

C H A P . 86

An Act to consolidate and amend the charter of the town of Lachine and to incorporate it as a city

[Assented to 7th May, 1909]

Preamble

WHEREAS the corporation of the town of Lachine has, by petition, represented that it is expedient to consolidate the various special acts which govern it ; to subject it to the provisions of the Cities and Towns' Act, 1903 ; to grant it new powers ; to incorporate it as a city and to ratify by-laws Nos. 117 and 124, passed by its council ;

And whereas it is expedient to grant the prayer 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 :

INCORPORATION

Persons in-
corporated

1. The inhabitants and rate-payers of the town of Lachine and of the adjacent territory comprised within the limits of the city of Lachine, described in this act, and their successors, are constituted a city municipal corporation under the name of " The City of Lachine."

Name.

3 Ed. VII, c.
38, to apply,
&c.

2. The city of Lachine shall be governed by the Cities and Towns' Act, 1903, except where this act otherwise provides expressly or impliedly.

TRANSITORY PROVISIONS

Certain acts
repealed.

3. The act 36 Victoria, chapter 53, incorporating the town of Lachine and all acts amending the same are repealed.

City succeeds
to certain
rights, &c.

4. The corporation hereby constituted succeeds to the rights, obligations, privileges, property, claims and actions of the corporation existing under the acts repealed by article 3.

Municipal
officers, &c.,
to remain in
office, &c.

5. The present municipal officers and employees of the corporation of the town of Lachine shall remain in office until removed or replaced by the council of the city of Lachine under the provisions of this act.

By-laws, &c.,
not affected.

6. All by-laws, resolutions, *procès-verbaux*, assessment rolls, dues, lists, plans and other municipal acts and documents made and executed by the council of the corporation of the town of

Lachine, shall continue to have effect until amended, cancelled, repealed or executed.

7. All notes, bonds, obligations, undertakings, title-deeds or contracts subscribed, accepted, endorsed or issued by the council of the said corporation until the coming into force of this act, shall continue to have their legal effect. Obligations, &c., not affected.

8. The city of Lachine is and shall remain separate from the county of Jacques Cartier for municipal purposes. City municipality, separate from county.

CITY LIMITS

9. The territory of the city of Lachine is bounded : on the north, east and southeast by the parish of Les Saints Anges de Lachine ; on the south and southwest, by the south and southwest half of the river St. Lawrence ; and on the west partly by the river St. Lawrence and partly by the town of Summerlea. Boundaries of city.

The boundaries of the said territory are as follows :

On the north, a line starting from the east side of lot No. 899 of the official plan and book of reference of the parish of Lachine at the point where the railway track of the Grand Trunk Railway Company of Canada cuts the said lot No. 899, distant about 19 arpents from the river St. Lawrence, extending eastwardly, following the south side of the said railway track to the western line of lot No. 915 of the said official plan and book of reference of the parish of Lachine ; thence, on the east, extending to the Lachine canal following the line dividing the original lots Nos. 915, 921 and 922 of the official plan and book of reference of the parish of Lachine, on the one side and lot No. 753 of the official plan and book of reference of the town of Lachine and lot No. 916 of the official plan and book of reference of the parish of Lachine, on the other side, crossing the track of the Montreal and Champlain railway operated by the Grand Trunk Railway Company of Canada and the upper Lachine road where they meet; thence on the south-east, following the north side of the said canal to the western line of lot No. 916 of the official plan and book of reference of the parish of Lachine, crossing the Lachine canal and following the line between lot No. 917 of the official plan and book of reference of the parish of Lachine on the one side and the lots Nos. 786 and 801 of the official plan and book of reference of the town of Lachine, on the other, to the river St. Lawrence, crossing the lower Lachine road where they meet, then extending in a straight line to the middle of the river ; thence, on the south-west, following the middle of the river to the point where it meets the prolongation towards the south and in a straight line

Boundaries.
To north ;

To east ;

To south-east ;

To south-west ;

To west.

of the eastern line of lot No. 899 of the official plan and book of reference of the said parish of Lachine ; thence on the west, following the prolongation of the eastern line of the said lot No. 899 to the southeastern corner of the said lot No. 899, and thence to the point of departure on the south side of the said railway track of the Grand Trunk Railway Company of Canada, following the dividing line between lot No. 899 of the official plan and book of reference of the parish of Lachine on the one side and lots Nos. 1, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53 and the original lot No. 55 of the official plan and book of reference of the town of Lachine, on the other.

DIVISION OF THE CITY INTO WARDS

Wards.

10. The city of Lachine is divided into 4 wards respectively designated as ward No. 1, ward No. 2, ward No. 3, ward No. 4.

