

C H A P. 79

An Act to amend the charter of the town of Pointe Claire

[Assented to 22nd December, 1916]

Preamble.

WHEREAS the town of Pointe Claire has by its petition prayed that certain amendments be made to its charter, the act 1 George V (second session), chapter 71, and whereas it is expedient to grant its prayer;

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

1 Geo. V
(1911), c. 71,
s. 8, replaced.
Provisions
not appli-
cable.

1. Section 8 of the act 1 George V (2nd session), chapter 71, is replaced by the following:

“**8.** Articles 5283, 5284 and 5285 of the Revised Statutes, 1909, shall not apply to the town.”

Id., s. 9,
replaced.

2. Section 9 of the act 1 George V (second session), chapter 71, is replaced by the following:

R. S., 5300,
replaced for
the town.

“**9.** Article 5300 of the Revised Statutes, 1909, is replaced for the town by the following:

Mayor and
alderman
continued
in office.

“**5300.** The mayor and the ten aldermen elected at the general elections of July, 1915, and July, 1916, or their successors, shall remain in office and represent the town until the next general elections, which shall be held on the 2nd of July, 1917, and, from and after such date, the municipal council shall consist of the mayor and six aldermen, elected in the manner hereinafter prescribed.”

R. S., 5302,
replaced for
the town.

3. Article 5302 of the Revised Statutes, 1909, is replaced for the town by the following:

Election of
aldermen.

“**5302.** The aldermen shall be elected by ballot by the majority of the municipal electors who have voted, and each one shall be elected only for the seat for which he has been nominated.”

R. S., 5368,
am. for the
town.

4. Article 5368 of the Revised Statutes, 1909, is amended by adding thereto, for the town, the following paragraph:

Corpora-
tions to have
vote on cer-
tain condi-
tions.

“**5.** Shall also be electors and entered on the list of electors every joint stock company and other body politic, duly incorporated by special act or letters patent, or duly licensed to carry on operations in the Province, and entered on the valuation roll in force as a *bona fide* owner or

occupant of immoveable property within the municipality, of the assessed value of two hundred dollars or upwards, according to said roll: and the said company or body politic shall register its vote through its representative duly appointed for that purpose by resolution of its board of directors, a copy of which shall be supplied to the secretary-treasurer on or before the first of April, duly certified under the seal of the company.

The said resolution shall serve for the purposes above-mentioned, until it is replaced by another resolution to the same effect, which must be filed on the date hereinabove prescribed."

5. Articles 5370 and 5371 of the Revised Statutes, 1909, are replaced for the town by the following:

"5370. Every person entitled to vote as aforesaid, is entered on the electors' list, and shall vote in the polling district where he resides, when he is qualified to vote by reason of such residence; if he is not qualified by reason of such residence, he shall be put on the electors' list, and shall vote in the polling district where the property which qualifies him to vote is situated; and in the case where he is qualified to vote as proprietor, occupant or tenant in more than one district, the clerk shall determine, to the best of his judgment, the place where such vote could be most conveniently received, and shall put his name on the list for such district."

6. Section 10 of the act 1 George V (second session), chapter 71, is replaced by the following:

"10. Article 5373 of the Revised Statutes, 1909, shall not apply to the town."

7. Article 5377 of the Revised Statutes, 1909, is replaced for the town by the following:

"5377. The clerk, in preparing the electors' list of the municipality, shall divide it into as many polling districts as there are multiples of two hundred electors, adding a district for every fraction of that number.

Such districts shall, as far as possible, contain an equal number of electors."

8. Article 5380 of the Revised Statutes, 1909, is replaced for the town by the following:

"5380. The electors' list for all the polling districts of the municipality shall be considered as the electors' list

R. S., 5370 and 5371, replaced for the town.

Where electors are to vote.

1 Geo. V (1911), c. 71, s. 10, replaced.

R. S., 5373, not to apply to the town.

R. S., 5377, replaced for the town.

Polling districts.

R. S., 5380, replaced for the town.

Electors' list for

municipal- for the whole municipality in every election held under
ity. this chapter or the charter."

R. S., 5382, **9.** Article 5382 of the Revised Statutes, 1909, is replaced
replaced for the town by the following:

Mayor to "5382. The mayor shall see that the electors' list for
see that list the municipality is made as aforesaid, and he may dismiss
s made, &c. the clerk if the latter refuses or neglects to so make the
said list, and also any civic employee who tampers with
the same."

1 Geo V **10.** Section 15 of the act 1 George V (2nd session),
(1911), c. 71, chapter 71, is replaced by the following:
s. 15, replaced.

R. S., 5413, **"15.** Article 5413 of the Revised Statutes, 1909, is
replaced for the town by the following:

When **"5413.** The general election for mayor and aldermen
general shall be held every two years on the second day of July,
elections are in accordance with the provisions hereinafter contained.
held. If that day falls on a Sunday or other non-juridical day,
the elections shall take place on the first following juridical
day.

First **Notwithstanding the foregoing or any other provisions**
election. **to the contrary in this act, at the election to take place**
on the second day of July, 1917, the mayor shall be elected
to serve until the second day of July, 1919, and the alder-
men elected for seats Nos. 1, 3 and 5 shall hold office until
the second day of July, 1918, when they shall be replaced by
three others elected to serve until the 2nd day of July, 1920.
Those elected for seats Nos. 2, 4 and 6 shall hold office until
the 2nd day of July, 1919; and thereafter three aldermen
shall be elected each year to replace the three retiring."

R. S., 5422, **11.** Paragraph 1 of article 5422 of the Revised Statutes,
replaced for 1909, is replaced for the town by the following:

Who may **"5422. 1. Ten electors qualified to vote and whose**
nominate names are entered on the list of electors in force in the
candidates, municipality, may nominate a candidate for the office of
and form of mayor or alderman, by signing, in either case, a nomina-
nomination- tion-paper, in the form H if the mayor be in question and
paper. in the form I if an alderman be in question, stating therein
the names, and surname, residence and profession or occu-
pation of the person nominated, in such manner as suffi-
ciently to identify such candidate, and by delivering the
said nomination-paper to the returning-officer on the day
and at the hour and place indicated in the notice of the
returning-officer published in accordance with article 5419,

or causing the same to be delivered to the returning-officer as hereinafter mentioned."

12. 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 in the municipality shall be designated by numbers." Aldermanic seats to be numbered.

13. Article 5473 of the Revised Statutes, 1909, is replaced for the town by the following: R. S., 5473, replaced for the town.

"5473. No person shall vote more than once at the same election, in the same municipality, for the election of mayor, or for the election of the same alderman." Voting more than once forbidden.

14. Article 5501 of the Revised Statutes, 1909, is replaced for the town by the following: R. S., 5501, replaced for the town.

"5501. Except the returning-officer, the deputy returning-officer, the poll-clerk and the constables and special constables appointed by the returning-officer or the deputy returning-officer for the orderly conduct of the election or poll and the preservation of the public peace thereat, no person who has not had a stated residence in the municipality for at least six months next before the day of such election, shall come, during any part of the day upon which the poll is to remain open, into such municipality armed with offensive weapons of any kind such as fire-arms, swords, staves, bludgeons or the like; and no person being in such municipality shall arm himself, during any part of the day, with any such offensive weapon, and thus armed approach within one mile of the place where a poll is held, unless called upon to do so by lawful authority." Strangers not to enter municipality armed.

15. Article 5505 of the Revised Statutes, 1909, is replaced for the town by the following: R. S., 5505, replaced for the town.

"5505. No person shall keep open in the municipality any bar in a hotel or club, or any tavern, shop or store, whether licensed or not, in which spirituous or fermented liquors are ordinarily sold, during the day of voting; and any person so offending shall be guilty of an offence triable summarily, and shall be liable to a fine of fifty dollars, and to imprisonment not exceeding three months, in default of payment." Hotel bars, &c., to be closed.

16. Article 5506 of the Revised Statutes, 1909, is replaced for the town by the following: R. S., 5506, replaced for the town.

"5506. On the polling day no person shall, within the limits of the municipality, either sell for a price in money to be sup-

plied during or in exchange for any article, or lend or deliver, or gratuitously supply any quantity whatever of spirituous or fermented liquor; and any person who so sells, lends, delivers or supplies such liquor, shall, unless he proves that the liquor so sold, lent, delivered or supplied was sold, lent, delivered or supplied for a sick person upon the certificate of a priest or minister of some religious denomination, or of a physician, be guilty of an offence triable summarily, and be liable to a fine of fifty dollars and to imprisonment not exceeding three months in default of payment; and whoever shall give or deliver a false certificate in respect thereof shall be guilty of an offence summarily triable, and shall be liable to a fine of fifty dollars; and, in default of payment, to imprisonment not exceeding one month."

Exception.

Penalty for false certificate.

R. S., 5507, replaced for the town. **17.** Article 5507 of the Revised Statutes, 1909, is replaced for the town by the following:

Liquor not to be brought into town. **"5507.** During the day mentioned in article 5506, and under the same penalties, but subject to the same exceptions in case of sickness, it is forbidden to cause to be brought or transported, or to bring or transport, within the limits of the municipality or from one place to another within the said limits, any quantity whatever of spirituous or fermented liquor.

Exception for merchants. This provision shall not affect the sale, transport, delivery or purchase of spirituous or fermented liquor, made in good faith and in the ordinary course of business by a merchant or trader; provided that the cases, casks, bottles or envelopes containing the said liquor be not opened, broken or unclosed during the day above-mentioned."

