

Disqualifi-
cation for
office.

of business in the municipality for at least twelve months previous to the election or nomination.

Nevertheless during the first nine years following the date of the coming into force of this act (19th February, 1914), the above provision shall not apply to the town, and during such period it shall not be necessary that the mayor and aldermen of the said town reside in the said municipality, provided they are otherwise qualified according to law."

Coming
into force.

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

C H A P. 106

An Act to amend the charter of the town of Lachute

[Assented to, 14th of February, 1920]

Preamble.

WHEREAS the corporation of the town of Lachute has, by a resolution of its council, represented that it requires amendments to its charter that will allow it to meet the requirements of the present situation; whereas it was incorporated by the act 48 Victoria, chapter 72, and, since its incorporation, it has duly carried out its purposes under the terms of its charter, but that it is in the interest of the ratepayers that certain amendments be made to the acts concerning it, in order to change certain provisions which govern it, to grant it more extensive powers, seeing that it has become necessary to take more ample measures for the administration of the said town; and whereas it is expedient to grant the prayer to that effect contained in the said petition;

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

Provisions
repealed.

1. All the sections of the act 48 Victoria, chapter 72, from 1 to 48 inclusive, are repealed by this act, and articles 5256 to 5884 inclusive, of the Revised Statutes, 1909, forming the first chapter of title XI of the said statutes under the name of "The Cities and Towns' Act", and the various subsequent amendments to the said Cities and Towns' Act, shall apply to the town of Lachute, and form part of this act, as if they were inserted in its charter, except in so far as they may be incompatible with the provisions of this act.

2. The inhabitants of the town of Lachute, as herein-^{Town} after described, and their successors, are and shall hereby ^{incor-} constitute a corporation under the name of the "Corpora-^{porated.} tion of the Town of Lachute", and, under such name, they ^{Name.} and their successors shall have all the rights and be sub-
ject to all the obligations of town corporations.

3. The town of Lachute shall consist of that part of ^{Territory.} the parish of St. Jerusalem, in the county of Argenteuil, contained within a line drawn as follows, to wit:

Commencing on the line dividing the parish of St. Jerusalem from the township of Chatham, at a point due west of the southwest corner of lot 1419 of the official plan and book of reference of the parish of St. Jerusalem (Rope-walk); thence northerly along the said line to where it intersects the base of the mountain on lot 1692 C on said plan, eight hundred and fifty-eight feet, English, from the centre of Chatham road, north; thence eastward along the base of the said mountain (east of Leggo's farm house), to where it joins the North river; thence ascending the centre of the said river to a point formed by the intersection of the northerly continuation of the eastern boundary line of lot 329A on said plan with the said centre of river (Morrison's Bridge); thence southerly along the said last-mentioned line to the main road; thence to a point on the south side of said road, where it is joined by the lines between lots 312 and 325 of said plan (Lane's); thence southerly along the continuation of said last-mentioned line to a point formed by its intersection with the easterly continuation of the centre line of Henry street on plan B of the parish of St. Jerusalem; thence westerly along the said last mentioned line to a point formed by its intersection with the centre line of Isabella street on said plan (Barron's bush); thence southerly along the last mentioned line to a point due east of the point of commencement; and thence to said point of commencement.

4. The town shall be divided into three wards, respect-^{Division} ively called east ward, west ward and centre ward. ^{into wards.}

The east ward shall comprise all that portion situate ^{East ward.} to the east of the central line of the Bethany road from the line east of lots 754 and 755 from the centre of the North river.

The west ward shall comprise all that portion of the ^{West ward.} town situate from the west of the central line of Mary street to the south of the North river, and that part situated to the west of the centre of the West river, to the north of North river.

Centre ward. The centre ward shall comprise the remaining portion of the town.

By-laws, etc. continued in force. **5.** All the *procès-verbaux*, orders, by-laws and resolutions legally in force in the parish of St. Jerusalem at the time of the passing of the act 48 Victoria, chapter 72, and affecting the territory above described, and which have not yet been repealed by the council of the town of Lachute, shall remain in force for the town until repealed by the council.

