

## C H A P . 9 6

An Act to amend the charter of the city of Lachine.

[Assented to 5th March, 1915]

Preamble.

**W**HEREAS the city of Lachine has, by its petition, represented that for the levying and collecting of its taxes and licenses, the administration of its sinking-fund, the proper management of its affairs, the construction of underground conduits for the purpose of replacing the poles, wires and cables in the streets, and for other purposes therein mentioned, it is necessary to amend its charter, the act 9 Edward VII, chapter 86, and the acts 2 George V, chapter 66, 3 George V, chapter 57, and 4 George V, chapter 79, amending the same, and to grant it additional powers;

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:

R. S. 5362,  
replaced for  
the city.  
Qualifica-  
tion for  
office.

**1.** Article 5362 of the Revised Statutes, 1909, is replaced for the city by the following :

“ **5362.** Every male person not declared disqualified by law, may discharge any municipal office.”

R. S. 5363,  
replaced, for  
the city.  
Disqualifica-  
tions for all  
municipal  
offices.

**2.** Article 5363 of the Revised Statutes, 1909, is replaced for the city by the following:

“ **5363.** The following persons cannot be nominated mayor or alderman nor be elected to such offices, nor be appointed to, nor fill, any other municipal office:

1. Aliens;
2. Minors;
3. Persons in holy orders, and the ministers of any religious denomination;
4. Members of the Privy Council;
5. The judges or magistrates receiving emoluments from the federal or local governments or from the municipality;
6. Officers on full pay of His Majesty's army or navy;
7. Keepers of taverns, hotels or houses of public entertainment, and persons who have acted as such within the preceding twelve months;

Contract

with the city.

**8.** Whosoever has, directly or indirectly, by himself or his partner, any contract with the municipality.

Nevertheless, a shareholder in an incorporated company which has any contract or agreement with the municipality or which receives a bonus therefrom, is not disqualified from acting as a member of the council; but he shall be deemed to be interested if any discussion should arise before the council or a committee with reference to any measure relating to such company; Exception.

9. Whosoever has not paid all his municipal dues, with the exception of such amounts as remain to be paid owing to involuntary error or omission;

10. Whosoever cannot read or write fluently, even though he can read print, or write his name, or do both;

11. Any person convicted of treason or of any criminal offence punishable by imprisonment for at least two years;

12. Whenever the office of mayor or alderman is in question, any persons who have not resided nor had their place of business in the municipality for at least twelve months preceding the election or nomination, those who are responsible for moneys belonging to the municipality, or who are sureties for any employee of the council, or who receive any pecuniary allowance or other consideration from the municipality for their services." Residential qualification.

**3.** The following article is added for the city, after article 5696 of the Revised Statutes, 1909: R. S. 5696a, enacted for the city.

**"5696a.** The taxable immoveables of the city shall include all underground conduits, pipes, poles, wires and cables with their accessories and other apparatus of any kind used for producing or distributing to the public, gas, motive power, electricity, heat, light or water, or for conveying, receiving or carrying telephone or telegraph messages, installed on, above or below the streets, public places or private property within the city limits." Certain things to be included as taxable immoveables.

**4.** The following article is added, for the city, after article 5736a of the Revised Statutes, 1909, enacted for the city by section 44 of the act 9 Edward VII, chapter 86. R. S. 5736b, enacted for the city.

**"5736b.** The annual dues, taxes or licenses which the city is authorized to levy upon all persons, firms or companies, carrying on or plying any trade or manufacture, financial or commercial establishment, occupation, art, profession, trade or means of profit and livelihood, or who keep animals or other effects in the city, shall be due and payable in full by such persons, firms or companies, whatever may be the period, in any year of taxation, during which they have carried on or plied such trade, manufacture, financial or commercial establishment, occupation, art, pro- Annual dues, etc., to be paid in full, even for only part of year.

Exception. fession, trade or means of profit and livelihood, or kept such animals or effects; nevertheless, the city council may, by resolution, remit not more than one half of such dues, taxes or licenses to those who become liable to the same within the three last months of any year of taxation.

