be entitled to vote once on such by-law, by means of their representative, director or employee Vote of companies, etc., on by-laws.

of the company, authorized by a resolution a copy whereof designating such representative shall be fyled in the office of the clerk, at least five days before that fixed for the approving of the by-law. The right to vote shall be exercised only to the extent of the amount of valuation upon which the company pays taxes."

Coming into force. **19.** This act shall come into force on the day of its sanction.