



CHAPTER 87

An Act to incorporate the Town of Dolbeau

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

WHEREAS Mistassini Power & Paper Company, Preamble.

Limited, a body politic and corporate, having its head office at Mistassini, in the district of Roberval; Emil Andrew Wallberg, civil engineer, Toronto; John Stadler, industrial engineer, Montreal; Sylvio Antoine Desmeules, civil engineer, Mistassini; Judson Reeves Nichols, superintendent, Mistassini; Jean-Baptiste Desroches, woods superintendent, Mistassini; Alexander John Paterson, accountant, Mistassini; David Arthur Evans, woods manager, Mistassini, have, by their petition, represented:

That the work done on the Mistassini River, in the electoral district of Lake St. John, the utilization of the hydraulic powers therefrom, and the operation of the plants and factories which are to be erected thereat, will bring a considerable number of persons into the territory described in section 2 of this act which now forms part of the township of Parent;

That a large portion of the said territory will be subdivided into building lots, that houses, churches, schools and other buildings will be erected thereon, that systems of waterworks, lighting and sewers will be installed, and that all the other public services required to constitute the proposed municipality a modern town and for assuring the welfare of the inhabitants will be established there;

That these improvements must be begun without delay and that it is necessary to erect the territory concerned into a town municipality;

Whereas a request to that effect is contained in the said petition; 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 under the title of "Charter of the Town of Dolbeau".
- Limits of the town. **2.** The Town of Dolbeau comprises lots 39 to 49 inclusively of the seventeenth (17) range of the township of Parent, electoral district of Lake St. John.
- Incorporation. **3.** The inhabitants and ratepayers of the territory mentioned in section 2, as well as those who will join them or succeed to them, are constituted a town corporation under the name of "Town of Dolbeau".
- Name.
- 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, except insofar as the same may be inconsistent with the provisions of the present act.
- Wards. **5.** The town shall comprise but one ward until the first general election; it may afterwards be divided into several wards according to law.
- Provisions not applicable. **6.** Sections 17, 18, 19 and 21 of the Cities and Towns' Act shall not apply to the Town of Dolbeau.
- R. S., c. 102, s. 22, replaced for town. **7.** Section 22 of the Cities and Towns' Act is replaced, for the Town of Dolbeau, by the following:
 First general meeting. **"22.** The first general sitting of the council shall be held at the time and place determined by the Minister of Municipal Affairs.
 Presidency. Until a mayor is elected by the council and sworn, such sitting shall be presided over by an alderman chosen from among the aldermen present."
- R. S., c. 102, s. 47, replaced for town. **8.** Section 47 of the Cities and Towns' Act is replaced, for the Town of Dolbeau, by the following:
 Composition of municipal council. **"47.** The municipal council shall be composed of a mayor and of four aldermen elected for the period and in the manner hereinafter prescribed."
- Provisions applicable. **9.** Sections 48 and 49, paragraph 2 of section 60, and section 61 of the said Cities and Towns' Act shall not apply to the Town of Dolbeau up to the first juridical day of February, 1929, and, during the said period, the following provisions shall apply to the said town:

"a. The following persons, John Stadler, industrial engineer, Montreal; Jean-Baptiste Desroches, woods superintendent, Mistassini; Alexander John Paterson, accountant, Mistassini; David Arthur Evans, woods manager, Mistassini, and Sylvio Antoine Desmeules, civil engineer, Mistassini, and their successors or successor as herein provided for, will be the members of the municipal council of the Town of Dolbeau up to the first juridical day of February, 1929;

b. At the first meeting of the said municipal council, the petitioners composing the said municipal council will choose amongst themselves one who will discharge the functions of mayor for said period, to wit, up to the first juridical day of February, 1929;

c. If during said period the office of mayor becomes vacant, or if any vacancy occur in the office of alderman, the municipal council by resolution shall fill the vacancy in the office of mayor or alderman, as the case may be;

d. During the said period the members of the council shall not be obliged to reside within the limits of the municipality;

e. After the expiration of said period, the election of the mayor and of the aldermen shall be held according to the said Cities and Towns' Act."

10. Section 108 of the Cities and Towns' Act is replaced, for the Town of Dolbeau, by the following:

"**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 mayor and council, the affairs of the municipality and the work it causes to be carried out."

11. Section 109 of the Cities and Towns' Act is replaced, for the Town of Dolbeau, by the following:

"**109.** 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 obliged 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 two hundred 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 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;

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

10. 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;

11. 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;

12. 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;

13. To advise the council on the steps to be taken to carry out the by-laws and enforce their observance;

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

15. 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;

16. 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;

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

18. 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;

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

12. Sections 110, 111 and 115, of the Cities and Towns' Act, shall not apply to the Town of Dolbeau. Provisions not applicable.

13. Section 112 of the Cities and Towns' Act is replaced, for the Town of Dolbeau, 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 not longer than the first juridical day of February, 1929, 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 each general election to serve for the term of two years. Appointment of manager.

