

## TOTALS

Macadamizing.....	\$417,711 .00
Sewers.....	270,940 .00
Paving.....	199,800 .00
Watermain.....	57,990 .00
Sidewalks.....	64,950 .00
Curbs.....	41,780 .00
	<hr/>
	\$1,053,171 .00

Certified Correct,

HENRY HADLEY, JR,  
Town Engineer,  
Verdun.

## C H A P. 62

An Act to amend the charter of the town of St. Lambert.

[Assented to 21st December, 1912]

Preamble.

**W**HEREAS the corporation of the town of St. Lambert has, by its petition, represented, that it is right and desirable that additional powers be granted it and that certain amendments be made to its charter, the act 61 Victoria, chapter 60 and its amendments;

Whereas it is expedient to grant such prayer;

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

Persons  
incorporated.  
Name.

**1.** The inhabitants and rate-payers of the town of St. Lambert and their successors, are and shall remain a corporation under the name of the "Town of St. Lambert".

Law  
applicable.

**2.** The town is subject to the operation of chapter first, of title eleventh of the Revised Statutes, 1909, (articles 5256 to 5884) and its amendments, except in so far as the same may be inconsistent with the provisions of this act.

61 V., c. 60.  
&c., repealed.

**3.** The act 61 Victoria, chapter 60, and the acts amending the same are repealed.

BOUNDARIES OF THE MUNICIPALITY AND JURISDICTION OF THE  
CORPORATION

**4.** The town of St. Lambert shall comprise the same territory as heretofore, bounded as follows, to wit: to the north-west by the river St. Lawrence; to the southwest by the southwest line of lot number 259 of the official cadastre of the parish of St. Antoine de Longueuil as far as la Pinière road; from there following la Pinière road to the southeast line of lot number 248 of the official cadastre of said parish of St. Antoine; to the southeast by the said southeast line of said lot number 248 as far as the Petit Bois concession road; from there to the northeast by the Petit Bois concession road as also by the road known as the Montée Tiffin, as far as the river St. Lawrence; all in the county of Chambly, comprising about eight hundred and thirty-six arpents in superficies. Territory of town.

**5.** The corporation hereby constituted succeeds to the rights, privileges, obligations, property, claims and suits of the corporation existing under the acts repealed by section 3 of this act. Rights to which town succeeds.

**6.** The present mayor and aldermen of the town of St. Lambert or their substitutes in case of vacancy shall remain in office until replaced under the provisions of this act and the municipal business of the town shall go on uninterruptedly. Mayor, &c., to remain in office.

**7.** The present municipal officers and employees of the town shall remain in office until removed or replaced by the council. Municipal officers, &c. to remain in office.

**8.** The by-laws, resolutions, *procès-verbaux*, rolls, voters' lists, accounts for taxes and dues, orders, plans and other municipal acts and documents whatsoever, passed or agreed to by the council of the town of St. Lambert and now legally in force, shall continue to have their full effect until cancelled, amended, repealed or fulfilled. By-laws, &c. not affected.

**9.** The notes, bonds, debentures, engagements, covenants or contracts, subscribed, accepted, endorsed or consented to by the town of St. Lambert, before the coming into force of this act shall continue to have their legal effect. Contracts, &c., not affected.

**10.** The municipality shall consist of one ward. One ward.

THE TOWN COUNCIL

**11.** The municipal council shall be composed of a mayor and six aldermen. Municipal council.

## TERM OF OFFICE

R. S. 5301 replaced for town. **12.** Article 5301 of the Revised Statutes, 1909, is replaced, for the town, by the following:

Mayor's term of office. **"5301.** The mayor shall be elected for one year by the majority of the municipal electors of the municipality who have voted."

Id., 5302 replaced for town. **13.** Article 5302 of the said statutes is replaced, for the town, by the following:

Aldermen's term of office &c. **"5302.** The aldermen shall be elected for two years by the majority of the municipal electors of the municipality who have voted."

Id., 5313, replaced for town. **14.** Article 5313 of the said statutes is replaced, for the town, by the following:

Vacancies. **"5313.** The office of mayor or alderman also becomes vacant:

*a.* In case of refusal to accept such office or to continue to perform the duties thereof;

*b.* In case of absence from the municipality for three consecutive months without permission from the council;

*c.* When the person filling the office does not attend the sittings of the council during the period of three consecutive months;

## PERSONS DISQUALIFIED FOR MUNICIPAL OFFICE

Id., 5363 replaced for town. **15.** Article 5363 of the said statutes, is replaced, for the town by the following:

Disqualification for office of mayor and aldermen. **"5363.** The following persons cannot be nominated for the office of mayor or alderman, nor be elected to these offices, nor be appointed to any other municipal office, nor occupy the same:

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 on His Majesty's army or navy;
7. Keepers of taverns, hotels or houses of entertainment, and persons who have acted as such within the preceding twelve months;

8. Whosoever has no residence in the municipality for at least twelve months previous to the election or nomination;

9. 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;

10. 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;

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

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

13. Whenever the office of mayor or alderman is in question any persons 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”.

