



CHAPTER 105

An Act to incorporate the town of Racine

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

WHEREAS Alcoa Power Company, Limited, a corpora- Preamble.
tion having its head office in the city of Montreal,
Harold R. Wake, city manager, and McNeely DuBose,
superintendent, both of the city of Arvida, in the county
of Chicoutimi, have, by their petition, represented:

That Alcoa Power Company, Limited, is the owner of
Chute à Caron Falls, on the Saguenay river, in the county
of Chicoutimi, and of most of the adjacent territory;

That the work in course of execution and to be executed
at the Chute à Caron Falls and over the adjacent territory,
the harnessing of the water power connected therewith
and the building of a dam, canal, power house and shops
in said territory for the construction of a large hydro-
electric station, will create a considerable influx of people
in the territory described in section 2 of this act, which
now forms part of the municipality of the township of
Tremblay and of the municipality of the parish of St.
Dominique de Jonquière;

That the existence of such a huge hydro-electric station
will widely contribute to the development of various in-
dustries in both the counties of Chicoutimi and Lake St.
John, and in the Province of Quebec at large;

That all the plans for the said hydro-electric develop-
ment have been completed and duly approved:

That extensive works have already been executed in
said territory, including the building of a railroad bridge
across the Saguenay river, below Chute à Caron Falls,
and the construction of railway tracks;

That all the aforesaid improvements are to be continued
without delay, and that it is necessary to erect the terri-
tory in question into a town municipality;

That a portion of the said territory will be subdivided into building lots and that dwellings, schools and other buildings will be erected there;

That waterworks, lighting and drainage systems will be installed and that all other public services required to make of the proposed town a modern community and to insure the welfare of its inhabitants will be established in the said territory;

That the construction of such works and improvements will mean work by transients in large number for many years before the municipality is fully organized and that it is expedient to provide for its management during that period;

Whereas a prayer to that effect is contained in the said petition; and

Whereas the municipal council of the municipality of the township of Tremblay and that of the parish of St. Dominique de Jonquière, which are the only municipalities affected by the erection of the proposed town, have approved of the request of the petitioners and have expressed the wish that the said territory be constituted a separate town without delay; and

Whereas it is expedient to grant the prayer of the petitioners;

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

Short title.

1. This act may be cited as "Charter of the Town of Racine".

Territory comprised.

2. The town of Racine, in the electoral district of Chicoutimi, shall comprise the territory described as follows, to wit:

a. In range A of the township of Simard, the lots of land delineated on the cadastral plan and designated in the book of reference made for said township, in the registration division of Chicoutimi, under numbers 16, 17*a*, 17*b*, 17*c*, 18*a*-1, 18*a* and 18*b*,—minus, in the last two lots, the north-west corner of the former and the southwest corner of the latter, which, as described in a deed of sale from Sir William Price and others to Price Brothers and Company, Limited, passed before notary R. Meredith on the 20th of June, 1921, and registered at Chicoutimi under number 35648, form, at that place, part of the property of Price Brothers and Company, Limited, and minus also, from 18*b*, its northeast corner which belongs to Adjutor Villeneuve and is in the form of a triangle lying between the public road,

the lot 17c and the middle of a brook flowing southward; number 18c,—minus the portion of this lot northeast of the southwest line of Eugène Dufour's building lot, and also the portion along the north side of the river Shipshaw comprised in the property of Price Brothers and Company, Limited, as described in the aforesaid deed of sale; number 19b,—less the portions of this lot northeast and southwest of the property belonging to the Alcoa Power Company, Limited, the said southwest portion being comprised in the property of Price Brothers and Company, Limited, as described in the aforesaid deed of sale; numbers 19a, 19a-1, 20a and 20a-1,—minus those portions of these four lots situate south of the river Shipshaw which are included in the property of Price Brothers and Company, Limited, as described in aforesaid deed of sale; numbers 21 and 21a,—less the three portions of number 21 bordering the river Shipshaw on the south, west and east and that portion of number 21a which is directly adjacent to number 21, all these four parts of lots being included in the property of Price Brothers and Company, Limited, as described in the aforesaid deed of sale; numbers 22, 23, 24a, 24b, 25, 26, and 27,—minus all that part of the last lot which lies north of a contour line crossing the said lot and drawn on the surface of the ground at an elevation of 160 feet vertically above an iron bolt embedded in the rock on lot letter J of the first range of the township of Jonquière, below the "*Chute à Caron*" on the river Saguenay, and at a distance of 65 feet east of the middle of a mine pit drilled in the rock,—all such lots and parts of lots so described being detached from the municipality of the township of Tremblay, in the municipal county of Chicoutimi;