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

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

"117. The council may dismiss its manager by resolution adopted by the vote of two-thirds of its members. Such resolution must be published in the same manner as are public notices in the municipality." Dismissal of manager by resolution.

15. Upon entering upon his duties, each manager may 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. Assistant manager.

Dismissal. In the 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 assistant-manager.

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. **16.** Paragraph 8 of section 123, and section 124 of the Cities and Towns' Act shall not apply to the Town of Dolbeau until the first juridical day of February, 1929;

R. S., c. 102, s. 128, replaced for town. **17.** Section 128 of the said Cities and Towns' Act is replaced, for the Town of Dolbeau, by the following:

Qualification of electors. **"128.** 1. The following persons, of the full age of twenty-one years, British subjects and not legally disqualified nor otherwise deprived of the right to vote in virtue of this act or of the charter, shall be electors, and shall be entered on the electoral lists to wit:

Property owners. *a.* Male persons and widows and 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 or corporations. Companies or corporations may be entered on 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 the effect by resolution, a copy whereof shall be filed with the clerk of the town on or before the day for nomination of candidates, in the case of the election of mayor or aldermen. They may exact the right to vote at the election of aldermen in every ward in which they pay taxes, provided their representative is a director or employee of the company;

Husband whose wife possesses certain properties. *b.* The husband whose wife is seized as owner, usufructuary, or as institute, of immoveable property in the municipality, of the value of two hundred dollars or upwards, according to the valuation roll in force, or carries on trade, or keeps a place of business which renders her subject to the payment of a tax, and when such place of business is

entered on the collection roll as being of the annual value of not less than twenty dollars;

c. Every male person, and every widow or spinster, ^{Tenants of dwelling-house, etc.} being a resident householder in the municipality under a lease, whose name is entered on the collection roll in force, as tenant of a dwelling-house, or part of a dwelling-house in the ward for which the list is made, of the value of two hundred dollars or upwards or of the annual value of twenty dollars or upwards, according to such roll;

d. Every male person, though neither owner nor house- ^{Tenants of stores, etc.} holder, who is entered on the valuation roll or collection roll in force, as the tenant of any store, counting house, shop, office or place of business in the municipality; provided that such store, counting-house, shop, office or place of business, or the share which such person owns therein as partner, be assessed at an actual value of at least two hundred dollars, or at a yearly assessed value of at least twenty dollars, according to the valuation or collection roll.

2. Nevertheless, the qualification granted by the fore- ^{Exceptions.} going provision to co-partners or tenants does not extend to members of associations or persons using or holding the premises for social, educational, philanthropic and other similar objects."

18. When a by-law has to be submitted to the electors, ^{Companies or corporations entitled to vote on by-laws.} 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. The right of voting shall be exercised only up to the amount of the valuation upon which the company pays taxes.

19. Sections 342 and 344 of the Cities and Towns' Act ^{Provisions not applicable.} shall not apply to the Town of Dolbeau.

20. Section 346 of the said Cities and Towns' Act shall ^{Provisions applicable.} not apply to the Town of Dolbeau up to the first juridical day of February, 1929, and during said period the following provision shall apply to said town:

"The council shall meet on the days and at the hours ^{Council meetings.} which it determines by resolution."

21. The following section is added, for the Town ^{R. S., c. 102 s. 352a, added for town.} of Dolbeau, after section 352 of the Cities and Towns' Act:

Notice of sittings to manager.

“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 to 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 considered.

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. 426, am. for town.

Buildings, chimneys, etc.

22. Paragraph 1 of section 426 of the Cities and Towns' Act is replaced, for the Town of Dolbeau, by the following:

“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 material 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; 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 buildings may be built, and to regulate the character of the trades, businesses and industries; 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 plans and authorizing the work; to prohibit the construction of buildings and structures not conforming to the 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.”

23. Section 428 of the Cities and Towns' Act is re-placed, for the Town of Dolbeau, by the following: R. S., c. 102, s. 428, repl. for town.

"428. The council may make by-laws:

1. To suppress gambling houses and disorderly houses; By-laws: Gambling, etc.;

2. To suppress houses of prostitution, of ill-fame and of assignation; Bawdy houses;

3. To prohibit and restrict card-playing, throwing of dice, and other games of hazard with or without betting, in any hotel, restaurant, tavern or shop, whether licensed or not, in the municipality; Card-play-ing, etc.;

4. To order that any building, construction, shelter, penthouse, shed or other erection, under whatever name known or designated, attached to the ground or portable, built, erected or placed on the surface, or above or under-ground, permanently or temporarily, within the limits of the municipality, used for trading, transportation, keeping or delivery of alcoholic liquors, contrary to the provisions of the Alcoholic Liquor Act (Chapter 37), or of the Alco-holic Liquor Possession and Transportation Act (Chapter 38), or of any other law respecting the above objects, shall be deemed a disorderly house to which division 1 of the Disorderly House Act (Chapter 270) shall apply; Building, etc., deemed disorderly house;

5. To prohibit, prevent and suppress any noisy gather-ings, affrays, disturbances, disorderly assemblies, and all brutal or depraving exhibitions; Riots, etc.;

