

If the town effects the acquisition provided for by this section, by means of expropriation, the value of such acquisition shall be ascertained by arbitrators appointed as follows: one by the town, one by the owner or owners of the system for which the expropriation is asked for and the third by the two first or, if they cannot agree, by a judge of the Superior Court. The expropriation shall be made in accordance with the provisions of the Cities and Towns Act.

29. 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, carrying on or proposing to carry on any industry, 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.

30. Whereas there are cultivated lands within the limits of the town, the town council may, by by-law, provide for the making and maintenance of ditches, line fences, clearings and other works made necessary or useful for the working of the said lands, and for that purpose appoint one or more special officers with power to do or cause to be done or executed, the said works, and impose on such officers or persons liable to make such works such fines or penalties as it may think proper. Until such by-laws are made the provisions of the Municipal Code shall apply to such lands and the corporation shall be bound to appoint officers for such purposes.

31. The act 57 Victoria, chapter 62 and the acts amending the same, are repealed.

32. This act shall come into force on the day of its sanction.

CHAP. 59

An Act to amend the charter of the town of Outremont

[Assented to 4th June, 1910]

WHEREAS the town of Outremont has, by petition, presented that it is in the interest of the proper administration of that town that certain additional powers be conferred upon it, and that certain amendments be made to its charter, the act 58 Victoria, chapter 55, as amended by the

acts 63 Victoria, chapter 55; 4 Edward VII, chapter 58 and 6 Edward VII, chapter 52 ; and

Whereas it is expedient to grant the prayer to that effect contained in the said petition ;

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

58 V., c. 55,
s. 23 amend-
ed.
Regulating
building of
stables, &c.

1. Subsection 3 of section 23 of the act 58 Victoria, chapter 55, is replaced by the following :

“ 3. To prevent stables, sheds, closets or similar buildings from being erected on any lot in the town at a distance less than thirty feet from the street; in case of corner lots, to order that the stables be erected at the rear of said lots, and with openings only into the yards ; and on indemnifying the proprietors thereof, to cause all such existing buildings to be removed if they are in contravention to the by-laws based on the present section.”

Id., s. 23 fur-
ther amend-
ed.
Regulate
soap, &c.,
factories, &c.

2. Subsection 4 of section 23 of the act 58 Victoria, chapter 55, is replaced by the following :

“ 4. Prohibit, or restrict to certain portions of the town and regulate, the erection, use or working, in the town, of soap and candle factories, and other factories of a like nature wherein the rendering of tallow is carried on, lime kilns, wood-drying kilns, smoke-houses, quarries, bone-boiling or bone-burning establishments, or oil-cake factories, india-rubber or oil-cloth factories, dyeing establishments, slaughter-houses, butcheries, tanneries, breweries, distilleries, gas-works, blue, glue, or varnish factories, petroleum or coal oil refineries or warehouses, roofing composition factories, fireworks' factories, friction matches' factories, chemical works, alcohol rectifying establishments, buildings for the manufacture and storage of explosives, dry pitch, resin, coal oil, benzine, naphtha, gasoline, turpentine, and any by-products thereof, or any other highly combustible materials, and all other factories, workshops and establishments of any kind whatsoever the working or use of which might endanger the public health or safety or which might in any manner cause a nuisance or depreciate the value of property in the vicinity”.

Id., s. 23
further
amended.
Demolition
of certain
buildings,
&c.

3. Subsection 6 of section 23 of the act 58 Victoria, chapter 55, is replaced by the following :

“ 6. Determine that no wooden building not encased with stone, brick or cement and roofs built of other than fire-proof material when damaged by fire, natural decay or other causes, to the extent of sixty per cent of their value, shall not be repaired but must be demolished and removed unless re-constructed

within a certain delay in conformity with the by-laws of the town, but subject to the payment by the latter of a fair indemnity ; prescribe that on certain streets, public places or squares, or portions thereof, all buildings or structures or any part thereof cannot be erected or reconstructed unless at a certain distance behind the line of said street, public place or square or portions thereof”.

4. Subsection 8 of section 5 of the act 63 Victoria, chapter 63 V., c. 55, s. 5, amended.
55, is replaced by the following:

“ 8. Restrict to certain portions of the town, the erection, Restricting
maintenance and operation of manufactories, work-shops, erection, &c.,
warehouses, car-barns, power-houses, coal and wood yards, of manufact-
livery stables, public garages, ice houses, stores, shops, offices, &c.
or other buildings intended or used for industrial or commercial purposes ; prohibit the erection and maintenance in certain streets, of rows of houses, tenements, apartment houses, flats or lodgings intended or used for the independent habitation of two or more families ; prescribe in certain streets the architecture, symmetry or kind of buildings to be erected, whether detached, semi-detached, solid stone, brick-veneer buildings or other ; determine the height and width of all structures, and the dimensions of the walls, windows, rooms, cellars, basements or other parts thereof ; prescribe the kind of materials to be used in such structures or any part thereof, and the method and manner of using the same ; fix the location and mode of construction of fire escapes, sewer-pipes, gutters and generally regulate all construction, re-construction, repair and modification of all structures and everything pertaining thereto, and prevent the building, suspend the erection, and provide for the summary vacation, isolation, abatement, demolition, removal, repair or modification, at the expense of the proprietor, of all buildings or portions thereof in contravention of the by-laws of the town.”