Boundaries
of ward No.
1.

Ward No. 1 is bounded on the north, by the northern boundary of the city ; on the east by a line starting from the northern boundary of the city, and following the dividing line between lots Nos. 223 and 238 of the official plan and book of reference of the town of Lachine, crossing the line of the Grand Trunk Railway of Canada, passing by the middle of 25th street, crossing St. Joseph street, following the dividing line between lots 234 and 235 of the said official plan and extending in a straight line to the southern boundary of the city ; on the south and west by the southern and western boundaries of the city.

Boundaries
of ward
No. 2.

Ward No. 2 is bounded on the north by the northern boundary of the city ; on the east by a line starting from the boundary of the city following the dividing line between lots Nos. 293 and 395 of the official plan and book of reference of the town of Lachine and their subdivisions on one side, and lot number 709 of the said official plan and book of reference on the other side, crossing the line of the Grand Trunk Railway of Canada, passing by the middle of 15th street, crossing St. Joseph street and extending in a straight line to the southern boundary of the city, and on the south by the southern boundary of the city and on the west by ward No. 1.

Boundaries
of ward
No. 3.

Ward No. 3 is bounded on the north by the northern boundary of the city ; and on the east by a line starting from the northern boundary of the city, following the dividing line between lots Nos. 752 and 753 and of the official plan and book of reference of the town of Lachine, crossing the line of the Grand Trunk Railway of Canada, passing by the middle of eighth street as far as St. Louis street, crossing this street and following the dividing line between lots numbers 751

and 750 of the said official plan and book of reference and their subdivisions on one side and lots numbers 754 and 755 of the said official plan and book of reference and their subdivisions on the other side; from thence crossing St. Joseph street and extending in a straight line to the southern boundary of the city; on the south by the southern boundary of the city and on the west by ward number 2.

Ward No. 4 is bounded on the north, east, south and south-west by the northern eastern, southern and south-western boundaries of the city, on the west by ward No. 3. Boundaries of ward No. 4.

The number and boundaries of the wards cannot be changed before four years. Change of boundaries. &c.

THE COUNCIL

11. The present mayor and nine aldermen of the town of Lachine or their substitutes, shall remain in office and represent the corporation hereby constituted until the next general election which shall take place on the first Monday of December, 1909, and from that date, the city council shall consist of the mayor and eight aldermen, one being elected for seat No. 1 and one elected for seat No. 2 in each ward. Mayor, &c., to continue in office. First general elections.

12. The first meeting of the city council shall be held in the city hall at eight o'clock in the evening on the second Wednesday after the coming into force of this act. First meeting of council.

DEROGATIONS FROM THE CITIES AND TOWNS' ACT, 1903

13. Article 47 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following : 3 Ed. VII, c. 38, s. 47, replaced for city.

" **47.** The mayor shall be elected for two years by the majority of the municipal electors of the city who have voted." Term of office of mayor.

14. Article 48 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following : Id., s. 48, replaced for city.

" **48.** The aldermen shall be elected in each ward for two years by the majority of the municipal electors of the ward who have voted and shall be elected for the seat for which they have been nominated." Term of office of aldermen, &c.

15. Article 66 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following : Id., s. 66, replaced for city.

" **66.** The council shall appoint a permanent finance committee consisting of four of its members, one for each ward and may appoint other permanent or special committees composed of as many of its members as it may deem necessary for the Appointment of committees.

supervision of the administration of the several civic departments for which they are respectively appointed and for the management of such business as it may, by by-law or resolution, assign to them.

When committees are formed.

The permanent committees shall be formed every year in the month of December, at a general or special meeting of the council, and special committees at any time whenever it may be necessary or expedient to appoint the same.

Replacing of members.

The council may at any time, fill vacancies in a committee and replace members who refuse or are unable to act for two consecutive months.

Mayor member *ex-officio*, &c.

The mayor is eligible as a member of all committees, and has a right to vote therein.

Reports by committees.

The committees shall render account of their labors and their decisions by reports signed by their chairman or by a majority of the members who compose them.

Reports to be adopted by council.

No report whatever of a committee shall have any effect until it has been ratified or adopted by the council except where otherwise prescribed by the provisions of this act.' '

Id., s. 102, replaced for city.

16. Article 102 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

Appointment of auditors and term of office.

" **102.** The council shall, at its first session after the fifteenth of December every year, or as soon thereafter as possible, appoint one or two auditors who shall perform the duties of their office until the entry of their successors into office.

Who not to be auditors.

No salaried officer or employee of the city can be appointed to or fill the office of auditor.

