

“5789b. The town is authorized to establish, either by carrying out the existing by-laws or by another by-law, a sinking-fund commission, the members whereof may be any corporation, company or person, (whether a member of the council or not), and delegate to such commission all the powers that the council possesses under the law governing sinking-funds.”

31. The acts 2 George V, chapter 74, 3 George V, chapter 65, and 4 George V, chapter 89, are hereby repealed, without prejudice, however, to acquired rights in favour of any person, company or corporation, and without this repeal affecting the validity of the loans, bonds or debentures, resolutions or by-laws, or contracts, which have been authorized, declared valid and legal, ratified or confirmed by the said acts; but also without the special powers conferred by the said acts in any wise affecting the general powers conferred upon the town, either by The Cities and Towns' Act or by this act. Nevertheless, sections 4 and 6 of the act 4 George V, chapter 89, are not repealed, and shall retain their full force and effect.

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

CHAP. 54

An Act to amend the charter of the town of Roberval.

[Assented to 16th March, 1916]

WHEREAS the town of Roberval has, by its petition, represented that it is in the interest of the proper administration of the town that certain amendments be made to its charter granted by letters patent dated the 15th June, 1914, under article 5257 of the Revised Statutes, 1909, 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:

1. Article 5373 of the Revised Statutes, 1909, is repealed for the town.

R.S., 5373,
repealed for
the town.

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

Id., 5423.
replaced for
the town.

Numbering
of seats in
each ward.

How alder-
men to be
elected.

"5423. There shall be three aldermen for each ward, and the offices of aldermen for each such ward of the municipality shall be designated by numbers given by by-laws of the council. One of the three aldermen for each ward shall be elected by the votes of the proprietors only; the two other aldermen for each ward shall be elected by the combined vote of the proprietors and other persons duly qualified. The nomination-paper for each candidate shall mention the number of the office. Such change shall, however, not take effect until the general elections for the year 1918, and, in order to give effect to the present amendment at such date, the council shall pass a by-law designating the numbers of the seats of each ward, with an indication of the number for which proprietors alone shall have a right to vote".

Id., 5309,
replaced for
the town.

Vacancy in
office of
mayor how
filled.

3. Article 5309 of the Revised Statutes, 1909, is replaced, for the town, by the following:

"5309. If the office of mayor becomes vacant, the clerk of the municipality shall at once give the necessary notices for a new election by the people."

Id., 5584,
replaced for
the town.

Publication
of notices.

4. Article 5584 of the Revised Statutes, 1909, is replaced for the town by the following:

"5584. The council may, by by-law, decide that public and special notices, by-laws, resolutions or other orders of the council shall be published and posted up in one language only."

Id., 5557,
replaced for
the town.

Meetings of
council.

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

"5557. The council shall meet at least once a month, in general or ordinary session, to despatch the business of the municipality, at such place, date and hour as may be fixed by by-law of the council."

Id., 5726,
replaced for
the town.

Interest
on taxes.

6. Article 5726 of the Revised Statutes, 1909, is replaced, for the town, by the following:

"5726. Taxes shall bear interest at the rate of seven per cent per annum, from maturity, without its being for such purpose necessary that a special demand for payment be made.

Taxes can-
not be
remitted.

Subject to the provisions of article 5775, neither the municipal council nor its officers can remit any taxes or the interest thereon."

Council may

7. The council may enact by resolution that a dis-

count of five per cent shall be allowed, and deducted from the amount due, to any person paying the taxes within twenty days from the date of the notice mentioned in article 5749 of the Revised Statutes, 1909. authorize a discount.

8. The following article is inserted, for the town, in the Revised Statutes, 1909, after article 5735: Id., 5735a, enacted for the town.

“**5735a.** The council is also authorized to divide such trades, industries, professions, occupations, kinds of business or commerce, into different classes or categories, for the purpose of determining the price of the license, or again to fix the price of the license according to the rental value of the premises where they are carried on, as shown by the valuation roll.” Classification of trades &c., re license.

9. Article 5658 of the Revised Statutes, 1909, is replaced for the town by the following: Id., 5658, replaced for the town.

“**5658.** The council may, by by-law, without prejudice to the special tax imposed or to be imposed upon the taxable property, cause such compensation, calculated according to a tariff which it deems suitable, to be paid for water by every owner of a house, shop or building into which water is introduced; and such owners shall be responsible towards the town for payment of the water rate, even when their property is not occupied by them if the council furnishes water to the persons occupying such property or is prepared to furnish it at its cost in or near such shops, buildings or houses; and the water-rate is declared to be a tax like all other taxes on immoveables.” Water-rate.