b. The bed, the waters and the islands of that section of the river Saguenay,—the greatest part of which is presently designated under number 79 of the official plan and book of reference of the township of Simard,—extending over such length as is determined by the lots of land enumerated in the preceding paragraph, that is to say: from the prolongation, across the river Saguenay, of the division line between lots 15 and 16 of said range A of the township of Simard, ascending the aforesaid river to the prolongation across said river of the division line between lots 27 and 28b of said range A of the township of Simard;

c. In the first range of the township of Jonquière, lots letters H and J of the official cadastre made for said township, in the registration division of Chicoutimi,—minus the bed of the river aux Sables in front of said lot letter H,—and all those parts of lots numbers 20, 19a, 19b, 18 and 17a of the same cadastre which lie to the north of a

line drawn on the prolongation of the southwest line of the aforesaid lot letter H; the lots of land so designated in the present paragraph being detached from the municipality of the parish of Saint Dominique de Jonquière, in the municipal county of Chicoutimi.

Incorporation. **3.** The inhabitants and ratepayers of the territory mentioned in section 2 as well as all those who may join or succeed to them are incorporated as a town under the name of the "Town of Racine".

Provisions applicable. **4.** The corporation shall be governed by the provisions of the Cities and Towns' Act, chapter 102 of the Revised Statutes of 1925, and amendments, except insofar as the same may be inconsistent with the provisions of the present act.

One ward. **5.** The town shall comprise only one ward.

Provisions not applicable. **6.** Sections 17, 18, 19 and 21 of the Cities and Towns' Act, shall not apply to the town of Racine.

R. S., c. 102, s. 22, replaced for town. **7.** Section 22 of the Cities and Towns' Act is replaced, for the town of Racine, by the following:

First general sitting. **"22.** The first general sitting of the council shall be held at the time and place determined by the Minister of Municipal Affairs.

Presiding officer. Until a mayor is elected by the council and sworn, such sitting shall be presided over by an alderman chosen among the aldermen present."

Provisions not applicable. **8.** Sections 31 and 32 of the Cities and Towns' Act shall not apply to the town of Racine.

R. S., c. 102, s. 47, replaced for town. **9.** Section 47 of the Cities and Towns' Act is replaced, for the town of Racine, by the following:

Municipal council. **"47.** The municipal council shall be composed of three aldermen elected in the manner hereinafter prescribed."

Provisions applicable. **10.** Sections 48 and 49 of the Cities and Towns' Act shall not apply to the town of Racine, until the first judicial day of February, 1933, and, during that period, the following provisions shall apply to the town:

Members of council. **"a.** Mr. J. A. Pouliot, of Arvida, P. Q., Mr. J. Reidy Smith, of Arvida, P. Q., and Mr. K. B. Bolton, of Arvida, P. Q., and their successors or successor, as herein provided,

will be the members of the municipal council of the town of Racine, until the first juridical day of February, 1933.

“b. At the first meeting of the said municipal council, Mayor, the persons composing the said municipal council will choose among themselves a person who shall exercise the functions of mayor during the said period, that is: until the first juridical day of February, 1933; such choice of a mayor shall not cause any vacancy in the office of alderman, but the person so chosen shall act both as mayor and as an alderman.

“c. During that period, the members of the council shall not be obliged to reside in the municipality. Residence of members.

“d. If, during that period, the office of mayor becomes vacant or if there is a vacancy in the office of alderman, the municipal council, by resolution, shall fill the vacancy in the office of mayor or in the office of alderman, as the case may be.” Vacancies.

11. On the first juridical day of February, 1933, the first general election shall be held and there shall be elected one alderman to replace the said J. A. Pouliot or his successor; such election shall be made according to the Cities and Towns’ Act, and the said K. B. Bolton or his successor shall remain alderman for a term of four years from that date, and the said J. Reidy Smith or his successor shall also remain alderman for a term of two years from that date. First general election.

12. Subject to the provisions of sections 10 and 11 of this act, section 48 of the Cities and Towns’ Act is replaced, for the town of Racine, by the following: R. S., c. 102, s. 48, replaced for town.

“**48.** The mayor shall be chosen from among the aldermen and elected by them at the first general meeting of the council held after the first juridical day of February in the year 1933, and in each year thereafter, or after any vacancy occurring in the said office of mayor; such choice of a mayor shall not cause any vacancy in the office of alderman, but the person so chosen shall act both as mayor and as alderman. Election of mayor.

The term of office of the mayor shall be one year.” Term of mayor.

13. Subject to the provisions of sections 10 and 11 of this act, section 49 of the Cities and Towns’ Act is replaced, for the town of Racine, by the following: R. S., c. 102, s. 49, replaced for town.

“**49.** The aldermen shall be elected by the majority of the electors who have voted. Election of aldermen.

Their term of office shall be three years. Term.

Replace-
ment.

Every year, the alderman whose term of office shall have been completed shall retire and be replaced at the election which shall be made in the manner hereinafter prescribed."

