



CHAPTER 99

An Act to amend the charter of the city of Three Rivers

[Assented to, the 22nd of March, 1928]

WHEREAS J. L. Fortin, merchant; C. R. Whitehead, Preamble. president of the Wayagamack Pulp and Paper Company, Limited, and president of the Wabasso Cotton Company, Limited; R. F. Grant, president of the Harbour Commission and resident manager of the Canadian International Paper Company; C. W. Walker, mill manager of the Canadian International Paper Company; John T. Tebbutt, president of the Tebbutt Leather Co.; J. A. Trudel, notary public; W. J. Langston, manager of the Canada Iron Foundries Limited; François Lajoie, advocate; J. B. Loranger, alderman; J. A. Tessier, president of the Quebec Streams Commission; Frank I. Ritchie, manager of the Wayagamack Pulp and Paper Company, Limited; W. G. E. Aird, manager of the Wabasso Cotton Company, Limited; L. P. Mercier, notary public; A. I. Gravel, alderman; J. N. Godin, wholesale grocer; A. M. Creighton, assistant treasurer of the St. Lawrence Paper Mills Limited; Norman Labelle, iron merchant; Dr. L. P. Normand, physician; A. D. Provencher, advocate and prothonotary, all ratepayers of the city of Three Rivers, have, by their petition, represented, that it is in the public interest and for its proper administration, that the charter of the city of Three Rivers be amended for the following objects:

To divide the city for the purpose of municipal elections; to change the manner of preparing the list of electors; to enact what persons are qualified or not for municipal office; to change the term of office of the mayor and of the aldermen; to fix the date of the next general elections, as well as the manner of holding elections for the future; to change the system of taxation;

Whereas the petitioners have prayed for an act to that effect and it is expedient to grant their prayer;

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

5 Geo. V, c. 90, s. 8, replaced. **1.** Section 8 of the act 5 George V, chapter 90, is replaced by the following:

Composition of council.

“8. The council shall be composed of a mayor and eight aldermen, two for each ward, whose seats shall be respectively numbered one and two for each ward.”

5 Geo. V, c. 90, s. 9, replaced. **2.** Section 9 of the act 5 George V, chapter 90, is replaced by the following:

R. S., c. 102, ss. 48, 49, replaced, for city.

General election.

“9. Sections 48 and 49 of the Cities and Towns’ Act are replaced, for the city, by the following:

“48. A general election for mayor and aldermen shall be held on the first juridical day of February, 1930, and thereafter every two years, on the first juridical day of February, in accordance with the provisions of this charter.

Term of office of aldermen, etc.

“49. The aldermen for seats No. 1 in each ward shall be elected for two years by the majority of the electors who are real estate owners in the ward and who have voted, and the aldermen for seats No. 2 in each ward, by the vote of the majority of all the municipal electors of the ward who have voted, and the mayor, by the vote of the majority of all the municipal electors of the city who have voted.”

Idem.

3. The term of office of the present mayor and aldermen of the city of Three Rivers shall continue until and shall cease upon the swearing in of their successors after the general election to be held in February, 1930.

Controller.

4. Notwithstanding any contracts to the contrary which are repealed, the Lieutenant-Governor in Council may, within thirty days after the coming into force of this act, appoint a municipal officer called “controller” who, until the swearing in of the new council elected at the general elections of 1930, shall exercise the powers assigned to the manager by section 109 of the Cities and Towns’ Act, the present office of manager being abolished when the Lieutenant-Governor in Council shall have appointed the controller, and, in addition, all by-laws, resolutions, undertakings or contracts shall, within forty-eight hours of their signature by the mayor, be presented by the clerk to the controller for his assent and signature.

His assent to by-laws, etc.

Any law to the contrary notwithstanding, every such by-law, resolution, undertaking or contract shall have force and effect only after having been signed by the controller.

If the controller refuse to sign them, he shall return them with his objections in writing to the clerk before the following meeting and the latter shall again submit them to the consideration of the council at such meeting as urgent and prior business.

If three-fourths of the aldermen again approve such law, resolution, undertaking or contract, the controller shall be obliged to sign and approve them and, if he refuse, such by-law, resolution, undertaking or contract shall be legal and valid, as if he had signed and approved it.

If the controller refuse to sign, alleging illegality, and three-fourths of the aldermen again approve any such by-law, resolution, undertaking or contract, the controller in his said capacity and at the costs of the city, or any rate-payer of the city of Three Rivers, may, by petition to the Superior Court or to a judge of such court, ask for and obtain, on the ground of illegality, the quashing of any such by-law, resolution, undertaking or contract with costs against the municipality, upon complying with the provisions of sections 411 to 422 inclusively, of the Cities and Towns' Act, except section 415 which shall not apply.

The annual salary of the controller shall be fixed by the Lieutenant-Governor in Council."

5. If during three consecutive weeks there be no meeting of the council owing to want of a quorum, it shall be the duty of the controller to immediately report it to the Minister of Municipal Affairs, with the names of the members of the council who have abstained or defaulted from attending, and the Lieutenant-Governor in Council, on the recommendation of the Minister of Municipal Affairs, may declare the seats of these members vacant and name others to take their place for the balance of their term.

6. Section 115 of the Cities and Towns' Act is replaced, for the city, by the following:

"115. All officers and employees of the municipality except the clerk and treasurer shall be under the control and direction of the controller who alone shall have the power of engaging, suspending or dismissing the same from office."

7. Section 19 of the act 5 George V, chapter 90, is repealed.

5 Geo. V. c. 90, s. 21, replaced. **8.** Section 21 of the act 5 George V, chapter 90, is replaced by the following:

R. S., c. 102, s. 140, replaced for city. **"21.** Section 140 of the Cities and Towns' Act is replaced, for the city, by the following:

List of electors.

"140. The list of electors for all the districts of each ward shall be considered to be the list of electors for such ward in every election held under this charter for the mayor and aldermen for seats No. 2.

Idem.

The list of the electors, only real estate owners in all the districts of each ward, shall be deemed to be the list of electors who are real estate owners for such ward in every election held under this charter for aldermen for seats No. 1."

Provisions repealed.

9. Sections 22, 24, 25, 30 and 31 of the act 5 George V, chapter 90, are repealed.

Idem.

10. Sections 115, 116, 117, 118, 119, 120, 121, 122, 124, 125, 126, 127, 128, 132 and 133 of the act 5 George V, chapter 90, are repealed.

Provisions applicable.

11. The Education Act (Revised Statutes, 1925, chapter 133) shall apply to the city of Three Rivers, and a general meeting of all the ratepayers qualified to vote for the school commissioners shall be held, in conformity with the provisions of said act, in the month of July, 1928.

Power of controller in school matters.

12. From the date of the appointment of the controller, he shall exercise the same powers and enjoy the same rights as regards the school commissioners and the administration of school matters as those conferred upon him for municipal purposes under the terms of this act, and this, until the entering into office of the new commissioners elected in July, 1928.

Coming into force.

13. Section 10 of this act shall come into force on the 9th of July, 1928, and the other provisions of this act shall come into force on the day of its sanction.