10. Article 5659 of the Revised Statutes, 1909, is replaced for the town by the following: Id., 5659, replaced for the town.

“**5659.** The water-rate shall be charged for every tenant, sub-tenant or family occupying an immoveable or part of an immoveable.” Tenants, &c.

11. Article 5660 of the Revised Statutes, 1909, is repealed for the town. Id., 5660, repealed for the town.

12. Article 5649 of the Revised Statutes, 1909, is replaced, for the town, by the following: Id., 5649, replaced for the town.

“**5649.** The employees and officers of the municipality and all other persons in its service, may enter upon any land or property, street, lane or public or private road, both within and outside of the municipality, to Employees and officers may enter upon land.

lay or repair pipes and to do other necessary work in connection with the waterworks.”

- Id., 5667,** replaced for the town.
- 13.** Article 5667 of the Revised Statutes, 1909, is replaced for the town by the following:
- Council may acquire certain light system.** “**5667.** The council is authorized to acquire, by resolution, and to utilize the electric light system and all the moveable and immoveable property belonging to *La Compagnie d'Electricité de Roberval*, together with all the rights, privileges and powers granted the said company by its charter dated the 25th April, 1903, as contained in the act 3 Edward VII, chapter 92, on the following conditions which are not limitative:
- Powers.** a. The town is authorized to exercise the powers, rights and privileges it may acquire from the said company within the town and within a radius of thirty miles outside of it;
- Price.** b. The town council is authorized to pay to *La Compagnie d'Electricité de Roberval* an amount of fifty-six thousand dollars for such acquisition, and, for the payment of the said purchase price and the expenses occasioned by such purchase, to borrow an amount not exceeding sixty thousand dollars on notes, bonds or debentures at a rate of interest not exceeding seven per cent per annum, and such notes, bonds or debentures shall be redeemable or payable at such dates and places as may be fixed by the council;
- Loan authorized.**
- How loan to be effected.** c. The council is authorized in accordance with paragraph *b* of this article, to effect such loan of sixty thousand dollars by resolution, and such resolution shall take effect as soon as it is adopted by the council without its being necessary that it be published and approved by the owners of immoveables and by the Lieutenant-Governor in Council;
- Provisions not applicable.** d. For the purpose of effecting the said loan of sixty thousand dollars, articles 5782, 5783, and 5788 of the Revised Statutes, 1909, shall not apply to such loan ;
- Delay for certain payment.** e. The council is authorized to suspend, for one year from the date of the contract between the town and *La Compagnie d'Electricité de Roberval*, the payment of the sum of fifty-six thousand dollars to the said company, but in such case the town shall be obliged to pay interest on such sum at the rate of eight per cent per annum;
- Contracts to be maintained.** f. The council shall continue and maintain the existing contracts between *La Compagnie d'Electricite de Roberval* and its consumers, and in the event of the council granting a reduction in the rate for light stated in such contracts,

the signers of the contracts shall benefit by such reduction;

g. La Compagnie d'Electricité de Roberval shall not, after the signing of the contract of sale with the town, produce, sell, furnish or distribute the electric current required for heat, light and power in the town of Roberval and within a radius of thirty miles outside of it; Company not to do certain business.

h. La Compagnie d'Electricité de Roberval shall sell, for the price of fifty-six thousand dollars, its moveable property without restriction, its water powers, transmission lines and light system now in use, with all its accessories, rights, privileges and powers conferred by its charter, its custom, capital stock, and, in a word, everything it owns within and outside of the town; it is understood, however, that the company shall not sell the claims that may be due to it, and that it may avail itself of its corporate powers to liquidate its affairs." What to be sold by company.

14. Article 5777 of the Revised Statutes, 1909, as amended by the act 4 George V, chapter 49, section 1, is replaced, for the town, as regards the loan of the said sum of sixty thousand dollars, by the following: Id., 5777, replaced for town re loan.

"**5777.** In borrowing the sum of sixty thousand dollars, the council shall provide, in the resolution enacting such loan, out of the revenues of the municipality, for the payment of the yearly interest and the establishment of a sinking-fund of at least one per cent per annum for the said loan. Interest. Sinking-fund.