Composition of council. **6.** The town shall be governed by a council known and designated under the name of "The council of the town of Lachute". It shall be composed of a mayor and nine aldermen, three for each ward.

R. S., 5301, replaced for the town. **7.** Article 5301 of the Revised Statutes, 1909, is replaced for the town by the following:

Election of mayor. **"5301.** The mayor shall be elected for two years by a majority of the municipal electors who have voted."

R. S., 5302, replaced, for the town. **8.** Article 5302 of the Revised Statutes, 1909, is replaced for the town by the following:

Election of aldermen. **"5302.** The aldermen shall be elected for two years each, to the number of three for each ward, by a majority of the municipal electors of the ward, who have voted; the offices of aldermen in each ward shall be designated by seats numbers 1, 2 and 3.

Date of election. The general elections shall take place every year, on the first juridical day of February, in such manner as to partly renew the council from year to year.

Special provisions for first election. This article shall not come into force until the election to be held on the first of February, 1921, and the councillor of the west ward, the councillor for the centre ward, and the two councillors for the east ward whose terms of office have not expired shall become respectively the aldermen for seat No. 1 of the west ward, seat No. 1 of the centre ward, and seats Nos. 1 and 2 for the east ward; and then an election shall be held for the aldermen for the other seats in each ward, and the latter shall be elected for two years, according to the provisions of this act."

R. S., 5368, par. 1, replaced, for the town. **9.** Paragraph 1 of article 5368 of the Revised Statutes, 1909, is replaced, for the town, by the following:

Qualifica- **"1.** Every male person and every widow or spinster, whose names are entered on the valuation roll in

force in the municipality as a *bona-fide* owner or occupant of immoveable property in the municipality of the value of two hundred dollars or upwards, or of the yearly value of twenty dollars or upwards, according to the said valuation roll; and, in cases where such property is held in usufruct, the name of the usufructuary shall alone be entered on the list of electors; also every person designated, by resolution of the board of directors of any company organized by federal or provincial letters patent or by special charter, to vote for such company, provided a certified copy of such resolution has been filed in the office of the clerk at least five days before the homologation of the valuation roll.”

10. Article 5423 of the Revised Statutes, 1909, is replaced for the town by the following: R. S., 5423, replaced, for the town.

“**5423.** The offices of aldermen for each ward of the municipality shall be designated by seats numbers 1, 2 and 3”. Numbering of aldermanic seats.

11. Article 5430 of the Revised Statutes, 1909, is replaced for the town by the following: R. S., 5430, replaced, for the town.

“**5430.** If, at the expiration of the delay fixed for the nomination of candidates for the office of mayor or for one of the aldermen’s seats, only the number required for any one of the said offices is nominated, such candidates shall *ipso facto* be elected, and the returning-officer shall forthwith proclaim such candidates elected and give public notice of such election not later than the following day.” Proclamation of candidates by acclamation.

12. Article 5432 of the Revised Statutes, 1909, is replaced for the town by the following: R. S., 5432, replaced, for the town.

“**5432.** Any candidate nominated may withdraw at any time after his nomination and before the closing of the poll, by filing with the returning-officer a declaration in writing to that effect, signed by himself; and any votes cast for the candidate who has so withdrawn shall be null and void; and if, after the withdrawal, for the office of mayor or for any one of the aldermanic seats there remains but one candidate, the returning-officer shall return as duly elected the candidate so remaining, without waiting for the day fixed for holding the poll, or for the closing of the poll if such withdrawal is filed on the polling day.” Withdrawal of candidates.

13. Article 5434 of the Revised Statutes, 1909, is replaced, for the town, by the following: R. S., 5434, replaced, for the town.

“**5434.** If more candidates are nominated for any of Poll to be

granted if more candidates than offices, to fill.

the said offices than are required for the office of mayor or for one of the aldermanic seats, the returning-officer shall grant a poll, but no person shall be elected who shall not have been nominated in the manner hereinabove provided."