Remuneration of auditors.

The council shall fix the auditors' emoluments, from time to time."

Id., s. 104, replaced for city.

17. Article 104 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

Appointment of assessors &c.

" **104.** The council shall appoint every year at one of its sittings in the month of April or as soon afterwards as possible, three assessors, who shall hold office till their successors are appointed.

Must read and write. Remuneration &c.

The assessors must be able to read and write.

The remuneration of such assessors shall be fixed, from time to time, by the council, the council shall designate which of the assessors shall act as chairman of the board."

Id., s. 105, replaced for city.

18. Article 105 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

Assessors' clerk, &c.

" **105.** The council appoints a clerk to the assessors and fixes the fees payable to him by the city for his services."

19. Article 118 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following : Id., s. 118, replaced for city.

" 118. Prior to the first day of October 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 upon the electors' list." When electors' lists to be prepared.

20. Article 120 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following : Id., s. 120, replaced for city.

" 120. 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, of non-residents, and of all others who are not entitled to have their names entered on such list." Names to be omitted or removed therefrom.

During the month of September, any rate-payer may, under proper safeguards, examine the lists in the office of the clerk, and if said rate-payer 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, it is the duty of the clerk to make careful inquiry respecting the truth of such allegations, before permitting any name thus protested to remain upon the lists when he certifies them." Examination of lists.

21. Article 127 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following Id., s. 127, replaced for city.

" 127. If the clerk has not made the alphabetical list of electors, or has not given or published the notice required by article 123, by the third day of the month of October, the judge of the Superior Court for the district, or, in the event of the absence of such judge, or of his inability to act, a judge of a neighbouring district on summary petition of any person entitled to be entered as an elector in the city, shall appoint a special clerk to prepare the alphabetical list of electors." Appointment of special clerk to make list in default of clerk.

22. Article 139 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following : Id., s. 139, replaced for city.

" 139. The list of electors comes 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 123, as it then exists, and remains in force for twelve months following Coming into force and duration of the list.

its coming into force, and, thereafter, in all cases, until a new list is made and put into force under the authority of this act.

List in force even if appealed from until decision.

Notwithstanding the appeal to a 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."

Id., s. 157, replaced for city.

When general elections are held.

First general election.

23. Article 157 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

" **157.** The general election of the mayor and aldermen of the city shall be held every two years on the first Monday of December, and if such day be a holiday, then on the first following judicial day.

The next general election shall be held on the first Monday of December, 1909."

Id., s. 159, replaced for city.

Appointment of election clerk.

24. Article 159 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

" **159.** Ten days at least before the twentieth day of November, at noon, 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., s. 163, replaced for city.

Notice of election to be given by returning-officer.

25. Article 163 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

" **163.** Eight days at least before the twentieth day of November 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, day and hour fixed for the nomination of candidates ;

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

(c) The appointment of the election clerk."

Id., s. 165, replaced for city.

When nomination to be held.

26. Article 165 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

" **165.** The nomination of candidates at a general election shall take place on the last Monday of November from noon to two o'clock in the afternoon. If such day be a holiday, it shall take place on the first juridical day following, also from noon to two o'clock in the afternoon."

27. Paragraph (a) of article 180 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following : Id., s. 180, amended for city.

"(a) Five days at least before the polling, give public notice Notice of poll.
of his having granted such poll, including the names, residences and occupations of the candidates nominated in the order in which they are to be printed on the ballot papers hereinafter mentioned, and the time when and place where the returning-officer shall add up the number of votes given for the different candidates. Such notices shall be in the form K."

28. Article 211 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following : Id., s. 211, replaced for city.

" 211. The votes shall be given by ballot, and each elector who is entitled to vote shall receive from the deputy returning-officer a ballot-paper, on the back of which such deputy returning-officer has previously put his initials, so placed that when the ballot is folded they can be seen without opening it. Ballot-paper to be initialed by deputy returning-officer.

The initials of the deputy returning-officer must also be put on the back of the counterfoil of the ballot-paper." Initials on back of counterfoil.

29. Article 213 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following : Id., s. 213, replaced for city.

" 213. The elector, on receiving the ballot-paper, shall forthwith proceed into one of the compartments of the polling station and there mark his ballot-paper, making a cross with a black lead pencil within the white space containing the name of the candidate for whom he intends to vote, and shall then fold up the ballot-paper so that the initials on the back and on the back of the counterfoil can be seen without opening it, and hand it to the deputy returning-officer, who shall, without unfolding it, ascertain by examining his initials, that it is the same which he furnished to the elector, and shall then, in full view of those present, including the elector, remove the counterfoil and destroy it and place the ballot paper in the ballot-box which box shall be placed on a table in full view of those present." Mode of voting and marking ballots, &c.