R. S., c. 102,
s. 50, re-
placed for
town.
Term of
office.

14. Section 50 of the Cities and Towns' Act is replaced, for the town of Racine, by the following:

"**50.** The mayor's term of office shall expire when the new mayor is sworn in, and that of each outgoing alderman shall expire at the opening of the first general meeting of the council held after the election of his successor."

R. S., c. 102,
s. 51, re-
placed for
town.
Powers of
mayor.

15. Section 51 of the Cities and Towns' Act is replaced, for the town of Racine, by the following:

"**51.** The mayor shall exercise the right of investigation over all the departments and officers of the municipality; he shall lay before the council such proposals as he may deem necessary or advisable, and shall communicate to the council all information and suggestions relating to any improvement of the finances, police, health, security, cleanliness, comfort and progress of the municipality.

Idem.

The mayor shall have the right, at any time, to suspend any officer or employee in the service of the municipality, provided such officer or employee is not appointable by the manager, but he shall at the earliest opportunity report the matter to the council or to the committee having immediate supervision over the officer or employee suspended, and state in writing the reasons for such suspension."

R. S., c. 102,
s. 56, re-
placed for
town.

16. Section 56 of the Cities and Towns' Act shall not apply to the town of Racine until the first juridical day of February, 1933, and, thereafter, is replaced, for the said town, by the following:

Vacancy in
office of
mayor.

"**56.** If the office of mayor become vacant, the clerk of the municipality, within eight days after such vacancy, shall call a meeting of the council for the purpose of electing one of the aldermen to discharge the functions of mayor during the remainder of the term of office, and the council at such meeting shall make such election."

Provisions
not ap-
plicable.

17. Paragraph 2 of section 60 of the Cities and Towns' Act shall not apply to the town of Racine until the first juridical day of February, 1933.

R. S., c. 102,
s. 61, re-

18. Section 61 of the Cities and Towns' Act shall not

apply to the town of Racine until the first juridical day placed for of February, 1933, and thereafter is replaced, for the said town. town, by the following:

“61. If any vacancy occur in the office of alderman, the council, at its next general or special sitting, shall elect a qualified person to fill such vacancy until the next general election. At such general election, there shall be elected an alderman to serve for the unexpired term of each alderman in whose office any such vacancy has so occurred. Vacancy in office of alderman.

If the majority of the members of the council tender their resignation at the same time, so that the council can no longer sit and accept the resignations for want of quorum, the offices of those resigning shall become vacant, and it shall be the duty of the clerk to inform the Lieutenant-Governor in Council of the fact. The latter may then order that an election be held for the appointment of the number of aldermen required to fill the vacancies. The Lieutenant-Governor in Council shall fix a day for the nomination of candidates as well as for the election in the event of opposition. Resignations.

Ten days at least before the day fixed for nomination of candidates, the clerk of the municipality, by a commission under his hand and according to form 5, shall appoint an election clerk, and give the public notice prescribed in section 179 and drawn up according to form 7. Election clerk, etc.

In other respects, such nomination and election shall be held as in the case of general elections, and the person elected shall hold office until the expiration of the term of office of the alderman whom he has replaced. Proceedings for election.

If, through the resignation of the majority of the members of the council, there remains no quorum, the Lieutenant-Governor in Council may appoint a sufficient number of persons to form a quorum, who shall remain in office until the vacancies so created have been filled; but all proceedings done by such temporary council shall be subject to the approval of the Minister of Municipal Affairs.” Appointment by Lt.-Gov. in C. Proviso.

19. The second paragraph of section 64 of the Cities and Towns’ Act shall not apply to the town of Racine. Provisions not applicable.

20. Section 72 of the Cities and Towns’ Act is replaced, for the town of Racine, by the following: R. S., c. 102, s. 72, replaced for town.

“72. The council may require of every person employed by the town such security as it may deem necessary to secure the complete and faithful execution of his duties.” Security for civic employees.

R. S., c. 102, s. 79a, added for town. **21.** The following section is added, for the town of Racine, after section 79 of the Cities and Towns' Act:

Provisions not applicable to certain officers, etc. **"79a.** Sections 69, 75 and 79 shall not apply to municipal officers and employees appointable by the manager, but their salary or compensation shall be fixed and their removal decided by the manager, to whom they shall deliver all moneys and other municipal property, make their reports and render their accountings."

Provisions not applicable. **22.** Section 92 of the Cities and Towns' Act shall not apply to the town of Racine.

R. S., c. 102, s. 103, replaced for town. **23.** Section 103 of the Cities and Towns' Act is replaced, for the town of Racine, by the following:

Appointment of secretary-treasurer. **"103.** The council shall appoint a single person to fill the offices of clerk and treasurer. Such officer shall be known as the secretary-treasurer and he shall have the same rights, powers and privileges, and shall be liable to the same obligations and penalties, as those determined and prescribed for such offices.

