

St. Laurent No. 1, shall continue to be taxed, for school purposes, by the school corporation, on the amount of their present valuation.

**7.** This act shall come into force on the day of its <sup>Coming into</sup> sanction. <sup>force.</sup>

## CHAP. 103

An Act to incorporate the town of Ste. Agathe des Monts.

[Assented to 5th March, 1915]

**W**HEREAS the corporation of the village of Ste. <sup>Preamble.</sup>

Agathe des Monts, incorporated as a village by letters patent dated the 7th July, 1895, has, by its petition, set forth that the provisions of the Municipal Code no longer suffice for its present needs; that it has become necessary to take more extensive measures for the administration of the said village, and has prayed to be incorporated as a town corporation in accordance with the provisions of chapter first of title eleven of the Revised Statutes, 1909; and, whereas it is expedient and in the interest of the ratepayers of the said village of Ste. Agathe des Monts, to grant the said petition;

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

**1.** This act shall be cited as the "Charter of the town <sup>Short title.</sup> of Ste. Agathe des Monts".

**2.** The town of Ste. Agathe des Monts shall remain <sup>Cities and</sup> subject to the provisions of chapter first of title eleven of <sup>Towns' Act</sup> the Revised Statutes, 1909, and its amendments, (articles <sup>to apply.</sup> 5256-5884), except in so far as the same may be inconsistent with the provisions of this act.

**3.** The town of Ste. Agathe des Monts, hereby incorporated, shall succeed to all the rights, obligations, privileges, <sup>Succeeds to</sup> property, claims and actions of the corporation of the <sup>rights and</sup> village of Ste. Agathe des Monts, existing under the letters <sup>obligations</sup> patent dated the 7th July, 1895. <sup>of village.</sup>

**4.** The present municipal officers and employees of the <sup>Municipal</sup> corporation of the village of Ste. Agathe des Monts shall <sup>officers to</sup> remain in office until dismissed or replaced by the council <sup>remain in</sup> office.

of the town of Ste. Agathe des Monts, under the provisions of this act.

By-laws, &c.  
to remain in  
force.

**5.** All by-laws, resolutions, *procès-verbaux*, assessment rolls, dues, lists, plans and all other municipal acts and documents whatsoever made, signed and consented to by the council of the corporation of the village of Ste. Agathe des Monts, shall continue to have their effect, until amended, set aside, repealed or accomplished.

Notes, &c. to  
be binding.

**6.** All notes, bonds, obligations, engagements, titles or contracts whatsoever subscribed, accepted, endorsed or issued by the council of the village of Ste. Agathe des Monts, until the coming into force of this act, shall continue to have their legal effect.

Town separated  
for  
municipal  
purposes.

**7.** The town of Ste. Agathe des Monts is separated from the county of Terrebonne for municipal purposes.

R. S. 5271,  
replaced for  
the town.

**8.** Article 5271 of the Revised Statutes, 1909, is replaced, for the town, by the following:

First general  
election.  
Subsequent  
elections.

**"5271.** The first general election shall take place on the fourth Saturday of the month of May, 1915, or the first juridical day following. The subsequent elections shall take place annually on the fourth Saturday of May, or the following juridical day".

R. S. 5272,  
replaced for  
the town.

**9.** Article 5272 of the Revised Statutes, 1909, is replaced, for the town, by the following:

Returning-  
officer for  
first election.

**"5272.** The first general election shall be presided over by any person designated by the council of the village of Ste. Agathe des Monts".

Town corporation  
constituted.

**10.** The inhabitants and ratepayers of the town of Ste. Agathe des Monts, in the territory comprised within the limits hereinafter described and indicated, are hereby constituted a town corporation, under the name of "The town of Ste. Agathe des Monts".

Territory.

**11.** The territory hereinafter bounded and described shall constitute the municipality of the town of Ste. Agathe des Monts, namely:

In range two, of the township of Beresford, lots Nos. 9a, 9b, 9c, 10a, 10b, 10c, 11a, 11b, 11c, 12a, 12b, 13a, 13b, 14a, 14b, 15a, 15b, 16a, 16b, 17a, 17b, 18a, 18b, 19 and 20;

In range three of the said township of Beresford, lots Nos. 9, 10, 11a, 11b, 11c, 11d, 12a, 12b, 12c, 12d, 12f, 13a, 13b, 13c, 14a, 14b, 15a, 15b, 16a, 16b, 17a, 17b, 18a, 18b,

19a, 19b, 20a, 20b, 21a, 21b, 22a, 22b, 23a, 23b, 23c, 24a, 24b, 24c, and 24d;

All the islands in Lac des Sables, Nos. 46, 47, 48, 49, 50, 51 and 52;

In range four of the said township of Beresford, lots Nos. 9a, 9b, 10, 11a, 12a, 12b, 13a, 14, 15, 16, 17, 18, 19, 20a, 20b, 20c, 20d and 21;

In the fifth range of the said township of Beresford, lots Nos. 10 and 11;

**12.** The town of Ste. Agathe des Monts shall be divided Division into wards. into four wards, namely:

(1) The north ward, comprising the following territory, Territory. viz: lots Nos. 13a to 21 inclusive of range IV of the town- North ward. ship of Beresford, bounded as follows: to the east by St. Vincent street; to the north and to the west by the limits of the town; to the south by the road *Tour du lac*;

(2) The east ward, comprising lots 9a, b, 10, 11a, 12a East ward. in range IV of the township of Beresford, and lots Nos. 10 and 11 in range V of the township of Beresford, and bounded as follows: to the west by St. Vincent street; to the north and east by the limits of the town; to the south by the main street;

(3) The south ward, comprising lots Nos. 9 to 12b inclusive of range III of the township of Beresford, and South ward. lots 9a, b, c, to 12a, b, inclusive, of range II of the township of Beresford; and bounded as follows: to the north by the main street; to the east and south by the limits of the town; to the west by the division line between lots Nos. 13a, b, c and 12a, b, of range III of the township of Beresford, and 13a, b, and 12a, b, of range II of the said township of Beresford;

(4) The west ward, comprising lots Nos. 13a, b, c, of West ward. range II of the township of Beresford as far as lots 24b, c, d, inclusive, of range III of the township of Beresford, the Islands of Lac des Sables, and lots Nos. 13a, b to 20 inclusive of range II of the township of Beresford, bounded as follows: to the north by the road *Tour du lac*; to the east by the division line between lots Nos. 13a, b, c, of range III of the township of Beresford, 13a, b, of range II of the said township of Beresford and lots Nos. 12a, b, of range III of the said township of Beresford, and 12a, b, of range II of the said township of Beresford; and to the south and west by the limits of the town.

