



CHAPTER 74

An Act to amend the Municipal Code

[Assented to, the 1st of April, 1927]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Article 82 of the Municipal Code is replaced by the following: Mun. Code, art. 82, replaced.

"82. The head of the council is called the "mayor" and is elected by the electors every two years, in the year designated by an odd number." "Mayor".

2. Article 85 of the said Code is amended by adding thereto the following paragraph: Mun. Code, art. 85, am.

"The mayor elected at the first general election held under article 246, or appointed under article 320, holds office only until the time fixed by article 82 for the general election of the mayor." Term of office of mayor.

3. The said Code is amended by inserting therein, after article 131 thereof, the following article: Mun. Code, art. 131a, added.

"131a. The Lieutenant-Governor may repeal the order-in-council passed under article 130, and such repeal shall have effect from the date of the publication of a notice by the Minister of Municipal Affairs in the *Quebec Official Gazette*." Repeal of certain order-in-council. Effect.

4. Article 257 of the said Code, as amended by the act 16 George V, chapter 68, section 2, is again amended: Mun. Code, art. 257, am.

a. By replacing sub-paragraph *b* thereof by the following:

"b. The day when and the places where the voting will be held, in case voting is necessary."; Day and place of voting.

b. By adding thereto the following sub-paragraph:

Deputy pre-
siding-offi-
cer, etc.

“*d.* The appointment of deputy presiding-officer and clerk, under article 313*a.*”

Mun. Code,
art. 266, am.

5. Article 266 of the said Code is amended by adding thereto the following paragraphs:

More than
one polling-
station in
certain
cases estab-
lished by
by-law.

“When, by the valuation roll in force in the municipality, the latter contains over two hundred electors, or, regardless of the number of electors, if the extent of the territory of the municipality, in the opinion of the council, renders such measure necessary, the council may, by by-law adopted by the absolute majority of all its members, order that the voting be had at more than one place or polling-station in accordance with the provisions of Chapter Eighth*a* of this title, whether in the case of voting by word of mouth or by ballot.

Adoption of
such by-law.

Such by-law must be adopted at least one month before the date of the holding of the election and may be repealed in the same manner and within the same delay.”

Mun. Code,
art. 310, am.

6. Article 310 of the said Code is amended:

a. By striking out the words: “and proclaim elected the candidates who have obtained the majority of votes”, in the fifth and sixth lines thereof;

b. By adding thereto the following paragraph:

Delivery of
documents.

“In the event of there being more than one polling-station, the deputy presiding-officer shall, without delay, deliver all the documents in his possession to the presiding-officer.”

Mun. Code,
art. 313*a*,
added.

7. The said Code is amended by inserting therein, after article 313 thereof, the following chapter and article:

“CHAPTER EIGHT*a*

“VOTING AT MORE THAN ONE PLACE IN THE SAME MUNICIPALITY

Establish-
ment of
polling-sta-
tions, etc.

“**313*a.*** 1. When it has been enacted by by-law of the council of a municipality, adopted under article 266, that voting shall be held at more than one place or polling-station, as the case may be, the officer presiding at the election shall designate or establish separate places or polling-stations, as the case may be, in the same building or in different buildings, easy of access, in such a way that there shall be as equal a number as possible of electors entitled to vote at each such place or polling-station.

2. Each such place or polling-station shall be designated by a number or by the initial letters of the electors who are entitled to vote thereat, in the following manner, to wit: from A to K, and from L to R, and from S to Z, or otherwise, as the case may be. Designation thereof.

3. Every elector whose name commences with a letter comprised among those designating a place or polling-station shall vote thereat, or, if the place or polling-station is designated by a number, every elector shall vote at the one established for the territory in which he is qualified. Place of voting.

If an elector is qualified to vote at more than one place or polling-station, he can vote at one only, at his choice, but he may be required to take the oath prescribed by article 275. Only one vote.

4. The presiding-officer shall appoint a deputy presiding-officer and a clerk for each additional place or polling-station and must hand each deputy presiding-officer, within a reasonable time before the voting day, a list of those entered on the valuation roll entitled to vote at the place or polling-station for which he is appointed, and such list must be certified by the presiding-officer as exact. Deputy presiding-officer and clerk for each.

5. Every deputy presiding-officer, appointed in accordance with the foregoing paragraph 4, shall perform the duties and possess the powers of the presiding-officer until the close of the election, save that the latter shall alone perform the duties prescribed by articles 282 and 283, as the case may be. Duties.

6. The provisions of this title shall apply, respectively, to voting by word of mouth or voting by ballot, under this chapter, *mutatis mutandis*, except where incompatible. Provisions applicable.