Id., of assistant-secretary-treasurer. The council shall also appoint an officer who shall be known as the assistant secretary-treasurer, who shall assist the secretary-treasurer under the latter's direction and shall, during the absence, disability or incapacity of the secretary-treasurer, or during a vacancy in the office of secretary-treasurer, perform the duties of those offices with the same rights, powers and privileges and under the same obligations and penalties as those prescribed for such offices."

R. S., c. 102, s. 104, replaced for town. **24.** Section 104 of the Cities and Towns' Act is replaced, for the town of Racine, by the following:

Auditors. **"104.** During the eleventh month of each fiscal year, the council shall appoint one or two auditors who shall make an examination of the accounts of the municipality for the current fiscal year."

R. S., c. 102, s. 105, replaced for town. **25.** Section 105 of the Cities and Towns' Act is replaced, for the town of Racine, by the following:

Report of auditors. **"105.** The auditors shall make a report of their examination to the council within thirty days after the expiration of the fiscal year.

Transmission of same. A copy of such report certified by the treasurer must be sent by the latter, without delay, to the Minister of Municipal Affairs.

Further examination. The council may order any other examination it may deem necessary and call for a report."

26. The first paragraph of section 106 of the Cities Provisions and Towns' Act shall not apply to the town of Racine applicable until the first juridical day of February, 1933, and, during that period, the following provision shall apply:

"The council shall appoint every year at least one assessor."

One assessor.

27. Section 108 of the Cities and Towns' Act is re-placed, for the town of Racine, by the following:

R. S., c. 102, s. 108, re-placed for town. Manager.

"108. The council shall, by resolution; appoint an officer called "manager" who shall be the executive officer of the municipality, whose duties shall be to supervise and direct, under the control of the council, the affairs of the municipality and the work it causes to be carried out."

28. Section 109 of the Cities and Towns' Act is re-placed, for the town of Racine, by the following:

R. S., c. 102, s. 109, re-placed for town. Duties and powers of manager.

"109. Included in the duties and powers of the manager shall be the following:

1. To execute all by-laws and resolutions of the council.
2. To supervise, direct and control the operations of all town departments and all officers and employees appointed by him.

3. To appoint, suspend and remove, at his pleasure, all municipal officers and employees other than members of the council, the secretary-treasurer, the assistant secretary-treasurer, the auditors and the assessors. All officers and employees appointed by the manager shall hold office at his pleasure.

4. To fix the salaries and compensation of all officers and employees appointed by him, provided that all salaries and compensation amounting to over two thousand five hundred dollars annually shall be approved by the council and unless so approved the municipality shall not be obligated to pay the same.

5. To make all purchases of supplies and materials required for the ordinary operations of all municipal departments and for the use of the council and the officers appointed by the council, provided that no contract for or purchase of supplies calling for an expenditure of more than one thousand dollars shall be made unless first approved by the council and that any such contract or purchase made without such approval shall be void.

6. To take cognizance of the correspondence and communications sent to the municipality and see that they be promptly dealt with by its officers.

7. To examine and sign, if they are correct, the weekly

or monthly payment sheets and approve the same for payment by the treasurer.

8. To examine the accounts, payment whereof is claimed from the municipality, and if they are correct, after they have been verified by the treasurer, approve the same for payment by him.

9. To prepare, with the chief officers of the departments, for each monthly meeting of the council, a complete report of the work done during the previous month, with the suggestions he may deem useful to suggest for the work to be done in the ensuing month.

10. To prepare, with the chief officers of the departments, the annual estimates and report thereon to the council and to each of the committees.

11. To prepare, with the chief officer of each department or the officer in charge of any service in the administration, the plans and specifications for the work to be given by contract, draw up the notices calling for tenders and have them published by the secretary-treasurer.

12. To open, in the presence of the members of the council, in the meeting assembled, the tenders received for work to be done by contract, and recommend which of the tenders he thinks should be accepted by the council.

13. To study the drafts of by-laws including loan by-laws, and communicate to the council his views and suggestions on the provisions such draft by-laws are intended to enact.

14. To advise the council of the steps to be taken to carry out the by-laws and enforce their observance.

15. To see that the moneys voted by the council are used for the purposes for which they were voted.

16. To investigate the complaints and claims made against the municipality and report his opinion thereon to the council as well as to the committee charged with their examination.

17. To study the needs and everything that might be of interest to the municipality; suggest whatever steps may be expedient to take for an efficacious and economical administration and to promote the progress of the municipality and the welfare of the citizens.

18. To call a special meeting of a committee whenever he thinks it necessary, after consulting the chairman.

19. To attend the sittings of the council and of the committees and give his opinion and make the observations and suggestions he may deem expedient on the subjects under discussion, but without the right to vote.