30. Article 347 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following : Id., s. 347, replaced for city.

" 347. By-laws are published after the passing thereof, or their definitive approval in cases in which they have been submitted for the approval of the municipal electors, or of the Lieutenant-Governor in Council, by a public notice under the hand of the mayor and clerk, published in the usual manner, in which mention is made of the object of the by-law, of the date on which it was passed, and of the place where communication may be taken thereof. How notice published.

What to contain

If the by-law be approved of by the municipal electors, the notice and publication shall also mention that such formality has been observed, and the date upon which it was complied with.

Publication in newspapers.

The council may, moreover, publish its by-laws in one or more newspapers."

Id. s 355 replaced for city.

31. Article 355 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

Calling of meeting.

" **355.** The general meeting of the electors who are owners of immoveable property shall be convened in the municipal hall at seven o'clock in the evening on a day specified by the council by public notice signed by the clerk and given at least eight days beforehand."

Id., s. 360, replaced for city.

32. Article 360 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

Hours of polling.

" **360.** The poll shall be held on two juridical days from eight o'clock in the morning until eight o'clock in the evening."

Id., s. 383, amended for city.

33. Paragraphs 1 and 13 of article 383 of the Cities and Towns' Act, 1903, are replaced, for the city, by the following :

Chimneys, &c.

" 1. To regulate the height of all buildings, chimneys, stacks and other structures ; to prevent the construction or maintenance of such as are not of the required stability, and provide for their summary abatement or destruction ; to prescribe the depth of cellars and basements, the material and methods of construction of foundations and foundation walls, the manner of construction and location of drains and sewer pipes, the thickness, materials and construction of party walls, partition and outside walls, throughout the city or in any part thereof, the size and materials of floor beams, girders, piers, columns, roofs, chimney flues and heating apparatus ; to regulate the architecture, dimensions and symmetry of buildings in certain streets ; to compel the proprietors to submit the plans thereof to, and previously obtain a building permit in writing from the building inspector or any other officer ; to prescribe the manner in which such permit shall be applied for and the dues to be paid to the city for the granting of such permit ; to prohibit the erection of certain classes of buildings or of any buildings at less than a specified distance from the line of the street, in all or any of the streets of the city ; 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 thereof if necessary ;

Dogs.

13. To compel persons having dogs to conform to the by-laws

and to obtain a license from the city for every dog ; to compel them to put on every dog's neck a collar and the number of the license ; to have dogs muzzled ; to prevent them from running at large and authorize the summary destruction or sale for the benefit of the city of all dogs found at large or not having the number of their license on their necks."

34. Paragraph 14 of article 384 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following : Id., s. 384,
amended for
city.

" 14. To regulate or to prohibit the location, construction and management of stock-yards, packing-houses, rendering establishments, tallow-chandleries, storing places for hides, bone or glue houses, gas-works, soap-factories, dye-houses, tanneries, sausage manufactories and other noxious establishments within the limits or in any part of the municipality and to prohibit the location and maintenance of pig-sties." Stock-yards,
&c.

35. Paragraph 21 of article 384 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following : Id., s. 384,
amended for
city.

" 21. To regulate the sewerage of the city ; to construct any public sewer and make connections between public sewers and private drains at the cost of the city or to levy the cost thereof by means of a special assessment imposed on all immoveables situate on the streets or parts of streets where such sewers are or may be built ; to prescribe that such assessment shall be allotted in proportion to the frontage of such immoveables or otherwise and to determine the manner of levying such assessments." Sewerage,
&c.

36. Paragraph 19 of article 386 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following : Id., s. 386,
amended for
city.

" 19. To prescribe that the streets and public places shall be swept, watered and kept clean at the expense of the city and that the sidewalks in all the streets or in such streets as the council may indicate, shall be kept in order and the snow and ice removed therefrom during winter by the city, which shall levy the cost of such work on the proprietors, occupants or tenants of properties situate on such streets proportionately to the frontage of such properties. Such assessment shall be made in the manner prescribed by the council and shall be a tax recoverable in the same manner as ordinary taxes." Cleaning of
streets, &c.

37. The following paragraph is added, for the city, after paragraph 32 of article 386 of the Cities and Towns' Act, 1903 : Id., s. 386,
amended for
city.

" 33. To close any street or part of a street or public park and to sell the land for the benefit of the city, provided always Closing
streets, &c.

that if anybody suffers damage he will receive compensation fixed by arbitration."

Id., s. 396,
replaced for
city.

