

R. S., 5121, am. **8.** Article 5121 of the Revised Statutes, 1909, as amended by the act 10 George V, chapter 66, section 6, is again amended:

*a.* By striking out all the words of sub-paragraph *d* of paragraph 1 which follow the word: "surveyor" in the fifth line thereof;

*b.* By inserting therein, after paragraph 2, the following paragraph:

Admission as corporate members of certain persons after examination.

"*2a.* The junior members of the Engineering Institute of Canada, domiciled in the Province on the 1st of April 1922, may, in the discretion of the Council, be admitted as members of the corporation after having taken the examination for admission to practice, providing they have their names and addresses entered in the registers of the corporation before the 1st of March 1923."

R. S., 5125, am. **9.** Article 5125 of the Revised Statutes, 1909, as replaced by the act 8 George V, chapter 57, section 1, is amended:

*a.* By replacing the first three lines of the first paragraph thereof, by the following lines:

Practising as civil engineer without right.

"**5125.** Any person, not being a member in good standing of the Corporation of Professional Engineers of the Province of Quebec, who:";

*b.* By striking out, in the fifth line of paragraph *c* thereof, the words: "of civil engineers";

*c.* By striking out the last paragraph thereof.

Coming into force. **10.** This act shall come into force on the day of its sanction.

## C H A P. 80

An Act respecting municipal affairs, and to amend accordingly the Revised Statutes, 1909, the Revised Statutes, 1888, and the Municipal Code

[Assented to, the 21st of March, 1922]

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

R. S., 5788, replaced. **1.** Article 5788 of the Revised Statutes, 1909, as replaced by the act 8 George V, chapter 60, section 14, is replaced by the following articles:

**“5788.** Every by-law authorizing a loan or a bond Approval of loan or bond issue. shall be submitted for the approval of the electors, in accordance with articles 5609 to 5622, within thirty days after the council has passed the same.

**“5788a.** After a loan by-law has been approved by the electors, the clerk shall transmit to the Minister of Municipal Affairs, in order that he may submit them to the Lieutenant-Governor in Council, the following instruments and documents: Instruments and documents transmitted by clerk after approval of loan by-law.

1. A certified copy of the by-law;
2. A copy of the resolution of the council adopting the by-law;
3. A copy of the order of the mayor fixing the polling days;
4. A copy of the public notice calling upon the electors who are proprietors of taxable immoveable property to vote;
5. A certificate of the publication of such notice and of the by-law;
6. A copy of the certificate of the officer presiding at the poll stating the result of the vote;
7. A copy of the certificate submitted to the council by the mayor and the clerk under article 5619;
8. A certificate from the clerk specifying the total number of municipal electors who are proprietors of taxable immoveable property;
9. A statement certified by the treasurer, drawn up according to form H H, showing: (a) the total value of the taxable immoveable property in the municipality; (b) the amount of the debts of the corporation; (c) the amount of general taxes collected during the last fiscal year; (d) the loans and the issues of bonds and the amount still due on each of them; (e) the sum required annually for the payment of interest and sinking-fund, specifying the amounts levied by special taxes and those taken from the general revenue.

The clerk shall, at the same time, remit to the Minister of Municipal Affairs the fees fixed by the tariff for the examination and taking into consideration of the by-law. To remit fees at same time.

**“5788b.** The Lieutenant-Governor in Council shall not approve a by-law until he has received proof of the fulfilment of all the formalities required for the passing of such by-law. Proof of formalities.

The Lieutenant-Governor in Council may exact from the council which has passed such by-law, all the documents, Documents, etc., to

establish usefulness. and information he deems necessary for assuring himself of the usefulness of the by-law or of any of its provisions.

Lt.-Gov. in C. may amend loan by-law on application. Proviso. **"5788c.** Notwithstanding the provisions of article 5605, the Lieutenant-Governor in Council may amend or alter a loan by-law submitted for his approval, upon the application, formulated by a mere resolution, of the council which passed the by-law, without it being necessary to obtain the approval of the electors, who are property-owners, provided that such amendments do not vary the object of the loan, and do not increase either the amount of the loan or the rate of interest, and that they neither extend nor shorten the term of repayment."