20. To perform such other duties as may be assigned him by the council."

29. The town shall submit to the Director of the Provincial Bureau of Health, for his approval, its water and sewerage plans as well as all its general plans for parks and amusement grounds. Certain plans submitted for approval.

30. Sections 110, 111, 118, 119, 120 and 121 of the Cities and Towns' Act shall not apply to the town of Racine. Provisions not applicable.

31. Section 112 of the Cities and Towns' Act is replaced, for the town of Racine, by the following: R. S., c. 102, s. 112, replaced for town.

"112. The council shall, by resolution adopted at the first regular sitting, appoint the manager to serve for such term or terms as it may determine, but no longer than the first juridical day of February, 1933, and until his successor shall take office. After that day the council shall in like manner appoint the manager at its first general sitting after the first general election to serve for the term of two years, and at its first general sitting after each subsequent general election to serve for the term of one year. Appointment of manager.

At the expiration of his term of office, the manager may be appointed to the same position, for a further term." Reappointment.

32. Section 115 of the Cities and Towns' Act shall not apply to the town of Racine. Provisions not applicable.

33. Section 117 of the Cities and Towns' Act is replaced, for the town of Racine, by the following: R. S., c. 102, s. 117, replaced for town.

"117. The council may, without notice, dismiss its manager by resolution adopted by the absolute majority of its members. Such resolution must be published in the same manner as are public notices in the municipality. Dismissal of manager.

Such dismissal of the manager shall, however, take effect immediately upon the adoption of the resolution of the dismissal, and the council shall proceed forthwith to the appointment of a new manager." Idem.

34. Upon entering upon his duties, each manager shall appoint an assistant manager, whose duties shall be to assist the manager under his direction and control and, in case of the absence, disability or incapacity of the manager, or during a vacancy in the office of manager, to perform the duties of that office with the same rights, powers and privileges and under the same obligations and penalties as those prescribed for such office. Appointment of assistant manager.

In case of the dismissal of the manager, the council may, either by the same resolution by which the manager is dismissed or by a subsequent resolution, dismiss the Dismissal of assistant.

assistant manager in the same manner and with the same effects as it may dismiss its manager.

Simultaneous vacancies.

In the event of simultaneous vacancies in the offices of manager and assistant manager, the mayor, until a new manager is appointed, shall exercise all the powers and perform all the duties of the manager.

Provisions not applicable.

35. Paragraph 8 of section 123 of the Cities and Towns' Act shall not apply to the town of Racine until the first juridical day of February, 1933.

R. S., c. 102, s. 123a, added for town. Aliens.

36. The following section is added, for the town of Racine, after section 123 of the Cities and Towns' Act:

"**123a.** Notwithstanding the provisions of section 123, aliens may be appointed to and hold the office of manager and the offices to be filled by appointment by the manager."

Provisions not applicable.

37. Section 124 of the Cities and Towns' Act shall not apply to the town of Racine until the first juridical day of February, 1933.

R. S., c. 102, s. 128, am. for town.

38. Sub-paragraph *a* of subsection 1 of section 128 of the Cities and Towns' Act is replaced, for the town of Racine, by the following:

Property owners, etc.

"*a.* Male persons and widows or spinsters whose names are entered on the valuation roll in force as *bona fide* owners or occupants of immoveable property in the municipality, of the value of two hundred dollars or upwards, or of the annual value of twenty dollars or upwards, according to said roll. In cases where such property is held in usufruct, the name of the usufructuary shall alone be entered on the electoral list.

Companies entered on roll and entitled to vote.

Companies or corporations may be entered on the electoral lists, by reason of the immoveables held by each of them respectively and subject to general or special assessment, of a sufficient valuation to confer the right to vote upon a municipal elector and shall be entitled to vote in their names through a representative of the company, authorized to that effect by resolution, a copy whereof shall be filed with the clerk of the town on or before the day for the nomination of candidates, in the case of an election of alderman. They may exact the right to vote at the election of alderman in every ward in which they pay taxes, provided their representative is a director or employee of the company."

Companies

39. When a by-law has to be submitted to the electors

who are proprietors, companies or corporations shall also be entitled to vote once on such by-law through their representative, being a director or employee of the company, authorized as aforesaid, and, in such case, a copy of the resolution appointing such representative shall be filed with the clerk at least five days before the date fixed for the approval of the by-law. Such right of voting shall be exercised only up to the amount of the valuation upon which the company pays taxes.

40. Section 173 of the Cities and Towns' Act is replaced, for the town of Racine, by the following:

"173. The general election for the purpose of replacing the alderman who goes out of office shall be held on the first juridical day of February of the years 1933 and 1935, and of each year after 1935, in accordance with the provisions hereinafter contained.

