

3. Paragraph 21 of article 5639 of the Revised Statutes, R. S. 5639, 1909, as replaced for the city by the act 4 George V, chapter ^{par. 21,} 76, section 19, is again replaced for the city by the following: ^{replaced} _{for the city.}

“21. The city may regulate its system of sewerage, ^{Sewers, &c.} order the making of all public sewers or drains and all connections with such public sewers or drains with private drains; regulate the manner in which and the materials with which they shall be built, and apportion the cost, including the cost of repairs to streets and sidewalks, and all other expenses in connection with such work, upon the proprietors of immoveables in any street, private street, lane, public square or part thereof in which such improvements are made, or upon the proprietors within any radius which will benefit thereby, or otherwise as the council may order; and regulate the manner of making and levying such apportionment according to the frontage or area of every property in regard to which such works have been done and which derive a benefit therefrom, or otherwise;”

4. Section 45 of the act 7 Edward VII, chapter 66, is ^{7 Ed. VII,} replaced by the following: ^{c. 66, s 45,} _{replaced.}

“**45.** The city may also acquire, construct, maintain and ^{Gas works,} operate any gas works and any electric light and power ^{&c.} works and plant for the lighting, heating and motive power of the city, and may buy, lease and sell light and power in or outside the city. To that end, the city may acquire and hold any water-power and any property, ^{Acquisition} right of way, servitude and usufruct within thirty miles of ^{of water-} the city. The city may acquire the right of way for its ^{power &c.} poles or conduits by expropriation, if necessary, but if the city makes use of highways for such purpose, it must obtain the consent of the municipalities interested.”

5. This act shall come into force on the day of its ^{Coming into} sanction. ^{force.}

C H A P. 68

An Act to amend the charter of the city of Hull

[Assented to 22nd December, 1916]

WHEREAS the city of Hull has, by its petition, prayed ^{Preamble.} for the passing of an act to amend its charter, and whereas it is expedient to grant such petition;

Whereas it has been specially represented that the Superior Board of Health of the Province of Quebec,

according to the law in force, has ordered the council to construct a mechanical filter to purify the city water, before the first of September, 1917; that the city debt has almost reached the limit of borrowing power under its charter; that the engineers' report shows that the cost of such construction will not exceed \$170,000.00; and that it is necessary to provide immediately for such mechanical filter;

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

56 Vict., c. 52, s. 5, am. **1.** Section 5 of the act 56 Victoria, chapter 52, as replaced by the act 5 George V, chapter 92, section 1, is amended:

a. By replacing the first paragraph thereof by the following:

Division into wards. **“5.** For the purposes of this act, the city of Hull shall be divided into six wards, respectively called ward number, one, or Wolfe, ward number two, or Montcalm, ward number three, or Lafontaine, ward number three *a*, or Frontenac, ward number four, or Dollard, ward number five, or Laurier.”;

b. By replacing the description of ward number one, or Tétrauville, and of ward number one *a*, or Wright, by the following:

Ward No. One, or Wolfe.

Wolfe. Beginning at the point where the dividing line between lots Nos. 7 and 8 in the third range of the township of Hull, at the point of intersection of the Ottawa river; thence towards the north along the said dividing line, sixty-seven chains and forty-four links, more or less, to the line between the third and fourth range; thence towards the north, along the said line, between lots Nos. 7 and 8 in the fourth range, forty-one chains more or less, to the north limit of the south half of the said lot No. 7; thence towards the east, along the said limit to the said line between lots Nos. 6 and 7; thence to the north along the said line to the concession line between the fourth and the fifth range, ninety-seven chains and forty-four links, more or less, to the middle of the Gatineau road; thence towards the north along the middle of the Gatineau road, one chain and seventy-five links, more or or less, to a point opposite the middle of the Leamy road; thence towards the east, along the middle of the Leamy road, to the dividing line between lots Nos. 3 and 4; thence towards the south, along the division line between lots 3 and 4 to the line between the fourth and fifth ranges of the said township; thence towards the south, along the

dividing line between lots Nos. 3 and 4, in the fourth range, to the middle of Walker street; thence towards the east, following the middle of Walker street, three chains and eighty links, more or less, to the middle of the Brewery Channel to the Mill-Creek; thence along the main channel of the said Mill-Creek, against the current, to the Ottawa river; thence towards the astronomical south to the dividing line between the Provinces of Ontario and Quebec; thence along the last-mentioned line to a point on it where it would intersect the line between lots Nos. 7 and 8 in the third range of the said township of Hull, continued to the dividing line; thence along the said dividing line between lots Nos. 7 and 8 continued to its starting-point”.

2. Section 6 of the act 56 Victoria, chapter 52, is replaced by the following: Id., s. 6, replaced.

“**6.** The city council shall consist of the mayor and of one alderman for each ward. It shall exercise all the powers and discharge all the duties granted and imposed by this act upon the said city of Hull.” Composition of council.

3. The following section is added after section 7 of the act 56 Victoria, chapter 52, to wit: Id., s. 7a, enacted.

“**7a.** The mayor and the fourteen aldermen elected at the general election in January, 1916, or those who replace them, shall remain in office and represent the city until the next general elections to be held on the second Monday of January, 1918, and, from that date, the city council shall consist of the mayor and six aldermen.” Mayor and aldermen to remain in office.

4. Section 10 of the act 56 Victoria, chapter 52, as replaced by the acts 4 Edward VII, chapter 56, section 1, 3 George V, chapter 56, section 2, and 5 George V, chapter 92, section 3, is again replaced by the following: Id., s. 10, replaced.

“**10.** The six wards of the city shall each be represented in the council by one alderman, and the seats shall be numbered from one to six. They shall not continue in office, without being re-elected, for a period longer than two consecutive years.” Representation by wards.

They shall remain in office and hold their seats until their successors are elected and sworn in to replace them.” Tenure of office.

5. Section 12 of the act 56 Victoria, chapter 52, is replaced by the following: Id., s. 12, replaced.

“**12.** If one or more vacancies occur in the office of alderman, the council shall, by resolution, fix an early day for Election in case

of vacancies.

the nomination of candidates, and also the day on which the election shall take place in case of a contest; notice of such nomination and election shall be given. The person or persons so elected shall remain in office for the remainder of the time for which their predecessors had been elected.

Procedure if no quorum.

If, through vacancies in the office of alderman, the council cannot sit owing to lack of a quorum, the clerk shall order an election for the vacant aldermanic seats, and proceed with such election, by giving the notices for nomination and voting as in the case of an ordinary election."

Id., s. 63, am.

6. Section 63 of the act 56 Victoria, chapter 52, as replaced by the acts 61 Victoria, chapter 56, section 7, and 5 George V, chapter 92, section 7, is amended by replacing the third paragraph thereof by the following:

Quorum.

"The quorum shall be four members, and, to constitute such quorum, the mayor shall be considered a member."

Id., s. 85, replaced.

7. Section 85 of the act 56 Victoria, chapter 52, is replaced by the following:

Approval of by-law.

"85. If, after the by-law has been read, a poll is not required either by six electors present at the meeting or by the same number of electors who have personally signed a written requisition before the clerk or his assistant at the time of such meeting or previous thereto, the by-law shall be deemed to be adopted, and a report thereof shall be made to the council by the person presiding at the meeting and by the clerk.

Delay for poll.

If a requisition for a poll is made, in accordance with the foregoing paragraph, a report thereof shall be made to the council by the person who presided at the meeting, and by the clerk, who shall countersign such report. If a poll is required, the presiding officer shall fix the date for the voting on a specified day, which must not be less than three not more than five days after the said meeting and after notice has been given."

Id., s. 88, replaced.

8. Section 88 of the act 56 Victoria, chapter 52, is replaced by the following:

Procedure at close of poll.

"88. At the close of the poll, the mayor or person presiding at the poll shall count the "Yeas" and "Nays," and, at the first session after the polling, he shall submit to the council the result of the voting; the decision of the majority in number representing at least one-third of the value of the total valuation of the immoveable property of

the electors who have voted, shall be sufficient for the approval of the said by-law."

9. Paragraph *k* of section 147 of the act 56 Victoria, Id., s. 147, chapter 52, as replaced by the act 8 Edward VII, chapter 88, section 12, and amended by the acts 3 George V, chapter 56, section 7, and 5 George V, chapter 92, sections 8 and 9, is again replaced by the following:

"*k.* The council, by resolution, at a subsequent meeting, shall order the work on the said improvement to be proceeded with, but it cannot do so until a certificate signed by the clerk, to the effect that all proceedings have been followed, has been laid before the council; and, for the purpose of avoiding the necessity of supplementary estimates, or refunding in the case of over assessments, it may authorize the mayor and the city treasurer to make agreements with any bank or banks for temporary advances and loans for the purpose of meeting the cost thereof until the said work has been completed."