**13.** The municipal council shall consist of a mayor and Mayor and aldermen. eight aldermen.

**14.** The present mayor and councillors of the town of Present

mayor and  
council con-  
tinued in  
office.

Ste. Agathe des Monts shall form the first council of the town hereby organized. They shall continue in office until the fourth Saturday of May, 1915, when the first general election shall be held under this act. The first meeting of the council under this act shall be held, at the place where the sittings of the council are usually held, on the second Monday following the sanction of this act.

The election of the month of May, 1915, shall be held on the valuation roll in force on the first day of May, 1915, provided the electors entered thereon are otherwise qualified to vote under the charter, and have paid their taxes on or before the 22nd May, 1915.

Term of  
mayor.

**15.** The mayor shall be elected for two years by the majority of the municipal electors of the town who have voted.

Term of  
aldermen.

**16.** The aldermen shall be elected for two years. After the first year, at the annual election to be held on the fourth Saturday of May, 1916, four aldermen, one in each ward, designated by lot at a sitting of the council, shall go out of office.

Special offi-  
cer may be  
appointed.

**17.** The town may, by resolution of the council, appoint an officer to superintend the construction and maintenance of sewers, roads, sidewalks, parks and municipal buildings and works, and to make plans of such sewers, roads, sidewalks, parks, municipal buildings and works. Such officer shall have his office in the building where the corporation offices are situated, or at any other place fixed by resolution of the council.

Duties.

Additional  
duties.

**18.** He may likewise, with the approval of the council, perform the duties of inspector of buildings and plumbing, and shall generally have all the powers which the council may delegate to him in connection therewith by by-law or by resolution.

Additional  
duties.

Such officer shall be the custodian of all the books, registers, plans, maps, archives and other documents and papers made or drawn up by him or under his orders or required for the performance of his duties. He shall also have the right to sign all plans, maps, documents and papers prepared by him or under his orders; and all copies of plans, maps, books, registers and other documents and papers certified by him shall make proof of their contents.

Assessors.

**19.** The council may also, in the same manner as in the case of assessors, appoint as assessors experts residing outside the municipality.

**20.** Paragraph 1 of article 5368 of the Revised Statutes, 1909, is replaced, for the town, by the following: R. S. 5368, par. 1, replaced for the town.

**“ 5368.** 1. Every male person, widow, spinster, tutor, administrator, curator to the person or property, institute under a substitution and trustee, whose name is entered on the valuation roll in force, either as a *bona fide* owner or occupant of property in the municipality, of the assessed value of two hundred dollars or upwards, or of the annual value of twenty dollars or upwards, according to said roll, and, in cases where such property is held in usufruct, the name of the usufructuary shall alone be entered on the electors' list; also every person designated by a resolution of the board of directors of any company incorporated by federal or provincial letters patent or by special charter, to vote for such company, provided a certified copy of such resolution has been deposited in the clerk's office previous to the homologation of the valuation roll.” Proprietors. Representatives of corporations.

**21.** Article 5373 of the Revised Statutes, 1909, is replaced, for the town, by the following: R. S. 5373, replaced for the town.

**“5373.** No person qualified to vote as proprietor, tenant or occupant, or under any other title, in virtue of article 5368 of the Revised Statutes, 1909, as amended by this act, shall be entitled to have his name entered on the electors' list for any of the wards of the municipality, who on the first day of March next preceding the expiration of the delay mentioned in article 5374, as amended by this act, is indebted to the municipality for any tax on immoveable property, or water or light tax, or any other dues whatsoever. Payment of taxes a condition precedent to being entered on list.

**22.** Article 5374 of the Revised Statutes, 1909, is replaced, for the town, by the following: R. S. 5374, replaced for the town.

**“5374.** Prior to the first of April of each year, there shall be prepared by the clerk, or under his direction, in the manner hereinafter mentioned, a list for the municipality of the names of persons entered on the valuation roll as well as on the collection roll of the municipality, and qualified to be entered in the electors' list.” When electors' list to be prepared.

**23.** Article 5376 of the Revised Statutes, 1909, is replaced, for the town, by the following: R. S. 5376, replaced for the town.

**“5376.** In the preparation of the list the clerk shall omit therefrom, and, from time to time, cause to be removed therefrom, the names of all persons who either are or who may become deceased, also the names of minors, of aliens, non-residents, of corporation employees referred Names to be omitted or removed therefrom.

to in article 5372, and of all others who are not entitled to have their names entered in such list.

Examination  
of lists.

During the month of March any ratepayer may, under proper safeguards, examine the list in the office of the clerk, and if he finds therein the name of any person whom he may have reason to believe is not legally entitled to be entered, he may file with the clerk a signed statement, specifying the name and alleging the causes of disqualification; and, in each such case, the clerk shall make careful inquiry respecting the truth of such allegations, before permitting any name thus objected to to remain upon the list, when he certifies it."

R. S. 5383,  
replaced for  
the town.

**24.** Article 5383 of the Revised Statutes, 1909, is replaced, for the town, by the following:

Appoint-  
ment of  
special clerk  
to make list  
in default of  
clerk.

"**5383.** If the clerk has not made the alphabetical list of electors, or has not given or published the notice required by article 5379, by the third day of April, the judge of the Superior Court for the district, or, in the event of the absence of the district judge, or of his inability to act, a judge of a neighbouring district, or the district magistrate, on summary petition of any person entitled to be entered as an elector in the municipality, shall appoint a special clerk to prepare the alphabetical list of electors."