R. S., 5450, replaced, for the town.

14. Article 5450 of the Revised Statutes, 1909, is replaced, for the town, by the following:

Hours of polling.

"**5450.** The polls shall be opened at the hour of nine of the clock in the forenoon and kept open until seven of the clock in the afternoon of the same day, and each deputy returning-officer, shall, during that time, in the polling station assigned to him, receive, in the manner hereinafter prescribed, the votes of the electors duly qualified to vote at such polling station."

R. S., 5460, replaced, for the town.

15. Article 5460 of the Revised Statutes, 1909, is replaced, for the town, by the following:

Calling upon voters.

"**5460.** Immediately after the ballot-box is locked, as above provided, the deputy returning-officer shall, at nine o'clock precisely, call upon the electors to vote.

Voters not to be impeded.

The deputy returning-officer shall secure the admittance of every elector into the polling station, and shall see that he is not impeded or molested at or about the polling station."

R. S., 5478, replaced, for the town.

16. Article 5478 of the Revised Statutes, 1909, is replaced, for the town, by the following:

Proceedings if nomination or polling could not be held on day fixed.

"**5478.** In case, through accident or irresistible force, riot, removal of documents, or other cause of a similar nature, the nomination could not be had, or the polling could not commence at the hour fixed, or was interrupted by similar causes before being closed, the returning-officer and the deputy returning-officer, in so far as it concerns either, shall adjourn to the following day to recommence the proceedings, and day by day, if necessary, until the nomination of candidates can be freely held; and, in the case of the polling, it shall be resumed by commencing at nine o'clock in the forenoon until it has lasted ten hours, so that all the electors who wish to vote may have the opportunity of so doing."

R. S., 5479, am. for the town.

17. The first clause of article 5479 of the Revised Statutes, 1909, is replaced, for the town, by the following:

Closing of poll.

"**5479.** At seven o'clock the poll and the voting shall be closed; and an entry thereof shall be made in the poll book."

18. Articles 5553 and 5555 of the Revised Statutes, 1909, shall not apply to the town. R. S., 5553 and 5555 not to apply.

19. Article 5557 of the Revised Statutes, 1909, is replaced, for the town, by the following: R. S., 5557, replaced, for the town.

“5557. The council shall meet at least once a month in general or ordinary session to dispatch the business of the municipality, and shall hold its sessions on the days and at the hours which it determines by by-law. Meetings of council.

20. Article 5559 of the Revised Statutes, 1909, as amended by the act 4 George V, chapter 46, section 1, is replaced, for the town, by the following: R. S., 5559, replaced, for the town.

“5559. The majority of the members of the council, including the mayor, shall constitute a quorum for the dispatch of business, except when otherwise specially prescribed by law. Quorum.

Two aldermen present may, in default of a quorum, adjourn a regular or special meeting to a subsequent date, one hour after the lack of a quorum has been established. A special notice of twenty-four hours at least of such adjournment shall be given to the members of the council, who were absent at the time of the adjournment, of the hour of adjournment, the names of the members of the council present, and the day and hour at which such session was adjourned shall be entered in the minute book of the council.” Adjournment of meetings.

21. Article 5561 of the Revised Statutes, 1909, is replaced, for the town, by the following: R. S., 5561, replaced, for the town.

“5561. The mayor may call a special session of the council when and as often as he may deem proper. Such session may be called upon verbal or written intimation from the mayor to the clerk of the municipality, who thereupon shall issue a notice of meeting summarily specifying the business to be transacted at such session, and shall cause a copy to be served upon each member at his residence or place of business, at least one clear day before such meeting, by an officer of the corporation, who shall draw up a report under oath, and if such officer is a sworn officer such report shall be made under his oath of office.” Special meetings called by mayor.

22. Article 5582 of the Revised Statutes, 1909, is replaced, for the town, by the following: R. S., 5582, replaced, for the town.

