

Notwithstanding any law to the contrary, the council is authorized to effect the said loans or some of them, by bonds, &c. bonds or debentures of the city, issued by by-law with such details and on such conditions as may be determined.

The council may effect the above loans without submitting the by-laws regarding them to the electors who are property-owners.

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

C H A P. 94

An Act to amend the charter of the city of Saint Hyacinthe

[Assented to, 17th of March, 1919]

WHEREAS the city of Saint Hyacinthe has by petition represented that it is of public interest and important for the proper administration of its affairs to amend its charter, the acts 51-52 Victoria, chapter 83, 54 Victoria, chapter 80; 58 Victoria, chapter 52; 3 Edward VII, chapter 65; 6 Edward VII, chapter 48, 5 George V, chapter 95, and 8 George V, chapter 86, in such a manner that article 5638 of the Revised Statutes, 1909, shall form part of the said charter; that the said city may continue until the first of May, 1921, to exercise the powers granted it by the act 8 George V, chapter 86, section 22, to make, amend and repeal by-laws for buying, and selling during the period of the present war (1918), provided it be not lower than the cost price, fuel and food to the residents of the city of Saint Hyacinthe, and that it be permitted to adopt for special taxation purposes another method than that now enacted by section 46 of the act 58 Victoria, chapter 52, and in the manner and for the purposes hereinafter set forth;

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:

1. Article 5638 of the Revised Statutes, 1909, shall form part of the charter of the city of Saint Hyacinthe. R.S., 5638,
to apply to
city.

2. Paragraph 24 of article 5680 of the Revised Statutes, Id., 5680, 1909, as enacted for the city by section 22 of the act 8 par. 24,

replaced for the city. George V, chapter 86, is replaced for the city by the following:

"24. To buy and to sell to the residents of the city of St. Hyacinthe, fuel and food until the 1st of May, 1921, provided no such sale be at less than cost price;"

Id., 5639,
par. 21,
replaced
for the city.

3. Paragraph 21 of article 5639 of the Revised Statutes, 1909, as enacted, for the city, by section 16 of the act 8 George V, chapter 86, is replaced for the city by the following:

Special tax
to construct
sewer
system, etc.

"21. To organize the sewerage system of the municipality, to construct any public sewer throughout or in any part of the city; for the maintenance of public sewers; to impose a special tax upon all owners or occupants of immovable properties, for the construction and maintenance of any public sewers, throughout or in any part of the said city, and the cost of repairs rendered necessary to the paving, owing to the construction or work of maintenance of public sewers, the whole in accordance with the provisions of article 138 of the act 51-52 Victoria, chapter 83, as replaced by section 46 of the act 58 Victoria, chapter 52, and as again replaced by this act; but the cost of connecting public sewers with private drains, as well as the cost of repairs rendered necessary to the paving on account of such connections, shall be at the exclusive charge of the owners or occupants of the buildings or lands, the drainage whereof shall have been connected with the public sewers, whatever may be the cost;"

Id., 5668,
replaced
for the city.

4. Article 5668 of the Revised Statutes, 1909, as enacted, for the city, by paragraph 1 of section 21 of the act 5 George V, chapter 95, is replaced for the city by the following:

Special
taxes for
lighting
system,

"**5668.** The council may, for the purpose of meeting the amount in capital and interest of the amounts spent for establishing and maintaining the lighting system and for creating a sinking-fund, impose by by-law upon all proprietors or occupants of houses, stores or other buildings or other immovables, a special annual tax on the assessed value of the said immovables, including the land; and under the provisions of article 138 of the act 51-52 Victoria, chapter 83, as replaced by article 46 of the act 58 Victoria, chapter 52, and as again replaced by this act, it may impose a special tax on all taxable immovables for such purposes, and for the cost of lighting the streets, public places and municipal buildings."

Id., 5729,

5. Article 5729 of the Revised Statutes, 1909, as re-

placed, for the city, by section 33 of the act 5 George V, replaced for chapter 95, is again replaced for the city by the following: the city.

"5729. The following property shall not be subject to taxation: Property exempt from taxation.

- a. all lands belonging to His Majesty, or held in trust for the service of His Majesty;
- b. the property of the Federal and Provincial Governments and the municipal corporation;
- c. property held and occupied for public worship, the episcopal palace, presbyteries, parsonages and cemeteries;
- d. all educational establishments, as well as the land upon which the same are situated, and all buildings or lands used for libraries open to the public free of charge;
- e. all buildings and lands occupied and possessed by a charitable establishment; but the property possessed by religious institutions, as well as charitable and educational corporations for the purpose of deriving a revenue, shall not be exempt from taxation:

Provided, nevertheless, that the said exemption shall not extend to lands or to buildings erected upon lands leased or occupied under lease from the Government; and the said lands belonging to the Government, and occupied under lease, shall be assessed in the same manner as any other immoveable property, and the assessment shall be paid by the lessee or occupants as if they were assessed against the lessee or occupant personally." Property not exempt.

