

## C H A P. 77

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

[Assented to 19th February, 1914]

**W**HEREAS the city of Westmount has, by its petition, Preamble.  
represented that it is in the interest of the proper  
administration of its affairs that its charter, the act 8 Edward  
VII, chapter 89, as amended by the act 2 George V, chapter  
60, be amended; 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 Assem-  
bly of Quebec, enacts as follows:

**1.** Section 51 of the act 8 Edward VII, chapter 89, is 8 Ed. VII,  
ch. 89, s. 51  
replaced. replaced by the following:

**"51.** In and by any by-law passed in virtue of the Cost may be  
imposed up  
on proprie-  
tors within  
a fixed area.  
foregoing section it may be declared and ordered that the  
cost of any such improvements and works shall be borne  
and paid by the owners of real estate situate on each side  
of such street, road, avenue, boulevard, lane, alley,  
public way or place, or any section or sections thereof,  
or by the owners of real estate situate within a fixed area  
or limits specified in such by-law and directly benefited by  
such works and improvements, by means of a special  
assessment made, laid or levied upon the said owners of  
said real estate according to the frontage of such proper-  
ties, when such improvements are made, saving never-  
theless the right of the council to declare, by resolution  
passed by two-thirds of the members of the whole council,  
that the said fronting properties shall be assessed only for  
a certain proportion or percentage of the cost of any such  
improvements, in the manner hereinafter set forth.

Such frontage rate may be greater or less upon one Rate may  
not be uni-  
form.  
side of the street, avenue, boulevard, lane, alley, public  
way or place, than upon the other side, and may be imposed  
either at a uniform or varying rate, and either upon the  
properties fronting upon the improved portion or upon the  
whole or part of the length of the existing street, avenue  
or road, or upon the real estate situate within the fixed  
area or limits specified in such by-laws, and directly  
benefited by such works and improvements."

**2.** Section 52 of the act 8 Edward VII, chapter 89, as Id., s. 52, re-  
placed. replaced by section 13 of the act 2 George V, chapter 60,  
is replaced by the following:

Proprietors  
within a  
fixed area.

**"52.** The council may by vote of the absolute majority of its members declare and order, in any such by-law or by resolution, that only a proportion or percentage of the cost of such improvements, or any or all of them, shall be borne and paid by the owners of the properties situated and fronting on the said streets, roads, avenues, boulevards, lanes, alleys, public ways or places, or any section or sections thereof, or by the owners of real estate situate within a fixed area or limits specified in such by-law and directly benefited by such works and improvements; and in that event the secretary-treasurer or clerk shall give special notice addressed by registered letter through the post office, to each person in whose name any of such fronting properties were last assessed, to his actual or last known domicile, and shall in such notice indicate the nature of the improvement, and the amount or percentage of the cost thereof to be assessed on the fronting properties, within ten days from the passing of such by-law or resolution."

Acquisition  
of land from  
Royal Insti-  
tution au-  
thorized.

**3.** For the purpose of establishing a reservoir for the supply of water to the municipality, the city may acquire, either by agreement or expropriation, from the Royal Institution for the advancement of learning, a piece of land forming part of cadastral lots Nos. 282, 283 and 284, of the official plan and book of reference of the parish of Montreal, containing an area of approximately forty-two thousand square feet, as well as a right of way to the said lot from Summit Avenue, of twenty feet in width, and containing approximately eight thousand square feet, the whole as shown on the copy of a plan prepared by Archibald Currie, Civil Engineer, dated December 30th, 1911, and initialed by the parties for the purpose of identification, subject to the following conditions, namely:

To be used  
for construc-  
tion of reser-  
voir only.

a. The said piece of land and right of way so acquired shall be used only for the construction of a reservoir, not exceeding in height five feet above the main level of the land so taken, and for the passage of water mains and pipes from the said reservoir to Summit Avenue;

To be ac-  
quired  
within three  
years.

b. The said property shall be taken and acquired within a delay of three years from the date of the passing of this act;

Arbitration  
provided for.

c. The amount of the compensation or indemnity to be paid to the proprietors for the value of the said land and the resulting damages shall, in default of an agreement between the parties, be determined by arbitration in the manner set forth in articles 5790 and following of the Revised Statutes, 1909.

**4.** The council may make, amend and repeal by-laws: By-laws.

a. To compel the owners and drivers of vehicles using any of the streets, roads and public places of the city, to provide such vehicles with lights and brakes, and to make regulations in regard thereto, subject to the provisions of articles 1418 and 1423 of the Revised Statutes, 1909, as amended by the act 3 George V, chapter 19, sections 6 and 10, as to motor vehicles; Vehicular traffic.

b. To regulate the sub-division and re-sub-division of real estate within the limits of the city and to compel owners to obtain the approval of council to all new sub-division plans; Regulating subdivision of real estate.

c. To compel owners and occupants of land to cut and destroy all noxious or objectionable weeds and plants growing on such land, or to cause the same to be done at the cost of such owners or occupants. Destruction of weeds on vacant land.

**5.** In order to give full effect to article 5636 of the Revised Statutes, 1909, and to extend and complete the same, so as to secure full autonomy for the city and to avoid any interpretation of said article which might be considered as a restriction of its powers, the city is authorized to adopt, repeal, or amend and carry out all necessary by-laws concerning the proper administration of its affairs, and the peace, order, good government, general welfare and improvement of the city and its inhabitants; provided always that such by-laws be not inconsistent with the laws of Canada or of this Province, nor contrary to any special provision of this charter. General power to pass by-laws.

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

## CHAP. 78

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

[Assented to 19th February, 1914]

**W**HEREAS the city of Maisonneuve has, by its petition, Preamble.  
prayed for amendments to its charter, the act 61 Victoria, chapter 57, as amended by the acts 63 Victoria, chapter 53; 9 Edward VII, chapter 89; 1 George V (1st session), chapter 52; 1 George V (2nd session), chapter 64; 2 George V, chapter 62, and 3 George V, chapter 58; and whereas it is expedient to grant its prayer;

Therefore, His Majesty, with the advice and consent