R. S., 5888c, enacted. **2.** The following section and article are inserted in the Revised Statutes, 1909, after article 5888*b* thereof, as enacted by the act 10 George V, chapter 67, section 7:

"SECTION III*b*

"TEMPORARY LOANS BY CITY AND TOWN MUNICIPALITIES

Provisions to apply to every city and town municipality. Exception. **"5888c.** Notwithstanding any provision to the contrary in the charter of any city or town, article 5789, as amended by the act 11 George V, chapter 48, section 11, shall apply to every city and town municipality in the Province, with the exception of those to which wider powers are granted by charter than by the said article."

R. S., 5929, am. **3.** Article 5929 of the Revised Statutes, 1909, as replaced by the act 9 George V, chapter 59, section 11, and amended by the acts 10 George V, chapter 67, section 2, and 11 George V, chapter 48, section 14, is again amended:

*a.* By striking out the words: "commutation of taxes", in the first and second lines of sub-paragraph *d* thereof;

*b.* By adding thereto the following paragraph:

Commutation of taxes for certain period. Approval. "Nevertheless, any city, town or village municipality may grant, for a period not exceeding ten years, a commutation of taxes to any such industrial or commercial establishment, by by-law approved by the electors who are proprietors of taxable immoveable property, and by the Lieutenant-Governor in Council, in accordance with the provisions of law respecting the approval of loan by-laws, *mutatis mutandis*."

Prosecution for infringement. Any infringement of any of the provisions of this article may be prosecuted before any competent court by a ratepayer of the municipality, by any interested person or by the Minister of Municipal Affairs."

4. The following articles are inserted in the Revised Statutes, 1888, after article 4537: R. S., (1888) 4537a to 4537d,

**“4537a.** After a loan by-law has been approved by the electors, the clerk shall transmit to the Minister of Municipal Affairs, in order that he may submit them to the Lieutenant-Governor in Council, the following instruments and documents: enacted. Instruments and documents transmitted by clerk after approval of loan by-law.

1. A certified copy of the by-law;
2. A copy of the resolution of the council adopting the by-law;
3. A copy of the order of the mayor fixing the polling days;
4. A copy of the public notice calling upon the electors who are proprietors of taxable immoveable property to vote;
5. A certificate of the publication of such notice and of the by-law;
6. A copy of the certificate of the officer presiding at the poll stating the result of the vote;
7. A copy of the certificate submitted to the council by the mayor and the clerk under article 4536;
8. A certificate from the clerk specifying the total number of municipal electors who are proprietors of taxable immoveable property;
9. A statement certified by the treasurer, drawn up according to form A, showing: (a) the total value of the taxable immoveable property in the municipality; (b) the amount of the debts of the corporation; (c) the amount of general taxes collected during the last fiscal year; (d) the loans and the issues of bonds and the amount still due on each of them; (e) the sum required annually for the payment of interest and sinking-fund, specifying the amount levied by special taxes and those taken from the general revenue.

The clerk shall, at the same time, remit to the Minister of Municipal Affairs the fees fixed by the tariff for the examination and taking into consideration of the by-law. To remit fees at same time.

**“4537b.** The Lieutenant-Governor in Council may exact from the council or from the clerk all the documents and information he deems necessary to satisfy himself of the usefulness of the by-law or of any of its provisions. Documents, etc., to establish usefulness.

**“4537c.** The Lieutenant-Governor in Council shall only approve a loan by-law when he has received the proof that all the formalities required for the passing of such by-law and its approval by the electors have been accomplished. Proof of formalities.

Lt.-Gov. in  
C. may  
amend loan  
by-law on  
application.

Proviso.

Mun. Code,  
art. 37, am.

Id., art. 53,  
replaced.

Who shall  
settle com-  
mon debts  
and obliga-  
tions, when  
territory  
detached.  
Id., where  
municipal-  
ity dismem-  
bered, etc.