The Lieutenant-Governor in Council may, by letters patent, upon the application of the council of the municipality concerned, change the date for the elections.

The proceedings and notices for such application shall, as far as possible, be the same as those required for obtaining letters patent under sections 12 and following of this act.

Notice of such change must be published in the *Quebec Official Gazette* and in the volume of the Statutes passed at the then next session of the Legislature."

41. The first paragraph of section 346 of the Cities and Towns' Act shall not apply to the town of Racine until the first juridical day of February, 1933, and, prior to that date, the following disposition shall apply to the town of Racine:

"The council shall sit at the day and hour fixed by resolution of the council."

42. Section 351 of the Cities and Towns' Act is replaced, for the town of Racine, by the following:

"351. In case the mayor refuses to call a special sitting when deemed necessary by at least two members of the council, or by one member of the council and the manager, such members or member and the manager may, by a requisition to the clerk of the municipality duly signed by them, order the sitting to be called, and upon such requisition, the clerk of the municipality shall issue a notice to the members in the manner mentioned in section

350, provided such requisition specifies the business for which the sitting is called."

R. S., c. 102,
s. 352a, ad-
ded for
town.
Notice of
sittings to
manager.

43. The following section is added, for the town of Racine, after section 352 of the Cities and Towns' Act:

"**352a.** The manager shall be entitled to the same notice of sittings of the council as are its members and no sitting may be legally held unless notice thereof is given the manager in every case in which a member of the council is entitled to notice.

Waiver of
notice.

Attendance at any sitting of the council shall be a waiver of notice thereof and shall cure any default or defect in serving notice thereof on any person so attending.

Business to
be con-
sidered.

If all members of the council and the manager are present at any special sitting, any business, whether or not specified in the notice thereof, may, on the consent of all members of the council and the manager, be considered."

R. S., c. 102,
s. 354, re-
placed for
town.
Adjourn-
ment if no
quorum.

44. Section 354 of the Cities and Towns' Act is replaced, for the town of Racine, by the following:

"**354.** If there be no quorum, the meeting, half an hour after it being established that there is no quorum, may be adjourned to a later date by any member of the council present.

Notice of
same.

Special notice of such adjournment must be given by the clerk to all members of the council who were not present at such adjournment.

Entries in
minute-
book.

The hour of the adjournment, the names of the members of the council who were present, and the day and hour to which such meeting was adjourned, shall be entered in the minute-book of the council."

R. S., c. 102,
s. 355, re-
placed for
town.
Presidency.

45. Section 355 of the Cities and Towns' Act is replaced, for the town of Racine, by the following:

"**355.** The mayor shall preside over all sittings of the council."

R. S., c. 102,
s. 356, re-
placed for
town.
Majority to
decide
questions.

46. Section 356 of the Cities and Towns' Act is replaced, for the town of Racine, by the following:

"**356.** At sittings of the council, all questions and matters submitted thereto, except where a larger number of concurrent votes may be required by the rules of the council or by law, shall be decided by a majority vote of the members present. The mayor, in addition to his vote as alderman, shall have the casting-vote, in case of a tie."

Casting
vote of
mayor.

47. Section 389 of the Cities and Towns' Act is replaced, for the town of Racine, by the following:

R. S., c. 102,
s. 389, re-
placed for
town.

"389. Only one subject may be included in any by-law, and such subject shall be indicated in its title or caption."

Only one
object in by-
law.

48. Paragraph 1 of section 426 of the Cities and Towns' Act is replaced, for the town of Racine, by the following:

R. S., c. 102,
s. 426, am.
for town.

"1. To regulate the height of all buildings, chimneys, stacks and other structures; to prevent the construction or maintenance of the buildings, walls, chimneys, stacks and other structures as are not of the required stability, and provide for their destruction; to prescribe the depth of cellars and basements, the material and methods of construction of foundations and foundation walls, the manner of construction and location of drains and sewer pipes, the thickness, materials and construction of party walls, partitions and outside walls, the size and materials of floor beams, girders, piers, columns, roofs, chimney flues and heating apparatus; to regulate the location within the town of trades, businesses, industries and buildings designed for specific uses and the uses of real property within the town; to divide the town into districts or zones of such number, shape and area as it may deem best suited for the purpose of such regulation, and, with respect to such districts or zones, regulate and prescribe the architecture, dimensions and symmetry of buildings therein, the area of lots which may be occupied by buildings, the distances to be left between buildings and the distance from the street line at which any building may be built, and to regulate the character of the trades, businesses, industries and uses to which buildings and real property may be devoted in any such districts; to compel the proprietors to submit the plans of buildings to the building inspector or any other officer and to obtain from the latter a certificate approving of the plan and authorizing the work; to prohibit the construction of buildings and structures not conforming to such by-laws, and to direct the suspension at any time of the erection of any such building as does not conform to such by-laws, and to cause the demolition of any building not conforming to such by-laws, if necessary."