The yearly interest on such loan of sixty thousand dollars shall not exceed the rate of seven per cent." Rate of interest.

15. Article 5779 of the Revised Statutes, 1909, as amended by the act 4 George V, chapter 49, section 2, is replaced, for the town, as regards the said loan of sixty thousand dollars only, by the following: Id., 5779, replaced for town re loan.

"**5779.** The council is authorized to effect the said loan of sixty thousand dollars by means of an issue of bonds or debentures or of promissory notes, signed by the mayor, countersigned by the clerk and bearing the seal of the municipality, or by hypothec on the property it may acquire from *La Compagnie d'Electricité de Roberval*. Bond issue.

Such bonds, debentures, notes or hypothecs shall be made payable at dates fixed by the council, either to order or to bearer, with interest payable on the first of May and November of each year, at a rate of interest not exceeding seven per cent per annum." How payable as to principal and interest.

Id., 5784,
replaced for
the town
re loan.

Special
annual tax.

16. Article 5784 of the Revised Statutes, 1909, is replaced for the town, as regards the said loan of sixty thousand dollars, by the following:

“**5784.** The council shall, by the resolution enacting the loan, impose a special yearly tax sufficient to pay the interest each year and at least one per cent as a sinking-fund until the extinction of the debt.”

Limited
application
of certain
provisions.

17. The amendments made by sections 14, 15 and 16 of this act, shall apply to and have effect only for the loan of sixty thousand dollars authorized by this act.

Powers of
council re
lighting
system.

18. The council shall have all the necessary powers for the maintenance and administration of the electric light system it acquires from *La Compagnie d'Electricité de Roberval*, for public needs, and for those of private individuals or corporations wishing to light their houses, buildings or establishments, and the council is also authorized to furnish and sell electric current for heat, and to sell motive power both within the town and in a radius of thirty miles outside of it.

Id., 5670,
replaced for
the town.

Rates for
light and
heat and
motive
power to be
fixed by
council.

19. Article 5670 of the Revised Statutes, 1909, is replaced for the town by the following:

“**5670.** The council may, in addition to the special tax for paying the interest and establishing a sinking-fund on the said sum of sixty thousand dollars and any other special tax to be imposed for electric light, heat or motive power, fix by by-law the compensation for light furnished and for the current required for heat and motive power, either at fixed rates or by meter according to a tariff established by the council, and the price shall be payable and paid at the dates and at a place fixed by the council; the council is also authorized to lease meters for measuring the quantity of light consumed.

Penalties.

The council may also prevent frauds in connection with the quantity of light supplied and regulate the protection of the wires, pipes, lamps, apparatus or other appliances used for distributing light, motive power and heat, and impose a penalty, by way of fine or imprisonment, on all persons extinguishing lamps without authority.”

Id., 5671,
replaced for
the town.

Levy of tax
and com-
pensation.

20. Article 5671 of the Revised Statutes, 1909, is replaced for the town by the following:

“**5671.** The special tax and the compensation imposed under articles 5668 and 5670, as well as the sums due for meters or at fixed rates shall be levied according to

the rules and in the manner prescribed for general taxes at the dates fixed by the council."

21. The council is authorized to develop and increase Special the water powers acquired from *La Compagnie d'Electricité* powers of *de Roberval*, as well as all the properties acquired from the council re said company, and likewise to acquire, within the town water powers. limits or within a radius of thirty miles, water powers with adjacent land for electric light, heat and power purposes for public needs and for those of private individuals or corporations wishing to use electricity for such purposes, either by mutual agreement or by expropriation; and the properties and lands acquired and held, or to be acquired and held, for the production of electricity for light, heat or power, or for waterworks, shall form part of the territory of the town of Roberval, and the latter shall exercise jurisdiction over such properties.

22. With regard to the rights, privileges, powers and Rights, &c. capital stock which the council is authorized to acquire acquired from *La Compagnie d'Electricité de Roberval*, the council may be disposed of. is authorized, by resolution, to sell the capital stock, and, whenever it deems advisable, to dispose by sale or lease of the rights, privileges and powers which may be exercised outside the city and within a radius of thirty miles thereof, on conditions and at such prices to be determined by the council; and also, by resolution, to dispose by sale or lease of the properties and rights acquired from the said company which are or may be exercised in the town and within a radius of thirty miles thereof, if the council considers that it does not require such properties and rights or any portion thereof.

23. The council is not authorized to construct and No authorization re maintain telephone lines. telephone lines.

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