



CHAPTER 78

An Act to incorporate the City of Arvida

[Assented to, the 24th of March, 1926]

WHEREAS Chute à Caron Power Company, Limited, Preamble.
a corporation having its head office in the city of Montreal; Harold R. Wake, local manager of the town of Kenogami; John P. Walsh, purchasing agent, and McNeely Dubose, electrical superintendent, both of the parish of St. Dominique of Jonquière, have, by their petition, represented:

That Chute à Caron Power Company owns practically all the land in said territory, and intends to develop it into a model manufacturing town; that this will mean work by transients in large numbers for many years before the city is fully organized, and that it is expedient that for such period it be given control;

That the works in course of execution and to be executed at the Chute à Caron, in the electoral district of Chicoutimi, the utilization of the water-powers connected therewith, and the working of plants and factories in course of erection and to be erected, 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 parish of St. Dominique of Jonquière and of the municipality of Chicoutimi;

That a large portion of such territory will be subdivided into building lots; that dwellings, churches, schools and other buildings will be erected there; that water-works, lighting and drainage systems will be installed and that all other public services required to make of the proposed municipality a modern city and to assure the welfare of its inhabitants will be established there;

That plants and factories are already in course of construction and that all the aforesaid improvements are to be begun without delay and that it is necessary to erect the territory in question into a city municipality;

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

Whereas it is expedient to grant the prayer of the said 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 City of Arvida”.

Limits of
the city.

2. The City of Arvida shall comprise the following territory in the electoral district of Chicoutimi:

a. The lands appearing on the official plan and book of reference of the parish of Chicoutimi and designated as follows: lots numbers 38-a, 38-b, 38-c, 38-d, 38-e, 39, 40, 41-a, 41-b, 42, 43, 44, 45, 46-a and 46-b of the first range of the township of Jonquière; lots numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 of the tenth range of the same township, and that part of lot 75 (railroad of the Canadian National Railways) extending westward from the prolongation across said lot 75 of the westerly line of the lands of François Munger in said lot 5, less, however, the part of said lot 5 belonging to François Munger and the part of said lot 5 bounded and enclosed by said lot 75 and lot number 76 (railroad of Baie des Ha! Ha!) and the lands of the thirteenth range of the township of Chicoutimi, and less also the emplacement belonging to Ephraim Larouche and forming part of said lot 4; lots numbers 8-a, 9, 10-a, 10-b, 10-c, 10-d, 11-a, 11-b and 12-a of the thirteenth range of the township of Chicoutimi and that part of lot number 76 (railroad of Baie des Ha! Ha!) which crosses said lots 8-a, and 9; all the lands so designated being detached from the municipality of Chicoutimi in the municipal county of Chicoutimi;

b. The lands appearing on the official plan and book of reference for the township of Jonquière and designated as follows: lots numbers 30, 31, 32, 33, 34, 35-a, 35-b, 36-a, 36-b and 37 of the first range, 35, 36, 37-a, 37-b, 38-a, 38-b, 39, 40-a, 40-b, 40-c, 41-a, 41-b, 41-c, 42-a, 42-b, 42-c, 43-a, 43-b and 44 of the second range, and 33-a, 33-b, 34, 35, 36, 37 and 38 of the third range of the township of Jonquière, and that part of lot number 47 (railroad of the Canadian National Railways) which crosses the said lots in the second and third range; all the lands designated in this subparagraph being detached from the municipality of the parish of St. Dominique of Jonquière.

Incorporation.

3. The inhabitants and ratepayers of the territory men-

tioned in section 2, as well as all those who may join or succeed to them, are incorporated as a city under the name of the "City of Arvida".

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

5. The city shall comprise but one ward.

6. Sections 17, 18, 19 and 21 of the Cities and Towns' Act shall not apply to the City of Arvida.

7. Section 22 of the Cities and Towns' Act is replaced, for the City of Arvida, by the following:

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

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."

8. Sections 31 and 32 of the Cities and Towns' Act shall not apply to the City of Arvida.

9. Section 47 of the Cities and Towns' Act is replaced, for the City of Arvida, by the following:

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

10. Sections 48 and 49 of the Cities and Towns' Act shall not apply to the City of Arvida, until the first juridical day of February, 1931, and, during that period, the following provisions shall apply to the city:

"a. Frank E. Dickie, of Shawinigan Falls, John P. Walsh, Achille Vallerand, of Chicoutimi, and their successors or successor, as herein provided, will be the members of the municipal council of the City of Arvida until the first juridical day of February, 1931;

b. At the first meeting of the said municipal council, 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, 1931; 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;

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

Vacancies. 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."

First general election. **11.** On the first juridical day of February, 1931, the first general election shall be held and there shall be elected one alderman to replace the said J. A. Vallerand; such election shall be made according to the Cities and Towns' Act, and the said F. E. Dickie or his successor shall remain alderman for a term of four years from that date, and the petitioner John P. Walsh or his successor shall also remain alderman for a term of two years from that date.

R. S., c. 102, s. 48, replaced for the city. **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 City of Arvida, by the following:

Election of mayor and alderman. **"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 general election of an alderman 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.

Term of mayor. The term of office of the mayor shall be two years."

R. S., c. 102, s. 49, replaced for the city. **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 City of Arvida, by the following:

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

Term of office. Their term of office shall be six years.

Replacement. Every two years, 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, replaced for the city. **14.** Section 50 of the Cities and Towns' Act is replaced, for the City of Arvida, by the following:

Term of office. **"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."

15. Section 51 of the Cities and Towns' Act is replaced, R. S., c. 102, for the City of Arvida, 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 with the council all information and suggestions relating to any improvement of the finances, police, health, security, cleanliness, comfort and progress of the municipality.

s. 51, replaced for the city.
Powers of the mayor.

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."

16. Section 56 of the Cities and Towns' Act shall not apply to the City of Arvida until the first juridical day of February, 1931, and, thereafter, is replaced, for the said city, by the following:

R. S., c. 102, s. 56, replaced for the city.

"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."

Vacancy in office of mayor.

17. Paragraph 2 of section 60 of the Cities and Towns' Act shall not apply to the City of Arvida until the first juridical day of February, 1931.

Provisions not applicable.

18. Section 61 of the Cities and Towns' Act shall not apply to the City of Arvida until the first juridical day of February, 1931, and, thereafter, is replaced, for the said city, by the following:

R. S., c. 102, s. 61, replaced for the city.

"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 a quorum, the offices of those resigning shall become vacant, and it

Resignations.

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.

Election
clerk, etc.,

Ten days at least before the day fixed for the 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.

Proceedings
for election.

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."

Provisions
not applic-
able.

19. The second paragraph of section 64 of the Cities and Towns' Act shall not apply to the City of Arvida.

R. S., c. 102,
s. 72, re-
placed for
the city.

20. Section 72 of the Cities and Towns' Act is replaced, for the City of Arvida, by the following:

Security
from civic
employees.

"**72.** The council may require of every person employed by the city such security as it may deem necessary to secure the complete and faithful execution of his duties."

R. S., c. 102,
s. 79a, added
for the city.

21. The following section is added, for the City of Arvida, after section 79 of the Cities and Towns' Act:

Powers of
managers.

"**79a.** Sections 69, 75 and 79 shall not apply to municipal officers and employees appointable by the manager, but their salary or compensation, removal, delivery of moneys and other municipal property, reports and accountings shall be vested, determined and made by and to the manager."

Provisions
not applic-
able.

22. Section 92 of the Cities and Towns' Act shall not apply to the City of Arvida.

R. S., c. 102,
s. 103, re-
placed for
the city.

23. Section 103 of the Cities and Towns' Act is replaced, for the City of Arvida, by the following:

Appoint-
ment 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

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."

24. Section 104 of the Cities and Towns' Act is replaced, R. S., c. 102, for the City of Arvida, by the following:

"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. 104, replaced for the city. Appointment of auditors.

25. Section 105 of the Cities and Towns' Act is replaced, R. S., c. 102, for the City of Arvida, by the following:

"105. The auditors shall make a report of their examination to the council within thirty days after the expiration of the fiscal year. R. S., c. 102, s. 105, replaced for the city. Report.

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

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

26. The first paragraph of section 106 of the Cities and Towns' Act shall not apply to the City of Arvida until the first juridical day of February, 1941 and, during that period, the following provision shall apply: Provisions applicable.

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

27. Section 108 of the Cities and Towns' Act is replaced, R. S., c. 102, for the City of Arvida, 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 council, the affairs of the municipality and the work it causes to be carried out." R. S., c. 102, s. 108, replaced for the city. Manager.

28. Section 109 of the Cities and Towns' Act is replaced, R. S., c. 102, for the City of Arvida, by the following:

"109. Included in the duties and powers of the manager shall be the following: R. S., c. 102, s. 109, replaced for the city. Powers of manager.

1. To execute all by-laws and resolutions of the council;
2. To supervise, direct and control the operations of all

city 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 on 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 city 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 in relation to its industry.

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 City of Arvida.

Provisions not applicable.

31. Section 112 of the Cities and Towns' Act is replaced, for the City of Arvida, by the following:

R. S., c. 102, s. 112, replaced for the city.

"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, 1931, 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."

Reappointment.

Provisions
not appli-
cable.

32. Section 115 of the Cities and Towns' Act shall not apply to the City of Arvida.

R. S., c. 102,
s. 117, re-
placed for
the city.
Dismissal of
manager.

33. Section 117 of the Cities and Towns' Act is replaced, for the City of Arvida, by the following:

"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.

Idem.

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."

Appoint-
ment of
assistant-
manager.

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.

Dismissal.

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

Simulta-
neous va-
cancies.

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 ap-
plicable.

35. Paragraph 8 of section 123 of the Cities and Towns' Act shall not apply to the City of Arvida until the first juridical day of February, 1931.

R. S., c. 102,
s. 123a, ad-
ded for the
city.
Aliens.

36. The following section is added, for the City of Arvida, 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 appli-
cable.

37. Section 124 of the Cities and Towns' Act shall not apply to the City of Arvida until the first juridical day of February, 1931.

R. S., c. 102,

38. Sub-paragraph *a* of subsection 1 of section 128 of

the Cities and Towns' Act is replaced, for the City of Arvida, s. 128, am. by the following: for the city.

"a. Male persons and widows or spinsters whose names ^{Property-}are entered on the valuation roll in force as *bona fide* owners ^{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 may be entered on the elect-Companies oral lists by reason of the immoveables, held by each of ^{entered on} them respectively and subject to general or special assess-^{roll and}ment, of a sufficient valuation to confer the right to vote ^{entitled to} upon a municipal elector, and shall be entitled to vote in ^{vote.} their names through a representative of the company, authorized to that effect by resolution, a copy whereof shall be fyled with the clerk of the city 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."

39. When a by-law has to be submitted to the electors ^{Companies} who are proprietors, companies or corporations shall also ^{entitled to} be entitled to vote once on such by-law through their re-^{vote on by-}presentative, being a director or employee of the company, ^{law sub-}authorized as aforesaid, and, in such case, a copy of the ^{mitted to} resolution appointing such representative shall be fyled ^{elector-}with the clerk at least five days before the date fixed for ^{proprietors.} 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.

40. Section 173 of the Cities and Towns' Act is re- ^{R. S., c. 102,} placed, for the City of Arvida, by the following: ^{s. 173, re-}

"**173.** The general elections for the purpose of re-^{placed for}placing the alderman who goes out of office shall be held ^{the city.} every two years, on the first juridical day of February, in ^{Date of gen-}accordance with the provisions hereinafter contained. ^{eral elec-}

The Lieutenant-Governor in Council may, by letters ^{Change of} patent, upon the application of the council of the municipi-^{date by}ality concerned, change the date for the elections. ^{letters}

The proceedings and notices for such application shall, ^{patent.} as far as possible, be the same as those required for obtain-^{Proceedings,}ing letters patent under sections 12 and following of this ^{etc.} act.