5. Subsection 10 of section 5 of the act 63 Victoria, chapter Id., s. 5 further amended.
55, is replaced by the following :

“ 10. Regulate the inspection of the construction, demo- Inspection of
lition, modification and repair of all structures within the structures,
town ; appoint a building inspector or other officer with au- &c.
thority to examine the interior and exterior of said structures and all other powers required to insure the observance of the town by-laws concerning buildings and other works and for the prevention of accidents by fire ; compel the proprietor and builder of all structures to submit the plans and specifications of the construction, re-construction, repair or modification thereof and previously pay for and obtain a written certificate

from said building inspector or other officer ; and provide for the lapse and revocation of any certificate after twelve months from its issue if the building or buildings thereby authorized have not been *bona fide* begun within the delay."

Id., s. 5 further amended.

Prohibiting, &c., certain advertisements ;

6. The following subsections are added after subsection 16 of section 5 of the act 63 Victoria, chapter 55 :

" 17. Prohibit, restrict to certain portions of the town and regulate the posting, painting, erection or other display or maintenance of advertisements of any description on the fences, buildings or otherwise, except those made by a trader at his place of business, and for the purposes of his business, and those made for leasing and selling real estate, provided the latter are constructed and secured to the satisfaction of the building inspector ;

Prohibiting, &c., moving pictures ;

" 18. Prohibit, restrict to certain portions of the town, license and regulate moving pictures ;

Restricting, &c., lumber yards, &c. ;

" 19. Restrict to certain portions of the town and regulate the location of lumber-yards, and places for piling timber, fire-wood and other combustible material and the manner of piling the same ; and require any person maintaining any lumber, shingle or lath-piles or mill-wood yards in the town, to remove the same when they become dangerous to buildings, structures or other property ; and prescribe that factories, workshops, buildings in course of construction and other premises shall be, as far as practicable, kept free from any accumulation of shavings or other light combustible materials ;

Ordering completion of buildings in certain time.

Submission of certain plans to council.

" 20. Order that every building in the town, shall be completed within a fixed time, counting from the issue of the building permit therefor ;

" 21. To compel all proprietors to submit for the previous approval of the council all plans altering the cadastral subdivisions of their respective properties in the town, before depositing such plans in the Department of Lands and Forests ;

Regulating opening of streets.

" 22. To prevent owners of land from opening or changing any street in their respective properties, in the town, without first having obtained the authorisation of the council."

Id. s. 26 replaced.

7. Section 26 of the act 63 Victoria, chapter 55, is replaced by the following :

Penalties for infraction of by-laws.

" **26.** The council may impose by any by-law passed under the powers conferred upon the town, for each and every infraction of such by-law, either a fine, with or without costs, or imprisonment ; and in case of a fine, whether with or without costs, it may order imprisonment in default of immediate payment of such fine, with or without costs, as the case may be ; but, with the exception of cases where the charter of the town

otherwise prescribes, such fine shall not exceed forty dollars, and such imprisonment shall not be for more than two months; and when the imprisonment is ordered for default of payment of the fine or of the fine and costs, such imprisonment shall cease upon payment of the fine or fine and costs.

When an offense against a by-law is repeated after notification, summons or arrest, then such offence upon any subsequent day shall constitute a distinct offence in accordance with such by-law." Repetition of offences.

8. Section 8 of the act 6 Edward VII, chapter 52, is replaced 6 Ed. VII., c. 52, s. 8 replaced. by the following:

"**8.** The polls shall be opened at eight o'clock in the forenoon and remain open until seven o'clock in the afternoon of the same day; and every deputy returning-officer is bound to receive during such time, in the poll assigned to him, in the manner hereinafter prescribed, the votes of the electors who are entitled to vote at such poll." Hours of polling.

9. The town may, by by-law, construct, maintain, and carry on an incinerating establishment for the destruction of household and other refuse. Incinerating establishment.

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

CHAP. 60

An Act to amend the act to incorporate the town of Magog

[Assented to 4th June, 1910]

WHEREAS the corporation of the town of Magog has, by Preamble. petition, represented that the amendments hereinafter set forth are necessary for the proper administration of the town ;

Whereas, it is expedient to grant such petition ;

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

1. Section 19 of the act 53 Victoria, chapter 79, as replaced 53 Vic., c. 79, s. 19 replaced. by the act 60 Victoria, chapter 68, section 8, is again replaced by the following :

"**19.** In order to meet the expenses of the said town Annual council and to provide for the necessary public improvements taxes: