



CHAPTER 82

An Act to amend the charter of the Montreal Metropolitan Commission

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

WHEREAS the Montreal Metropolitan Commission has, Preamble.
by its petition, represented that it is in its interests as well as in the interest of the municipalities over which its control extends that the acts 11 George V, chapter 140; 12 George V, chapters 123 and 124; 13 George V, chapter 105; 14 George V, chapter 107, and 15 George V, chapter 115, be amended, and more extended powers be given it to make its action more effective; and

Whereas it is expedient to grant its petition;

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

1. Section 6 of the act 11 George V, chapter 140, is amended by adding thereto the following paragraph: 11 Geo. V, c. 140, s. 6, am.
"However, the commissioners chosen from among the members of the municipal councils remain in office even after the expiry of their term of office if they are reelected members of the council which appointed them." Commissioners remain in office.

2. The following section is added after section 12 of the act 12 George V, chapter 123, as replaced by section 3 of the act 13 George V, chapter 105: 12 Geo. V, c. 123, s. 12a, added.

"**12a.** Notwithstanding the provisions of the Cities and Towns' Act (Revised Statutes, 1925, chapter 102), the provisions of the preceding section 12 shall apply and are declared to have applied, since the 29th of December, 1922, in the case of by-laws, passed by a municipality subject to the action of the Commission, either to renew a loan or to contract a new loan." Provisions applicable.

13 Geo. V, c. 105, s. 9b, added. **3.** The following section is added after section 9a of the act 13 George V, chapter 105, as enacted by the act 14 George V, chapter 107, section 4:

Acquisition of property by mutual agreement, etc. **"9b.** No immoveable may be acquired by mutual agreement or by expropriation by an assisted municipality without the authorization of the Commission and unless the latter be a party to the deed of purchase or expropriation proceedings.

Id., by the Commission. Instead of authorizing such a municipality for such purpose, the Commission may itself acquire in its own name, by mutual agreement or by expropriation, for and at the expense of the municipality interested, and afterwards convey the title to the latter.

Participation of Commission. No immoveable may be sold by an assisted municipality without the Commission participating in the deed."

14 Geo. V, c. 107, s. 9a, added. **4.** The following section is added after section 9 of the act 14 George V, chapter 107:

Institution of suit by Commission. **"9a.** The Commission shall, in addition, have the power, in the name and at the cost of any municipality assisted by it, to institute any suit which it may deem useful or necessary in the interests of such municipality, without being obliged to obtain the consent of the latter or to ascertain its refusal."

14 Geo. V, c. 107, s. 13, replaced. **5.** Section 13 of the act 14 George V, chapter 107, is replaced by the following:

Valuation roll. **"13.** It shall be for the Commission to fix each year, for municipalities assisted by it, the time when the valuation roll of the taxable properties shall be made and also, if it deems expedient, to dispense any such municipality from making a roll and to order merely a revision of the existing roll, provided that a new roll shall be made at least every three years.

Approval by Commission. Every roll, so made or revised, shall, after its homologation, be subject to the approval of the Commission and until such approval shall not have any effect. It shall be the duty of the secretary-treasurer of such municipality to submit every homologated roll to the Commission within eight days following the date of its homologation.

Examination, etc. of roll. The Commission shall have the power to examine, revise and amend the roll submitted to it, after public notice of eight days published in the municipality concerned, according to the law governing the latter. Such notice shall indicate the place, day and hour when the Commission will proceed to examine the roll.

Notice. Hearing of parties. The Commission shall hear all parties and their witnesses under oath administered by its secretary, who shall have the necessary powers for such purpose.

Any appeal authorized by sections 504 and following of Appeals. the Cities and Towns' Act (Revised Statutes, 1925, chapter 102) shall only be made after the roll has been approved by the Commission, and within thirty days from the date of such approval.

The Commission shall be substituted *de jure* to any assisted municipality which neglects to make its roll within the delay prescribed by the Commission, or, having done so, neglects to proceed with the examination and homologation of such roll within the delay fixed by law and after eight days' notice in writing to that effect given by the Commission. Commission to be substituted.

For such purposes the Commission shall follow the formalities to which the municipality is subject. It shall act through its own officers or through those of the municipality. It may sit at the ordinary place of its sittings. Formalities to be followed.

No roll so made, revised or homologated by the Commission shall be subject to a further approval by the Commission, and no appeal shall be had save in the thirty days following the date of the homologation of the roll by the Commission." No further approval. Delay for appeal.

6. Section 8 of the act 12 George V, chapter 123, as replaced by section 3 of the act 12 George V, chapter 124, is again replaced by the following: 12 Geo. V, c. 123, s. 8, replaced.

8. The Commission is authorized to investigate any sinking-funds created by any municipality subject to its authority, and to establish, for the payment of loans authorized on or before the 1st of November, 1925, which have a sinking-fund, a scale of yearly contribution different from that fixed by the by-laws authorizing such loans, and such contribution so fixed shall replace those established by the said by-laws, provided that the contribution fixed by the Commission be sufficient to pay the total amount of such loans within the period of time which the Commission shall determine. Such period of time shall in no case exceed forty years. Scale of yearly contribution for certain loans. Proviso.

As each of the said loans becomes due the sinking-fund then accumulated shall be used to pay such loan. If the sinking-fund is not then sufficient to pay the total amount of the loan, the balance of the loan may be renewed for a period of time not to exceed that fixed for the sinking-fund by the Commission." Disposal of sinking-fund.

7. When the council of an assisted municipality neglects or refuses to sit for two consecutive months, the Commission shall be substituted *de jure* for such council and may thereafter exercise all the powers of the latter without obligation to give the thirty days' notice required by sections Commission substituted for municipal council.

9 and 12 of the act 14 George V, chapter 107. The council in default may afterwards recover the exercise of its powers only with the permission of the Commission.

8. The Commission is authorized to fix a uniform date for the maturity of municipal special real estate taxes in an assisted municipality, as well for taxes already imposed as for those which shall hereafter be imposed, and, for such purpose, it is authorized to advance or postpone the due date of instalments payable under by-laws or resolutions now in force, and to exact at the date chosen, from the proprietors liable for the payment of such taxes, any portion of the current instalments accrued to such date.

Id., by municipality. Any municipality subject to the action of the Commission may, by by-law, exercise the same power.

9. No by-law, passed by a municipality which is subject to the action of the Commission, granting any subsidy, exemption or commutation of taxes, shall have any effect until approved by the Commission, and the provisions of section 12 of the act 12 George V, chapter 123, as replaced by section 3 of the act 13 George V, chapter 105, shall apply as to the approval of such by-law by the electors.

10. Section 522 of the Cities and Towns' Act (Revised Statutes, 1925, chapter 102) is replaced for *Ville Saint-Michel* by the following:

522. During the twenty years following the 24th of March, 1926, no land under cultivation or farmed, or used as a pasture for animals, nor any uncleared land or wood land, shall be valued at more than one hundred dollars an arpent, if it contains an area of at least fifteen arpents.

The above valuation includes barns, stables and other buildings in use on the said land, as well as horses, cattle and other farm animals and poultry, and also carriages, all kinds of winter and summer vehicles, agricultural implements and generally all the moveables used for the ordinary operating of the farm; it also includes the dwelling for the farmer's own use, provided its value does not exceed three thousand dollars, but it includes neither the dwelling which exceeds such value nor the other houses built on the farm."

11. The deed of sale by J. F. Boulais to the Commission, executed before Jean Beaudoin, Notary, on the 24th of August, 1925, under the number 10,384 of his minutes, is ratified as regards the power of the Commission to make the purchase.

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