Notice. 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."

Provisions not applicable. **41.** Sections 342 and 344 of the Cities and Towns' Act shall not apply to the City of Arvida.

Provisions applicable. **42.** The first paragraph of section 346 of the Cities and Towns' Act shall not apply to the City of Arvida until the first juridical day of February, 1931, and, prior to that date, the following disposition shall apply to the City of Arvida:

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

R. S., c. 102, s. 351, replaced for the city. **43.** Section 351 of the Cities and Towns' Act is replaced, for the City of Arvida, by the following:

Upon refusal of mayor, meeting may be called by two members, etc. **"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, added for the city. **44.** The following section is added, for the City of Arvida, 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 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. 354, replaced for the city. **45.** Section 354 of the Cities and Towns' Act is replaced, for the City of Arvida, by the following:

Adjournment if no quorum. **"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.

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

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. Entries in minute-book.

46. Section 355 of the Cities and Towns' Act is replaced, for the City of Arvida, by the following: R. S., c. 102, s. 355, replaced for the city.

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

47. Section 356 of the Cities and Towns' Act is replaced, for the City of Arvida, by the following: R. S., c. 102, s. 356, replaced for the city.

"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." Majority to decide questions. Casting-vote of mayor.

48. Paragraph 1 of section 426 of the Cities and Towns' Act is replaced, for the City of Arvida, by the following: R. S., c. 102, s. 426, am. for the city.

"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 city of trades, businesses, industries and buildings designed for specific uses and the uses of real property within the city; to divide the city 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, industries and uses to which buildings and real property may be devoted in any Buildings, chimneys, etc.

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 plans 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;”.

R. S., c. 102, s. 426, am. for the city. **49.** Title II and paragraph 5 of section 426 of the Cities and Towns’ Act are replaced, for the city of Arvida, by the following:

“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.”

R. S., c. 102, s. 439, replaced for the city.
Tax for
water-
works, etc.

50. Section 439 of the Cities and Towns’ Act is replaced, for the City of Arvida, 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 water-works, 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.

Investment
of sinking-
fund.

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

R. S., c. 102, s. 442, replaced for city.

51. Section 442 of the Cities and Towns’ Act is replaced, for the City of Arvida, by the following:

By-laws re-
specting wa-
ter-works,
etc.

“**442.** The council may make by-laws respecting water-works and water supply systems owned or operated by the city:

1. To prohibit any occupant of a house or building, supplied with water from the water-works, from furnishing such water to others, or from using it otherwise than for his own use, or from wasting it;

2. To prescribe the size, quality, strength, and location of the pipes, valves, cocks, cisterns, water-closets, baths, and other similar apparatus;

3. To prevent the pollution of the water in the water-works or reservoirs and the practising of frauds upon the municipality with regard to the supply of water from the water-works;

4. To establish the rate for water, in addition to the special taxes mentioned in sections 439 and 441; to supply meters for buildings or establishments, for measuring the quantity of water used therein; and to fix the amount to be paid for the water and rent of meters;

5. To provide that the water rate shall be due and payable by instalments, and within such delays as it shall deem proper to fix;

6. To provide that the legal rate of interest upon the arrears of water rate shall not be due until the expiration of such delays respectively;

7. To provide for any other matter or thing of any nature or kind whatsoever, having reference to the water-works, which it may be necessary to regulate or determine for the proper working of such water-works."

52. Section 454 of the Cities and Towns' Act is replaced, for the City of Arvida, by the following:

"**454.** The council may, by by-law, transfer its rights and powers, respecting the water supply, to any corporation, firm or person willing to undertake the same."

R. S., c. 102,
s. 454, re-
placed for
the city.
Rights of
council
transferable.

53. Paragraph 1 of section 468 of the Cities and Towns' Act shall not apply to the City of Arvida.

Provisions
not applic-
able.

54. Section 470 of the Cities and Towns' Act shall not apply to the City of Arvida.

Idem.

55. Section 482 of the Cities and Towns' Act is replaced, for the City of Arvida, by the following:

"**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."

R. S., c. 102,
s. 482, re-
placed for
the city.
Administra-
tion of
finances.

56. Section 485 of the Cities and Towns' Act is replaced, for the City of Arvida, by the following:

"**485.** The assessors shall, in the month of May of each year and in the manner ordered by the council, assess the

R. S., c. 102,
s. 485, re-
placed for
the city.
Annual
valuation.

taxable property of the municipality, according to its real value.

Preparation
and revision
of roll.

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.

Entering of
annual
value.

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

Entry of
tenants.

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

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

57. Section 488 of the Cities and Towns' Act is replaced, for the City of Arvida, by the following:

What real
estate
taxable.

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

R. S., c. 102,
s. 493, re-
placed for
the city.

58. Section 493 of the Cities and Towns' Act is replaced, for the City of Arvida, by the following:

Signing of
valuation
roll.

"493. The valuation roll shall be signed by at least one of the 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."

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

59. Section 522 of the Cities and Towns' Act is replaced, for the City of Arvida, by the following:

Taxation of
farming
lands.

"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 percent even if it has been subdivided into building lots and the subdivision plan registered.

Additions to
roll in cer-
tain cases.

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."

Provisions
not appli-
cable.

60. Paragraph 1 of section 523 of the Cities and Towns' Act shall not apply to the City of Arvida.

61. Section 531 of the Cities and Towns' Act is re-
placed, for the City of Arvida, 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."

R. S., c. 102,
s. 531, re-
placed for
the city.
When prop-
erty is sub-
divided.

Proviso.

62. The city shall be bound to pay its share of the present indebtedness of the corporation of the municipality of the parish of St. Dominique of Jonquière and of the corporation of the municipality of Chicoutimi, in proportion to the valuation of the lands detached from these municipalities according to their present valuation as shown on the valuation roll in force and on which the 1925-26 taxes were paid, and 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.

Share of in-
debtedness
to be paid
by the city.

Nevertheless, respecting the roads' debt of the municipality of the parish of Jonquière, said corporation having spent for the improvement of roads in the territory annexed to the City of Arvida an average higher than for the other roads, the City of Arvida shall pay in discharge of the said corporation for the three and one-half miles of roads situated in the territory which it detaches from the said parish, besides the proportion set forth in the preceding paragraph, an additional sum which shall be determined by the parties themselves, and, in default of an agreement between them, by the Quebec Public Service Commission.

Idem, as to
roads' debt.

The said city shall, nevertheless, be entitled, at any time, to free itself forever from the said debt by paying to the corporation of the municipality of the parish of St. Dominique of Jonquière and the corporation of the municipality of Chicoutimi, the principal of its portion and all arrears of interest then due. The share of the capital thus paid by the city shall be deposited to the credit of the sinking-fund established for the redemption of the said debts.

Payment of
principal
and interest.

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

Council may purchase certain lands, etc.

63. The council may, by by-law, acquire by purchase from Chute à Caron Power Company, Limited, or 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 in the City of Arvida, 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.

Share of city in payment of certain debts.

64. The city shall be bound to pay its share of the debts of the trustees of the parish of St. François-Xavier de Chicoutimi and of the trustees of the parish of St. Dominique of Jonquière in proportion to the value of the immoveables detached from these parishes according to the present valuation as determined by the assessment rolls now in force: that of the parish of St. François-Xavier de Chicoutimi, dated the 15th of October, 1925, and that of St. Dominique of Jonquière dated the 6th of July, 1922; and, notwithstanding the provisions of the acts 9 George V, chapter 139, and 11 George V, chapter 157, and of section 56 of chapter 197 of the Revised Statutes of Quebec, 1925, the annual assessment is definitely determined insofar as the City of Arvida is concerned at fifty cents per hundred dollars on the valuation of the immoveables detached from the parish of St. François-Xavier de Chicoutimi, and at sixteen and nine-tenths cents per hundred dollars on the valuation of the immoveables detached from the parish of St. Dominique of Jonquière.

Basis of valuation in certain cases.

For immoveables, part of which only is detached, the assessable value shall be established by the difference between the present total value of the said immoveables and the proportionate value of the part not detached, which value will be privately established, or, in default of agreement, by experts.

Final payment.

The city shall, at all times, have the right to free itself of the said debts by paying to the trustees the value of the capital of its part with all interest then due.

Maintenan-

65. The road now leading from the St. Ignace range to

the front road Mathias, as well as the said Mathias front^{ce of certain} road which separates the territory of the corporation of the^{road.} township of Chicoutimi from that of the City of Arvida, shall in future be maintained in common by the City of Arvida and the corporation of the township of Chicoutimi.

The City of Arvida shall be bound to keep open to public^{Communicating road.} circulation and maintain in a good state of repair, through its territory in the most convenient place, running east and west, to take the place of the present road known as "Radan Road", a road communicating between the town of Kenogami and the above-mentioned St. Ignace range road.

66. Notwithstanding any contrary or inconsistent pro-^{Special}visions contained in the Cities and Towns' Act, the Muni-^{powers of} cipal Franchise Act or any other general or special act, the^{the city} City of Arvida may, by by-law adopted by its council and^{respecting:} which need not be approved by the electors:

1. Grant, to any person, firm, corporation or syndicate, ^{Tramway}the exclusive privilege, right or franchise, for a term of^{lines;} years, of constructing and maintaining, in the roads and streets of the municipality, tramway lines, and of operating the same by running cars mechanically propelled either by electricity or other motive powers, for the transportation of passengers or freight or both;

2. Grant, to any person, firm, corporation or syndicate, ^{Lighting or}the exclusive privilege, right or franchise, for a term of^{heating sys-} years, of constructing, maintaining and operating, in the^{tem, etc.;} municipality, a lighting or heating system by gas or electricity or by gas and electricity, or an electric power distribution system, separate from or forming part of the lighting system, and, accordingly, of erecting, laying and maintaining, in the roads, streets or public squares, electric power transmission lines, gas mains, or both, and of supplying the municipality and public in the municipality, or both, with gas or electricity or both, for light, heat and power;

3. Grant, to any person, firm, corporation or syndicate, ^{Water-}the exclusive privilege, right or franchise, for a term of^{works, etc.} years, of constructing, maintaining and operating, in the municipality, water-works, wells, reservoirs and water supply and distribution systems, with all their appurtenances and accessories, to supply water to the municipality and its inhabitants for public, industrial, domestic and all other purposes, and, accordingly, of constructing and maintaining, in the roads, streets and public squares, aqueducts, water pipes, hydrants, fountains and all other appliances appropriate thereto.

Width of
streets.

67. Notwithstanding any provisions of the Cities and Towns' Act and the Public Street Act, the width of the streets in the City of Arvida shall be determined and fixed by the council of the City of Arvida.

No tax on
raw materials,
etc.

68. 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.

Certain ex-
emptions
from taxa-
tion.

69. All that immoveable property in the City of Arvida which is owned and occupied by Chute à Caron Power Company, Limited, or Aluminum Company of Canada, Limited, or Aluminum Company of America, or by their corporate successors or any of their subsidiary companies, including lands, water-powers, plants, buildings, railways, bridges, lines for transmission of electrical energy, and the dependencies, accessories, machinery and equipment of all of the same, and which is used or occupied for the purposes of producing or transmitting power or of manufacturing and their incidents, or for the construction of manufacturing or power plants and their dependencies, is hereby exempted from municipal taxes until the first day of January, 1940, provided the municipal council passes a resolution to that effect.

Additional
delay for
complying
with certain
provisions.

70. Until the municipal organization of the said city 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.

Education
system and
payment.

71. Pending the organization of a school municipality, the monies needed for education in the municipal territory shall be provided by the city, and the system for providing education shall be as approved by the Superintendent of Education.

Coming into
force.

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