38. Article 396 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

Who to pay
expense of
waterworks,
&c.

" **396.** The work of building and enlarging the water-works, including the water-powers, wells, cisterns or reservoirs which the city is authorized to make, may be done at the expense of the city or the cost may be assessed upon the taxable immovables only for the benefit whereof the work is done, by means of a special tax proportionate to the value of the immovables, as established every year by the valuation roll and recoverable in the manner specified by the council."

Id., s. 400,
replaced for
city.

39. Article 400 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

To levy tax
and water-
rate. ~~1111111~~
Are privi-
leged claims,
&c.

" **400.** The special tax and the water-rate imposed under articles 396 and 398 as well as all sums due for water or meters shall be levied according to the rules and in the manner prescribed by the council and shall be a privileged claim upon the moveables and immovables of the person who owes them with the same rank as ordinary municipal taxes and without the formality of registration."

Id., s. 424,
amended for
city.
Hackmen,
&c.

40. Paragraph 9 of article 424 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

Carters'
tariff.

" 9. To license and regulate hackmen, draymen, expressmen, and all other persons or corporations, including tramway companies, engaged in carrying passengers, baggage or freight in the municipality ; to prescribe standing places or stations within the streets or near railway stations, where the same may remain while waiting for business, and to prohibit the same from standing or waiting at any other places than the places so prescribed ; to establish a tariff of fares payable to them for their services ; to compel them not to exact higher fares than those settled by the tariff ; to compel them to convey every person asking their services within the city limits to any place in the city and outside its limits to a distance of six miles at tariff rates."

Id., s. 440,
replaced for
city.

41. Article 440 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

Annual
valuation.

" **440.** The assessors shall annually make, at the time and in the manner ordered by the council, the valuation of the taxable property of the municipality, according to the real value.

Preparation

The council may, by resolution, relieve the assessors from

the duty of making a general valuation of the taxable property and revision oftener than every three years ; and, in such case, the council ^{of roll.} shall revise the roll or cause it to be revised by the assessors as it deems expedient, with the same notices and delays as for the making of the yearly valuation roll and shall cause the roll so revised to be transcribed by the clerk. Such transcription shall be authenticated by the signature of the mayor and clerk.

The assessors shall also make the valuation of the annual ^{Annual value} value of such property, and enter it in the roll in a separate ^{to be entered} column. ^{in roll.}

They shall also enter in the roll the names of tenants and the ^{Entry of ten-} amount of annual rent paid by each of them." ^{ants, in roll,} ^{&c.}

42. Article 470 of the Cities and Towns' Act, 1903, is ^{Id., s. 470,} amended, for the city, by adding thereto the following para- ^{amended for} graph : ^{city.}

"The council may, by resolution, allow a discount not ex- ^{Discount for} ceeding three per cent on the amount of taxes on immoveables ^{prompt pay-} and not exceeding five per cent on the amount of the tax or ^{ment.} compensation for water paid within a specified delay."

43. Article 479 of the Cities and Towns' Act, 1903, is ^{Id., s. 479,} replaced, for the city, by the following : ^{replaced for} ^{city.}

" **479.** The council may by by-law establish, impose and ^{Business} levy certain annual dues or taxes on all trades, manufactures, ^{taxes, &c.} financial or commercial establishments, occupations, arts, professions, callings or means of earning a profit or a livelihood, carried on or followed by one or more persons, firms or corporations in the city. Such dues or taxes may, in the discretion of the council, be imposed either at a fixed amount on all kinds or on certain kinds of occupations subject to such dues or taxes or at an amount proportionate to the assessed yearly value of the immoveable or any part thereof occupied for carrying on or exercising the same, or be imposed under both forms at once and may be different or higher for persons who have not resided in the city for twelve months than for those who reside therein provided, however, that in no case shall the sum fixed exceed two hundred dollars and that the sum proportionate to the yearly value of the immoveable occupied for exercising or carrying on the same, shall not exceed ten per cent of such value. They shall not however, levy in this latter form more than six hundred dollars."

44. The following article is added, for the city, after article ^{Id., s. 480a,} 480 of the Cities and Towns' Act, 1903 : ^{enacted for} ^{city.}

" **480a.** The council may also, by by-law, levy upon every ^{Tax on te-} person, firm or company, a yearly special tax not exceeding ^{legraph, &c.,} poles."

twenty-five cents for every wooden or metal post belonging to it, erected or to be erected in the streets of the city for telegraph or telephone lines or for the transmission of electricity for light or motive power."

Id., s. 518,
amended for
city.

45. Article 518 of the Cities and Towns' Act, 1903, is amended, for the city, by adding the following paragraph at the end thereof :

Temporary
exemption of
new build-
ings.

