

## C H A P . 7 5

An Act to incorporate the town of Laval des Rapides.

[Assented to 3rd April, 1912.]

## Preamble.

**W**HEREAS the majority of the rate-payers and inhabitants of the territory described in section 1 of this act have by petition prayed that the inhabitants and rate-payers of the said territory be incorporated as a town under the name of Laval des Rapides, and be subject to the operation of the Cities and Towns' Act;

Whereas, for the better administration of the said territory and for the greater benefit of its inhabitants, it is expedient to grant the prayer of the said petition:

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

## Territory of town.

**1.** The town of Laval des Rapides comprises the present territory of the school district known as Park Laval in the parish of St. Martin and consisting of the lots Nos. 213 to 300 both inclusive of the parish of St. Martin in the county of Laval except and less Nos.  $\frac{1}{2}$ -241, 243,  $\frac{1}{2}$ -244,  $\frac{1}{2}$ -247 west,  $\frac{1}{2}$ -247 east, 248, 249, 252, 253, 254 and  $\frac{1}{2}$ -256.

## Persons incorporated. Name.

**2.** The inhabitants and rate-payers of the said municipality shall constitute a town corporation under the name of "Laval des Rapides," for municipal purposes.

## Parochial, &amp;c., divisions not affected.

**3.** This act shall in no wise affect the present territorial division for parochial, school and registration purposes.

## Law to apply.

**4.** The town shall be subject to the provisions of the Cities and Towns Act except in so far as they may be inconsistent with the provisions of this act.

## By-laws, &amp;c. not affected.

**5.** All *procès-verbaux*, assessment rolls, titles, by-laws, orders, lists, rolls, plans, resolutions, ordinances, covenants, provisions, engagements or municipal acts whatsoever now in force in the territory indicated in section 1 of this act, shall continue to have full force and effect until set aside, amended, repealed, or fulfilled.

## First general election.

**6.** The first general election for aldermen shall be held on the 15th day of May, 1912. The nomination of candidates shall take place on the 6th May, 1912, or the following juridical day, and the returning-officer shall be the secretary-treasurer of the municipality of the parish of St. Martin.

**7.** Articles 5283, 5284 and 5285 of the Revised Statutes, R.S.Q., 5283-1909, shall not apply to the town, but nevertheless, on a vote of two thirds of the members of the council, the town may be divided into wards, and articles 5283, 5284 and 5285 shall then apply to it, and articles 5302, 5370, 5371, 5372, 5373, 2nd paragraph, 5377, 5380, 5382, 5395, 5397, 5422, 5423, 5501, 5506 and 5507 of the Revised Statutes, 1909, modified or repealed for the town by this act shall apply to the town in their original tenor. 5285 not to apply to town, &c.

**8.** The corporation shall be represented by a mayor elected for two years and by six aldermen elected for two years by the majority of the municipal electors who have voted. Town council.

**9.** Articles 5302, 5370, 5371, 5377, 5380, 5397 and 5423 of the Revised Statutes, 1909, shall not apply to the town. R.S.Q., certain articles not to apply.

**10.** The voting shall take place at a single spot, indicated by resolution of the council or in its default, by the returning-officer. Place for voting.

The persons qualified to vote, shall vote at such place, but they can vote but once for each of the six aldermen. One vote for each alderman, &c.

The provisions of the Cities and Towns' Act respecting the division into districts and deputy-returning-officers within the limits of the municipality, shall apply to the town only by a vote of two thirds of the members of the council, indicating that the town should be divided into polling districts. Certain provisions of Cities' and Towns Act apply, &c.

**11.** Paragraph 4 of article 5372 of the Revised Statutes, 1909, is replaced, for the town, by the following: R.S.Q., 5372, am. for town.

"4. Tenants who, at the time of the revision of the electors list, are no longer householders in the municipality, and also tenants of any office, qualified as such, who have not actually occupied such office since the month of May next preceding, or who have ceased occupying the same at the time of the revision of the electors' list." Disfranchisement of certain non residents.

**12.** Article 5373 of the Revised Statutes, 1909, is replaced, for the town, by the following: Id., 5373, replaced for town.

"**5373.** No person qualified to vote as proprietor, tenant or occupant, shall be entitled to have his name entered on the electors' list for the municipality who, on the 1st day of November next preceding the expiration of the delay mentioned in article 5374, is indebted to the municipality for any taxes or water-rates, (special taxes excepted.)" Disfranchisement for non payment of taxes.

**13.** Article 5382 of the Revised Statutes, 1909, is replaced for the town, by the following: Id., 5382, replaced for town.

Dismissal of clerk in certain case, &c., " **5382.** The mayor shall see that the electors' list for the municipality is made as aforesaid, and he may dismiss the clerk if the latter refuses or neglects to so make the said list, and also any civic employee who tampers with the same."

Id., 5413, replaced for town. **14.** Article 5413 of the Revised Statutes, 1909, is replaced, for the town, by the following:

Date of general election. " **5413.** The general election shall be held every two years on the fifteenth day of May, in accordance with the provisions hereinafter contained.

Id. If the fifteenth day of May is a Sunday, the election shall be held on the following juridical day."

Id., 5415, replaced for town. **15.** Article 5415 of the Revised Statutes, 1909, is replaced for the town, by the following:

Appointment of election clerk. " **5415.** Ten days at least before the sixth day of May, in the year in which a general election is to be held, 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."

Id., 5419, replaced for town. **16.** Article 5419 of the Revised Statutes, 1909, is replaced, for the town, by the following:

Notice of nomination of candidates, &c. " **5419.** Eight days at least before the sixth day of May in the year in which a general election is to be held, the returning-officer shall give public notice, in the form G, under his signature, setting forth:

(a) The place and time fixed for the nomination of candidates;

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

(c) The appointment of the election clerk.