R. S. 5395,  
replaced for  
the town.

**25.** Article 5395 of the Revised Statutes, 1909, is replaced, for the town, by the following:

Coming into  
force of list.

"**5395.** The list of electors shall come into force at the expiration of the thirty days following the expiration of the delay prescribed for the preparation of the list, or, if the list has been completed after the expiration of the said delay, within the thirty days after the notice given in virtue of article 5379, and shall remain in force until the month of May following its coming into force, and, thereafter, in all cases, until a new list is made and put into force under the authority of this chapter.

List in force,  
even if ap-  
pealed from,  
until deci-  
sion.

Notwithstanding the appeal to a judge of the Superior Court, or to a district magistrate in districts in which there is no judge of the Superior Court, touching a portion of the list, such portion of the list shall remain in force until the final decision of the court before which the said petition in appeal is pending."

R. S. 5413,  
replaced for  
the town.

**26.** Article 5413 of the Revised Statutes, 1909, is replaced, for the town, by the following:

When gen-  
eral elections  
are held.

"**5413.** The general election for the mayor shall take place every second year on the fourth Saturday of May, or on the following juridical day. The election for alder-

men shall take place on the fourth Saturday of May every year for four aldermen, as provided by section 16 of this act."

**27.** Article 5415 of the Revised Statutes, 1909, is replaced, for the town, by the following: R. S. 5415, replaced for the town.

"**5415.** On the first Saturday of May in each year the returning-officer, by a commission under his hand, in the form E, shall appoint an election clerk, and may, at any time during the election, appoint in the same manner, another election clerk, if the one first appointed resigns, or refuses or is unable to perform his duties as such clerk." Appointment of election clerk.

**28.** Article 5419 of the Revised Statutes, 1909, is replaced, for the town, by the following: R. S. 5419, replaced for the town.

"**5419.** On the second Saturday of the month of May in each year, the returning-officer shall give public notice, in the form G, under his signature, setting forth: Notice of election to be given by returning-officer.

a. The place, day and hour fixed for the nomination of candidates;

b. The day on which the poll for taking the votes of the electors will be held, in case a poll is necessary;

c. The appointment of the election clerk."

**29.** Article 5421 of the Revised Statutes, 1909, is replaced, for the town, by the following: R. S. 5421, replaced for the town.

"**5421.** The nomination of candidates shall be held on the third Saturday of May from noon to two o'clock in the afternoon. If such day be a holiday, it shall be held on the first juridical day following such date, and during the same hours." When nomination to be held.

**30.** Article 5450 of the Revised Statutes, 1909, is replaced, for the town, by the following: R. S. 5450, replaced for the town.

"**5450.** The poll shall be opened at the hour of nine of the clock in the forenoon, and kept open until eight of the clock in the afternoon of the same day, and each deputy returning-officer shall, during that time, in the polling station assigned to him, receive, in the manner herein-after prescribed, the votes of the electors duly qualified to vote at such polling station." Hours for polling.

**31.** Article 5460 of the Revised Statutes, 1909, is replaced, for the town, by the following: R. S. 5460, replaced for the town.

"**5460.** Immediately after the ballot-box is locked, as above provided, the deputy returning-officer shall, at nine o'clock precisely, call upon the electors to vote." Calling upon voters.

Voters not  
to be imped-  
ed.

The deputy returning-officer shall secure the admittance of every elector into the polling station, and shall see that he is not impeded or molested at or about the polling station."

R. S. 5462, p.  
11, enacted  
for the town.

**32.** The following paragraph 11 is added, for the town, after paragraph 10 of article 5462 of the Revised Statutes, 1909:

"11. Have you paid all the taxes, dues and accounts, the payment whereof is required to entitle you to vote at this election ?"

R. S. 5478,  
replaced for  
the town.

**33.** Article 5478 of the Revised Statutes, 1909, is replaced, for the town, by the following:

Proceedings  
if nomination  
or polling  
could not be  
held on day  
fixed.

**"5478.** In case, through accident or irresistible force, riot, removal of documents, or other cause of a similar nature, the nomination could not be held, or the polling could not commence at the hour fixed, or was interrupted by similar causes before being closed, the returning-officer and the deputy returning-officer, in so far as it concerns either, shall adjourn to the following day to recommence the proceedings, and day by day, if necessary, until the nomination of candidates can be freely held; and, in the case of the polling, it shall be resumed by commencing at nine o'clock in the forenoon until it has lasted eleven hours, so that all the electors who wish to vote may have an opportunity of doing so."

R. S. 5479,  
am. for the  
town.

**34.** The first paragraph of article 5479 of the Revised Statutes, 1909, is replaced, for the town, by the following:

Close of poll.

**"5479.** At eight o'clock, the poll and the voting shall be closed, and an entry thereof shall be made in the poll-book."

Provisions  
not appli-  
cable.

**35.** Articles 5553 and 5555 of the Revised Statutes, 1909, shall not apply to the town.

R. S. 5556,  
replaced for  
the town.

**36.** Article 5556 of the Revised Statutes, 1909, is replaced, for the town, by the following:

Where ses-  
sions are  
held.

**"5556.** The council shall hold its first session in the municipal room of the town hall, and also its subsequent sessions at that place until another place within the municipality is fixed by resolution, and the council may, in like manner, change the same whenever it thinks fit."

R. S. 5557,  
replaced for  
the town.

**37.** 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, <sup>When meet-</sup> in general or ordinary session, to despatch the business of <sup>ings of coun-</sup> the municipality, and shall hold its sittings on the day <sup>cil are held.</sup> and at the hours which it shall determine by by-law."

**38.** Article 5559 of the Revised Statutes, 1909, as <sup>R. S. 5559,</sup> amended by the act 4 George V, chapter 46, section 1, is <sup>replaced for</sup> replaced, for the town, by the following: <sup>the town.</sup>

**"5559.** The majority of the members of the council, <sup>Quorum.</sup> including the mayor, shall constitute a quorum for the transaction of business, except as otherwise specially provided by law.

Two aldermen present may, in default of a quorum, <sup>Adjourn-</sup> and half an hour after such lack of a quorum has been <sup>ment in</sup> ascertained, adjourn a regular or special session to a future <sup>default of</sup> date. At least twenty-four hours' special notice of such <sup>quorum.</sup> adjournment must be given to the members of the council who where then absent. The hour of the adjournment, the names of the members of the council, and the day and hour to which the session was adjourned, must be entered in the minute book of the council."

**39.** Article 5561 of the Revised Statutes, 1909, is <sup>R. S. 5561,</sup> replaced, for the town, by the following: <sup>replaced for</sup> <sup>the town.</sup>

**"5561.** The mayor may call a special session of <sup>Special meet-</sup> the council when and as often as he may deem proper; <sup>ings called</sup> such session may be called upon verbal or written intima- <sup>by mayor.</sup> tion from the mayor to the clerk of the municipality, who thereupon shall issue a notice of meeting summarily specifying the business to be transacted at such session, and shall cause a copy of such notice to be served or sent by registered mail to every member, at his domicile or place of business, at least forty-eight hours prior to such session; and the mailing of a registered notice forty-eight hours before such session, shall be deemed equivalent to service of such notice."

**40.** Article 5613 of the Revised Statutes, 1909, is <sup>R. S. 5613,</sup> replaced, for the town, by the following: <sup>replaced for</sup> <sup>the town.</sup>

**"5613.** Six electors, who are owners of immoveable <sup>Who may</sup> property and qualified to form part of such meeting, may <sup>demand poll.</sup> require that a poll be held to ascertain whether the by-law is approved or not. Upon such requisition, the mayor or other person presiding, shall, within the following eight days, fix a day for the poll."

**41.** Article 5615 of the Revised Statutes, 1909, is <sup>R. S. 5615,</sup> replaced, for the town, by the following: <sup>replaced for</sup> <sup>the town.</sup>

Open on one  
day between  
certain hours.

Proviso.

May ac-  
quire lands  
and hold  
games, etc.

R. S. 5639,  
par. 2,  
replaced for  
the town.

**"5615.** The poll shall be held on one juridical day, from eight o'clock in the morning to five o'clock in the afternoon. If an hour elapses after the opening of the poll without a vote being recorded, the presiding officer shall declare the poll closed at the request of any elector present who has voted."

**42.** The town of Ste. Agathe des Monts may acquire, lease or hold lands, and establish and regulate athletic games and public amusements thereon.

**43.** Paragraph 2 of article 5639 of the Revised Statutes, 1909, is replaced, for the town, by the following:

"2. To establish and regulate hospitals, pest-houses, public or private sanatoriums, hotels, boarding-houses where such patients are admitted, and to regulate the place within the town limits where such establishments may be established; to prevent such establishments being built and established within a certain radius; to compel such establishments and all houses where public or private boarders are received to be subjected to medical inspection; to protect public health and suppress contagious, infectious and other diseases in the municipality, to secure the isolation of persons infected by such diseases, and enforce such by-laws within the municipality; to regulate, control and prevent the landing of persons, baggage, merchandise or other property from boats, vessels, cars or other conveyances infected with contagious diseases, and to make such disposal of such persons or property as to preserve the public health, and to prevent infected boats, vessels, cars or other conveyances from coming within or near the municipality; the whole without prejudice to the provisions of the Quebec Public Health Act, and without prejudice to the rights of the public sanatorium established with the approval of the municipality to enlarge their present building."

Id., par. 6,  
replaced for  
the town.

Ice-houses,  
&c.

**44.** Paragraph 6 of article 5639 of the Revised Statutes, 1909, is replaced, for the town, by the following:

"6. To provide for the inspection and regulation of ice-houses, the manner of cutting ice for supplying the town and private individuals; to prescribe the places where ice may be taken, and to grant licenses on such conditions as may be deemed advisable to ice-dealers within the town."

Id., par. 9,  
replaced for  
the town.  
Removal of  
ashes, &c.

**45.** Paragraph 9 of article 5639 of the Revised Statutes, 1909, is replaced, for the town, by the following:

"9. To require, throughout the municipality, or in such

district or districts as the council may designate, the owner or occupant of any premises, or the person who has deposited the same, to collect, remove and dispose of ashes, swill, offal, refuse, garbage, manure, dead animals, night-soil, and other unhealthy or offensive matter; to provide for the collection, removal and disposal of the same throughout the municipality or in such districts as the council may designate, and to authorize and direct such collection, removal and disposal, either at the expense of the municipality or of such owner or occupant, or of the person who has deposited the same;

To compel, throughout the whole municipality or in Weeds, &c. such district or districts as the council shall indicate, the owner or occupant of every immoveable to cut, collect and remove wild plants, weeds and shrubs of a harmful nature, and to authorize the officers of the town to have such work done at the expense of the persons obliged to do the same, in the event of their refusal; to compel all owners or occupants of lots with stagnant water on them to drain or raise the level of the same, and to authorize the officers of the town to have such work done at the expense of the persons obliged to do the same in the event of their refusal; to fix a day for general cleaning in the town."

**46.** Paragraph 11 of article 5639 of the Revised Statutes, 1909, is replaced, for the town, by the following: Id., par. 11, replaced for the town.

"11. To regulate the throwing or depositing of ashes, paper, refuse, offal, dirt, garbage, or of any offensive matter, the shaking of carpets, making of fires, burning of refuse, sifting of ashes or the causing of other nuisances in or upon any street, alley, yard, public or private ground, or public square, or municipal stream or water." Filth in streets, &c.

**47.** The town council may make, amend and repeal Incinerators. by-laws for establishing, operating and managing, alone or with the adjoining municipalities, one or more incinerators either within or without the town limits, and to acquire all the land necessary for such purpose; to aid, by gifts or loans of money, the establishing of one or more incinerators, and the acquisition of the land required for such purpose, either within or without the town limits.

**48.** The following paragraph 21a is added, for the town, Id., par. 21a, added for the town. after paragraph 21 of article 5639 of the Revised Statutes, 1909;

"21a. 1. After the election of May, 1915, the town council may, by by-law, order the construction of a sys- Collecting sewers.

tem of collecting sewers connecting with proprietors' private drains.

Loan  
authorized.

2. To provide for the cost of constructing such sewerage system, the town of Ste. Agathe des Monts is hereby authorized, after a by-law to that effect has been adopted by the council and approved by the majority in number and in value of the electors of the municipality who are property owners, to contract a loan for an amount not exceeding one hundred and twenty-five thousand dollars, by means of bonds or debentures of the town bearing interest at a rate not exceeding six per cent, and redeemable in fifty years at the most. Such loans shall not affect the general borrowing power specified by this act.

Apportion-  
ment of cost.

3. The town council may, by by-law, apportion the cost of the construction and maintenance of the said sewerage system upon the proprietors of immoveables in front of which the said sewers are constructed proportionately to the frontage, area or valuation of such immoveables.

Acquisition of  
land re-  
quired.

4. For the construction of the said sewers, the town may acquire any lot or part of a lot of land that may be required, either by mutual agreement, or, in default thereof, by expropriation, both within and without the town.

Interest and  
sinking-fund.

5. The by-law concerning the loan must provide for the payment of the interest on the bonds issued, and, in addition, of at least one per cent for a sinking-fund."

Id., par. 23,  
replaced.

**49.** Paragraph 23 of article 5639 of the Revised Statutes, 1909, is replaced, for the town, by the following:

Drains in  
private  
streets.

"23. To construct drains in private streets and lanes when required in the interest of public health, without being bound to pay any damages or compensation for the use of such streets or lanes for such work; and also to prevent the construction of sewers or other works without the consent of the council being previously obtained."

Id., par. 24,  
replaced for  
the town.

**50.** Paragraph 24 of article 5639 of the Revised Statutes, 1909, is replaced, for the town, by the following:

Private  
drains, &c.

"24. To regulate the time when private drains shall be made; to prescribe the manner and the materials with which the same may be constructed, the municipality having power to make the same from the line of the street to the common sewer at the expense of the owners or occupants of the lot where they are so made, or to order such connections to be made by the owners or occupants themselves at their own cost, under the supervision and direction of an officer appointed by the town for the purpose; to compel owners or occupants in any street where the

common sewer is or may be made to connect the drains on their properties with the town's system of sewerage."

**51.** The following two paragraphs 31 and 32 are added, Id., par. 31 and 32, added for the town. for the town, to article 5639 of the Revised Statutes, 1909:

"31. To establish, operate and manage, alone or with Disposal of sewage. the adjoining municipalities, a filtering field or any apparatus or system for disposing of sewage within or without the limits of the municipality, and to acquire any land required for the purpose, by mutual agreement or by expropriation.

"32. By means of gifts or loans of money, to aid in the Aid towards same. establishment, operation and management of a filtering field or any apparatus or system for disposing of sewage, and the acquisition of the land required for the purpose, within or without the limits of the municipality."

**52.** Paragraph 5 of article 5640 of the Revised Statutes, 1909, is replaced, for the town, by the following: R. S. 5640, par. 5, replaced for the town.

"5. To regulate circuses, theatres, spectacles, shows, Circuses, &c. moving pictures or other public exhibitions, and permit them to be held under license and upon such conditions as may be deemed fit, and to prohibit all spectacles or exhibitions tending to affect public safety."

**53.** Paragraph 3 of article 5641 of the Revised Statutes, 1909, is replaced, for the town, by the following: R. S. 5641, par. 3, replaced for the town.

"3. To oblige the owners of land situated on any road, Sidewalks. street, public square or highway, established in the municipality, to make and maintain, bordering on their property, or on the opposite side of the street or road, sidewalks of wood, stone or other material as provided, either throughout the whole municipality or only through a part thereof; and to determine the manner of making and maintaining such sidewalks, and even make and maintain them at the expense of the municipality or at the expense of the abutting owners on the opposite side of the street, or of part of the municipality, by means of a special assessment upon such owners."

**54.** Paragraph 23 of article 5641 of the Revised Statutes, 1909, is replaced, for the town, by the following: Id., par. 23, replaced for the town.

"23. To require the owner or occupant of any immovable property to keep the sidewalks in front of and Obstructions on sidewalks, &c. bordering on the same, free from obstructions or snow, and to provide for the removal of the same at the expense of such owner or occupant."

Id., par. 29,  
replaced for  
the town.

Noisy  
vehicles, &c.

**55.** Paragraph 29 of article 5641 of the Revised Statutes, 1909, is replaced, for the town, by the following:

"29. To regulate or prohibit the use of noisy vehicles in the streets and public places, of canoes, launches and all kinds of noisy craft on the lake and waters within the town limits."

Id., par. 33  
and 34, added  
for the town.

**56.** The following two paragraphs 33 and 34 are added for the town, after paragraph 32 of article 5641 of the Revised Statutes, 1909:

Building line,  
&c.

"33. To establish the line of buildings on lots abutting on any street, road, avenue, highway, alley, park, or lane within the limits of the municipality, between which line and such street, road, avenue, highway, alley, park or lane, no building or part of building or dependency shall be established or built; and change the name of any street, road, avenue, highway, alley, park or lane within the limits of the municipality;

Changing  
names of  
streets.

Exemption  
from asses-  
ments in cer-  
tain case.

"34. When a proprietor transfers gratuitously to the municipality a lot destined for a street across his property, the remainder of the property facing upon the new street may, by resolution of the council, be exempted wholly or in part from the assessments necessitated by the opening of such street, provided that the portion so exempted does not exceed one hundred and fifty feet in depth."

Streets, lanes  
&c., property  
of town.

**57.** The streets, lanes and public places now open to traffic within the limits of the town of Ste. Agathe des Monts are the property of the town; and all streets, lanes and public places which may be opened in the future by private individuals must be so opened with the consent of the town council, and shall, as soon as opened, become the property of the town, and the making and maintenance of such streets shall be at the charge of the town.

R. S. 5651,  
replaced for  
the town.

**58.** Article 5651 of the Revised Statutes, 1909, is replaced, for the town, by the following:

Tax for  
constructing  
waterworks,  
&c.

"**5651.** The council may, by by-law, in order to meet the interest on the sums expended in the construction, improvement, or enlargement of water-works, public wells, cisterns or reservoirs, and to establish a sinking-fund, impose an annual special tax, at a rate to be fixed by it, on the assessed value of each such property.

Investment  
of sinking-  
fund.

The sinking-fund created by this article shall be invested and managed in the same manner as that mentioned in article 5777."

R. S. 5653,  
am.

**59.** The following paragraph is added for the town,

after paragraph 7 of article 5653 of the Revised Statutes, 1909:

"8. To shut off the water from any owner, tenant or occupant using water, who has not paid the water tax within the specified delay." Shutting off water.

**60.** Article 5657 of the Revised Statutes, 1909, is replaced, for the town, by the following: R. S. 5657, replaced for the town.

"**5657.** The municipality shall lay at its own cost, as far as the line of the street or to the spot where the stop cock is to be placed, the pipes for supplying the water to houses and other buildings, but the introduction and distribution of the water in such houses or buildings from that spot shall be at the charge of the owners or occupants, and be effected by them." Cost of introduction of water into houses, &c.

**61.** Article 5674 of the Revised Statutes, 1909, is replaced, for the town, by the following: R. S. 5674, replaced for the town.

"**5674.** The owners or occupants of houses, buildings or lands in the municipality shall, whether the lighting system belongs to the municipality or to others, permit the pipes, lamps, wires and poles and all other accessories necessary for the lighting for public or private purposes to be placed on their houses, buildings or lands, saving recourse in damages, if any be occasioned thereby." Laying pipes, &c.

**62.** The town is authorized to acquire, construct, maintain and operate works for the production of electric light and power, as well as the necessary material for such purposes, for the public needs and for those of private individuals and corporations, and to supply and sell light and motive power within its limits and neighbouring localities. To that end it may acquire, possess and operate any water-power, property, right of way, servitude and usufruct within a radius of thirty miles from its limits, and acquire by expropriation, if necessary, any property for the construction, operation and administration of power-houses, or right of way for the said exploitation, and for its poles and conduits, but when the poles or conduits are to be put in a public road, the town shall previously obtain the consent of the municipality controlling such roads. Electric works. Acquisition of water-power.

Articles 5666 to 5674, inclusive, of the Revised Statutes, 1909, as amended by this act, shall apply to the town, *mutatis mutandis*. Provisions applicable.

**63.** Paragraph 3 of article 5677 of the Revised Statutes, 1909, is replaced, for the town, by the following: R. S. 5677, par. 3, replaced for the town.

"3. To regulate or prohibit the selling of or exposing for

Sale of  
produce.

sale on the markets or public market places, of any kind of articles or produce, or certain articles in particular; to regulate the selling of meat on the markets in the town; to determine what persons shall have the right to sell or offer meat for sale on the said markets; to define in what the occupation of butcher shall consist; to allow farmers to sell on the said markets, by complying with the by-laws of the town, any kind of meat, either by the carcass or in quarters, or in smaller pieces, and to restrict such permission by imposing the express condition that such meat shall be that of animals raised by the vendor as a farmer on a farm worked by himself, or on the site of his residence at the time of the sale, or owned by him during the time and in the manner determined by the by-laws of the council, or the product of his hunting; to impose all such other restrictions as it may deem expedient.

Burden of  
proof on  
defendant.

In all prosecutions for infringement of the provisions of this paragraph or of the by-laws made in virtue thereof, the corporation shall not be bound to prove that the defendant sold or offered meat for sale, which was not the meat of animals raised on his farm or on the lot owned by him or the product of his hunting as above prescribed, but the burden of proof shall be on the defendant."

R. S. 5678,  
replaced for  
the town.

**64.** Article 5678 of the Revised Statutes, 1909, is replaced, for the town, by the following:

Power of  
market clerk  
to enter  
yards, &c.

"**5678.** The market clerks, police officers, or other persons authorized by the council, may enter into yards and lanes for the purpose of recovering and collecting the market dues or taxes due for cattle, grain, produce, provisions or other articles brought into the municipality to be sold or delivered."

R. S. 5679,  
am. for the  
town.

**65.** The following paragraph 3 is added, for the town, after paragraph 2 of article 5679 of the Revised Statutes, 1909:

Slaughter-  
ing of cattle.

"3. To regulate the slaughtering of cattle on private property or by private individuals, and indicate where such slaughtering may be done."

R. S. 5680,  
par. 11, re-  
placed for  
the town.

**66.** Paragraph 11 of article 5680 of the Revised Statutes, 1909, is replaced, for the town, by the following:

Licensing  
non-resi-  
dents who  
trade in city.

"11. To prevent, or permit in consideration of an annual license, not exceeding two hundred dollars, any person or firm of persons, company or corporation not residing within the limits of the town nor having a place of business therein, to carry on any retail trade or business or to deliver or cause to be delivered goods so sold in the town



by vehicle, and to compel such persons to take a number for every vehicle used in the town for the requirements of such trade or business."

**67.** Paragraph 19 of article 5680 of the Revised Statutes, 1909, is replaced, for the town, by the following: R. S. 5680, par. 19, replaced for the town.

"19. Subject to the provisions of the act 1 George V (2nd session), chapter 40, to provide for the making, sale, &c., of sale and conveyance of bread, and prescribe the inspection of bread and of bakeries, to prescribe the weight and quality of the bread in the loaf, and the marks to be put on the loaf, to provide for the seizure and forfeiture of bread made contrary to the by-laws, and prescribe the manner in which the bread so seized and confiscated shall be disposed of."

**68.** Paragraph 3 of article 5683 of the Revised Statutes, 1909, is replaced, for the town, by the following: R. S. 5683, par. 3, replaced for the town.

"3. To regulate or prohibit the ringing of bells, and chimes, the blowing of whistles, the use of gasoline motors other than automobiles, and the making of other noises; the ringing of bells and whistling of locomotives and steamboats, and the discharge of cinders, sparks and smoke and steam therefrom."

**69.** The following paragraph 10 is added, for the town, after paragraph 9 of article 5684 of the Revised Statutes, 1909: R. S. 5684, am. for the town.

"10. The council may, by resolution, authorize the expenditure out of the town revenues of such amount as it may deem necessary or expedient, to advertise and make known the advantages of the town; also to pay the cost of official receptions which it may deem it advisable to hold, and of such delegations as it may deem expedient to send."

**70.** Paragraph 5 of article 5685 of the Revised Statutes, 1909, is replaced, for the town, by the following: R. S. 5685, par. 5, replaced for the town.

"5. To subscribe for or hold stock in any company formed for the purpose of constructing telegraph or telephone lines, or any other public utility service."

**71.** The council may, by by-law, within the limits established by articles 5929 to 5931 of the Revised Statutes, 1909, aid one or more persons, or one or more commercial or joint stock companies established or projected, Giving aid to companies.

carrying on or proposing to carry on any business, trade or undertaking in the town, by making loans of money or by bonuses or subsidies in money or in immoveable property, upon the conditions and upon the security which it may think proper.

R.S. 5726,  
replaced for  
the town.

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

Taxes to  
bear interest.

**"5726.** Taxes shall bear interest, at the rate of six per cent per annum, from maturity, without its being for such purpose necessary that a special demand for payment be made. Subject to article 5775, neither the municipal council nor its officers can remit any taxes or the interest thereon. Nevertheless, the council may, by by-law imposing a municipal tax, grant a remission or a discount of not more than five per cent of the amount levied by such by-law, if the amount thereof is paid to the treasurer within the delays specified in the said by-law."

Proviso.

R. S. 5729,  
par. 1, - E  
replaced.

**73.** Sub-paragraph *e* of paragraph 1 of article 5729 of the Revised Statutes, 1909, is replaced, for the town, by the following:

Property  
not taxed.

**"e.** Establishments instituted with charitable objects, for treating diseases, with or without gratuitous dispensaries, as well as the land upon which they are built; 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;"

Special  
taxes.

**74.** 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 benefited 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.

R. S. 5731,  
not to apply  
to town.

**75.** Article 5731 of the Revised Statutes, 1909, shall not apply to the town.

R. S. 5733,  
replaced for  
the town.

**76.** Article 5733 of the Revised Statutes, 1909, is replaced, for the town, by the following:

**"5733.** The council may impose and levy an annual Tax on tax to be fixed by by-law, on every stallion kept for breed- stallions, &c. ing, on every horse aged three years and over, on every bull kept for breeding, on every other head of cattle over three years of age, on every dog or bitch, and said tax may be different for dogs and bitches, on every carriage or vehicle, other than automobiles, kept in the municipality."

**77.** Article 5736 of the Revised Statutes, 1909, is R. S. 5736, replaced, for the town, by the following: replaced for the town.

**"5736.** Every special tax imposed under article 5735, Special tax as well as the tax mentioned in article 5733, may, in the may be in discretion of the council, be imposed and levied in the form of form of a license; and thereupon such tax shall be payable license. annually at such time and under such conditions and restrictions as the council may determine. It is not necessary that the persons liable for such taxes be mentioned in the valuation or collection rolls. Such license may be imposed in addition to the tax mentioned in article 5732."

**78.** Article 5738 of the Revised Statutes, 1909, is R. S. 5738, replaced, for the town, by the following: replaced for the town.

**"5738.** Every tax, license or permit imposed or granted under the provisions of this act, shall be payable in advance, and shall expire annually at the dates fixed by the by-laws, and the whole amount may be exacted for any fraction of a year." Taxes payable annually in advance.

**79.** Article 5741 of the Revised Statutes, 1909, is R. S. 5741, replaced, for the town, by the following: replaced for the town.

**"5741.** The tax imposed in virtue of article 5735 Tax under may be imposed for every business establishment, and for article 5735, every kind of business or occupation when carried on by how payable. the same person, firm or company in two or more distinct and separate buildings or places of business."

**80.** In addition to the powers conferred on it by the Power to Cities and Towns' Act, the council may also impose and tax poles. levy an annual tax upon every telegraph, telephone, electric light or power pole in the streets, squares and public roads of the town, provided such tax shall not exceed twenty-five cents per annum for each pole. Such tax shall be recoverable from the proprietors of the poles, and shall be due for all such poles so existing in the town, except the telegraph poles situated on the property of Exception. railway companies, and used by such companies.

## Notices.

**81.** The special notices for payment of taxes or other sums of money due the town by persons liable for the same, may be given by registered letter deposited in the post-office to the debtor's last known address, with the same effect as if served in accordance with article 5750 of the Revised Statutes, 1909.

R. S. 5777,  
replaced for  
the town.

**82.** Article 5777 of the Revised Statutes, 1909, as amended by the act 4 George V, chapter 49, section 1, is replaced, for the town, by the following:

## Interest.

**"5777.** Whenever the council contracts a loan, it shall immediately provide, out of the revenues of the municipality, for the payment of the annual interest, and for

## Sinking-fund.

the establishment of a sinking-fund of at least one per cent per annum, for each such loan.

The annual rate of interest shall in no case exceed six per cent".

R. S. 5778,  
replaced for  
the town.

**83.** Article 5778 of the Revised Statutes, 1909, is replaced, for the town, by the following:

Investment  
of sinking-  
fund.

**"5778.** The sinking-fund must be invested in the public funds of the Dominion or of the Province; or on first hypothec on immoveable property in the town of Ste. Agathe des Monts, to an amount not exceeding one-half the value of the property hypothecated as appears by the municipal valuation roll, provided, however, that provision be made for the insurance of the property so mortgaged, to be taken in the name of the municipality and at the expense of the borrower, to an amount of not less than one-half the value of the property so insured; or be employed in the redemption of bonds issued by the corporation or by any other municipal corporation; or be deposited in a chartered bank."

R. S. 5779,  
replaced for  
the town.

**84.** Article 5779 of the Revised Statutes, 1909, as amended by the act 4 George V, chapter 49, section 2, is replaced, for the town, by the following:

Issue of  
debentures.

**"5779.** The council may contract its loans by an issue of bonds, obligations or debentures signed by the mayor, and countersigned by the secretary-treasurer, and bearing the seal of the municipality.

## How payable.

Such bonds, obligations or debentures shall be made payable to the bearer, at the periods fixed by the council, with interest at a rate not exceeding six per cent, payable half-yearly, and may, until finally disposed of, be pledged as security, if the market be not deemed favorable, without their validity being affected thereby. When its sinking-fund amounts to two thousand dollars or over, the town

is authorized to repurchase from the holders, at the market price, each one of its bonds on sale on the market, and to publish advertisements to that effect."

**85.** Article 5780 of the Revised Statutes, 1909, is replaced, for the town, by the following: R. S. 5780,  
replaced for  
the town.

**"5780.** Coupons to the amount of the half-yearly interest, signed by the mayor and countersigned by the clerk, and payable to bearer when the interest specified therein falls due, may be annexed to each bond, obligation or debenture. Coupons.

The signatures of the mayor and clerk may be lithographed or printed. Lithograph-  
ed signa-  
tures.

At the time of payment, the coupons shall be handed to the treasurer; and the possession, by such officer, of any coupon, shall be *prima facie* evidence that the half-yearly interest specified therein has been paid". Proof of  
payment or  
interest.

**86.** Article 5797 of the Revised Statutes, 1909, is replaced, for the town, by the following: R. S. 5797,  
replaced for  
the town.

**"5797.** 1. Before proceeding, the arbitrators shall make oath to faithfully and impartially perform the duties of their office, before the clerk of the town, who shall keep such oath in the archives of the council. Proceedings  
in arbitra-  
tion.

The arbitrators shall appoint a secretary, whose emoluments shall be fixed by them and shall form part of the costs of the arbitration; the duty of said secretary is to take note in writing of all the deliberations and of the proof made by the parties in the cause before the arbitrators, and to perform any other act which they may order him to perform." Secretary.

2. The arbitrators shall proceed at the time and place fixed by them, and of which they shall have given at least ten days' special notice to the parties interested. Time and  
place.

In deciding upon the compensation to be paid, the arbitrators are authorized to take into consideration the increased value to be given the land from which the portion to be expropriated is to be taken, and to set off the increased value of such land against the inconvenience, loss or damage that may result from the expropriation, or from the fact of the municipality taking possession or making use of the expropriated land.

The arbitrators, after having examined and valued the immoveable, and heard the parties and their witnesses under oath administered by one of them, if they deem it expedient, shall give their award by means of a certificate signed by them or by the majority of them, and which they deposit in the office of the council. Award.

No appeal.

Such award shall be final and without appeal.

Immediate possession.

**87.** Whenever the town is obliged to expropriate, it may obtain immediate possession of the land, immovables, rights or servitudes constituting the object of the expropriation, by a writ from a judge of the Superior Court of the district of Terrebonne, by observing the following formalities:

Conditions precedent.

1. The judge shall grant such writ if the town has caused to be served, at least ten days previous:

*a.* A notice containing a description of the lands to be taken, or of the powers the town intended to exercise with respect to certain lots, designating the same;

*b.* A resolution adopted by the council, that the town is prepared to pay a specified sum of money or rent, as the case may be, as compensation for such lots, or as damages;

*c.* The appointment, by resolution of the council, of the person who is to act for the town if the offer be not accepted;

*d.* A satisfactory affidavit to the effect that the immediate possession of the land, or the power to do what is stated in the aforesaid notice, is necessary for doing the work or exercising the powers ordered by the council within its scope, and that the corporation is prepared to begin at once;

*e.* A petition praying for immediate possession.

Upon whom service must be made.

2. The above documents must be served upon the owners of the land, or persons having power to give a title transferring the property, or having an interest in the property or right to be expropriated, or who may suffer damage through the removal of materials or the exercise of the powers or the doing of what is to be done by the corporation.

Security.

3. No judge shall grant such writ unless the corporation deposits in a chartered bank which he shall designate, to the credit of the corporation and of such proprietor or person jointly, an amount greater than that at which he estimates the probable indemnity, and not less than double that mentioned in the notice prescribed by paragraph 1 of this section.

Costs.

4. The costs of the petition and the hearing before the judge shall be paid by the corporation, unless the compensation awarded be less than that it declares it is ready to pay.

Documents of record.

5. The petition, the writ of possession and the certificate of deposit above mentioned, and all other documents relating to such incidental procedure, shall remain in the

archives of the Superior Court of the district of Terrebonne, and a special register of such procedure shall be kept by the prothonotary.

6. No portion of the deposit or of the interest thereon shall be reimbursed or paid to the corporation, or paid to the proprietor or person aforesaid, without an order from the judge who is authorized to issue the same, rendered in accordance with the terms of the arbitration award or of the mutual agreement between the parties. Payments on order of judge.

**88.** As lands under cultivation are comprised within the limits of the town, the council of the said town may, by-law, provide for the making and maintenance of ditches, line fences, clearings and other works, necessary or useful for the cultivation of such land, and, for that purpose, may appoint one or more special officers, with power to do and have such work done, and impose on such officers or on the persons bound to do such work, such fines or penalties as it may deem expedient. Lands under cultivation in town. Ditches, fences, &c.

Until such by-laws are made, the provisions of the Municipal Code of this Province or its amendments shall apply to such lands, and the town shall be bound to appoint officers for that purpose. Interim.

**89.** The letters-patent erecting the village of Ste. Agathe des Monts, dated the 7th July, 1895, are repealed by this act. Letters patent repealed.

**90.** The costs, fees and expenses incurred in connection with the present incorporation as a town, shall be paid by the town. Costs.

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

## CHAP. 104

An Act to incorporate the town of Laval on the lake.

[Assented to 5th March, 1915]

**WHEREAS** *La Compagnie des terrains de Laval*; Raoul Guillaume de Lorimier, advocate, of the city of Montreal and Wilfrid J. Jalbert, advocate, of the town of Outremont, all in the district of Montreal, in the Province of Quebec, have, by their petition, represented that they have acquired immoveables in the parish of Ste. Dorothee, Preamble.