

shall comprise lot number five hundred and eleven of the said cadastre ; the sixth division shall comprise lot number five hundred and thirty-three of the said cadastre : the seventh division shall comprise lots numbers five hundred and forty-one and four hundred and sixty-two of the said cadastre.

23. The council may, by by-law, establish other divisions and subdivide the present ones, when mining is carried on therein by different persons or otherwise. Power to alter same.

24. The above tax shall be a special tax imposed in addition to any tax the council may impose under this act, and shall be recoverable from the owner, occupant or lessee of the land. Interpretation of tax.

25. Every person or company affected by this section shall be bound to supply the council with all information it may require for the purpose of establishing the amount of the tax above described. Duties of persons affected by section.

26. Paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 9 and 11 of article 383, paragraph 10 of article 384 and paragraph 16 of article 386, of the Cities and Towns' Act, 1903, do not apply to the town of Thetford Mines, in so far as the mining operations therein are concerned. Id., 383, § 1 to 9, 11, 384 § 10, 386 § 16, not to apply for certain purposes.

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

CH A P. 49

An Act to consolidate the act incorporating the village of *La Petite Côte* and to change its name to that of the village of Rosemont.

[Assented to 20th May, 1905]

WHEREAS the corporation of the village of *La Petite-Côte* Preamble.
has, by its petition, represented that, in consequence of the subdivision and sale of certain lands as building lots and the approaching construction of many residences in the municipality, the provisions of the Municipal Code no longer meet the requirements of the inhabitants of *La Petite-Côte*, and it is desirable that the general principles of the Cities and Towns' Act, 1903, should apply to the said municipality, and whereas it is expedient to grant the prayer contained in such 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. 59,
respecting
village *La*
Petite-Côte,
repealed.

1. The act 58 Victoria, chapter 59, erecting into a separate municipality and incorporating the village of *La Petite-Côte*, is repealed, as regards the corporation and municipality of the village of *La Petite-Côte*.

Name of vil-
lage changed.

2. The municipality of the village of *La Petite-Côte* shall, from and after the coming into force of this act, bear the name of " the municipality of the village of Rosemont."

Boundaries
of village.

3. The municipality of the village of Rosemont shall be bounded as follows : on the north-east by the municipality of the parish of Longue-Pointe ; on the south-east, by the limits of the town of Maisonneuve and the limits of the city of Montreal, as far as the corner of the projected Iberville street and of Carrières street or *Petite-Côte* road, and thence along the said *Petite-Côte* road to Papineau road by the limits of the former village of *La Côte Saint-Louis*, now part of the city of Montreal ; on the north-west, by the limits of the parish of *Sault-au-Recollet* and of the municipality of the parish of *Saint-Léonard de Port Maurice*.

Corporation
constituted.
Name.
To be deemed
continuation
of former cor-
poration.
Powers, &c.

4. The inhabitants and rate-payers of the said municipality shall constitute a corporation under the name of the " corporation of the village of Rosemont," which shall not be deemed to be a new corporation ; but it shall have, retain and continue to exercise all the rights, powers and privileges which the corporation of the village of *La Petite-Côte* possessed and exercised until the coming into force of this act, in the same manner as if the said corporation had continued to exist under its original name, and it shall remain subject to the same obligations.

Existing *pro*
cès-verbaux,
&c.

5. All *procès-verbaux*, assessment rolls, titles, accounts, claims, by-laws, orders, lists, rolls, plans, resolutions, ordinances, provisions, or municipal acts whatsoever, passed and consented to by the council of the former municipality of the village of *La Petite-Côte*, shall continue to have full and entire effect until amended, repealed or accomplished, or unless they be expressly inconsistent with this act.

Outstanding
notes, &c.

6. All notes, bonds, debentures and all agreements, engagements and securities whatsoever, lawfully subscribed, issued, made, or contracted by the council of the said village until the coming into force of this act, shall continue to have their legal effect.

7. The mayor and councillors of the former municipality of the village of *La Petite-Côte*, in office on the coming into force of this act, shall remain in office as mayor and councillors of the municipality until the election of their successors.

Mayor and councillors now in office.

8. The municipal officers of the municipality of the village of *La Petite-Côte* shall continue to fill their respective offices until replaced by the council of the municipality of the village of Rosemont.

Present municipal officers.

9. The provisions of the Cities and Towns' Act, 1903, shall apply *mutatis mutandis* to the corporation and to the municipality of the village of Rosemont, except such as are especially excluded by this act.

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

10. Articles 45 to 66, both inclusively, and 106 to 301, also both inclusively, of the Cities and Towns' Act, 1903, shall not apply to the corporation of the village of Rosemont.

Certain articles of 3 Ed. VII, c. 38, not to apply.

11. Articles 93 to 99, both inclusively, 101 to 125, both inclusively, 201 to 213, both inclusively, 276 to 285, both inclusively, and 291 to 364, also both inclusively, of the Municipal Code, respecting the municipal council, the persons liable to or exempt from municipal offices and elections, shall apply to the municipality of the village of Rosemont.

Certain articles of Municipal Code to apply.

