



63 VICTORIA

CHAP. 52

An Act to amend the acts incorporating the town of St. Paul

[Assented to 23rd March, 1900]

WHEREAS the town of St. Paul has, by petition, represented that it is necessary to amend its charter, and to give it additional powers; and whereas it is expedient to grant its prayer; Preamble.

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. Paragraph 3 of article 4227 of the Revised Statutes is replaced for the town by the following: R. S., 4227, amended.

Have paid on or before the Saturday preceding the poll all municipal and school taxes then due. Payment of taxes.

2. Article 13 of the act 60 Victoria, chapter 66, is replaced by the following: 60 V., c. 66, art. 13, replaced.

“**13.** The municipal council of the town of St. Paul shall be composed of seven councillors, including the mayor.” Composition of council.

3. Article 15 of the said act is replaced by the following: Id., 15, replaced.

“**15.** The mayor shall be chosen from amongst the councillors, and elected by them at the first general or special meeting of the council held after the annual general elections of the said councillors or after any partial election to elect a councillor to replace the mayor.” Election of mayor by council.

R. S., 4216,
replaced.

4. Article 4216 of the Revised Statutes is replaced, for the town, as follows :

Eligibility of
mayor or
councillor.

No person can be elected mayor or councillor or fill either of these offices unless :

1. He is of the male sex, of full age, and a subject of Her Majesty by birth or naturalization ;
2. He can read and write ;
3. He has had his domicile or place of business within the limits of the town, during the year preceding the election ;
4. He has possessed therein for at least twelve months, as proprietor in his own name or in that of his wife, real estate of the value of one thousand dollars, over and above all charges and hypothecs affecting the same, for the office of mayor, and four hundred dollars for that of councillor ;
5. He is a municipal elector.

R. S., 4237, re-
placed.

5. Article 4237 of the Revised Statutes is replaced for the town as follows :

Nomination.

After having opened the meeting, the presiding officer shall nominate the candidates whose names have been handed in, in writing, by at least seven municipal electors of the ward who have paid all their municipal and school taxes.

60 V., c. 66,
art. 20,
amended.
If no officer
to preside
appointed by
council.

6. Article 20 of the act 60 Victoria, chapter 66, is amended by adding after the last paragraph the following :

“Whenever the officer to preside over the election has not been appointed by the council, the secretary-treasurer shall of right be the presiding officer at the general or special election, and he shall be empowered to appoint assistant presiding officers for each division where a poll is to be held.”

Id., 26, re-
placed.

7. Article 26 of the said act is replaced as follows :

Real estate
qualification
of auditors.

“**26.** The auditors appointed by the council must own real estate within the town of the value of two hundred dollars, and neither the mayor, nor the councillors, nor the clerk, nor any other person receiving a salary or any moneys from the town for any employment under the council, or for any services whatsoever, can be appointed auditors or act as such.

Appointment
of accountant
as auditor.

But the council may at any time appoint a single auditor, and choose a competent accountant who shall not be required to possess the above real estate qualification.

Entry into
office of au-
ditors, &c.

The auditors enter into office as soon as they have been sworn to well and faithfully perform the duties of their office, and they remain in office until replaced by their successors.”

8. Article 28 of the said act is replaced as follows :

“**28.** The council may, by by-law or resolution, allow the assessors for their services whatever remuneration it may see fit.”

Id., 28, re-
placed.
Payment of
assessors.

9. The following article is added after article 29^a of the said act :

Art. added
after id., 29.

“**29a.** Enact that all persons holding a license to retail the liquors mentioned in the preceding article, shall open and close their establishments on all week days at the hours fixed by the by-laws or resolutions of the council.”

Closing of re-
tail stores
during cer-
tain hours,
&c.

10. The following article is added after article 37 of the said act :

Art. added
after id., 37.

“**37a.** Provide for the inspection of steam-boilers within the town, make such inspection obligatory, and appoint a competent inspector for that purpose; determine the fee which the said inspector may collect from the proprietor or proprietors of steam-boilers, and compel the said proprietors to employ the inspector appointed by the council for that purpose.”

Inspection of
steam-boilers,
&c.

11. Article 41 of the said act is replaced as follows :

Id., 41, re-
placed.

“**41.** Prevent the discharge of fire-arms or fire-crackers on Sundays and holidays, and at any other time if the council think proper.

Prevent dis-
charge of fire-
arms.

Compel all merchants and traders, barbers and keepers of gaming-houses or places of amusement to close their establishments on Sundays and holidays.

Compel clos-
ing of cer-
tain places on
Sundays.

On all other week days, the said establishments shall be closed at the hours fixed by by-law or resolution of the council.”

Id., on cer-
tain hours.

12. Article 45 of the said act is replaced as follows :

Id., 45, re-
placed.