6. To regulate circuses, theatres, spectacles and other public exhibitions, and permit them, on obtaining a license, to be held upon such conditions as may be deemed fit, and to prohibit all spectacles or exhibitions tending to affect public safety; Circuses, etc.;

7. To license and regulate the posting of bills and pla-cards; Posting of bills, etc.;

8. To regulate bathing and swimming in the waters com-prised within the municipality or within its jurisdiction for police purposes; Swimming, etc.;

9. To prevent the disturbance of any congregation as-sembled for religious worship, and to prohibit the distribu-tion of printed hand-bills or circulars at church doors on Sundays; Disturb-ance of reli-gious wor-ship;

10. To allow on certain conditions, regulate or prevent the employment or occupation of minors in the streets and public places; and to grant licenses to and regulate news-paper carriers; Occupation of minors in streets;

11. To regulate begging." Begging.

R.S., c. 102,
s. 488, re-
placed for
town.

What real
estate tax-
able.

24. Section 488 of the Cities and Towns' Act is replaced, for the Town of Dolbeau, by the following:

"488. The actual value of the real estate in the municipality assessable for purposes of taxation shall comprise lands, buildings, work-shops and all the improvements made thereto, excepting, however, machinery, tools and equipments and their accessories."

R. S., c. 102,
s. 522, re-
placed for
town.

Taxation of
farming
lands, etc.

25. Section 522 of the Cities and Towns' Act is replaced, for the Town of Dolbeau, by the following:

"522. All land under cultivation, or farmed, or used as pasture for cattle, as well as all uncleared lands or wood lots within the municipality, shall be valued at no more than one hundred dollars an acre and shall be taxed to an amount of not more than one-half of one per cent even if it has been subdivided into building lots and the subdivision plan registered.

Addition to
roll.

The council may cause to be added to the valuation roll from time to time, by the assessors in office, on the valuation by them made, any portion of such land which has been detached therefrom as a building lot and shall thus have become liable to taxation after the closing of the valuation roll, and may exact the said tax as upon all other lots entered on the roll."

Provision
not ap-
plicable.

26. Paragraph 1 of section 523 of the Cities and Towns' Act shall not apply to the Town of Dolbeau.

R. S., c. 102,
s. 531, re-
placed for
town.

When prop-
erty is sub-
divided.

27. Section 531 of the Cities and Towns' Act is replaced, for the Town of Dolbeau, by the following:

"531. Whenever the subdivision of any property has not been registered in the registry office for the registration division within which such property is situated, the assessors may assess it as a whole, without taking any notice of the subdivision, and the corporation may levy the tax on the whole or on any part of such property; but if a subdivision thereof has been registered, the assessors shall assess each subdivided lot separately, and the taxes shall be imposed on each of the lots according to its valuation, provided, however, that the assessors may assess as a whole all vacant lots in any such registered subdivision, which are owned by the same proprietor, and the corporation may levy the tax on the whole of such vacant lots owned by such proprietor."

Proviso.

Commuta-
tion of taxa-
tion.

28. The municipal council of the Town of Dolbeau may by resolution grant the Mistassini Power and Paper

Company, Limited, a fixed valuation for taxation purposes of the property the company has acquired, or may hereafter acquire for the purpose of its industry, and make same legal and binding on all concerned as follows:

Not increase the valuation of the property now owned by the company, or which it may hereafter acquire for the purposes of its industry, and enact that the valuation of the said property from the first of April, 1927, shall remain the same as that entered on the valuation roll of the municipality from which the territory of the said town is detached for the fiscal year 1925-1926; that from the first of April, 1930, the said valuation shall be fixed for an additional period of five years at the sum of seven hundred and fifty thousand dollars and that from the first of April, 1935, the said valuation shall not be increased by more than fifty thousand dollars per annum, until the expiration of fifteen years from the first of April, 1930. The Town of Dolbeau shall, however, enter on the roll the real value of the immoveable properties of the company.

Commutation of taxation.

Entry of real value.

29. The said company shall submit to the Director of the Provincial Bureau of Health, for approval, its waterworks and sewerage plans, as well as its general plans for parks and amusement grounds in relation to its industry.

Submission of certain plans for approval.

30. The Town of Dolbeau shall be bound to pay its share of the present indebtedness of the municipal corporation of St. Michel-de-Mistassini in proportion to the present valuation of the lands detached from the said corporation, according to their present value as shown on the valuation roll in force in the municipality at the time of the coming into force of this act, and the settlement of such debt between the parties shall be made in accordance with the provisions of articles 50 and following of the Municipal Code of Quebec.

Share of indebtedness to be paid by town.

The said town shall, nevertheless, be entitled at any time to free itself forever from the said debt by paying to the municipal corporation of St. Michel-de-Mistassini the principal of its portion and all arrears of interest then due.

Payment of principal and interest.

The share of the capital thus paid by the town shall be deposited to the credit of the sinking-fund established for the redemption of the said debts.

Deposit.

Any such settlement of debt must be approved by the Minister of Municipal Affairs.

Approval.

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

Coming into force.