Id., where  
council held  
sittings in  
village or  
town muni-  
cipality  
apart from  
dismem-  
bered ter-  
ritory.

Mun. Code,  
art. 372, am.

**“4537d.** Notwithstanding the provisions of article 4387, the Lieutenant-Governor in Council may amend or alter any loan by-law submitted for his approval, upon the application, formulated by a mere resolution, of the council which passed the by-law, and without it being necessary to obtain the approval of the electors who are property-owners, provided that such amendments do not vary the object of the loan, and do not increase either the amount of the loan or the rate of interest, and that they neither extend nor shorten the term of repayment.”

**5.** Article 37 of the Municipal Code is amended by adding, after the word: “arpents”, in the third line of the first paragraph thereof, the words: “and the taxable immoveable property in such territory must have a value, according to the valuation roll in force, of at least fifty thousand dollars.”

**6.** Article 53 of the Municipal Code is replaced by the following:

**“53.** The council of a municipality, from which any territory is detached, is alone authorized and obliged to settle with the creditors the common debts and obligations.

But in case a whole municipality, ceasing to form by itself a separate municipality, is dismembered and must be annexed to one or more municipalities, or form two or more new municipalities, or be in part annexed to one or more municipalities and in part form one or more new municipalities, the only municipal council authorized and obliged to settle with the creditors the common debts and obligations shall be that which governs the territory containing, within its boundaries, the place where the council held its sittings at the time of such dismemberment or division.

If, in the case of the foregoing provision, the place where the council held its sittings at the time of the dismemberment or the division was in a village or town municipality apart from the territory so dismembered or divided, the only municipal council authorized and obliged to settle with the creditors the common debts and obligations shall be that which governs the territory containing, within its boundaries, the largest portion of the divided or dismembered municipality.”

**7.** Article 372 of the Municipal Code is amended by striking out, in the sixth line thereof, the words: “if necessary.”

**8.** Article 373 of the Municipal Code is replaced by the following: Mun. Code, art. 373, replaced.

**"373.** If the by-law has been passed by the county council, it is submitted for the approval of the electors of each local municipality of the county, except where the tax imposed by the by-law must be borne by any one or more only of the local municipalities of the county, and, in such case, the by-law need be submitted only to the electors of the municipality or municipalities bound for the payment of the tax. Approval of electors of each local municipality. Except:

The meeting is convened by the warden, for the same day, at nine o'clock in the forenoon, in each of the local municipalities where the electors are called upon to vote." Meeting convened.

**9.** Article 495 of the Municipal Code is amended:

*a.* By inserting therein, after the words: "Rivière des Prairies", in the fourth line thereof, the words: "and Lake St. John"; Mun. Code, art. 495, am.

*b.* By inserting therein, after the word: "rivers", in the fifth line thereof, the words: "or lake".

**10.** The Municipal Code is amended by inserting therein, after article 498 thereof, the following article: Id., art 498a, enacted.

**"498a.** No municipal corporation shall be responsible for any accident or damages occasioned by the breaking of the ice on any road laid out and maintained by it on Lake St. John." No responsibility by reason of breaking of ice on Lake St. John.

**11.** Article 729 of the Municipal Code is amended:

*a.* By striking out the word: "juridical", in the fourth line of the second paragraph of paragraph 2 thereof; Mun. Code, art. 729, am.

*b.* By inserting therein, after the second paragraph of paragraph 2 thereof, the following:

"If the first Wednesday of the month of March is a non-juridical day, the sale must be fixed for the next following juridical day." Sale where first Wednesday is a non-juridical day.

**12.** Article 769 of the Municipal Code is replaced by the following articles: Mun. Code, art. 769, replaced.

**"769.** After a loan by-law has been approved by the electors, the secretary-treasurer shall transmit to the Minister of Municipal Affairs, in order that he may submit them to the Lieutenant-Governor in Council, the following instruments and documents: Instruments and documents transmitted by secretary-treasurer after approval of loan by-law.