“**45.** The council shall have the necessary powers to excavate all streets, lanes or public or private roads in the town for the purpose of constructing its drains or laying its pipes therein or for any other works of a public nature, and may use the said streets in any manner and have any works done therein, provided that such streets, lanes and public or private roads have been open to the public; and to assess the proprietors of immovables on each side of such streets, lanes, and public or private roads for the improvements made by the town, in the manner determined by by-law of the council.”

Power to ex-
cavate streets
for laying
pipes, &c.

Id., 52,
amended and
arts. added.

13. The second clause of article 52 of the said act is replaced as follows, and the following articles are added after the said article 52 :

Power to fix
line of streets
for buildings,
&c.

“ Fix and determine the line of buildings hereafter constructed in the streets, roads and avenues, and the mode to be followed and the materials to be used in the erection or repair of buildings, with a view to security against fire and the safety of the occupants, with power to hold the proprietor, builder or any other person in possession of such building responsible for any contravention of such by-laws ; provide for the inspection of buildings or any other constructions, and authorize the inspector to be appointed, to examine the interior or exterior of any house or construction, and to repair, or alter any dangerous building or chimney, cause it to be vacated, isolated or demolished at the cost of the proprietor or proprietors ; and confer upon such inspector all the necessary powers for the accomplishment of his duties.

Certain plan-
when homologated to be
final, &c.

“ **52a.** The general plan of the town being prepared by J. E. Vanier, civil engineer, shall, after its homologation by the Superior Court upon a petition to that effect, be the official plan of the town.

Changes in
plan.

“ **52b.** The council may by by-law make any changes to the plan so homologated which may become necessary.”

Id., 54, re-
placed.

14. Article 54 of the said act is replaced by the following :

Width of
wheel-tires,
&c.

“ **54.** Regulate the width of wheel-tires of waggons, drays, carts or other vehicles carrying heavy loads, and prohibit the use of such vehicles in such streets or parts of streets as the council may see fit.”

Art. added
after id., 60.

15. The following article is added after article 60 of the said act :

Acquisition
of property,
&c., within
line of street,
&c.

“ **60a.** Whenever a house or other structure is at the time of the homologation of the general plan of the town or of a street, situate, in whole or in part, upon the land occupied by such street, the council may acquire such house or structure, by expropriation or otherwise.”

Art. added
after id., 70.

16. The following article is added after article 70 of the said act :

Prohibit trot-
ting on any
bridge, &c.

“ **70a.** Prohibit trotting or running on bridges, and impose a fine upon any person driving or riding over any bridge faster than a walk.”

17. The following article is added after article 71 of the said act : Art. added after id., 71.

“**71a.** Article 4445 of the Revised Statutes is replaced, for the town, by the following : R. S., 4445, replaced.

To prevent cock fights, dog fights and every other cruel amusement ; Prevent cock-fights, &c.

To prevent boxing matches, with gloves or otherwise ; Prevent boxing matches, &c.

to order the arrest on view and without a warrant of any person taking part in such fights or exhibitions, or present thereat as a spectator, or of all persons assembled with the evident intention of being present at such fights or exhibitions ; to impose by by-law upon such persons such penalties as the council shall deem fit, provided that such penalties shall not exceed a fine of one hundred dollars and the costs of suit, or six months imprisonment, with or without hard labour.”

18. Article 75 of the said act is replaced as follows : 69 V., c. 66, art. 75 replaced.

“**75.** The council is authorized to make any agreement it deems advisable, with any tramway company, for the establishment and running of a line of tramway or other vehicles moved by electricity or other motive power, in the streets of the said town, and connecting the latter with the cities of St. Henri and Montreal. Notwithstanding the provisions of article 4404 of the Revised Statutes and its amendments, the council is moreover authorized to grant to such company an exclusive privilege and an exemption from taxes, for a period not exceeding thirty years, upon any line, machinery, vehicle and other real estate belonging to such company, with the exception of taxes for the building of drains and the supplying of water. Council is authorized to construct, &c. line of tramway, &c.

“**75a.** The council is authorized to make any agreement it may deem necessary with the Trustees of the Montreal Turnpike Roads, for the establishing of a line of tramway, as aforesaid, upon that part of the macadamized road under their control, extending from Côte St. Paul bridge, over the Lachine Canal, to the intersection of the said road with Notre-Dame street in St. Henri, so as to connect the town of St. Paul with the city of Montreal by way of the city of St. Henri, and the said trustees of the said turnpike roads are themselves authorized to enter into any agreement they may deem advisable with the town of St. Paul to facilitate the establishing of the said line of tramway.” Council authorized to enter into agreement with certain trustees for establishing line of tramway, &c.

19. Article 79 of the said act is replaced as follows : Id., 79, replaced.

“**79.** The council may make by-laws for imposing and levying the following annual taxes : Assessment on real estate.

