

To prohibit
sewage fields,
&c.

(a) To regulate, prohibit or permit, on certain conditions, the establishment within the limits of the town, of sewage fields, septic ditches, hospitals for contagious diseases and other establishments ;

To prevent
contamina-
tion of water-
courses, &c.

(b) To prevent the contamination of the water-courses within the limits of the town, notwithstanding section 17 of the act 52 Victoria, chapter 85, provided however that such by-laws be approved by the Board of Health of the Province of Quebec, the whole in accordance with paragraphs 11 and 12 of article 384 of the Cities and Towns' Act, 1903.

Coming into
force.

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

CHAP. 75

An Act to consolidate and replace the charter of the town of Terrebonne

[Assented to 14th March, 1907]

Preamble.

WHEREAS the town of Terrebonne has, by its petition, represented that the provisions of its charter, the act 53 Victoria, chapter 72, no longer meet the requirements of its inhabitants nor the commercial needs of the locality, and that it is in the interest of the proper administration of its affairs that the said act be replaced by a new charter subjecting the town to the Cities and Towns' Act, 1903, and that certain additional powers be conferred on it :

Whereas a prayer to that effect is contained in its petition, and it is expedient to grant the same ;

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

SECTION I

INCORPORATION OF THE TOWN

Town of
Terrebonne
incorporated.

1. The inhabitants and rate-payers of the town of Terrebonne and their successors, are and shall remain a body corporate and politic under the name of " The town of Terrebonne."

Municipally
separate from
county of
Terrebonne.

2. The town is and shall remain separate from the county of Terrebonne for municipal purposes.

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

3. The town is subject to the operation of the Cities and Towns' Act, 1903, and its amendments.

SECTION II

DECLARATORY AND TRANSITORY PROVISIONS

4. The charter of the town of Terrebonne, to wit : the act 53 V., c. 72, 53 Victoria, chapter 72 is repealed. repealed.

5. The corporation hereby constituted succeeds to the rights, privileges, obligations, claims and suits of the corporation. Succeeds to rights, &c., of old corporation.

6. The present mayor and aldermen of the town of Terrebonne or their successors in case of vacancy, shall remain in office until replaced under the provisions of this act. Mayor, &c., remain in office, &c.

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

8. All by-laws, resolutions, *procès-verbaux*, notes, accounts for taxes and claims, ordinances, plans and other municipal acts whatsoever, passed or executed by the council of the village of Terrebonne and of the town of Terrebonne and now in force, shall continue to have their full effect until cancelled, amended, repealed or accomplished. By-laws, &c., remain in force.

9. All notes, bonds, obligations, engagements, covenants or contracts subscribed, accepted, endorsed or executed by the town of Terrebonne until the coming into force of this act, shall continue to have their legal effect. Contracts, &c., remain in force.

SECTION III

BOUNDARIES OF THE TOWN, ITS WARDS, AND NUMBER OF ALDERMEN

10. The town of Terrebonne shall comprise the same territory as heretofore, which is contained within the following boundaries, to wit : on the south, by the Rivière Jésus from the southern extremity of the seigniorial line between the seigniories of Terrebonne and Lachenaie to the southern extremity of the eastern line of the lot belonging to Aquila Forget and bearing the official number one hundred and twenty (120), of the parish of St. Louis de Terrebonne, including the islands of St. Jean, du Moulin, Bourdon, aux Moutons, Manitou and four small islets ; on the west, by the eastern line of the said lot bearing the official number one hundred and twenty (120), of the parish of St. Louis de Terrebonne, from the said Rivière Jésus to a point marked by a boundary Boundaries of town.

to a depth of 990 feet from the said Rivière Jésus : on the north, by a straight line starting from the point above mentioned to the intersection of the said seigniorial line with the western line of the lot belonging to Fabien Chartrand, to a depth of four thousand five hundred and fifty-four feet from the said Rivière Jésus, following the said Chartrand line ; on the north-east, by the said seigniorial line from the said point of intersection to the Rivière Jésus.

Certain
bridge in
town limits.

The bridge now being built over the Rivière Jésus between Terrebonne and St. François de Sales shall be also included within the town limits, throughout its entire length, that is to say : to the south bank of the Rivière Jésus, which bridge ends opposite St. Norbert street in the town of Terrebonne and opposite the macadamized road leading to Montreal, in the parish of St. François de Sales.

Three wards
of town.

11. The town shall consist of three wards for purposes of representation in the municipal council, to wit : St. Louis' ward, St. Mary's ward and St. Joseph's ward.

Such wards shall be bounded as follows :

Boundary of
St. Louis'
ward.

1. St. Louis ward shall include St. Louis street throughout its entire length, and the whole north part of the town of Terrebonne, together with the islands and islets forming part of the town of Terrebonne ;

Boundary of
St. Mary's
ward.

2. St. Mary's ward, shall comprise all that portion of the town of Terrebonne, situate to the west of the said line down the middle of St. André street, and starting from the Rivière Jésus to and not including the lots fronting on St. Louis street ;

Boundary of
St. Joseph's
ward.

3. St. Joseph's ward shall comprise the whole of that part of the town of Terrebonne, situate to the west of a line down the middle of St. André street, starting from the Rivière Jésus to and not including the lots fronting on St. Louis street.

SECTION IV

GENERAL ELECTION

3 Ed. VII, c.
38, art. 47,
par. 1, repla-
ced.

Election of
mayor.

12. The first paragraph of article 47 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following :

“ **47.** The mayor is elected for one year by the majority of the municipal electors of the town who have voted.”

Id., art. 48,
replaced.

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

Election of
aldermen.

“ **48.** The aldermen are elected for two years in each ward by the majority of the municipal electors of the ward who have voted.”

14. The number of aldermen shall be six, two for each ward. Number of aldermen.

15. Three aldermen shall go out of office each year. Their retirement, &c. The present order of replacing them shall continue to be followed.

16. Article 17 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following : Id., art. 17 replaced.

17. The first election shall take place on the first judicial day of February, 1908. Date of first election.

The nomination for such election shall take place on the 20th January, 1908, or on the following juridical day, if such day be a non-juridical one. Date of nomination.

17. The secretary-treasurer of the town shall be the returning-officer for the first election. Returning-officer.

SECTION V

PLACE WHERE THE SITTING OF THE COUNCIL SHALL BE HELD

18. The first sitting of the council shall be held in the town-hall. First council sitting.

SECTION VI

QUALIFICATION OF MAYOR, ALDERMEN AND ELECTORS

19. Article 108 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following : Id., art. 108 replaced.

108. No person shall be either nominated or elected mayor or alderman, or occupy such office, unless he, during the twelve months immediately preceding the day of his nomination, has been seized of and possessed as proprietor, in his own name or in the name of his wife, immoveable property in the municipality of the value of four hundred dollars, after payment or deduction of all charges imposed thereon ; such qualification required by this article to be established by the valuation roll in force at the date of the nomination. Qualifications for mayor and aldermen.

20. Article 112 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following : Id., art. 112 replaced.

112. The following persons, if of the full age of twenty-one years, British subjects and not legally disqualified nor otherwise deprived of the right to vote in virtue of this act or of the charter, are electors, and are entered on the lists of electors, prepared in accordance with the following provisions, viz : Qualifications of electors.

Owners and occupants of certain immoveables.

1. Every male person, and every widow or spinster, whose names are entered on the valuation roll in force as *bonâ fide* owner or occupant of immoveable property in the municipality of the assessed value of \$100.00 or upwards, or of an annual value of \$10.00 or upwards, according to the said roll; in case such property is held in usufruct, the name of the usufructuary shall alone be entered on the electors' list;

Husbands of women having property qualification.

2. The husband of any woman separate as to property when the latter is seized, as owner, usufructuary or as institute, of immoveable property in the municipality, of the assessed value of \$100.00 or upwards, according to the valuation roll in force, or when she carries on trade or keeps a place of business which renders her subject to the payment of a tax, and when such place of business is entered on the collection roll as being of the annual value of not less than one hundred dollars;

Tenants.

3. Every male person, and every widow or spinster, being a resident householder in the municipality under a lease, whose name is entered on the collection roll in force as a tenant of a dwelling house or part of a dwelling house in the ward for which the list is made, of the value of \$100.00 or upwards, or of the annual value of \$10.00 or upwards, according to such roll;

Partners who are tenants.

4. Every male person, though neither an owner or householder, who, individually or jointly as a co-partner with any other person, is entered on the valuation roll or collection roll in force, as the tenant under lease, of any store, counting-house, shop, office, or other place of business in the municipality; provided that such store, counting-house, shop, office or other place of business, if occupied by the said person individually, be assessed at a value not less than \$100.00 or at a yearly assessed value of not less than \$10.00 according to the valuation or collection roll; or, if occupied by him as a co-partner, that his proportion or share thereof be not of less value than the amounts aforesaid respectively, according to the valuation or collection roll.

Proviso.

Nevertheless such qualification granted to co-partners or tenants by this paragraph, shall not be held to extend to members of associations of persons using or holding the premises for social, educational, philanthropic or other similar objects, nor to employees or agents of other persons entitled to be qualified as electors in respect of the same premises."

Id. art. 117, replaced.

