

Whereas it is expedient to grant the said prayer;

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

**1.** Section 18 of the act 6 George V, chapter 77, as re-6 Geo. V, c. placed by the act 11 George V, chapter 138, section 1, is 77, s. 18; again re- replaced by the following: placed.

“**18.** Article 6645 of the Revised Statutes, 1909, is re-R. S., 6645, placed, for the company, by the following: replaced for the co.

“**6645.** If the construction of the railway be not com-Powers of menced and completed within three years from the 15th company to day of March, 1924, the powers of the company shall cease cease in cer- and be null and void as respects so much of the said railway tain event. as then remains uncompleted.”

**2.** This act shall come into force on the day of its Coming into sanction. force.

## C H A P. 107

### An Act to amend the charter of The Montreal Metropolitan Commission

[Assented to, the 15th of March, 1924]

**W**HEREAS The Montreal Metropolitan Commission has, Preamble. by its petition, represented that it is in its interest 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, and 13 George V, chapter 105, be amended and that more extended powers be vested in it in order 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.** The following section is added after section 19 of the 11 Geo. V, c. act 11 George V, chapter 140: 140, s. 19a, added.

“**19a.** Whenever the Commission is of opinion that a Loan by the loan should be made for any municipality assisted by it, Commission such loan shall be made with the approval of the Lieute- for account- nant-Governor in Council, upon the recommendation of of muni- the Minister of Municipal Affairs, by the Commission in cipality. its name for the account of such municipality, without

Special tax. Resolution obligatory. the latter being obliged to give its consent thereto nor to pass any by-law or take any other proceedings for that purpose. By its resolution authorizing such loan, the Commission must impose upon the taxable property of such municipality a special tax sufficient to pay the annual interest and the contribution to the sinking-fund. For such municipality, the resolution of the Commission shall be obligatory and effect must be given thereto."

12 Geo. V, c. 123, s. 5a, added. **2.** The following section is added after section 5 of the act 12 George V, chapter 123:

Investment of sinking-fund. **"5a.** The Commission may, however, invest its sinking-fund in its own bonds or in the bonds of the municipalities under its control."

12 Geo V, c. 123, s. 11, replaced. **3.** Section 11 of the act 12 George V, chapter 123, is replaced by the following:

Appointment and dismissal of employees. **"11.** The appointment or the dismissal of any employee or officer of a municipality assisted by the Commission shall be without effect unless it be approved by the Commission, which shall alone have the right to fix the salary and the term of engagement.

Idem. The Commission shall have the power to dismiss any such employee or officer at any time. It shall have the same power with respect to the employees or officers in office at the date of the coming into force of this act.

Idem. The Commission may, by a resolution forwarded to such municipality, reserve to itself the exclusive power of appointing, dismissing and replacing such officers or employees."

13 Geo. V, c. 105, s. 9a, added. **4.** The following section is added after section 9 of the act 13 George V, chapter 105:

Municipality may become purchaser. **"9a.** Notwithstanding the provisions of section 557 of the Cities and Towns' Act, 1922, any municipality assisted by the Commission may, with the consent of the latter, in order to assure the payment of the real estate taxes due to it, become the purchaser of immoveable property sold at judicial sale or for taxes, for a price which shall not be greater than that previously fixed by the Commission."

Municipal work under control of Commission. **5.** All municipal work in the municipalities assisted by the Commission shall be done under the control and direction of the latter, and no contract for work may be given by any such municipality without the previous approval of the Commission; without such approval, such contract shall be of no effect.

**6.** Whenever the Commission makes a loan for the account of several municipalities, or for the account of one municipality in virtue of several by-laws, and when the term of maturity of the loans, authorized by such municipality or municipalities, is not uniform, it may fix a mean term of maturity, which shall not be greater than the period of time obtained by calculating, at the rate of interest fixed by the Commission in its loan resolution, the interest payable during the period of the various by-laws serving as basis for the loan, and by dividing the total obtained by the amount of the interest for one year.

Mean term  
of maturity  
of loans.

Every loan, of which the term of maturity fixed by a by-law will be thus extended, shall remain subject, as to its redemption and its sinking-fund, to the conditions fixed by such by-law.

Redemp-  
tion and  
sinking-fund  
where term  
extended.

**7.** All moneys, collected by a municipality assisted by the Commission, must be deposited in a bank, in the name of the Commission in trust for such municipality, and shall be drawn only by cheque signed by the authorized municipal officers and countersigned by one of the officers of the Commission.

Deposit and  
withdrawal  
of moneys.

**8.** Whenever in any municipality assisted by the Commission, several building-lots, having an equal municipal valuation, are held by the same owner, such lots may be entered on the valuation roll under a single number, and may be treated as one entry, by enumerating all such lots and multiplying the total by the unit of valuation. The same rule shall apply to the collection rolls. The tax shall be calculated upon the unit of valuation in such a way that each lot shall be affected only for its own tax. The amount so obtained, multiplied by the number of lots, shall form the total tax upon such lots.