" The council may, by by-law, exempt all new buildings from the payment of the taxes imposed within the twelve months following the granting of the building permit."

Id., s. 522,
replaced for
city.

46. Article 522 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

Issue of de-
bentures.

" **522.** The council may contract its loans by an issue of bonds, obligations or debentures signed by the mayor, and countersigned by the clerk and bearing the seal of the corporation.

How pay-
able.

Such bonds, obligations or debentures are made payable to bearer, at the periods fixed by the council, with interest, not exceeding the legal rate payable half-yearly and may, until not finally disposed of, be pledged as security, if the market be not deemed favorable, without their validity being affected thereby."

Id., s. 523,
replaced for
city.

47. Article 523 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

Interest cou-
pons.

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

Signatures
thereon.

The signatures of the mayor and clerk may be lithographed or printed.

Possession by
treasurer
evidence of
payment.

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."

Id., s. 524,
replaced for
city.

48. Article 524 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

Payment of
bonds, &c.,
how secured.

" **524.** The principal and interest of every bond, debenture and note issued by the council shall be secured by the general funds of the city."

Id., s. 542a-c
added for
city.

49. The following articles are added, for the city, after article 542 of the Cities and Towns' Act, 1903 :

“ 542a. Before proceeding, the arbitrators shall make oath Oath of to faithfully and impartially perform the duties of their office, arbitrators. before the city clerk who shall keep such oath in the archives of the council.”

“ 542b. At their first sitting, the arbitrators shall appoint Secretary to a secretary whose duty shall be to take note in writing of all arbitrators. their proceedings and of all the evidence adduced before them by the parties.”

“ 542c. The emoluments of the arbitrators' secretary shall Remunera- be fixed by them at an amount not exceeding two dollars per tion of se- sitting of three hours and shall form part of the costs of the cretary. arbitration.”

50. Article 543 of the Cities and Towns' Act, 1903, is Id., s 543, replaced, for the city, by the following : replaced for city

“ 543. The fines imposed by the by-laws of the council and Fines how by the provisions of the Cities and Towns' Act, 1903, or of the recoverable. charter, shall be recoverable before a justice of the peace residing in the city, the recorder, if there be one, or by an action for debt before the Circuit Court of the district of Montreal.”

51. Article 550 of the Cities and Towns' Act, 1903, is Id., s. 550, replaced, for the city, by the following : replaced for city.

“ 550. Prosecutions brought before the recorder or justices Part XV of of the peace under article 543, shall be heard and decided by Criminal them according to the rules contained in part XV of the Crim- Code to ap- inal Code, except in so far as the same are inconsistent with ply. the provisions of this act.”

52. Article 606 of the Cities and Towns' Act, 1903, is Id., s. 606, replaced, for the city, by the following : replaced for city.

“ 606. If any person claims to have suffered bodily injury Persons by any accident, for which he intends to claim damages from claiming the city, he shall, within thirty days from the date of such damages for accident, give or cause notice to be given in writing to the city injuries clerk of such intention, containing the particulars of his claim, bound to give and stating his own domicile, failing which the city shall be notice. relieved from any liability for any damages caused by such accident, notwithstanding any article or provision of law to the contrary ; and, in case of any claim for damages to property, moveable or immovable, a similar notice shall also be given to the city clerk, within thirty days, failing which the city shall not be liable for any damages notwithstanding any Prescription. article or provision of law ; but, in all cases, no action for such

damages shall lie unless such action has been instituted within six months after the day the accident happened or right of action accrued.

When action to be taken. No such action can be instituted before the expiration of fifteen days from the date of the serving of such notice.

Action in warranty. The city shall have its recourse in warranty against any person whose fault or negligence occasioned the accident and damages arising therefrom."

Id., Form R, replaced for city. **53.** Form R of the Cities and Towns' Act, 1903, is replaced, for the city, by the form R annexed to this act.

THE FINANCE COMMITTEE

Preparation of budget. **54.** At least fifteen days before the expiration of each fiscal year, the finance committee shall prepare the ordinary budget for the following fiscal year and provide :

Interest on debt, &c. 1. For interest on the debt and on any sinking fund that may be established ;

Employees' salaries. 2. For the salaries of the permanent employees ;

Repairs, &c. 3. For repairs, cost of maintenance and other general expenses of administration and charges on the civic revenue including any deficit from a previous year ;

Reserve. 4. For a reserve of five per cent on the probable revenues of the year to cover the cost of collecting the taxes, all possible losses in their collection, and unforeseen expenses such as those connected with judgments, epidemics, fortuitous events and damages for which the city may be liable.