“5582. The publication of a public notice for munic- Public notices.

ipal purposes, shall be made by posting up a copy of such notice, at four different places in the municipality, fixed, from time to time, by resolution of the council.

In default of places fixed by the council, the public notice shall be posted upon or near the principal door of at least two places of public worship, and at two other places of public resort in the town."

R. S., 5639,
am., for
the town.
Ice, etc.

23. Paragraph 6 of article 5639 of the Revised Statutes, 1909, is replaced, for the town, by the following:

"6. To inspect and regulate icehouses and the manner of cutting ice for supplying the town and private individuals; to prescribe the places where such ice may be taken, and to grant licenses to ice dealers storing and delivering ice within the limits of the town;".

Id., par. 9,
replaced, for
the town.
Removal of
ashes, etc.

24. Paragraph 9 of article 5639 of the Revised Statutes, 1909, is replaced, for the town, by the following:

"9. To require, throughout the municipality or in such district or districts as the council may designate, the owner or occupant of any premises, or the person who has deposited the same, to collect, remove and dispose of ashes, swill, offal, refuse, garbage, manure, dead animals, night-soil, and other unhealthy or offensive matter; to provide for the collection, removal and disposal of the same throughout the municipality or in such districts as the council may designate, and to authorize and direct such collection, removal and disposal, either at the expense of the municipality or of such owner or occupant, or of the person who has deposited the same; to compel, throughout the whole town or in any section or such sections thereof as the council may designate, the owner or occupant of any immoveable to cut, gather and remove wild plants, weeds and shrubs of a harmful nature, and authorize the officers of the town to have such work done at the cost of the persons obliged to do the same, in the event of their refusal; to compel all owners or occupants of lands on which there is stagnant water to drain and remove the same, and authorize the officers of the town to have such work done at the cost of the persons obliged to do so, in the event of refusal on their part; to fix a day for general cleaning in the town;".

Cutting of
weeds, etc.

Id., par. 11,
replaced, for
the town.
Garbage,
etc.

25. Paragraph 11 of article 5639 of the Revised Statutes, 1909, is replaced, for the town, by the following:

"11. To regulate the manner of throwing or depositing ashes, paper, refuse, offal, dirt, garbage or any offensive matters or obstructions, of beating carpets, making fires,

burning refuse, sifting ashes or committing any other nuisance on any street, alley, yard, public or private ground, public place or municipal water course;”.

26. Paragraph 31 is added, for the town, to article 5639 of the Revised Statutes, 1909: Id., par. 31, enacted, for the town.

“31. To establish and maintain in operation and manage, alone or with neighboring municipalities, a sewage filtering field or any apparatus or system for disposing of liquid sewage, either within or without the limits of the municipality, and to acquire any land required for such purpose by mutual agreement or by expropriation. Every by-law passed under this paragraph must, before coming into force, be approved by the majority of the municipal electors who are property-owners and who have voted, and by the Lieutenant-Governor in Council.” Disposal of sewage, etc.

27. The town council may make, amend and repeal by-laws for establishing, putting into operation and managing, alone or with neighboring municipalities, one or more incinerators, either within or without the limits of the town, and acquire any land necessary for such purpose; may aid by giving or lending money for establishing one or more incinerators and for the purchase of any land for such purpose, either within or without the limits of the town. Incinerators, etc.

Every by-law passed under this section must, before coming into force, be approved by the majority of the municipal electors who are property-owners and who have voted, and by the Lieutenant-Governor in Council. Approval of by-law.

Provided, however, that the powers hereinabove mentioned be exercised by the town only after having been authorized by a by-law adopted by its council, and approved by the majority in number and in value of the proprietors of taxable immoveable property in the town, who are municipal electors. Id.

28. Paragraphs 33 and 34 are added, for the town, after paragraph 32 of article 5641 of the Revised Statutes, 1909: R. S., 5641, am. for the town.

“33. To establish the alignment of buildings on lots abutting on any street, road, avenue, highway, alley, park or lane within the limits of the municipality, between which line and such street, road, avenue, highway, alley park or lane, no building or part of a building or dependency, shall be put up or built; and to change the name of any street, road, avenue, highway, alley, park or lane within the limits of the town; Building line.

Exemption
from special
assessment
in certain
cases.

“34. When a property-owner cedes gratuitously to the municipality a lot for the opening of a street across his property, the remainder of the property facing on the new street may, by resolution of the council, be exempted wholly or partly from the assessments rendered necessary by the opening of such street, provided the part so exempted shall not exceed one hundred and fifty feet in depth.”

Streets, etc.,
to be
property of
town.

29. The streets now open to public traffic in the limits of the town of Lachute, shall be the property of the town, and all streets, lanes and public places which shall be opened in future by private individuals, shall be so opened with the consent of the town council, and shall, as soon as opened, become the property of the town, and the making and maintaining of the said streets shall be at the charge of the town,—the whole subject to any rights acquired before the coming into force of this act.

R. S., 5667a,
enacted, for
the town.

30. The Revised Statutes, 1909, are amended for the town by inserting therein, after article 5667 thereof, the following article:

Acquisition,
etc., of
electric
power, etc.

“**5667a.** The town shall have power to acquire, construct and develop, within the limits of the county of Argenteuil, hydraulic and electric current in any manner deemed suitable for furnishing light, heat and power to the inhabitants and to manufacturing and industrial enterprises in the town, and for its own use; to acquire such hydraulic and electric powers, and to procure electric current from outside the limits of the town, and for such purposes to construct and own transmission lines through the county of Argenteuil.

Supply of
power, etc.

Along such transmission lines the town may make special arrangements to supply light, heat or power to any person, partnership, company or corporation applying therefor.

Expropria-
tion.

For the purpose of constructing such transmission lines the town shall have the right to expropriate the necessary lands in accordance with the provisions of section VII of chapter first of title twelfth of these Revised Statutes, (articles 7287 to 7294).

Approval of
by-law.

Provided, however, that the powers hereinabove mentioned be exercised by the town only after having been authorized by a by-law adopted by its council, and approved by the majority in number and in value of the proprietors of taxable immoveable property in the town, who are municipal electors.

31. Article 5726 of the Revised Statutes, [1909, is re- R. S., 5726,
placed for the town by the following: replaced, for
the town.

“**5726.** Taxes shall bear interest at the rate of seven Interest on
per cent per annum, dating from the expiration of the taxes.
delay during which they should have been paid, without
its being necessary that a special demand be made to
that effect; subject to the provisions of article 5775, nei-
ther the council nor the municipal officers can remit any
taxes or interest thereon.”

32. Article 5737*a* is added, for the town, after article R. S., 5737*a*,
5737 of the Revised Statutes, 1909: enacted, for
the town.

“**5737*a*.** In addition to the powers granted by this Tax on
chapter, the council may impose and levy a yearly tax poles, etc.
on all telegraph, telephone, electric light or power poles
in the streets, places and public roads of the town,
provided that such tax shall not exceed twenty-five cents
per annum for each pole. Such tax shall be recover-
able from the owners of such poles and shall be due for
such poles already existing in the town, except the tele-
graph poles on the property of railway companies.”

33. Article 5748 of the Revised Statutes, 1909, is re- R. S., 5748,
placed for the town by the following: replaced, for
the town.

“**5748.** The town council shall, on demand of the Collection
school commissioners or trustees of any school municipa- of school
lity situated, wholly or in part, within its limits, accept taxes.
the roll or a certified extract of the collection roll for the
schools, presented by them, and order the secretary-
treasurer to collect these taxes in the same manner and
at the same time as the municipal taxes.”

34. Article 5762*a* is added, for the town, after article R. S., 5762*a*,
5762 of the Revised Statutes, 1909: enacted for
the town.

“**5762*a*.** The corporation may bid at such sales up to Bids by
an amount due to it in principal, interest and costs.” town.

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