Id., 5421, replaced for town. **17.** Article 5421 of the Revised Statutes, 1909, is replaced, for the town by the following:

Nomination of candidates. " **5421.** The nomination of candidates at a general election shall be held on the sixth 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."

Id., 5450, replaced for town. **18.** Article 5450 of the Revised Statutes, 1909, is replaced, for the town, by the following:

Polling hours, &c. " **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, receive in the manner hereinafter prescribed, the votes of the electors duly qualified to vote."

**19.** Article 5479 of the Revised Statutes, 1909, is amended Id., 5479, am. by replacing the first clause by the following, for the town: for town.

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

**20.** Article 5501 of the Revised Statutes, 1909, is replaced, Id., 5501, re- for the town by the following: placed for town.

" **5501.** Except the returning-officer, the deputy-returning-officers, the poll clerk and the constables and special constables appointed by the returning-officer or the deputy-returning-officer for the orderly conduct of the election or poll and the preservation of the public peace thereat, no Carrying of weapons forbidden to certain persons on election day, &c. person who has not had a stated residence in the municipality for at least six months next before the day of such election, shall come, during any part of the day upon which the poll is to remain open, into the municipality armed with offensive weapons of any kind such as fire-arms, swords, staves, bludgeons or the like; and no person being in the municipality shall arm himself, during any part of the day, with any such offensive weapon, and thus armed approach within one mile of the place where a poll is held unless called upon to do so by lawful authority."

**21.** Article 5505 of the Revised Statutes, 1909, is replaced Id., 5505, re- for the town, by the following: placed for town.

" **5505.** No person shall, within the limits of the municipality, keep open any bar in a hotel or club, or any tavern, shop or store, whether licensed or not in which spirituous or fermented liquors are ordinarily sold, during the day of voting, and any person so offending shall be guilty of an offence triable summarily and shall be liable to a fine of fifty dollars, and to imprisonment not exceeding three months in default of payment," Closing of bars, &c., election day.

**22.** Article 5506 of the Revised Statutes, 1909, is replaced, Id., 5506, re- for the town by the following: placed for town.

" **5506.** On the polling day no person shall, within the Sale of liquor &c., forbidden on polling day. limits of the municipality in which a poll is open, either sell for a price in money or in exchange for any article, or lend or deliver, or gratuitously supply any quantity whatever

of spirituous or fermented liquor; and any person who so sells, lends, delivers or supplies such liquor, shall unless he proves that the liquor he so sold, lent, delivered or supplied, was sold, lent, delivered or supplied for a sick person upon the certificate of a priest or minister of some religious denomination or of a physician, be guilty of an offence triable summarily, and be liable to a fine of fifty dollars and to imprisonment not exceeding three months in default of payment; and whoever shall give or deliver a false certificate in respect thereof shall be guilty of an offence triable summarily, and shall be liable to a fine of fifty dollars and in default of payment to imprisonment not exceeding one month."

**Id., 5507, re-** **23.** Article 5507 of the Revised Statutes, 1909, is replaced, replaced for town. for the town, by the following:

**Importing of** " **5507.** During the days mentioned in article 5506, liquors on and under the same penalties, but subject to the same exception polling day in case of sickness, it is forbidden to cause to be brought or forbidden, transported, or to bring or transport, within the limits of the &c. municipality, or from one place to another within the said limits, any quantity whatever of spirituous or fermented liquor.

**Proviso.** This provision shall not affect the sale, transport, delivery or purchase of spirituous or fermented liquor, made in good faith and in the ordinary course of business by a merchant or trader; provided that the cases, casks, bottles or envelopes containing the said liquor be not opened, broken or unclosed during the days above mentioned."

**Tax on tele-** **24.** In addition to the powers conferred upon it by the graph, &c., Cities and Towns' Act, the council may impose and levy an poles, &c. 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 railway companies, and used by such companies.

**Id., 5731, re-** **25.** Article 5731 of the Revised Statutes, 1909, is replaced, replaced for town. for the town, by the following:

**Valuation of** " **5731.** All land under cultivation or farmed or used as farming land. pasture for cattle, as well as all uncleared land or wood lots within the municipality, shall be valued at not more than one hundred dollars an arpent, including the houses, barns, stables and other buildings necessary for the cultivation of the land.

The horses, horned cattle, and other animals, and the poultry belonging to the farm, and the carriages, summer and winter vehicles of all kinds, agricultural implements and all moveable property forming part of the ordinary outfit of a farmer, are exempt from all taxes. Certain property exempt from taxes.

The council may cause to be added to the valuation roll, from time to time, by the assessors in office on the valuation by them made, any portion of such land or immoveable, which has been detached therefrom as a building lot, and shall thus have become liable to taxation after the closing of the valuation roll, and may exact the said tax as upon all other lots entered on the said roll. Valuation of land detached for building lots.

**26.** The first paragraph of article 5680 of the Revised Statutes, 1909, is replacing, for the town, by the following: Id., 5680, am. for town.

**“ 5680.** 1. To regulate the plying of trades and prohibit or restrict to certain parts of the town and regulate the building, use, or working in the town of factories, workshops and establishments of all kinds, the working or use whereof may endanger public health and safety or may in some way cause a nuisance to property in the neighborhood or depreciate the value of the same.” Regulation of trades, &c.

**27.** The council shall hold its first sitting within the limits of the town at the place indicated by the returning-officer and subsequent sittings shall be held in the municipality at the place indicated by the council. First council sitting.

The officer presiding at the election shall act as mayor until the latter enters into office. Presiding officer.

**28.** The costs, fees and expenses incurred for the purposes of the incorporation under this act by the interested parties from each part of the territory comprised in section 1 of this act, shall be paid for by the town. Costs of this act.

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