

CHAP. 73

An Act to incorporate the village of Dorval as a town

[Assented to 25th April, 1903]

Preamble.

WHEREAS the corporation of the village of Dorval has, by petition, represented that it is desirable to erect it into a town, to amend its charter, to enlarge its limits, and to grant it more ample powers as regards taxation and loans ; and whereas it is expedient 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 :

55-56 V., c.
60, repealed.

1. The act 55-56 Victoria, chapter 60, being an act incorporating the village of Dorval, is repealed.

TITLE I

ORGANIZATION OF THE CORPORATION

Territory
comprised in
town.

2. The town of Dorval shall comprise the following territory, to wit: the lots known and designated on the official plan and book of reference of the cadastre of the parish of Saints Anges de Lachine, under the numbers 1, inclusively, to 725*a*, also inclusively, 727, inclusively, to 880, also inclusively, including all the subdivided lots (less, however, the portions of lot number 830 aforesaid owned by the representatives of Cornelius C. Meeker and by Peter Lyall) ; that portion of lot number 1025 (Grand Trunk Railway) comprised between the western boundary of the town of Summerlea, and that comprised between the parishes of Lachine and Pointe Claire ; the whole of lot number 1027 (being Dorval Island), Bushy and Dixie Islands ; that portion of lot number 1028 (Dorval turnpike road), comprised between the western boundary of the town of Summerlea and that between the parishes of Lachine and Pointe Claire ; that portion of lot number 1029 (Ontario and Quebec Railway), comprised between the western boundary of the town of Summerlea and that between the parishes of Lachine and Pointe Claire ; that portion of lot number 1037 (Grand Trunk Railway), comprised between the western boundary of the town of Summerlea, and lot number 864 adjoining at that point lot number 1025 mentioned above, also lot number 2636 (Ontario and Quebec Railway), of the cadastre of the parish of St. Laurent.

The said territory is bounded on the north by the boundary line between the parishes of Pointe Claire and Lachine, and by lots numbers 726 of the parish of Lachine and 543 of the parish of St. Laurent ; on the north-west by the centre of the *chemin de Liesse*, constituting the boundary line between the parishes of St. Laurent and Lachine ; on the south by the middle of the river St. Lawrence or lake St. Louis ; on the east by the town of Summerlea and by the boundary line of the parishes of Pointe Claire and Lachine ; on the north-east by lot number 726 of the parish of Lachine, and on the west by the east side of the highway constituting the boundary between the parishes of Pointe Claire and Lachine.

Boundaries of
territory of
town.

3. The inhabitants and ratepayers of the said municipality shall hereafter constitute a town corporation, under the name of the "Town of Dorval," for municipal purposes only.

Inhabitants,
&c., con-
stituted a
town.
Name.

4. This act shall in nowise affect the present territorial division for parochial, school, and registration purposes.

Certain
division not
affected.

TITLE II

MUNICIPAL COUNCIL, MUNICIPAL ELECTIONS

5. The corporation shall be represented by a mayor and six councillors elected, the former for two years and the latter for three years.

Composition
of council.

Two of the councillors elected at the first election shall remain only one year in office ; two others shall go out of office in the following year.

Retiring of
councillors at
end of first
year, &c.

Those who go out of office before the expiration of their term of office shall be designated by lot, in the manner determined by the council.

Designation
by lot of those
to retire.

6. Article 4214 of the Revised Statutes is replaced, for the town, by the following :

R. S., 4214,
replaced for
town.

Every person residing and being a householder in the town for three months, as proprietor, during the previous municipal year, shall be qualified to hold municipal office in the town.

Qualification
for municipal
office.

7. Article 4216 of the Revised Statutes is replaced, for the town, by the following :

R. S., 4216,
replaced for
town.

No one can be elected mayor or councillor, or occupy either of such offices, unless :

Qualification
for mayor
and council-
lor.

1. He is of the male sex, of full age and a born or naturalized British subject ;

2. He can read and write ;

3. He has had his residence and been a householder in the town for three months, as proprietor, during the course of the previous municipal year ;

4. He has possessed, for at least twelve months, as proprietor, in his own name or in that of his wife, immoveable property of the value of one thousand dollars, over and above all charges and hypothecs thereon, for the office of mayor, and four hundred dollars for that of councillor.

First general election.

8. The first election of mayor and of councillors shall take place on the first juridical day of the month of July next.

Who presides, &c.

The secretary of the village of Dorval shall preside over such first election. and shall indicate, in his notices, the place, day and hour at which the election shall take place.

Upon which rolls held.

9. The first election shall be held in accordance with the valuation rolls in force on the day on which this act comes into force, in the village of Dorval, and in that portion of the municipality of the parish of La Présentation de la Sainte Vierge, whose territory is annexed to the town.

R. S., 4229, replaced for town.

10. Article 4229 of the Revised Statutes is replaced, for the town, by the following :

General elections.

The general elections shall take place on the first juridical day of July in each year.

Nomination and polling when held.

The nomination takes place at ten o'clock in the morning and the polling when required shall be held on the seventh juridical day following.

First session of council where to be held.

11. The council shall hold its first session within the limits of the town, at the place indicated by the person presiding at the election, and the subsequent sessions shall be held in the municipality at the place designated by the council.

Presiding officer to act as mayor until certain event. Quorum of council.

The person presiding at the election shall perform the duties of mayor, until the latter enters into office.

12. The quorum of the council shall be four members.

TITLE III

PUBLIC HEALTH AND SAFETY AND TAXES

R. S., 4468, replaced for town

13. Article 4468 of the Revised Statutes is replaced, for the town, by the following :

Licenses for carters, &c.

To authorize the granting of licenses to carters and drivers of vehicles for public hire in the town ; to compel

them to take out an annual license, the price whereof may be fixed at not more than five dollars for carters and drivers of vehicles for public hire domiciled in the town, and not more than ten dollars for the others ; to determine everything relating to carters and their vehicles.

14. The council may, in addition to the by-laws mentioned in articles 4178 and following of the Revised Statutes and those mentioned in the Municipal Code, make others for the following purposes, to wit :

Further powers of council by by-law;

(a) For the good order, welfare, progress, cleanliness, health and internal economy and the local government of the town, and for the prevention and suppression in the town of all nuisances and of all acts and measures contrary or opposed to the good order, morality, welfare, progress, cleanliness, health, internal economy or local government of the town, as well as for the protection of the persons and property of the inhabitants of the town, and the prevention of accidents by fire, and to regulate the construction generally of buildings along the highways or streets which traverse or may traverse the town ;

To provide for good order, &c., of town ;

(b) To levy, by means of direct taxation, on the taxable real estate of the town and all taxable property, all the sums of money necessary to meet the expenses of administration or other special expenses within the jurisdiction of the council ;

To levy taxation upon property in town ;

(c) To levy, by direct taxation, the sums necessary for any object within the jurisdiction of the council, upon all taxable property or merely upon the taxable real estate of the town, at the request of the majority of the inhabitants liable for the payment of such taxes, and to the amounts and under the conditions specified in the petition ;

To levy by taxation moneys for municipal purposes ;

(d) To levy, annually, on the immoveable property within the limits of the town, a sum not exceeding one cent in the dollar of their total value, as shown on the valuation roll of the town ;

To levy tax on immoveable property in town ;

(e) Farm lands under cultivation within the limits of the town shall be taxed only in the proportion of one-fourth of their valuation, as shown by the said roll ;

Provisions respecting farming lands ;

(f) To impose and levy on every merchant, trader and commercial firm doing business of any kind in a store, warehouse or shop, within the limits of the town, and which the council may for that purpose divide into classes, an annual tax of not more than two hundred dollars, according to their respective classes ;

To impose taxes upon merchants ;

(g) To restrict, regulate or prohibit the sale of all spirituous, alcoholic or intoxicating liquors within the limits of the town ;

To restrict, &c., sale of spirituous liquors, &c. ;

To tax telegraph, &c., poles, &c.;

(h) To impose and levy an annual tax on every pole erected for the purposes of any telegraph, telephone, electric light or power, in the public streets, places and roads of the town, provided such tax shall not exceed twenty-five cents per annum for each pole. Such tax shall be recoverable from the owners of the poles and shall be due for all such poles so erected in the town, excepting the telegraph poles which are upon the property of railway companies and in use by such companies;

To require certain traders to take out license;

(i) To compel every merchant, trader and commercial firm or agent of such person, who does not reside in the town and has no place of business therein, but who comes himself or whose agents come to do business therein by taking and filling orders or by peddling goods, or by receiving, from the inhabitants of the town, orders which are afterwards delivered in the municipality, or in any other manner, to take out a license from the corporation allowing him to so carry on such business or trade in the town, and to prevent such business, or trade from being carried on without such license; but this article shall not apply to the produce of the land or of the farm, or to commercial travellers;

To determine price of license;

(j) To determine the price of such license which may be different for each kind of business or trade, provided that it does not exceed fifteen dollars for each license;