Buildings,
chimneys,
etc.

49. Title II and paragraph 5 of section 426 of the Cities and Towns' Act are replaced, for the town of Racine, by the following:

R. S., c. 102,
s. 426, am.
for town.

“II.—SMOKE NUISANCE.

Smoke
nuisance.

“5. To compel the removal and abatement of any nuisance arising from chimneys producing an excessive amount of soot and black smoke and, if need be, to oblige the owners of such chimneys to install suitable furnaces and such other apparatus and to control the operation of their furnaces so as to prevent the emission of black and sooty smoke.”

Provisions
not ap-
plicable.

50. Neither section 48 of this act, nor paragraphs 1, 3 and 6 of section 426 of the Cities and Towns' Act shall apply to the dams, power canals, generating stations, high voltage transmission lines, and other works and buildings and their machinery and accessories now or hereafter constructed in the town of Racine for the development and utilization of the water power of the Saguenay and Shipshaw rivers.

Regulation
of bill-
boards and
signs.

51. The council may make by-laws to prevent the erection or display on any building, lot or land within the town, and to compel the removal therefrom, under such penalties as the council may prescribe, of billboards and signs which are dangerous or obstructive of view or unsightly or tend to decrease the value of neighboring property, and may also make by-laws preventing any sign from being erected or made without a license being first obtained by the proprietor or occupant of the building or land in question from the officers of the municipality, which license shall specify the size, character, design and materials of such billboard or sign, and providing for the removal of any billboard or sign erected, made or displayed without such a license or in contravention of the terms thereof, and may also make by-laws prescribing the character, size and materials of signs and billboards within the town, the whole to prevent the erection and display of signs which are dangerous or injurious to public or private property, welfare or comfort.

R. S., c. 102,
s. 439, re-
placed for
town.
Tax for
water-
works, etc.

52. Section 439 of the Cities and Towns' Act is replaced, for the town of Racine, by the following:

“**439.** The council may, by by-law, in order to meet the interest on the sums expended in the construction or acquisition of waterworks, public wells, cisterns or reservoirs, and to establish a sinking-fund, impose on all the owners or occupants of houses, shops or other buildings, an annual special tax at a rate to be fixed by it, on the

assessed value of each house, shop or building, including the land.

The sinking-fund created by virtue of this section shall be invested and managed in the same manner as that mentioned in section 579." Investment of sinking-fund.

53. Paragraph 1 of section 468 of the Cities and Towns' Act shall not apply to the town of Racine. Provisions not applicable.

54. Section 470 of the Cities and Towns' Act shall not apply to the town of Racine. Idem.

55. Section 482 of the Cities and Towns' Act is replaced, for the town of Racine, by the following: R. S., c. 102, s. 482, replaced for town.

"482. The council may make such by-laws as it may deem expedient for the management and administration of its finances; all payments out of the funds of the municipality shall be made by the treasurer, but only on requisitions, vouchers, pay sheets, accounts, and the like, approved by the manager, and against unexpended balances of moneys appropriated by the council for the purposes for which such payments are made." Administration of finances.

56. Section 485 of the Cities and Towns' Act is replaced, for the town of Racine, by the following: R. S., c. 102, s. 485, replaced for town.

"485. The assessors shall, in the month of May of each year and in the manner ordered by the council, assess the taxable property of the municipality, according to its real value. Annual valuation.

The council may, by resolution, relieve the assessors from the duty of making a valuation roll of the taxable property oftener than every three years; and, in such case, the council shall revise the roll every year 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. Preparation and revision of roll.

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

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

57. Section 493 of the Cities and Towns' Act is replaced, for the town of Racine, by the following: R. S., c. 102, s. 493, replaced for town.

"493. The valuation roll shall be signed by the assessor or 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." Signing of valuation roll.

Share of indebtedness to be paid by the town.

58. The town of Racine shall be bound to pay its share of the present indebtedness of the corporation of the municipality of the township of Tremblay and of the corporation of the municipality of the parish of St. Dominique de Jonquière, in proportion to the valuation, as hereinafter mentioned, of the immoveables detached from these municipalities. The valuation of the immoveable property detached from the municipality of the township of Tremblay is hereby established at the sum of two hundred and twenty-five thousand dollars and that of the immoveable property detached from the municipality of the parish of St. Dominique de Jonquière is hereby established at the sum of thirty-four thousand two hundred and sixty-five dollars, and the ratio between the said sums and the total present valuation of all the immoveables heretofore in said municipalities respectively, as shown on their valuation rolls now in force and on which the taxes for 1927-28 were collected, shall determine the share of their present indebtedness which shall be paid by the town of Racine. The settlement of such debts between the parties shall be made in accordance with the provisions of articles 50 and following of the Municipal Code of the Province of Quebec.