Names need not be mentioned in rolls. It shall not be necessary that the names of persons, firms or companies subject to pay such dues, taxes or licenses be mentioned in the valuation or collection rolls."

R. S. 5758, replaced for the city.

**5.** Article 5758 of the Revised Statutes, 1909, is replaced, for the city, by the following:

Sales for unpaid taxes.

"**5758.** Nevertheless, if no proceedings are taken by the council under articles 5751 to 5758, or if such proceedings are not sufficient for recovering the taxes due to the city, it shall be the duty of the city clerk, to sell, at the office of the council, between the first of September and the first of November of each year, by public auction and in the manner set forth in articles 5759 to 5775, which shall in future apply to the city, all immoveable property on which there may be due, either wholly or partly, at least two years' arrears of general taxes on immoveables, or wholly or partly, one year's taxes on immoveables due for over one year, or, wholly or partly, any special taxes on immoveables due for over one year."

R. S. 5759, replaced for the city.

**6.** Article 5759 of the Revised Statutes, 1909, is replaced, for the city, by the following:

List containing description of properties to be sold.

Notice of sale.

"**5759.** The clerk shall prepare a list containing a sufficient description of the property to be sold at public auction, and, at least fifteen days before the day fixed for the sale, he shall give, in the manner required for the publication of the by-laws, public notice of the day, hour and place when and where the said public auction will take place, and further, shall post up a copy thereof on the properties to be sold, provided there are buildings or fences upon which such posting may be effected; and also send a copy to those who appear from the books of the registry office as owners, by means of registered letters, deposited in the post-office and addressed to the last known place of residence of each of such persons. In the case of successions the notice shall be sent to the residence of the known heirs only. In default of a proprietor's proper place of residence being known, the letter shall be deposited to his address in the central post office of the city."

R. S. 5778a, enacted for the city.

**7.** The following article is added for the city, after article 5778 of the Revised Statutes, 1909:

"**5778a.** The treasurer shall take, every year, out of Provision for the city's funds, and before the payment of any appropriation for other purposes, an amount equal to the sinking-fund. sinking-fund. funds created for redeeming the bonds issued by the city, and shall deposit the same in an incorporated bank to the credit of the city, to an account specially opened for the sinking-fund for the redemption of bonds. Such moneys cannot be withdrawn from the bank, except for the purpose of redeeming the bonds, or of being invested by the council in accordance with the foregoing article." Deposit in bank.

**8.** Notwithstanding articles 5790 to 5801 of the Revised Statutes, 1909, such expropriations as the city may make for the extension of Ste. Catherine street to the western boundaries of the city, shall be effected in accordance with the provisions of the Quebec Railway Act and its amendments, *mutatis mutandis*. Expropriation to be made in accordance with Quebec Ry Act.

**9.** The immoveables belonging to the city, and which it may wish to dispose of, shall be sold by public auction by the city clerk, after public notice thereof shall have been posted up at the city hall, and on the property offered for sale, and published in a French and an English newspaper of the district of Montreal, at least seven clear days before the day fixed for the sale. Sale of immoveables belonging to the city.

**10.** The city council may make, amend and repeal by-laws, for the purpose of acquiring, building, maintaining and operating municipal ice-houses for supplying consumers in the municipality. Ice-houses.

**11.** The disbursements occasioned by the present war and incurred by the city as a contribution to the Canadian Patriotic Fund, and the equipment of two companies of soldiers for local and national protection, and for the equipment and maintenance in France of a bed in the hospital of *La Presse*, and of the Canadian municipalities, are valid and held to be legally made. Disbursements made by reason of war declared valid.

**12.** The council may, by resolution, allow a discount of not more than ten per cent upon the amount of the tax or compensation for electricity supplied, and paid for within a given time. Discount may be allowed.

**13.** Article 17 of the act 9 Edward VII, chapter 86, is repealed. 9 Ed. VII, c. 86, sec. 17 repealed.

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