Several  
building-  
lots under a  
single num-  
ber in val-  
uation roll.

Id., in col-  
lection roll.

Calculation  
of tax.

**9.** It shall be for the Commission to fix each year the rate and amount of the taxes, permits or licenses to be imposed and levied each year in every municipality assisted by it. Upon failure by such municipality to impose the taxes, permits or licenses according to the rate and for the amount so fixed, within a delay of thirty days from the notice given to it by the Commission, the latter shall be substituted for such municipality, which may no longer act, and all the powers of such municipality with respect to the imposition and collection of the said taxes, permits or licenses shall belong to the Commission.

Rate and  
amount of  
taxes, etc.

Commission  
substituted  
in powers of  
municipal-  
ity.

The Commission shall be likewise substituted, in the same manner and with the same effect, in the powers of any municipality assisted by it whenever the latter neglects or

Idem.

refuses, after a previous notice of thirty days which shall be given it by the Commission, to levy any special tax imposed by a loan by-law or any other by-law in force, or by a resolution of the Commission.

Officers. For such purposes the officers of the municipality shall be the officers of the Commission.

Collection of taxes and suit therefor. Whenever a municipality assisted by the Commission neglects or refuses to levy or collect the taxes due, within the delay fixed by the Commission, the latter may itself collect them, and for that purpose may, in the name and at the cost of such municipality, institute any necessary judicial proceeding authorized by the charter of such municipality.

Member having an interest, etc., deprived of his office. **10.** Any member of the Commission, who has, directly or indirectly, personally or through his partner, any contract or any interest in a contract with a municipality affected by the action of the Commission, shall *ipso facto* be immediately deprived of his office as a member of the Commission.

Not eligible for appointment. No one may be appointed as a member of the Commission if he has, directly or indirectly, personally or through his partner, any contract or any interest in a contract with a municipality affected by the action of the Commission.

Municipality may authorize Commission to borrow. **11.** Whenever any municipality authorized to make a long-term loan has made a temporary loan, and has, at the same time, issued long-term bonds to secure its temporary loan, it may, by resolution of its council, authorize the Commission to itself borrow for the balance of the term, provided that the proceeds of such loan shall be used to pay the temporary loan, and that the long-term bonds issued by such municipality shall be handed over to the Commission, which may hold the same as security for the loan which it makes for the account of such municipality, or may cancel and destroy the same.

Proviso.

Commission substituted for municipality. **12.** In any case not provided for by this act or by any act by which the Commission is governed, the latter shall be substituted as of right for any municipality assisted by it whenever such municipality refuses or neglects to do or perform, within thirty days of the notice given it by the Commission, any act which the latter orders it to so do or perform. For such purposes, the Commission shall exercise all the powers of such municipality, and whatever is done by the Commission shall have the same effect in all respects as if such municipality had itself acted.

Effect thereof.

Valuation **13.** No valuation roll, made and prepared by a munici-

pality assisted by the Commission, shall have any effect until approved by the Commission. The latter shall have the power to revise and amend any valuation roll submitted for its approval. roll, approved, etc., by Commission.

Upon public notice given in conformity with the law governing such municipality, the Commission shall hear all parties and their witnesses under oath administered by its secretary. The decision of the Commission shall be subject to appeal under the Cities and Towns' Act, 1922 (sections 493 and following). Hearing by Commission. Decision subject to appeal.

**14.** Every plan or proposal for the opening or extension of a street or for the construction of a collecting sewer or of an aqueduct main pipe, in any municipality under the control of the Commission, whenever such street, sewer or pipe joins the territory of another municipality, must, prior to its execution, be approved by the Commission; otherwise it shall be without effect. Plan, etc., approved by Commission.

**15.** The town of Montreal-East and the town of Pointe-aux-Trembles are authorized, by mere resolution of their respective councils, to annul all agreements or resolutions and all contracts or by-laws presently existing respecting the supply of water in their territory, and to make new contracts for this purpose, and even to contract with the city of Montreal, but the whole subject to the approval of the Commission. Authorization to annul contracts, etc.

The municipalities assisted by the Commission are authorized to place meters for the supply of water for each consumer in their respective territory, and to fix the price of water, subject to the approval of the Commission. In the case of either of them refusing to act, the provisions of section 12 of this act shall apply. Meters. Provisions applicable.

**16.** When the Commission exercises the powers of a municipality assisted by it and to which it is substituted, it acts by mere resolution. Exercise of power by resolution.

**17.** The borrowing power of a municipality assisted by the Commission, as fixed by the laws governing it, may be exceeded provided the loans be made according the required formalities, and the by-laws, already passed by the municipalities assisted by the Commission and authorizing loans beyond the limit fixed by law, are made valid provided they are in conformity with the law on all other points. Borrowing power exceeded in certain cases. Validation of certain by-laws.

**18.** This act shall come into force on the day of its sanction. Coming into force.