#### LIST OF ELECTORS.

**16.** Paragraph 1 of article 5368 of the said statutes, is replaced by the following; Id. 5368, am.  
for town.

“1. Every male person, widow, spinster, tutor, administrator, curator, 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;” Franchise  
qualifica-  
tions.

#### DATE OF ELECTIONS.

**17.** Article 5413 of the said statutes is replaced, for the town, by the following; Id., 5413  
replaced for  
town.

“**5413.** The general municipal elections of mayor and aldermen shall be held annually on the second Monday of February whenever no poll is demanded, and on the third Monday of February whenever a poll is demanded, but should Dates of  
general  
elections, &c.”

either of these days fall on a holiday, the elections shall be held, with like effect, on the following juridical day.

Of the six aldermen:—

1. Three shall be replaced at the general municipal election in February, 1913;

2. And three others at the yearly municipal election in February, 1914;

And so on in such manner that three aldermen shall be elected each year. The aldermen who are to go out of office at the time of the elections in February, 1913, shall be the three aldermen who shall then have served a full term of two years since their election to such office.”

#### ELECTION OF OFFICERS.

Id., 5414,  
5415, re-  
placed for  
town.  
Chairman at  
election.  
Election  
clerk.

**18.** Articles 5414 and 5415 of the said statutes are replaced, for the town, by the following:

“**5414.** The secretary-treasurer of the town presides *ex-officio* at the election of mayor and aldermen.

The presiding officer in all cases appoints an election clerk to assist him and should he fail so to do the mayor shall make such appointment.”

Id., 5417  
replaced for  
town.  
Duties of  
election  
clerk.

**19.** Article 5417 of the said statutes, is replaced for the town by the following:

“**5417.** The election clerk shall assist the returning officer in the performance of his duties.

In the event of the secretary-treasurer being absent or unable to act, the election clerk shall discharge all his duties, under the same penalties.

In case of the change of a presiding officer, the election clerk shall continue in office, unless he is replaced in the discretion of the new presiding officer, in the manner above prescribed.

#### NOTICE OF ELECTION.

Id., 5419  
replaced for  
town.  
Notice by  
returning-  
officer.

**20.** Article 5419 of the said statutes, is replaced, for the town, by the following:

“**5419.** Eight days at least before the second Monday of February, in each year, the returning-officer shall give public notice under his signature, setting forth:

a. The place and time 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.”

NOMINATION OF CANDIDATES.

21. Article 5421 of the said statutes, is replaced, for the town, by the following: Id., 5421 replaced for town.

"5421. Nominations of candidates at a general election for mayor and aldermen take place at 8 o'clock in the forenoon on the second Monday of February, of each year; but should such day fall on a holiday the nomination shall take place on the following juridical day, at the same hour." Nominations, for mayor, &c.

22. Article 5422 of the said statutes, is replaced, for the town, by the following: Id., 5422 replaced for town.

"5422. Nominations for mayor and aldermen must be in writing in the form "H" and signed by at least ten qualified electors, whose names are on the list, and must be handed to the presiding officer between 8 and 9 o'clock in the forenoon of the nomination day." Nomination papers.

23. Article 5429 of the said statutes, is replaced, for the town, by the following: Id., 5429 replaced for town..

"5429. No nomination paper shall be valid nor be given effect to by the returning-officer, unless it be made and delivered in conformity with the formalities prescribed by the charter." Validity of nomination papers.

So soon as he has received and examined the same, the returning-officer shall declare whether he considers it valid, and shall enter thereon over his signature the word "admitted" or the word "rejected", with, in the latter case, the reasons for such rejection. Their examination, &c. by returning officer.

The nomination paper may then be corrected or replaced by another nomination paper, so long as the delay has not expired." Their correction, &c.

24. Article 5433 of the said statutes, is replaced, for the town, by the following: Id., 5433 replaced for town.

"5433. 1. If a candidate dies after being nominated and before the closing of the poll, the returning-officer shall immediately recommence the proceedings for the election, by giving the notice required by the charter and shall fix the days for the nomination of candidates, and for the voting, leaving ten days between. Proceedings on death of candidate, &c.