8. Article 371 of the said Code is amended by replacing the words: "immediate payment of such fine", in the fifth line of the first paragraph thereof, by the words: "payment of such fine within fifteen days after the rendering of the judgment". Mun. Code, art. 371, am.

9. Article 374 of the said Code is amended by adding thereto the following paragraph: Id., art. 374, am.

"When a by-law passed by a county council is concerned, such day shall not be more than three months after the passing of the by-law." Delay.

10. Article 403 of the said Code is amended by inserting therein, after paragraph 5, as enacted by the act 9 George V, chapter 85, section 1, the following paragraph: Mun. Code, art. 403, am.

"6. To determine where, and the kind of building in Serving of mares.

which, serving of mares may be carried on within the limits of the municipality."

Mun. Code, art. 408, am. **11.** Article 408 of the said Code, as amended by the acts 10 George V, chapter 82, section 2; 11 George V, chapter 48, section 25, and 16 George V, chapter 69, section 1, is again amended by adding to paragraph 5 thereof the following words: "or of the whole municipality, but, in the latter case, the by-law shall only come into force after having been approved by the electors, who are property-owners, of the whole municipality, and by the Lieutenant-Governor in Council on the recommendation of the Minister of Municipal Affairs, pursuant to the provisions of articles 372 to 389, inclusively, *mutatis mutandis*."

Mun. Code, art. 641, re-placed. **12.** Article 641 of the said Code is replaced by the following:

Financial year, etc. **"641.** The financial year of the corporation begins on the first of January and ends on the thirty-first of December of each year, and the annual municipal taxes, assessments, license fees, and other dues, are due and payable on the dates fixed by the council."

Mun. Code, art. 642, am. **13.** Article 642 of the said Code, as replaced by the act 11 George V, chapter 109, section 1, is amended:

a. By striking out the words: "or if called upon in writing so to do by at least five ratepayers", in the first and second lines of the second paragraph thereof;

b. By adding thereto, after the second paragraph thereof, the following paragraphs:

Audit of accounts. "At any time of the year, if called upon in writing so to do by at least five ratepayers, the council must likewise have an audit made of the accounts of the corporation for all or any of the preceding five years, provided no such audit has already been made for all or any of the years in question.

Appointment of auditor. "In the case of the preceding paragraph, the auditor shall be appointed by the council, but, before appointing him, the choice which the council proposes to make must be accepted in writing by the majority of the ratepayers who have asked for the audit, and, if such ratepayers and the council fail to agree, the auditor shall be appointed by the judge of the Superior Court or the district magistrate for the judicial district, on the petition of one of the parties after a notice of eight clear days to the other party."

Mun. Code, art. 761, am. **14.** Article 761 of the said Code is amended by adding thereto the following paragraph:

Borrowing "When the by-law authorizes a loan by an issue of bonds,

the Minister of Municipal Affairs may allow the municipality to borrow at a lower rate of interest than that fixed in the by-law, if it be shown to him that the change is to the advantage of the municipality.” at lower rate in certain case.

15. The said Code is amended by inserting therein, after article 774 thereof, the following article: Mun. Code, art. 774a, added.

“774a. When the loan is contracted for work the cost of which must be borne by the owners of immoveable property of part only of the municipality, the tax to be levied each year, during the period of the loan, shall be imposed only on the property-owners interested; but it shall be sufficient to pay the interest each year and make up the capital repayable at the maturity of the bonds. In such case, the property-owners liable, who are municipal electors, are alone entitled to vote for the approval or disapproval of the by-law, and the by-law is deemed to be approved if it has been so done by the majority in number and in value of the said property-owners who are electors and liable.” Tax imposed on interested property-owners only, in certain case.

16. Article 784 of the said Code is amended by inserting therein, after the first paragraph thereof, the following paragraph: Mun. Code, art. 784, am.

“Notwithstanding the provisions of this title, every corporation which has work done, wholly or partly subsidized by the Government of the Province, may likewise, by by-law authorizing an issue of bills or notes for such purpose, borrow an amount of not more than the subsidy for the same period of time as that fixed for the payment of such subsidy. Such by-law is not subject to the approval of the electors who are property-owners, but must, before coming into force, be approved by the Lieutenant-Governor in Council, on the recommendation of the Minister of Municipal Affairs.” Loan to pay for subsidized work. Approval of by-law.

17. The term of office of all mayors, regardless of when they were elected or appointed under the provisions of the Municipal Code, shall expire in the year 1929, at the time of the holding of the general elections in the various municipalities of the Province governed by the Municipal Code. Expiration of terms of office of mayors.

18. Sections 1, 2 and 17 of this act shall come into force on the 1st of January, 1929, and the other sections of this act shall come into force on the day of its sanction. Coming into force.