1. A copy of the notice of motion;
2. A certified copy of the by-law;
3. A copy of the resolution of the council adopting the by-law;

4. A copy of the resolution of the council fixing the polling days;

5. A copy of the public notice calling upon the electors who are proprietors of taxable immoveable property to vote;

6. A certificate of the publication of such notice and of the by-law;

7. A copy of the certificate of the officer presiding at the poll stating the result of the vote, in accordance with article 384;

8. A copy of the certificate mentioned in article 387, with an extract from the minute-book, showing that such certificate has been submitted to the council;

9. A certificate from the secretary-treasurer specifying the total number of municipal electors who are proprietors of taxable immoveable property;

10. A statement showing the total value of the taxable immoveable property affected by the by-law, and the amount of the debts of the corporation.

To remit  
fees at same  
time.

The secretary-treasurer shall, at the same time, remit to the Minister of Municipal Affairs the fees fixed by the tariff for the examination and taking into consideration of the by-law.

Lt.-Gov. in  
C. may  
amend loan  
by-law on  
application.

“**769a.** Notwithstanding the provisions of article 369 the Lieutenant-Governor in Council may amend or alter a loan by-law submitted for his approval, upon the application, formulated by a mere resolution, of the council which passed the by-law, without it being necessary to obtain the approval of the electors who are property-owners, provided that such amendments do not vary the object of the loan, and do not increase either the amount of the loan or the rate of interest, and that they neither extend nor shorten the term of repayment.”

Proviso.

Provisions  
to remain  
in force.

**13.** Section 34 of the act 8 George V, chapter 60, as amended by the acts 9 George V, chapter 59, section 30; 10 George V, chapter 67, section 8, and 11 George V, chapter 48, section 33, shall remain in force until the 1st of May, 1923.

R. S., form  
HH of Cities  
and Towns'  
Act, enacted.

**14.** The Revised Statutes, 1909, are amended by inserting therein, after form GG of the Cities and Towns' Act, the following form:

FORM HH.—ARTICLE 5788a.

STATEMENT SENT TO THE MINISTER OF MUNICIPAL AFFAIRS WITH A LOAN BY LAW

City (or town) of.....

- 1. Total value of taxable immoveable property according to valuation roll.....\$
- 2. Total Debts of the Corporation.....\$
- 3. General taxes collected during the last fiscal year.  
(Taxes under articles 5730 and following)
- 4. Loans.

Nos. of by-laws	Amounts	Objects	Date of loan or issue	Maturing	Rate of interest	Amount required for interest, and sinking funds during current year	Amount levied by special taxes for interest and sinking funds	Amount taken from general revenue for interest and sinking funds	Sums repaid to lenders or bond holders	Amount of Accumulated sinking funds	Balance due on loan
105	\$20,000	Loan for road bonds									
118	5,000	Bonds issued in payment of City Hall ground									

I, the undersigned, certify that the above statement is correct.

Date.....  
.....

Treasurer of the city (or town) of.....

15. The Revised Statutes, 1888, are amended by inserting therein, after article 4615, the following form:

R. S. (1888),  
form A,  
enacted at-  
ter art. 4615.

FORM A.—ARTICLE 4537a.

STATEMENT SENT TO THE MINISTER OF MUNICIPAL AFFAIRS WITH A LOAN BY-LAW

City (or town) of .....

- 1. Total value of taxable immoveable property according to valuation roll.....%
- 2. Total Debts of the Corporation.....\$
- 3. General taxes collected during the last fiscal year.  
(Taxes under articles 4528 and following)
- 4. Loans.

Nos. of by-laws	Amounts	Objects	Date of loan or issue	Maturing	Rate of interest	Amount required for interest, and sinking funds during current year	Amount levied by special taxes for interest and sinking funds	Amount taken from general revenue for interest and sinking funds	Sums repaid to lenders or bond holders	Amount of Accumulated sinking funds	Balance due on loan
105	\$20,000	Loan for road bonds									
118	5,000	Bonds issued in payment of City Hall ground									

I, the undersigned, certify that the above statement is correct.

Date.....

.....

Treasurer of the city (or town) of.....

Coming into force. **16.** This act shall come into force on the day of its sanction.