To require the taking out of several licenses in certain cases;

(k) To compel such merchants or traders and commercial firms, carrying on several kinds of business or trade at the same time in separate establishments to take out licenses for every such kind of business or trade;

Powers under license;

(l) Each license shall grant to the bearer named therein, the right to carry on the business or trade for which it is granted, until the first day of the month of May following the date of its issue;

Licenses renewable annually;

(m) All such licenses shall be renewable annually, on the first day of the month of May;

To compel owner of circus, &c., to take out license;

(n) To compel every owner, possessor, agent, director of, and every company owning, a circus, menagerie, race course or other similar exhibition, and every exhibition company or association coming into the municipality to give exhibitions or shows, or to have races, to take out a license from the corporation allowing it to exhibit shows, to hold exhibitions or races, and to prevent such shows, exhibitions or races without such license. This article shall not affect agricultural societies;

Certain societies not affected;
To fix price for such license.

(o) To fix a price for such license, which may be granted for one or more days, provided it does not exceed twenty-five dollars a day.

TITLE IV

LOANS

15. Article 4523 of the Revised Statutes is replaced for the town, by the following :

“The council may, from time to time, borrow such sums of money for making improvements in the town, paying its debts, effecting the conversion and consolidation of its debt, and generally for all purposes within its jurisdiction ; and every by-law authorizing a loan shall be submitted to the votes of the electors who are real estate owners and must obtain the majority in number and in value of the votes actually registered.

R. S., 4523,
replaced for
town.

Power to
borrow for
certain pur-
poses

By-law to be
approved by
electors.

Nevertheless, the council may, by mere resolution, issue promissory notes, payable at such places and on such terms and conditions as it may deem expedient, for the settlement of accounts or other current matters, provided that the total amount of such notes does not, at any time, exceed five thousand dollars.

Power to
issue promis-
sory notes
upon resolu-
tion.

Amount
limited.

TITLE V

MISCELLANEOUS PROVISIONS

16. Article 4366 of the Revised Statutes, is replaced, for the town, by the following :

The intermediate delay, after a special notice, runs from the day on which it was served, such day not being included.

R. S., 4366,
replaced for
town.

How delay,
&c., com-
puted.

Every public notice, whatever may be the object thereof, shall be published at least seven clear days before the day fixed for the purposes therein set forth, unless there be some provision to the contrary.

Publication
of public
notices.

17. The corporation of the town of Dorval shall keep all the books, documents, archives and papers and all the assets of the corporation of the village of Dorval, but it shall be responsible for the liabilities of the corporation of the village of Dorval.

Corporation
of town vested with prop-
erty, and
liable for
debts of vil-
lage.

18. The corporation of the parish of La Présentation de la Sainte Vierge, a portion of whose territory is hereby detached to form part of the town of Dorval, shall keep its assets, but shall be alone responsible for its liabilities.

Parish to
keep its as-
sets and to be
responsible
for liabilities

What taxes
parish may
levy on
territory now
included in
town.

19. The corporation of the said parish shall levy on the immoveables situated within the new municipality and upon its inhabitants, only the personal and real estate taxes due on the day on which this act comes into force.

Access to
books of cer-
tain parishes
by council of
town.

20. The council of the town of Dorval shall have access, without charge, to all the books, documents, archives and papers which it may need and which belong to the officers and to the corporations of the parishes of Les Saints Anges de Lachine and of La Présentation de la Sainte-Vierge, to the municipalities whereof the territory of the town of Dorval formerly belonged.

Certain acts
to be execu-
tory within
town up to
certain time.

21. All the acts of the councils of the parish of Les Saints Anges de Lachine, of the parish of La Présentation de la Sainte-Vierge and of the village of Dorval, shall be executory in the town, until repealed by the council of the town.

Annexation
of territory
adjacent to
town.

22. It shall and may be lawful for all owners of property immediately adjacent or contiguous to the boundaries of the town of Dorval, upon notice given by such proprietors to the municipal authorities of the town and with the consent of the said authorities signified by a by-law by them made to that effect in the usual manner, to ask and obtain that the property of such owner or owners be included within the limits of the town, and so on successively, as regards other proprietors having properties adjacent to the property so successively included in the limits of the town as aforesaid ; and after such annexation has been declared by by-law as above described, the said proprietors whose property is included within the limits of the town, shall have and possess all municipal privileges and be subject to all the by-laws, obligations, duties and charges imposed upon the persons and property originally included within the limits of the town.

Coming into
force.

23. This act shall come into force on the first day of the month of July next, one thousand, nine hundred and three.