An assessment, for which the proprietor is personally responsible, on every lot, town lot or portion of a lot, whether built upon or not, with all buildings and erections thereon, not to exceed one cent and one-half in the dollar of the real value of such property, as entered on the assessment roll of the town ;

Special tax on certain callings.

A special tax upon carters residing or doing business in the town ; upon proprietors of horses and vehicles kept within the limits of the town ; upon brokers, commission merchants or exchange brokers ; upon pawn-brokers and auctioneers ; upon clubs ; upon proprietors or occupants of houses of public entertainment, hotels, saloons, inns, coffee-houses, restaurants, temperance hotels ; upon dealers in spirituous liquors ; upon peddlers, itinerant traders, and all other persons selling or offering for sale in the town articles of commerce or produce of any kind whatsoever ; upon proprietors, possessors, agents, managers or occupants of theatres, circuses, menageries or minstrels ; upon public places of amusement kept open for profit ; upon all persons keeping billiard tables, mississippi or pigeon-hole tables, bowling alleys and other similar games ; upon livery-stable keepers ; upon grocers, bakers, butchers, hawkers, hucksters, brewers and distillers ; upon traders ; upon proprietors and keepers of wood-yards, coal-yards and slaughter-houses in the town ; upon building societies ; upon insurance companies and their agents, canvassers and employees ; upon gas and electric companies doing business in the town ; and a tax, not exceeding ten dollars, upon telegraph and telephone companies doing business in the town ; upon all garbage contractors, proprietors, lessees or occupants of stables, yards or sheds kept for garbage, whether they carry on business within or without the limits of the town ; upon pastry-cooks and biscuit makers ; upon all persons keeping a tavern ; upon all manufacturers or retailers of beer, soda-water or other liquors ; and upon every business, manufacture, occupation, trade, art and profession exercised or carried on within the town by any person, firm or company."

Art. added after id. 79

20. The following article is added after article 79 of the said act :

Tax on tenants.

"**79a.** To impose and collect from every tenant or occupant, an annual tax not exceeding three cents in the dollar upon the amount or value of the rent, as entered upon the valuation roll.

Tax on owners of certain animals.

To levy, at its discretion, an assessment upon proprietors of all animals in the town, including cattle, pigs and horses."

21. Article 89 of the said act is replaced as follows :

Id., 89, replaced.
Prevent peddling, &c., without license.

“**89.** The council may also, by by-law, prevent all persons residing or having their place of business outside of the town limits from, either personally or through their employees, soliciting or taking orders for the delivery of goods or offering such goods for sale, without having previously obtained from the corporation the license required for that kind of business.

The provisions of this and of the preceding article shall not apply to commercial travellers.”

Commercial travellers not affected.

22. Article 90 of the said act is replaced as follows :

Id., 90, replaced.

“**90.** Article 4353 of the Revised Statutes is replaced, for the town, by the following :

R. S., 4353, replaced.

No person shall be a valuator unless he, as proprietor, possesses, in the town, either in his own name or in that of his wife, real estate of the value of eight hundred dollars, according to the valuation roll in force ; nevertheless, one of the valutors appointed by the council may be chosen from amongst persons who reside within or outside of the town and who is not a rate-payer thereof and who does not possess the above qualification.

Property qualification of valuator.

23. The following article is added after article 92 of the said act :

Art. added after 60 V., c. 66, art. 92.

“**92a.** The council may, at any time, by resolution, suspend or annul any permit or license granted under the powers conferred upon it by law, for misconduct, incompetence, or for infringement of any by-law whatsoever by the person holding such permit or license, without the corporation being obliged to make any reimbursement, and without recourse against it on the part of the said offender.”

Power to suspend, &c., license granted.

24. The following article is added after article 95 of the said act :

Art. added after id., 95.

“**95a.** The constables shall have power and authority to serve all summons and subpoenas and to execute all warrants ; to enter at any time into all hotels, inns and shops licensed to sell intoxicating or alcoholic liquor to determine whether the law or the municipal by-laws are observed therein ; to arrest on view and without a warrant any person found violating the law or any of the said by-laws ; to enter, at any time, any disorderly house or any reputed such, and every establishment in which it is suspected that intoxicating liquors are sold without a license, and to arrest on view and without a warrant every person found violating the law or the municipal by-laws.”

Power of constables to serve warrants, &c.

Art. added after id., 104, said act : **25.** The following article is added after article 104 of the

Continuance of infringement a further offence. **"104a.** Whenever an infringement of this act or of a by-law of the council is continuous, each day shall constitute a separate offence, and the penalty imposed for such infringement may be recovered for each day that such infringement has continued."

Coming into force. **26.** This act shall come into force on the day of its sanction.

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