10. The following paragraph is added to section 147 of Id., s. 147, the act 56 Victoria, chapter 52, as replaced by the act 8 Edward VII, chapter 88, section 12, and amended by the acts 3 George V, chapter 56, section 7, and 5 George V, chapter 92, section 9, to wit:

"*s.* The provisions of paragraph *r* of this section respecting sewers, shall apply *mutatis mutandis* to the making of a sidewalk or part of a sidewalk on any street or portion of a street in the city."

11. The following section is added after section 151 of Id., s. 151a, the act 56 Victoria, chapter 52, to wit:

"**151a.** The council may, by by-law, order that in certain streets, public squares or parts thereof in any new subdivision of the municipality, no building or structure or part thereof shall be built or rebuilt except at a distance in rear of the line of such street, public square or part thereof, and may order what such distance shall be for such street, public square or part thereof."

12. The following section is added after section 158 of Id., s. 158a, the act 56 Victoria, chapter 52, to wit:

"**158a.** The council may likewise, by by-law, have the snow removed from the sidewalks in certain streets, and charge the cost thereof to the proprietors on such street."

Id., s. 177a enacted. **13.** The following section is added after section 177 of the act 56 Victoria, chapter 52, to wit:

Weight of bread. **"177a.** The provisions contained in section 1 of the act 1 George V (2nd session), chapter 40, respecting the weight of bread, shall not apply to the city of Hull."

Id., s. 373, replaced. **14.** Section 373 of the act 56 Victoria, chapter 52, as replaced by the act 61 Victoria, chapter 56, section 20, is replaced by the following:

Loans authorized. **"373.** The city may borrow various sums of money to pay its debts, make improvements, devote a portion thereof to the permanent works of the city, and generally, for all the purposes within its jurisdiction; and, to that end, it may issue debentures, payable either in currency or in sterling money, to an amount not exceeding one-fourth of the value of the taxable immoveable property situated within its present or future limits, which value shall, from time to time, be established by the valuation rolls of the city made and in force for the time being.

Proviso. Nevertheless, properties temporarily exempt from taxation by a city by-law shall not be deemed non-taxable property for the purposes of this section.

Proviso. The council, however, shall not order the issue of such debentures, without having previously obtained authorization by by-law, approved by the proprietors of immoveable property who are electors, in the manner provided by the city charter.

Loan authorized for installation of mechanical filter. **"373a.** The city council is authorized to borrow by by-law, over and above the amount allowed by section 373, an amount of not more than \$170,000.00 for the construction of a mechanical filter for the purpose of purifying the city water, and to issue and negotiate bonds or debentures for such purpose, for a period of not more than twenty years, and at a rate of interest of not more than six per cent, and this without submitting the by-law to the electors who are property-holders. The said loan shall be subject to the provisions of section 375."

Bond issue.

Conditions.

Id., s. 384a, enacted. **15.** The following section is added after section 384 of the act 56 Victoria, chapter 52, to wit:

Temporary loans. **"384a.** If the council deems it advisable to temporarily suspend the negotiation of its bonds or debentures mentioned in any act or by-law legally passed and adopted, it may borrow, on notes or treasury bonds, for such period of time, at a rate of interest of not more than six per cent per annum, and up to an amount of not more than sixty

per cent of the total amount of the authorized loan; but such notes or treasury bonds shall be paid out of the proceeds of the bonds or debentures which they replace, as soon as the said bonds or debentures are negotiated, and the latter may then be given as collateral security.

The said bonds or notes shall be signed by the mayor and countersigned by the treasurer."

16. Section 405 of the act 56 Victoria, chapter 52, is Id., s. 405, replaced. replaced by the following:

"**405.** Every action, suit or claim against the city or Prescription of damage actions. one of its employees for damages resulting from offences or quasi-offences or illegal acts, and for any judicial claim arising from a change of level of any city sidewalk, street or other ground, and for other works done under the city local improvements law, is prescribed by six months from the day when the right of action arose, notwithstanding any provision of the Civil Code to the contrary."

17. Section 421 of the act 56 Victoria, chapter 52, is Id., s. 421, replaced. replaced by the following:

"**421.** To levy and collect a special tax upon pedlars, Special taxes. and carters conveying by carriages or other vehicles either passengers or goods, for payment; on owners of horses and vehicles; on those who keep bicycles for hire; on all persons or companies selling gas and electricity."

18. Section 423 of the act 56 Victoria, chapter 52, is Id., s. 423, replaced. replaced by the following:

"**423.** To levy a special tax, of not more than fifty Special insurance tax. dollars upon all life, fire, accident, marine and other insurance companies doing business in the city, or on their agents for every such kind of insurance; and upon all loan offices and real estate agents."

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