2. In such case the candidate's deposit shall be returned to his personal representatives.

3. The election, in the case of this article, shall otherwise be held in the same manner as other elections under this charter.

4. In his report respecting the election, the returning-officer shall forward to the municipal council a special report of the reasons which occasioned the postponement of the election”.

Id., 5309, replaced for town. **25.** Articles 5309 and 5314 of the said statutes, are replaced, for the town, by the following:

Election to fill vacancies. **“5309.** When a vacancy occurs in the office of mayor or alderman the election of a substitute is forthwith proceeded with on the day fixed by the council and such election is held in the manner prescribed for general elections.”

Id., 5450 replaced for town. **26.** Article 5450 of the said statutes, is replaced, for the town, by the following:

Polling hours, &c. **“5450.** The poll shall be opened at the hour of eight of the clock in the forenoon and kept open until nine of the clock in the 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 hereinafter prescribed, the votes of the electors duly qualified to vote at such polling station.”

Id., 5460 replaced for town. **27.** Article 5460 of the said statutes, is replaced, for the town, by the following:

Opening of polling. **“5460.** Immediately after the ballot box is locked, as above provided, the deputy-returning-officer shall, at eight o'clock precisely, call upon the electors to vote.

Admittance of voters. 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.

Id., 5478 replaced for town. **28.** Article 5478 of the said statutes, is replaced, for the town, by the following:

Adjournment of poll in certain cases. **“5478.** In case, through accident or irresistible force, riot, removal of documents, or other cause of a similar nature, the nomination could not be had, or the polling could not commence at the hour fixed, or was interrupted by similar causes before being closed, the returning-officer, and 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 fully held; and, in the case of the polling, it shall be resumed by commencing at eight o'clock in the forenoon until it has lasted thirteen hours, so that all the electors, who wish to vote may have the opportunity of so doing.”

Id., 5479 replaced for town. **29.** Article 5479 of the said statutes, is replaced, for the town, by the following:

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

Immediately thereafter, the deputy-returning-officer shall first place all the spoiled ballots in an envelope and seal it up, and shall then count the number of voters whose names appear on the poll-book as having voted, and make an entry thereof on the line immediately below the name of the voter who voted last, thus:—The number of electors who voted at this election in this polling division is\_\_\_\_\_ (stating the number,) and he shall sign his name thereto; then, in the presence of and in full view of the poll-clerk, and the candidates or their agents, and, if the candidates and their agents or any of them be absent, then in the presence of such, if any of them as are present, and of at least three electors, he shall open the ballot-box and proceed to count the number of votes given for each candidate, giving full opportunity to those present to examine each ballot.

In counting the votes he shall reject all ballot-papers which have not been supplied by the deputy-returning-officer, all those by which more than one vote has been given,—all those upon which there is any writing or mark by which the voter could be identified, other than the numbering by the deputy-returning-officer in the cases hereinafter provided for, all those left in blank or null on account of uncertainty, and all other ballot-papers which may have been presented to him and which do not have his initials thereon, saving the case of article 5480."

**30.** Article 5563 of the said statutes, is replaced, for the town, by the following:

**"5563.** At such special sessions, no business but that specified in the notice shall be considered unless all the members of the council are present and consent thereto."

**31.** Article 5564 of the said statutes, is replaced, for the town, by the following:

**"5564.** If, at any special or general session, the business cannot be fully disposed of, the council may adjourn as often as may be deemed necessary for the consideration and disposal of the unfinished business, without its being necessary to give notice of such adjournment to the members present or absent; but no new business shall be brought before or considered at any such adjourned session, unless all the members of the council are present and consent thereto."

**32.** Article 5613 of the said statutes, is replaced, for the town, by the following:

Demand of poll.      “**5613.** Six electors, who are owners of immoveable property and qualified to form part of such meeting may require that a poll be held to ascertain whether the by-law is approved or not,

Fixing of day for poll.      Upon such requisition, the mayor or other person presiding shall, within the following eight days, fix a day for the poll”.

Id., 5615 replaced for town.      **33.** Article 5615 of the said statutes, is replaced, for the town, by the following:

Polling day and hours.      “**5615.** The poll shall be held on a juridical day from eight o’clock in the morning to 9 o’clock in the evening”.

Id., 5618 replaced for town.      **34.** Article 5618 of the said statutes, is replaced, for the town, by the following:

Who may vote.      “**5618.** No one shall be allowed to vote, unless his name appears on the valuation roll in force, or on the list of electors if there be one, as a municipal elector, as being owner of immoveable property or as tutor, administrator, curator, institute under a substitution or trustee.

Id.      In such election it shall not be necessary for such electors to have paid their school and municipal taxes”.

Id., 5638 am. for town.      **35.** Paragraph 1 of article 5638 of the said statutes, is replaced, for the town, by the following:

By-laws re buildings, &c.      1. To regulate the height and construction of all buildings, chimneys, fences stacks and other structures; to prevent the construction and maintenance of the buildings, walls, chimneys, stacks and other structures as are not of the required stability, and provide for their summary abatement or destruction; to regulate plumbing, ventilation and lighting in all buildings; to prescribe the depth of cellars and basements, the material and method of construction of foundations and foundation walls; the manner of construction and location of drain and sewer pipes; the thickness, materials and construction of party walls, partitions and outside walls; the size and materials of floor beams, girders, piers, columns, roofs, chimneys, flues, and heating apparatus; to regulate the architecture, dimensions and symmetry of buildings in certain streets or part of streets; to prohibit the erection of certain buildings or the erection of any buildings, except at a specified distance from the line of the streets, in all streets, or in certain streets or parts of streets; to determine and control the minimum cost of all buildings in certain streets or parts of streets; to compel the proprietors to furnish within a specified delay, a sworn declaration of the cost of any new building or structure or additions or improvements to those already made; to compel the proprietors of all buildings to

submit the plans or any other description thereof required by the council and previously obtain a certificate in writing from the building inspector or any other officer appointed by the council, and to obtain a building permit from the council; to prescribe the manner, conditions and formalities for asking and obtaining such permit and to fix the fee to be paid for it; to prohibit the construction of buildings and structures not conforming to such by-laws, and to direct the suspension at any time of the erection of any such building as does not conform to such regulations, and to cause the demolition of any building not conforming to such by-laws, if necessary”.

**36.** Article 5639 of the said statutes, is hereby amended, Id., 5639, for the town, by adding the following after paragraph 21: am. for town

“21a. To acquire and make collecting sewers and drains Acquisition &c. of collecting sewers. within the limits of the town at the place or places where they connect with those of other municipalities or to the river St. Lawrence, as may be necessary to provide the town with sufficient means of sewerage and drainage; and the cost of such sewerage, as well as of all compensation which shall be paid therefor as aforesaid, shall be determined, established and levied in the limits of the town in the manner specified by the council; and the council may regulate the manner in which such assessment shall be made and levied, or enter into an agreement with the towns of Longueuil, Montreal South or other municipalities respecting a collecting sewer, or establish a system for treating the unpurified waters of the town and disposing of the same and incur a special expenditure not exceeding one hundred and fifty thousand dollars and contract a special loan for such purpose.

Such expenditure and loan shall not affect the town's borrowing power as provided by article 5783, as amended, and by Saving clause. article 5784.”

**37.** The council of the town shall have power to make, By-laws. amend and repeal by-laws:

1. To prohibit, restrain, or regulate the sale and manufacture of any malt, spirituous, vinous, alcoholic or intoxicating liquors, within the limits of the town, and to fix a sum, Prohibition, &c. of manufacture &c., of intoxicating liquors. not more than two hundred dollars, for the granting of each certificate to obtain a license authorizing the sale of the same in the town. In this matter the decision of the council shall be without effect until confirmed by a vote of the municipal electors taken by ballot in the manner provided for municipal elections and at the time of the elections of mayor and aldermen, the whole however, subject to the by-law No. 6 passed by the municipal council on the eighth day of September 1896;

- Prohibition of heavy trucks, &c. 2. To regulate or prohibit the use of heavy trucks, vehicles and engines whether drawn, or driven by steam or other motive power and to regulate the width of wheel tires on all vehicles on the streets or within the limits of the town;
- Cutting ice. 3. To prohibit or regulate the cutting of ice in the river in front of the town or within the limits thereof;
- Winterroads. 4. To regulate the maintenance of the winter roads on the ice in the river St. Lawrence;
- Moving of buildings. 5. To prohibit the transport or removal through the town of any house or building without a special permit from the council and on payment of such compensation as the council may exact, and subject to such stipulations regarding damages incurred as may be made.

Id., 5736a added for town. **38.** The following article is added, for the town, after article 5736 of the Revised Statutes, 1909:

Tax on certain poles. **"5736a.** The council may also, by by-law, levy upon any person, firm or company a special annual tax not exceeding twenty-five cents for every wood or metal pole erected or to be erected in the streets of the town, for telegraph or telephone lines, or for the transmission of electricity for light or power purposes".

Pledging of bonds, as collateral security. **39.** Until it is able to negotiate bonds or debentures which may have been issued by the town, the council may also give such bonds or debentures as collateral security for the temporary loans it may deem necessary to effect, at a rate of interest not exceeding six per cent per annum, provided such temporary loans be effected and the proceeds thereof be used solely for the purposes for which the by-law authorizing the issue of such bonds or debentures has been passed.

R. S. 5729, am. for town. **40.** Article 5729 of the Revised Statutes 1909, is amended by replacing paragraph 2 for the town by the following.

Taxation for street opening, &c. **"2.** The proprietors, lessees and occupants of the immoveable property mentioned in paragraphs *c*, *d* and *e* shall nevertheless be taxable in respect of the works required for the opening, making and maintenance of streets, water-courses and sewers, and the making and maintenance of sidewalks and public lighting under the by-laws in force; and shall be liable for the payment of any special tax or assesment imposed for that purpose as well as for the payment for the use of water."

Ordinary estimates. **41.** At least fifteen days before the expiration of each calendar year, except the year 1912, the finance committee

shall prepare the ordinary estimates for the following fiscal year, and provide:

1. For the interest on the debt and all sinking funds that may be established;
2. For the salaries of the permanent employees;
3. For repairs, cost of maintenance and other general expenses of administration and charges on civic revenue including any deficit from any previous year;
4. For the reserve of fifteen per cent upon the probable revenues for the year to cover the cost of collecting the taxes and all possible losses in their collection, as well as unforeseen expenses such as those connected with judgments, epidemics, fortuitous cases and damages for which the town may be responsible.

**42.** Before the first day of May of each year, the finance committee shall prepare special estimates for the current year and provide for the enlargement or reconstruction of the waterworks or municipal buildings, for the construction of sewers and sidewalks, for the opening, extending or widening of new streets, putting up poles or wires for light and all other improvements of a permanent nature chargeable to the town <sup>Special estimates.</sup>

**43.** When the new, ordinary or special estimates are prepared, the sums appropriated shall be set forth in the estimates and previous supplementary appropriations which have not been expended during the year. <sup>What to be set forth in estimates.</sup>

**44.** The ordinary and special estimates shall be submitted for consideration of the council as soon as possible after their being prepared, and, when once approved by the council, the sums appropriated cannot be changed nor applied to any other purposes unless such change be approved by the absolute majority of the members of the council. <sup>Submission of estimates to council.</sup>

**45.** At any time after the adoption of the ordinary and special estimates, the council may, upon recommendation of the finance committee, or, upon its refusal, of the absolute majority of all its members, vote as supplementary appropriations for purposes of administration and permanent works, all sums available out of the revenues collected from the previous year after all the appropriations voted and all the obligations connected therewith have been provided for. <sup>Supplementary appropriations.</sup>

**46.** No expenditure for which no appropriation has been made, shall be authorized by the council unless a favourable report be previously made by the finance committee. Never- <sup>Recommendations of certain expenditures</sup>

by finance committee. theless, if the finance committee refuses to make such report, or makes an unfavourable report, the council may proceed and authorize such expenditures by a vote of the absolute majority of its members, and not otherwise.

Penalty for certain votes. **47.** Every member of the council who authorizes, verbally, by writing or by his vote or tacitly, an expenditure of money exceeding the amount previously appropriated or legally put at the disposal of the council, shall be personally liable therefor.

Tenders necessary in certain cases. **48.** For every contract of five hundred dollars and upwards, a tender shall be asked for by the council. It shall also exact such security as it may deem advisable from the tenderers. In every case the security shall not be less than ten per cent.

Transmission of sub-division plans to sec.-treas. **49.** Every proprietor who has his farm or land sub-divided, shall send to the secretary-treasurer a copy of the plans of the official sub-division thereof, within thirty days from the date at which the same have been deposited in the registry office.

Width of certain streets. **50.** Notwithstanding any provisions of this charter or of "The Cities and Towns' Act", the street known as Desaulniers street, shall have a width of forty-five feet, from Victoria avenue to Notre Dame street, and Aberdeen street shall have a width of thirty feet, from Victoria avenue to Notre Dame street.

Certain articles of R. S. not to apply. **51.** Articles 5284, 5285, 5302, 5377, 5380, 5382, 5397, 5423, 5553 and 5555 of the Revised Statutes, 1909, shall not apply to the town.

Certain form repealed, &c. **52.** Form I of the Cities and Towns' Act is repealed, for the town. Form H shall be used for the town, *mutatis mutandis*, both for the mayor and aldermen.

Coming into force. **53.** This act shall come into force on the day of its sanction.