Restriction.

R. S., 5638, am. for the town. **18.** Paragraph 4 of article 5638 of the Revised Statutes, 1909, is replaced, for the town, by the following paragraphs:

Inspection of buildings, &c. **"4.** To regulate the inspection of the construction, demolition, modification and repair of all structures within the town, appoint a building-inspector or other officer with authority to examine the interior and exterior of said structures, and all other powers required to ensure the observance of the town by-laws concerning buildings and other works, and for the prevention of accidents by fire; compel the proprietor and builder of all structures to submit the plans and specifications thereof, and previously pay for and obtain a written permit from said building inspector or other officer, and provide for the lapse and revocation of any permit after twelve months from its issue, if the building or buildings thereby authorized have not been *bona fide* begun within the delay;

"4a. To prevent stables, sheds, closets or similar buildings from being erected on any lot in the city at a distance of less than seventy-five feet from the street, without the special authorization of the council; and, in the case of irregularly shaped lots, to order that stables be built at the back of the said lots, and with openings on the yards only; ^{Outbuildings.}

"4b. To cause to be removed all stables, sheds, closets or similar buildings erected in contravention of the enactments of the preceding paragraph, and to determine the time and manner in which the same shall be demolished or removed, and by whom the expense thereof shall be borne;" ^{Removal of same.}

19. Paragraph 7 of article 5638 of the Revised Statutes, 1909, is replaced for the town by the following: ^{Id., am. for the town.}

"7. To generate, acquire or purchase gas, electricity, and other means and agencies for furnishing light, heat or power in the municipality; to regulate the use thereof and that of all apparatus in connection therewith; to provide for the inspection of the same; and to sell such light, heat and power to its own inhabitants and to outside municipalities." ^{Gas, &c.}

20. Paragraph 1 of article 5641 of the Revised Statutes, 1909, is replaced for the town by the following: ^{R. S., 5641, am. for the town.}

"1. Subject to article 5887, to order the opening of new streets, the widening, extension or changing of existing streets, and to prescribe the manner of opening, making or maintaining the streets of the municipality at the expense thereof or of the proprietors that will be benefitted thereby, as the council may deem expedient, according to such plans and on such conditions as it may deem advisable; and to exempt from such special tax all owners who have ceded, cede or may cede gratuitously the land necessary for such improvement." ^{Opening of streets, &c.}

21. Form I annexed to the Cities' and Towns' Act, contained in Chapter First of Title Eleventh of the Revised Statutes, 1909, is replaced for the town by the following form: ^{Form I replaced.}

Form I.

Nomination-Paper for Alderman.

Town of Pointe Claire

Seat No.

We, the undersigned, electors in the municipal elections
in the town of Pointe Claire do hereby nominate
of No.

street, as a candidate at the election for the office of alder-
man, seat No. , for the said town of Pointe Claire.

In witness whereof, we have signed at , this
day of 19 .

Names.	Occupations.	Qualifications. (Giving the elect- oral franchise).	Residence.

Signed by the said electors in
presence of
(Signature) }

I, the said nominated in the foregoing
nomination paper, hereby consent to such nomination.

Witness my hand at, , this day of 19

(Signature)

Signed by the said
in presence of
(Signature) }

1 Geo. V
(1911), c.
71, ss. 24a
and 24b,
enacted.

22. The following sections are inserted in the act 1
George V (second session), chapter 71, after section 24
thereof:

"24a. The council may impose and levy from time to time, such special taxes as it may deem necessary for improvements and works, which it may determine to be of a local character, upon the immoveable properties which the council may decide will be benefitted thereby, imposed upon the frontage of the said immoveables, provided the majority in number and value of the proprietors thereof, by petition to the council, ask for such local improvements or works. After such improvements have been made or such works completed, and so paid for by said proprietors, the town shall in future maintain the same at its own expense.

"24b. All taxes shall, after the due date fixed for the payment thereof, bear interest at the rate of six per cent per annum, but the council may by by-law allow a discount not exceeding three per cent on taxes paid before the due date thereof."

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

CHAP. 80

An Act to amend the charter of the town of Dorval Island

[Assented to 22nd December, 1916]

WHEREAS the town of Dorval Island has, by its petition, represented that it is in the interest of its ratepayers that certain amendments be made to its charter, the act 5 George V, chapter 106;

That owing to unavoidable delay, caused by extraordinary conditions, it has been impossible to do the necessary public works in the town to aid the construction of residences and other necessary public works;

That it is in the interests of the town that the present qualification of the members of its council be continued, that the council continue to hold its sessions and the elections be held at the place designated in its charter;

That it is expedient that its charter be amended accordingly;

Whereas it is expedient to grant the prayer 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: