



63 VICTORIA

CHAP. 56

An Act to amend the charter of the town of Chicoutimi

[Assented to 23rd March, 1900]

WHEREAS the corporation of the town of Chicoutimi Preamble.
has, by petition represented :

That it is in the interest of the proper administration of the affairs of the town that amendments be made to its charter, the act 57 Victoria, chapter 66, especially as regards the following matters, to wit : the collection of municipal taxes and the prescription of municipal debts ; the publication of notices ; tenders for public works ; the imposition of business taxes, personal taxes and taxes on real estate, and appeals by persons injuriously affected by the valuation rolls ;

That in the by-law No. 103 of the 27th December, 1899, it is enacted that the town shall apply to the Legislature of Quebec at its next session to have it ratified ;

That, in order to meet certain expenses and obligations, it is necessary that the town should be authorized to effect a loan of thirty thousand dollars ;

Whereas, for the above reasons, it is expedient to grant the prayer contained in its said petition ;

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

1. Section 2 of the act 57 Victoria, chapter 66, is amended 57 V., c. 66, by striking out the figures 4551, 4552, 4553, 4554, 4556, s.2, amended, 4557 and 4558 in the fifth and sixth lines, and the words

“the second clause of articles 4367” in the ninth line, and in future the articles and the part of the article designated by such figures shall apply to the town of Chicoutimi.

Id., secs. 30 and 31, &c., replaced.

2. Sections 30 and 31 of the said act are repealed, and the second paragraph of article 4367 is replaced as follows for the town :

Where notices are to be posted.

In default of places specified by the council, the public notice is posted on the main door of at least one building devoted to public worship or near such door, if there be such a building; and in another public place in the municipality, and in two public places in default of a building devoted to public worship; and the said notice shall be inserted once in a newspaper published in Chicoutimi.

Id., s. 33, replaced.

3. Section 33 of the said act is replaced by the following :

Publication of by-laws, &c.

“**33.** The method of publishing the passing or final approval of by-laws, when they have been submitted for the approval of the municipal electors, shall be that set forth in article 4385 of the Revised Statutes.”

Id., s. 45, replaced.

4. Section 45 of the said act is replaced by the following :

Certain works to be executed under contract after calling of tenders, &c.

“**45.** All works done and executed by the town, the probable cost whereof shall exceed two hundred dollars, shall be done by contract given out to a competent tenderer after tenders have been called for, during at least eight days, in the manner prescribed for public notices, and the council may exact one or more sureties for the execution of the contract.”

Id., ss. 56 and 65, repealed.

5. Sections 56 and 65 of the said act are repealed.

R. S., 4450, amended.

6. Article 4450 of the Revised Statutes is amended for the town by adding the following paragraph thereto :

Prevent straying of horses, &c.

To prevent horses, cattle, swine, sheep, poultry, geese and other animals from wandering at large and to exact a fine not exceeding two dollars against the owners of such animals so found at large; to establish pounds; to fix the amounts to be paid for every animal impounded; to authorize the seizure and impounding of every animal found at large as well as the sale thereof at the expiration of eight days from its being impounded if it be not claimed, and if the amount payable for its impounding be not paid within that delay.

Establish pounds, &c.

Authorize sale of impounded cattle, &c.

7. Article 4506 of the Revised Statutes is amended for the town by adding the following paragraph thereto : R. S., 4506, amended.

No proceeding tending to set aside a valuation roll in whole or in part shall be received by any court, unless the complaint provided for by this article has been filed at the office of the council in the manner and within the delay prescribed, without prejudice to the application of article 4389 of the Revised Statutes. Delays within which proceedings, &c., to contest valuation roll may be taken.

8. Article 4533 of the Revised Statutes is replaced for the town by the following : R. S., 4533, replaced.

The poll shall be held and presided over by the mayor with the assistance of the secretary-treasurer. Officer to preside.

It is held for one juridical day from ten o'clock in the morning to five o'clock in the afternoon. The poll shall be held eight days after the meeting of the electors. Duration of poll and when held.

9. Article 4550 of the Revised Statutes as contained in section 40 of the said act 57 Victoria, chapter 66, is again replaced for the town by the following : R. S., 4550, replaced.

The general collection roll mentioned in article 4547 of the Revised Statutes is made in the course of the month of May of each year ; and, at the expiration of the twenty days following its publication, the secretary-treasurer demands payment of all sums due and payable as shewn on the said roll, by making out the account of each rate-payer indebted according to the following form or any other of like tenor, and by sending such statement of account to each rate-payer by mail in a separate sealed envelope, prepaid and deposited in the post-office of the town by the secretary-treasurer or his assistant ; and such deposit in the post-office shall be established on the oath of office of the secretary-treasurer or of his assistant. When general collection roll is made and procedure to collect taxes. Notice to P.V.