Payment of principal and interest.

Nevertheless, the town of Racine shall be entitled at any time to free itself forever from the said debts by paying to the said municipal corporations the then value of the principal of its share and all arrears of interest then due. The share of the capital thus paid by the town shall be deposited to the credit of the sinking-funds established for the redemption of the said debts. Every such settlement of debts must be approved by the Minister of Municipal Affairs.

Maintenance and repair of certain bridge and road.

59. The town of Racine shall keep open the public road crossing the town from east to west, and shall likewise assume the maintenance and repair of the present bridge over the river Shipshaw, situated in range A of the township of Simard.

Annual payment to township of Tremblay.

60. The town of Racine shall be bound to pay to the municipality of the township of Tremblay, on the 1st of January in each year, during twenty consecutive years, the sum of four thousand dollars, without interest, until maturity, and the first annual payment whereof shall become due on the 1st of January, 1929.

Annual payment to St. Dominique de Jonquière.

61. The town of Racine shall be bound to pay the municipality of the parish of St. Dominique de Jonquière, on the 1st of January in each year, during twenty consecutive years, the sum of four thousand dollars, without interest, until maturity, and the first annual payment whereof shall become due on the 1st of January, 1929.

secutive years, the sum of one thousand five hundred dollars, without interest, until maturity, and the first annual payment whereof shall become due on the 1st of January, 1929.

62. The town of Racine shall assume for the future the present responsibility of the municipality of the parish of St. Dominique de Jonquière relative to the present bridge erected over the Saguenay river, and the roads and approaches to the said bridge, the whole as provided by the act 13 George V, chapter 110, of the Statutes of Quebec, 1922, but shall exercise all the rights and powers given by the said act to the said municipality of the parish of St. Dominique de Jonquière. The town shall assume for the future the present obligations of the town of Jonquière, of the corporation of the township of Bourget, of the corporation of the parish of Saint Ambroise, and of the corporation of the village of Saint Ambroise, relative to the present bridge over the Saguenay river and its approaches and the road leading to the present bridge, which are situated in the territory of the said town, the whole as provided by the act 13 George V, chapter 110, of the Statutes of Quebec, 1922, but it shall exercise all the rights and powers given by the said act to the said corporations and their mayors. No change shall be made in the line of the road leading to the said bridge without the approval of the Quebec Public Service Commission upon petition served on the said municipal corporations, and any new line of the said road shall be made as near as reasonably practicable to the present line.

63. The council may, by by-law, acquire, at the original cost price, by purchase from Alcoa Power Company, Limited, from Aluminum Company of Canada, Limited, or from Aluminum Company of America, or from their corporate successors or subsidiary companies, any and all parks, public squares, streets, street works and improvements, including embankments, grading, bridges, pavements, sidewalks, street and sidewalk surfacing, gutters, culverts and surface and storm water drains and sewers, and likewise any and all sanitary sewers, sewerage and sewer disposal systems and plants, garbage incinerators and disposal plants, which they or any of them may construct, acquire or possess within the limits of the town of Racine, before the 1st of January, 1933, and pay for the same or any of the same out of funds provided through loans or otherwise, according to the Cities and Towns' Act.

No tax on
power.

64. Notwithstanding the provisions of any general or special act, the council shall not levy any tax on the power developed within the limits of the town of Racine.

No tax on
raw material,
etc.

65. Notwithstanding the provisions of any general or special act, the council shall not levy any tax on raw materials, goods in process of manufacture, or stocks of finished materials or manufactured goods, being in the municipality for the purpose of, or in process of, or following, manufacture therein.

Exemption
from tax-
ation.

66. With the exception of lands, all the immoveable property in the town of Racine which is owned and occupied by the Alcoa Power Company, Ltd., or by its corporate successors, or any of its subsidiary companies, including works, buildings, railways, bridges, lines for the transmission of electrical energy and the dependencies and accessories, used or occupied for the purpose of producing or transmitting power or for manufacturing and other incidents, is hereby exempted from municipal taxes until the first day of January, 1938, provided the municipal council passes a resolution to that effect.

Delay
granted by
Minister of
Municipal
Affairs.

67. Until the municipal organization of the said town will have been completed, additional delay may be granted by the Minister of Municipal Affairs, upon demand of the municipal council, for complying with any other provision of the said Cities and Towns' Act, chapter 102 of the Revised Statutes, 1925.

Drainage
system of
certain
towns not to
be affected.

68. The town shall not prevent the towns of Kenogami and Jonqui re from emptying their drainage system into Saguenay river provided that they can only do so under the supervision and control of the Provincial Bureau of Health.

Boundaries
of Kenoga-
mi not
changed.

69. Nothing herein contained shall be interpreted as changing the boundaries of the town of Kenogami.

Coming into
force.

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