12. Nevertheless, it shall be lawful for the municipal council of the said village to adopt, at any time after the coming into force of this act, one or more by-laws enacting the application to the corporation of the village of Rosemont of articles 45 to 66, inclusively, and 106 to 301 both inclusively of the Cities and Towns' Act, 1903, respecting the council, the appointment of municipal officers, the lists of electors and the elections. Until the adoption of such by-law or by-laws, the corporation of the village of Rosemont shall be governed by the provisions of the Municipal Code in that respect.

Certain provisions of 3 Ed. VII, c. 38, may be made applicable by by-law.

M. C., to apply until adopted.

13. In the event of the council adopting a by-law in virtue of the foregoing article, declaring that the provisions of the Cities and Towns' Act, 1903, respecting the election of mayor and councillors shall apply to the municipality of the village of Rosemont, the council shall consist of a mayor and six aldermen, and the first election under the provisions of the Cities and Towns' Act, 1903, shall be held as follows :

Composition of council, after adoption of by-law declaring that 3 Ed. VII, c. 38, shall apply. First election thereafter.

(a) The nomination of candidates shall take place on

Nomination.

the 20th of January following the day on which such by-law shall have been adopted. If such day be a non-judicial day it shall take place on the first judicial day following such date ;

Polling.

(b) If a poll be necessary, the voting and election shall take place on the first judicial day of February, after the nomination of candidates ;

Returning officer.

(c) The secretary-treasurer of the municipality shall act as returning officer ;

Law to govern other formalities.

(d) With regard to the other formalities respecting the nomination of candidates, the right to vote and the polling, the provisions of the Cities and Towns' Act, 1903, shall apply ;

First general session of council.

(e) The first general session of the council shall be held at the place where the sessions of the council are usually held in the municipality, on the Wednesday following the return of the elections, and, if the mayor is to be appointed by the council, it shall be presided over by one of the aldermen elected until the mayor has been appointed and sworn in ;

Mayor and councillors then in office to remain until such first election.

(f) The mayor and aldermen, in office when the aforesaid by-law is adopted, shall remain in office until the first general election following the adoption of such by-law.

3 Ed. VII, c. 28, art. 402, amended for village.

14. For the purposes of this act only, the following paragraph is added to article 402 of the Cities and Towns' Act, 1903 :

If house, &c., situate above a certain distance from street.

Nevertheless, in all cases where a house or building is situated at a distance of over one hundred feet from the line of the street, the municipality cannot compel the owner thereof to connect the water pipe with his house or building and cannot exact the water rate from him. The owners or occupants of such houses or buildings shall, however, remain liable to the payment of the special tax mentioned in article 396.

Improvements upon property exempt from taxation.

15. In the case of the imposition of special taxes for any improvements, the council may, if it deems expedient, by by-law or resolution, provide for the construction, out of the general funds of the municipality, of the portion of the said improvement situated on or within the portion of any street, lane, alley, square or public place, intersected by any other street, lane, alley, square of place, or which might otherwise fall upon a property exempt from taxation.

Par. added to id., 386, for village.

16. For the purposes of this act, the following paragraphs are added, after paragraph 32 of article 386 of the Cities' and Towns' Act, 1903 :

33. To establish building lines on lands fronting upon any street, road, avenue, highway, alley, park or lane within the limits of the municipality, within which line and street, road, avenue, highway, alley, park or lane, no building or portion of any building or dependency shall be built or erected ; and to change the name of any street, road, avenue, highway, alley, park or lane within the limits of the municipality.

Lines of streets for building purposes.

Change of names of streets.

34. When a proprietor cedes, gratuitously, to the town any land for a street crossing his property, the remainder of the property fronting on the new street may, by resolution of the council, be exempted, in whole or in part, from the apportionment necessitated by the opening of such street, provided that the part so exempted be of a depth of not more than one hundred and fifty feet.

Exemption of proprietor ceding land for street from taxation for opening thereof, &c.

17. If any road or avenue, not the property of the municipality, but open to and used by the public as such and on which building lots have been sold, should be in need of repairs, the council may, at the request of one or more purchasers of such lots, compel the owner or owners of the said road or avenue to make such repairs, and if the same be not made within the delay fixed by the council, the latter shall have the right to make such repairs, and charge the cost thereof to and recover the same from such owner or owners, unless such proprietors give the aforesaid streets to the said municipality.

Privateroads, &c., and their maintenance.

18. Articles 391, 392, 393, 394 and 395 of the Cities and Towns' Act, 1903, respecting the water supply, shall apply *mutatis mutandis* to the construction and maintenance of the sewerage system which the corporation of the village of Rosemont may construct, to the purchase of certain lands, to the expropriation in default of agreement, to repairs, to damages and to the recovery of damages in connection with such sewerage system.

Id., 391 to 395 apply to sewerage system.

19. Notwithstanding any law to the contrary, the corporation of the village of Rosemont may, by by-law of the municipal council, order the widening of the main highway of the said municipality commonly called " Côte Visitation road " to a width of not less than sixty feet.

Certain highway may be widened.

20. Nothing in this act contained shall have the effect of allowing the corporation to encroach in any manner upon the territory of the city of Montreal, without the previous consent of the council of the latter.

Territory of the city of Montreal not to be encroached upon.

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

Coming into force.