Special budget for current year. **55.** Previous to the first of May in every year, the finance committee shall prepare the special budget for the current year and provide for the enlargement of the water-works, the making of sewers and sidewalks, the opening of new streets, the erection of poles for distributing light and other improvements of a permanent nature chargeable to the city's assets.

Disposal of unexpended amounts. **56.** When a new ordinary or special budget is prepared, the amounts appropriated in previous budget and supplementary votes which have not been expended during the year, shall be disposed of.

Alteration of estimates. **57.** The estimates, both ordinary and special, shall be submitted to the council as soon as possible after they are made out and, when approved by the council, the amounts voted can neither be altered nor employed for any other purpose unless such change be approved by a vote of the absolute majority of all the members of the council.

58. At any time after the adoption of the ordinary and Supplement-special estimates, the council may, on the recommendation of the finance committee or, on its refusal, by the absolute majority of all its members, vote as supplementary appropriations for cost of administration and permanent works, any amounts available out of the revenue collected for a previous year, after provision is made for all appropriations voted and obligations connected therewith.

59. No expenditure for which no appropriation has been voted, shall be authorized by the council unless a favorable report be previously made thereon by the finance committee. Nevertheless, if the finance committee neglects to make a report or makes an unfavorable report, the council may pay no heed to it and may authorize such expenditure by the vote of the absolute majority of its members and not otherwise.

SPECIAL POWERS TO MAKE BY-LAWS

60. The council may make, amend and repeal by-laws to determine the places where ice may be taken in the river St. Lawrence opposite and within the limits of the city ; to compel all persons taking ice there to fence in the places whence ice is taken so as to avoid danger ; to compel every person wishing to cut ice to previously obtain a permit to be given by the officer designated by the council and to fix the dues to be paid the city for obtaining such permit. Such dues shall be in proportion to the area of ice to be cut under the permit.

61. The council may make, amend and repeal by-laws to establish and manage a fund for the relief of employees injured in the city's service ; to fix the rate of the contribution to be paid by members to such fund and of the benefits to be derived therefrom ; to declare that all the employees or certain classes of employees of the city shall be members participating in such fund ; to compel members to contribute to the fund by means of a deduction from their salaries or otherwise, and to have the city contribute a proportion not exceeding one third the amount of the contributions paid by the members every year.

62. The council may make, amend and repeal by-laws to compel every person residing outside the island of Montreal who has worked for a salary within the city limits for fifteen days during a period of twelve months commencing on the first of May of any year and who wishes to work there longer without lodging or residing therein, to obtain a license from the city, and the council may fix the rate of the dues to be paid to the city for the granting of such license which shall be valid

until the thirtieth of April following the issue thereof, provided such dues shall not exceed three dollars per annum.

Borrowing to make water-works, &c., in certain cases.

63. Notwithstanding any other provisions of this act and of the Cities and Towns' Act, 1903, to the contrary, so long as the city's total debt shall not exceed twenty per cent of the valuation of the taxable immoveable properties of the city, the council may, by a by-law adopted by the vote of two-thirds of its members, and without its being necessary to submit such by-laws to the approval of the municipal electors who are proprietors, borrow every year, by means of an issue of debentures or annuities, a sum of money not exceeding fifteen per cent of the increase in the value of the taxable immoveable properties on the valuation roll in force over that of the year immediately preceding, to carry out certain public works, such as the development of the water-works, sewerage and electric light systems, the making of permanent sidewalks or pavements, the opening and widening of streets and the acquisition of all lands and buildings required for such purposes.

Money how employed.

The monies levied every year, under the provisions of this article shall not be employed in paying ordinary expenses and shall be exclusively employed for the purposes above mentioned.

MISCELLANEOUS PROVISIONS

Deepening, &c., of Little River St. Peter, &c.

64. To facilitate the draining of its territory north of the track of the Montreal and Champlain railway, the city council may, by by-law, subject to the regulations of the Board of Health, order the deepening and straightening of the stream known as "Little river St. Peter," in the parish of Les Saints Anges de Lachine, to the upper Lachine road, and the city is authorized to expropriate all the land required, and to enter upon all private grounds for carrying out its work.

Contracts to be approved by council. City not responsible for work done, &c., without order of council.

65. No contract or covenant shall bind the city unless approved by the council.

The city shall not be responsible for the price or value of work done, materials delivered, merchandise or goods supplied in any manner whatsoever without the special authorization of the council and no right of action shall lie against the city unless such formalities are fulfilled, although the city may have benefited by such contract, covenant, work or materials.

Liability &c., of councillors in certain cases.

66. Every member of the council who authorizes verbally or in writing, by his vote or tacitly, any expenditure of money exceeding the amount previously appropriated or legally placed at the council's disposal, shall be personally liable therefor and shall thereby forfeit his right to sit as a member of the council

and cannot be re-elected a member of the council for a period of two years counting from that date.

67. Every person, firm or company authorized by statute to erect poles in the streets or public squares of the city for supporting wires or cables or for other purposes, shall, before so doing, give notice of his or its intention to the city and obtain the consent of the council expressed by a resolution and, moreover, have the city inspector indicate the particular places in every street or public square where the poles may be erected ; and every pole erected without the previous authorization of the council or without indication of or elsewhere than at the spot indicated shall be deemed a public nuisance by the city.

Notice of erection of poles, &c., in streets.

68. The city engineer, if a member of the Canadian Society of Civil Engineers, may make all the measurements in connection with the fulfilment of his office, the duties whereof shall be defined by a by-law of the council.

Duty of city engineer.

69. For the purpose of converting the southern jetty of the old Lachine canal into a promenade and of establishing public baths there, the city council is authorized to expend the sum of five thousand dollars of the city funds for the embellishment of that portion of the jetty leased from the Federal Government and comprised between twelfth and twenty-first streets.

Conversion of jetty into promenade.

70. By-law No. 117 granting exemption from municipal taxes or other advantages to the Imperial Locomotive and Machine Company of Canada and providing for a loan, passed by the council of the town of Lachine on the eleventh day of October, 1907, approved by the municipal electors who are proprietors on the twenty-first day of the same month, is ratified and validated by substituting: 1. the words: "November 1910" for the words: "May 1909", in the first, second, third and ninth sections ; 2. the words: "November 1911" for the words: "May 1910" in the third section; 3. the words "November 1912" for the words "May 1911", in the second, third and seventh sections of the said by-law and the corporation constituted by this act is authorized to issue debentures to the amount for the purposes and on the conditions mentioned in the said by-law.

By-law No. 117, ratified, &c.

71. By-law No. 124 providing for the building of a public market and for a loan of twenty-five thousand dollars, passed by the council of the town of Lachine on the ninth day of December, 1908, approved by the municipal electors being proprietors on the twenty-first day of the same month, is ratified and declared valid and the corporation hereby consti-

By-law No. 124, ratified, &c.

tuted is authorized to issue debentures to the amount, for the purposes and on the conditions set forth in the said by-law.

Publication
of notices,
&c.

72. Except where otherwise provided, every public notice shall be published for seven clear days and every special notice shall be served two clear days before the day fixed for the proceeding to which it relates.

Id., s. 555,
replaced for
city.
Recorder's
court.

73. Article 555 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

" **555.** Immediately after the coming into force of this act, the council shall, by by-law, establish a court of record in the municipality, called the "Recorder's Court" which shall be presided over by a recorder appointed in the manner hereinafter provided.

Where to sit.

The court shall sit in the city hall or at any other place which shall, from time to time, be fixed by the council for that purpose.

Seal.

The court shall have a seal."

Retail liquor
stores.

74. Within the city boundaries, the number of licenses for retail liquor stores is for the present limited to a maximum of two, and such number shall not be exceeded in future so as to have more than one license of the kind for every four thousand souls of the population.

Hotel and
restaurant
licenses.

The number of the hotel and restaurant licenses for the sale of intoxicating liquors in the city is limited to a maximum of nine until the population of the city reaches fifteen thousand. When the population exceeds that number an additional license may be granted for every increase of one thousand souls of the population.

Id., certain
articles not
to apply.

75. Articles 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 117, 146, 298, 299, 300, 475, 490, 492, 502 to 517 inclusive and 527 of the Cities and Towns' Act, 1903, shall not apply to the city of Lachine.

Contract
obligations,
&c., not
affected.

76. Nothing in this act shall be interrupted as permitting the city to violate any of the obligations it has undertaken by contract, or as affecting or repealing powers specially granted by statute to corporations or companies.

Coming into
force.

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

ANNEX

FORM R.—(*Article 191*)

BALLOT PAPER

(*Front*)

Election of a mayor of the city of Lachine (<i>or</i>) of alderman No. 1 (<i>or, as the case may be</i>) of ward of the city of Lachine, 19 .	1	BEAUDRY Joseph Beaudry Lachine Merchant
	2	FORTIN Arthur Fortin Lachine Physician

COUNTERFOIL

The initials of the deputy returning-officer are to be put here.

The initials of the deputy returning-officer are to be put here.

(Back)

The printer's name is printed here.