

CHAP. 62

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

[Assented to 2nd June, 1904]

WHEREAS the town of Chicoutimi has, by its petition, Preamble.
represented that it is in the interest of the proper ad-
ministration of its affairs that its charter, the act 57 Victoria,
chapter 66, as amended by the acts 63 Victoria, chapter 56,
and 1 Edward VII, chapter 49, be consolidated and replaced,
and that the said town be declared subject to the provisions
of the Cities and Towns' Act, 1903, and whereas it is expe-
dient to grant its prayer ;

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

CONSTITUTION OF THE TOWN

1. The inhabitants and rate-payers of the town of Chicou- Inhabitants
timi and their successors are and shall remain a body cor- incorporated.
porate and politic under the name of " The town of Chicou- Name.
timi."

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

3. The town shall be subject to the operation of the Cities Act to govern.
and Towns' Act, 1903.

DECLARATORY AND TRANSITORY PROVISIONS

4. The act of incorporation of the town of Chicoutimi, to 57 V., c. 66 ;
wit : the act 57 Victoria, chapter 66, and the acts 63 Vic- 63 V., c. 56 ;
toria, chapter 56, and 1 Edward VII, chapter 49, amending 1 Ed. VII, c.
the same, are repealed. 49, repealed.

5. The corporation hereby constituted succeeds to the Corporation
rights, privileges, obligations, property, claims and actions to succeed to
of the corporation existing under the acts repealed by the former one.
foregoing section.

6. The present mayor and councillors of the town of Chi- Present
coutimi or those who may replace them in case of vacancy, mayor and
shall remain in office until replaced in virtue of the provi- councillors.
sions of this act.

Present municipal officers.

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

Existing by-laws, &c.

8. The by-laws, resolutions, *procès-verbaux*, rolls, accounts for taxes and dues, ordinances, plans and other municipal acts whatsoever, passed or consented by the council of the village of Chicoutimi and of the town of Chicoutimi, and now in force, shall continue to have their full effect, until set aside, amended, replaced or accomplished.

By-law No. 103 to remain in force.

By-law No. 103 of the town of Chicoutimi, passed on the 27th December, 1899, and ratified by section 17 of the act 63 Victoria, chapter 56, shall remain in force, notwithstanding the repeal of the said act.

Outstanding notes, &c.

9. Notes, bonds, debentures, engagements, agreements or contracts subscribed, accepted, endorsed or consented by the town of Chicoutimi until the coming into force of this act, shall continue to have their legal effect.

BOUNDARIES OF THE TOWN AND WARDS AND NUMBER OF ALDERMEN.

Territory of town.

10. The town of Chicoutimi shall comprise the same territory as heretofore, which is bounded as follows :

Boundaries.

On the south-east by lot No. 73 of the range north-east of the Sydenham road, by lot No. 74 of the range south-west of the Sydenham road and by lots Nos. 1, 2 and 3 of the eighth range of the township of Chicoutimi ; on the south-west, partly by lot No. 74 aforesaid of the range south-west of the Sydenham road and partly by the lots No. 4 of each of the ninth and tenth ranges of the said township ; on the north-west by lots No. 1 of the fourteenth and fifteenth ranges of the township of Chicoutimi aforesaid ; on the north and north-east by the river Saguenay.

Division into wards.

11. The town shall comprise three wards for the purposes of representation in the municipal council, to wit : East Ward, Centre Ward and West Ward :

East Ward.

1. East Ward shall comprise all that portion of the town included between the eastern boundary of Centre Ward and the cross street No. 8 and moreover lot No. 74 of the first range north-east of the township of Chicoutimi, forming part of the municipality of the town ;

Centre Ward.

2. Centre Ward shall comprise that portion of the town situate between the cross street No. 13 on the west and the division line between park lot No. 2 and park lot No. 3, from the river Saguenay to the intersection of such line with the cross street No. 8 or Convent street on the east ;

3. West Ward shall comprise all that portion of the town situate to the north-west of the said cross street No. 13, to its intersection with front street No. 1, dividing the town lots from the park lots, and thence following the second street on the south-east to the river Chicoutimi, to the southern boundary of the town. West Ward.