21. Article 117 of the Cities and Towns' Act, 1903, is replaced for the town, by the following :

Disqualification for non-

"117. No person qualified to vote as proprietor, tenant or occupant shall, however, be entitled to vote, if on the first day

of December preceding the election he is indebted towards the payment of municipality for any taxes or water-rates (special taxes ex-^{taxes.}pected).

This article takes away from proprietors the right to vote ^{Proviso.} for the ward only where such taxes have become due."

22. Articles 118, 119, 120, 121, 122, 123, 124, 125, 126, ^{Id., arts. 118-144 replaced.} 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143 and 144 of the Cities and Towns' Act, 1903, are replaced for the town, by the following :

" The council of the town of Terrebonne may, at any time, ^{Municipal election lists, &c. By-law therefor, &c.} by by-law, order the municipal election lists to be made out yearly. In the case of such by-law the lists shall be made and come into force during the month of December in each year. The persons who shall have the right to be entered on such lists, shall be such persons only as are qualified under the charter of the town. The by-law shall determine the procedure to be followed for the making and examination of such list, and everything connected with its making and coming into force.

Until such by-law is passed by the council, the elections ^{Till by-law passed, election to be on valuation roll.} shall take place yearly according to the valuation roll of the municipality in force at the time of such elections ; and at such elections those persons only shall vote whose names are then entered on the valuation roll in force and who are qualified under this act.

The list of electors, when made, shall be preserved among ^{List of electors where to be kept.} the archives of the municipality.

If the list of electors, made under the by-law referred to in the foregoing provisions, in the month of December immediately preceding any general or special election, is not in force on the first of January preceding such election, either through contestation of the list or for any other reason, such election shall be held as if there were not municipal electoral lists, and the valuation roll then in force shall replace such electoral list until such list is legally in force or until a new regular list is made in the month of December following."

SECTION VII

ELECTIONS

23. Article 157 of the Cities and Towns' Act, 1903, is ^{Id., art. 157 replaced.} replaced, for the town, by the following :

" **157.** The general elections shall take place yearly on ^{General elections when held.} the first juridical day of February in accordance with the provisions hereinafter set forth."

Id., art. 169
not to apply.

24. Article 169 of the Cities and Towns' Act, 1903, shall not apply to the town of Terrebonne.

Id., art. 182
replaced.

25. Article 182 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following :

Polls where
held.

" 182. The returning-officer shall establish a poll in each voting subdivision. Nevertheless, the council may, by by-law, order that all polls for municipal elections shall be established in the town-hall instead of in the various voting subdivisions of the town ; and the council has the right, at any time, to amend or repeal such by-law."

SECTION VIII

MISCELLANEOUS PROVISIONS

Id., art. 304
replaced.

26. Article 304 of the Cities and Town Act, 1903, is replaced, for the town, by the following :

Quorum of
council.

" 304. The majority of the members of the council shall constitute a quorum for the transaction of business except as otherwise specially provided by this act."

Id., art. 393
replaced.

27. Article 393 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following :

Expropria-
tion of pro-
perty.

" 393. When the parties cannot come to an amicable arrangement with respect to the acquisition of existing natural springs, of any immoveable property for water-works, or for any of the purposes mentioned in the preceding articles, either within or without the limits of the municipality, or for the right of way through such property or any servitude thereon, the same may be acquired by expropriation.

Id., art. 401
not to apply
to certain
properties.

28. Article 401 shall not apply to properties which were provided with private water-works prior to the second of April, 1890.

Special
charter rights
not affected.

29. The provisions of this charter shall in nowise affect the rights of persons or companies possessing privileges conferred on them by special charters."

Id., art. after
art. 402.

30. The following article is inserted for the town, in the Cities and Towns' Act, 1903, after article 402 :

Depth of
water pipes,
&c.

" 402a. Owners of houses or buildings must lay the pipes intended for conveying the water of the water-works from the line of the street to such houses or buildings at a sufficient depth to protect such pipes from frost. To give the town

greater security in this respect such owners must, before filling in the excavations made for laying such pipes to such houses or buildings, have the town inspector approve the laying of such pipes as well as the work done in connection with their introduction into such houses or buildings.

Until such approval is obtained, the council may refuse to supply water to such house or building.

Moreover, the council may, after a written notice of eight days to that effect, shut off the water and refuse to supply it to the owners of houses or buildings supplied with water, whenever the town inspector finds the water-works pipes conveying water from the line of the street to such houses or buildings are in bad order or have not been laid at a sufficient depth to protect them from frost. And water shall be so shut off and refused so long as they do not make such excavations and lay such pipes at a depth approved by the inspector, the whole at their own expense.

Provided, however, that this provision shall in nowise affect the right of the municipality to exact the water-tax from such owners while the water is so refused to or cut off from them."

31. The following article is inserted, for the town, in the Cities and Towns' Act, 1903, after article 410 :

" **410a.** No person shall be permitted to construct one or more water-works in the town of Terrebonne without the authorization of the council."

32. Paragraph 7 of article 421 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following :

" 7. To establish and maintain public scales and collect the revenue thereof, to order that persons having private scales in the town shall have the right to use them for themselves only, and to impose a fine or penalty on owners of such scales allowing other persons than themselves to use them as well as upon persons using such private scales that do not belong to them."

33. Article 475 of the Cities and Towns' Act, 1903, shall not apply to the town.

34. Article 520 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following :

" **520.** Whenever the council contracts a loan, it is enjoined to provide without delay, out of the revenues of the municipality, for the payment of the annual interest and the

establishment of a sinking fund of at least two per cent per annum for each loan.

Rate of interest.

The annual interest shall not in any case exceed the legal rate of interest."

Id., art. inserted after art. 531.

35. The following article is inserted, for the town, after article 531 of the Cities and Town's Act, 1903 :

Promissory notes to settle accounts.

" **531a.** The council may, by resolution, issue promissory notes with or without interest, payable at the places, and on such terms and conditions as they may deem expedient, in settlement of accounts and other current matters. Such notes shall be signed by the mayor and secretary-treasurer.

By whom signed.

The council shall not bind itself by such promissory notes beyond the sum of three thousand dollars."

Notes not to exceed \$3,000.00.

Completion of certain bridge, &c.

36. The town is authorized to continue and complete the construction of the bridge actually begun over the Rivière Jésus, near the town of Terrebonne, and to carry out the contracts in connection with the same which it has already entered or may hereafter enter into.

Loans to meet cost of bridge, &c.

The town may, by resolution and without any other formality, notwithstanding any provision to the contrary, effect one or more loans for an amount not exceeding in all twenty-seven thousand five hundred dollars, to meet the cost of building the said bridge and the incidental expenses connected therewith.

Bonds, &c.

Such loan or loans shall be effected by the issue of bonds or debentures signed by the mayor and countersigned by the secretary-treasurer, and they shall be payable in the manner, at the time and place and on the conditions specified in the said resolution.

Id., arts. 519-531 not to apply. Out of what funds payable.

Articles 519 to 531 inclusively of the Cities and Towns' Act, 1903, shall not apply to such loan or loans.

The loan or loans contracted under this section, shall be paid and reimbursed, both principal and interest, out of the tolls levied on the said bridge in accordance with the provisions hereinafter set forth, and, in the event of such tolls being insufficient, out of the revenues of the town the taxable property whereof shall remain holden for the repayment of said loan.

Tariff of tolls.

The council may make a tariff of tolls for the passage of foot passengers, vehicles, horses and other animals over the said bridge, but such tariff shall not come into force until approved by the Lieutenant-Governor in Council.

Translation of by-laws into English.

37. By-laws shall be translated into the English language whenever the council shall so require.

38. The maintenance of that section or part of the road call "Pincourt road" from St. Louis street in the town of Terrebonne to Viger creek crossing such road in the parish of Terrebonne, a distance of about eighteen arpents from the said street, shall be at the charge of the corporation of the town of Terrebonne and shall be under its immediate and exclusive control so long as it is bound to its maintenance.

39. The town may aid in the making, repair and maintenance of a road leading to the town, of a bridge or public work outside the town and, in particular of one or more bridges over the Rivière Jésus, opposite or near the town of Terrebonne.

40. The town may aid the establishment, repair or maintenance of bridges, dams, piers, wharves, macadamized or paved roads, railways or other public works situate, wholly or partly in or out of the town, undertaken or constructed by incorporated companies or by the Provincial Government.

41. The town may aid one or more persons, firms or corporations who may work in improving navigation on the Rivière Jésus.

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

CHAP. 76

An Act to amend the charter of the town of Fraserville, 1903

[Assented to 14th March, 1907]

WHEREAS the corporation of the town of Fraserville has by its petition, represented that it is in the interest of the proper administration of the town that certain amendments be made to its charter, the act 3 Edward VII, chapter 69, and whereas 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 :

1. Section 67 of the act 3 Edward VII, chapter 69, is replaced by the following :

"**67.** Article 4290 of the Revised Statutes is replaced, for the town, by the following :

"The council shall meet on Monday of each week and on any other days it may fix by resolution, at the town

Maintenance
of certain
road.

Aid in
making, &c.,
certain road,
&c.

Aid in estab-
lishment of
bridges, &c.

Aid in im-
proving
navigation of
Rivière Jésus.

Coming into
force.

Preamble.

3 Ed. VII, c.
69, s. 67,
replaced.

R. S. Q.,
4290, re-
placed.

Dates of coun-
cil meetings.