6. Section 138 of the act 51-52 Victoria, chapter 83, as replaced by section 46 of the act 58 Victoria, chapter 52, is again replaced by the following: 51-52 Vic., c. 83, s. 138, replaced.

"138. The city council shall have the right to impose a special tax on all owners of lands in the said city, to meet the cost of opening, making, paving and maintaining streets or parts of streets, and for making and maintaining sidewalks and sewers, as well as the cost of construction, installation and maintenance of any system of public lighting, and also the cost of lighting streets and public places and municipal buildings, such tax to be based on the valuation roll of the immoveable property then in force. Special tax for streets, etc.

In connection with the cost of opening and making streets or parts of streets, less the real cost of the land, the making of pavements, sidewalks, drains and sewers, fifty per cent of the cost of the said works shall be charged to the Property liable for cost of street, etc.

Special tax
to repay
loans for
improve-
ments.

owners of bordering properties on one or both sides of the streets according to the frontage of their property opposite which such work shall be done, and the balance shall be paid by a special tax imposed upon the immoveables taxable for such purpose, and based on the valuation roll of immoveable properties then in force; and when one or more loans are effected for paying for the latter portion of the work, the amount of such loan or loans shall be apportioned by a special tax on all immoveables taxable for such purpose, during a time sufficient for paying the capital and interest of such loan.

Payment.

The fifty per cent levied on the interested owners of bordering properties shall be payable in ten yearly instalments, with interest at six per cent per annum on the unpaid portion, the debtor having the option of paying off his apportionment in full at any time.

Cost of
certain
sewers.

In the case of the construction of a sewer more than twelve inches in diameter or at a depth of more than eight feet, the portion of the cost payable by the owners or occupants of the bordering properties shall not exceed fifty per cent of the cost of a sewer twelve inches in diameter or of a sewer at a depth of eight feet; the excess shall be levied and apportioned upon all the immoveable properties in the said city as enacted in the first paragraph of this article.

When the above work is done parallel to the line of the depth of a lot, the owners of such lots shall be charged for such works only for one-half of such depth, the balance of the said works and those done at the intersection of streets or in front of public properties, shall be levied and apportioned upon all the immoveable property within the city, as enacted by the first paragraph of this article.

Application.

These various methods of imposing such special taxes shall apply to all the works above mentioned, both those done from the year 1915 inclusive, and those done and to be done in the future."

Power to
borrow
money for
public
works, etc.

7. The city is and shall be authorized to borrow any sums of money required for paying the costs of the paving, construction and maintenance of streets or parts of streets, sidewalks and sewers made and constructed from the year 1915, inclusive, and it is further authorized to adopt and put into force one or more by-laws for the repayment of such sums of money with interest not exceeding six per cent per annum, by annuities payable during a period not exceeding twenty-five years, and to make the apportionment thereof every year by special taxation upon all the immoveable properties subject to taxation for such various works.

The said city is also authorized to borrow sixty thousand dollars for repaying the same amount coming due in 1919,

under a by-law of the city dated the 31st of August, 1894, intituled "By-law to aid the *Compagnie Manufacturière de Saint Hyacinthe*".

The said city is authorized to adopt and put in force one or more by-laws for repaying such sum with interest not exceeding six per cent per annum, by annuities, upon all the immoveable properties in the city, during a period of not more than twenty-five years.

The council may effect such loans without submitting the by-laws concerning them to the electors who are property-owners.

8. 1. Notwithstanding any provision in this or any other act, the properties declared to not be subject to taxation by paragraphs *c*, *d*, and *e* of article 5729 of the Revised Statutes, 1909, as replaced for the city by this act, shall pay, in lieu of all taxes, whether general or special, with the exception of those mentioned in this section, the cost of the permanent paving of the streets, the making of sidewalks and sewers in front of the same, in the following proportions: on the cost of making the permanent sidewalks for one-half the width of the street along the front; the total cost of making the sidewalk contiguous to the front; one-half the cost of making the sewer in front for the length of such front, limited to a sewer twelve inches in diameter to a depth of eight feet under ground.

When such work has been parallel to the line of the depth of a lot, only one-half of the depth shall be payable for such work.

2. The cost of such work shall be established by the vouchers of the city council, and shall be payable within thirty days from the sending of the account, unless another mode of payment is agreed upon with the consent of the council and the debtors.

3. This obligation shall apply to works done since the fifth of March, 1915, and those which may be done in future.

4. Moreover, such properties shall be liable to the annual tax for their proportion, according to the valuation role, of the amount spent during the year for lighting the streets and public places of the municipality, as well as their share of the special tax for the maintenance of streets, public places, paving, sidewalks, and sewers, and the payment for the use of water.

5. *L'Hôtel Dieu* and *L'Ouvroir Sainte Geneviève* shall however be exempt from all taxes except those for the use of water.

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

Coming into
force.