12. The number of aldermen shall be nine : three for each ward. Number of aldermen.

ELECTION OF THE MAYOR AND ALDERMEN

13. The first general election of the mayor and aldermen shall be held in 1905. First election.

The second general election shall be held in 1907, and the subsequent general elections shall be held every second year on the day fixed by the Cities and Towns' Act, 1903. Subsequent elections.

14. The nomination for the first general election shall take place on the twentieth day of January or on the following juridical day if it be a non-juridical day and the polling, if necessary, shall take place on the first juridical day of February. Nomination and polling for first general election.

15. The returning-officer for the first general election shall be the clerk of the town then in office. Returning officer for first election.

PLACE WHERE THE FIRST SESSIONS OF THE COUNCIL SHALL BE HELD

16. The first sessions of the council shall be held in the town hall or in any other place fixed by the clerk of the town then in office, at the hour specified by him, within fifteen days from the coming into force of this act. First sessions of council.

MISCELLANEOUS PROVISIONS

17. Article 169 of the Cities and Towns' Act, 1903, respecting the deposit to be made by candidates at municipal elections, and article 380, respecting the disallowance of municipal by-laws by the Lieutenant-Governor in council, shall not apply to the town. 3 Ed. VII, c. 38, art. 169 and 380 not to apply.

18. The ferry across the river Saguenay between the town of Chicoutimi and the township of Tremblay shall be under the joint control of the corporation of the town of Chicoutimi and of the village of Ste. Anne ; and, to that end, the provisions of articles 861, 862 and 864 of the Municipal Code shall apply to the town. Control of certain ferry and provisions applicable thereto.

Proviso in case of disagreement between councils.

When the councils of the said two municipalities cannot agree, the Lieutenant-Governor in council, to whom the difficulty shall be referred by the council of one of the two municipalities, or by both councils, may, in virtue of article 303 of the act 63 Victoria, chapter 12, enact such by-laws as he may deem necessary, which shall be published in accordance with article 304 of the same act.

Property in streets of town, &c.

19. 1. The town is and remains the owner of all the streets actually opened and made use of and of all lands reserved, at the time of the original survey and on the plans of the division of the village of Chicoutimi, for streets, squares or public places, as well as such streets, squares and public places appearing upon the original plan and as are indicated in the notes of survey of such original division, saving acquired rights, exception being made however for the portions of such streets, squares and public places for which letters-patent have been granted by the Crown or for which deeds of concession or abandonment have been consented to by the council by notarial deed and not otherwise ; but, whenever the council shall decide upon closing a street or changing its location or modifying or abolishing a public place, it shall be lawful to order the sale or concession of the land which shall no longer serve for the street or the public place, upon the conditions which shall be advantageous.

Proviso as to certain lands.

2. Nevertheless, the right of property in the town does not extend to any part of Montcalm street upon which the wharves of the Chicoutimi Pulp Company are now built, nor to the lands bordering such street to the west, which lands had been reserved upon the original plans of the division of the village of Chicoutimi for a street, and upon which the said wharves are also built ; nor to the lands which may have been reserved upon the said plans, for streets, which are now numbered 935, 910, 909, 882, 1130, 1148, 1149, 1161 and also that part of lots numbers 932 and 1162 bordering on the river Chicoutimi, of the official plan and book of reference of the town of Chicoutimi and which have been sold to the Chicoutimi Pulp Company or its predecessors by the Government of the Province of Quebec ; and all the said lands are declared to have been and to be the property of the Chicoutimi Pulp Company.

Town continues to form part of St. François-Xavier.

20. The town shall continue to form part of the parish of St. François-Xavier de Chicoutimi for religious purposes.

COMING INTO FORCE

Coming into force.

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