There is no fee on such notice. In default of payment, the secretary on sending a second notice—which is not obligatory—is entitled to a fee of twenty-five cents which may be recovered in the same manner and at the same time as the taxes. Fee on second notice.

Form of notice.

PROVINCE OF QUEBEC.
Office of the secretary-treasurer
of the town of Chicoutimi. }

Mr.

To the town of Chicoutimi.

DR.

Assessment on the following properties belonging to you : Nos. , under by-law of the

Tax on your (*profession or occupation*), under by-law of the

Tax on (*mention the animals*), under by-law of the

And so on for each item and each year.

SIR,

You are hereby notified that, having failed to pay the amounts mentioned in the foregoing statement, within the twenty days following the publication of the general collection roll, which was made on the , you are hereby required to pay the above amount to me, at my office, before the day of the month of 19 .

Town of Chicoutimi,

19

A. B.,

Secretary-Treasurer.

R. S., 4551, replaced.

10. Article 4551 of the Revised Statutes, as contained in section 41 of the said act, is replaced for the town by the following :

Seizure and sale for taxes.

If, fifteen days from the demand made under the first paragraph of the foregoing article, the amounts due by the persons entered on the collection roll are not paid, the secretary-treasurer may levy the same with costs by seizure and sale of all the goods, chattels and effects of such person found within the municipality.

57 V., c. 66, s. 61, amended.

11. Paragraphs (*d*), (*f*), (*g*), (*j*), (*k*), and (*l*) of section 61 of the said act are replaced by the following :

Tax upon certain occupations, &c.

“(d) For imposing, levying and collecting annually a tax, which the council may fix, taking into account the

importance of each occupation, profession or business not exceeding ten dollars, on every advocate, physician, notary, surveyor, civil engineer, architect, veterinary surgeon, druggist, and on every other professional man, or person having an occupation equivalent to a profession, practising in the town ; on every district magistrate, prothonotary, sheriff, clerk of the Circuit Court, registrar, Crown Lands' agent, school inspector, revenue collector, forest ranger, and every public officer appointed by the Lieutenant-Governor in Council or any of the members of the Government of the Province of Quebec, residing or having an office in the said town ; on every owner of a telephone, *rentier*, book-keeper, agent, clerk, foreman, culler, telegraphist, and every other employee residing in the town or working therein.

“(f) For imposing, levying and collecting, annually, a tax, not exceeding ten dollars, on every auctioneer, jeweller, goldsmith, painter, baker, butcher, blacksmith, wheelwright, joiner, carpenter, tailor, cabinet-maker, tanner, tin-smith, plumber, roofer, shoemaker, builder, undertaker and other person carrying on any trade within the limits of the town, working there habitually or keeping an establishment therein as proprietor, agent or foreman ; which tax shall, as much as possible, be in proportion to the probable revenue of the proprietors, agents and foremen.

Tax upon certain callings.

“(g) For imposing, levying and collecting, annually, a tax not exceeding fifty dollars, on every proprietor of a printing office and upon every person carrying on the business of printer ; upon every broker, exchange broker, bank, banker, agency or branch of a bank ; upon every insurance company or its agent ; upon every loan and investment society or its agent ; upon every commission merchant ; upon every owner of goods sold on commission ; upon every proprietor, agent or director of a theatre, circus or other amusement, doing business or giving representations in the town ; to be proportioned, as much as possible, to the extent and value of each kind of business.

Tax on certain business.

“(j) For imposing, levying and collecting, annually, a tax, which the council may fix, taking into account the importance and value of the business of each class of hotel keepers or proprietors of boarding houses, not exceeding twenty dollars, on every proprietor, tenant or keeper of a hotel, boarding-house or other building in which travellers are harboured or boarders are received in any manner or at any time whatsoever.

Tax on certain hotel keepers, &c.

“(k) For imposing, levying and collecting, annually, on every person keeping a dog, for each dog a tax of one dollar ; and on the owner of each male animal kept for breeding purposes, a tax not exceeding four dollars ; on every horse-owner,

Tax on keepers of dogs, &c.

Owners of horses, &c.

for each horse not already taxed under the following paragraph, a tax not exceeding two dollars; on every owner of more than five horses, for each horse above that number, not taxed under the following paragraph, a tax of one dollar; provided however that horses exclusively used for farming purposes, for the ordinary services of charitable, benevolent and educational establishments, or for lumbering, shall not be subject to the tax authorized by this paragraph, and provided that the council may by by-law exempt from such tax persons who already pay a special tax in connection with their trade.

Tax on car-
ters, &c.

“(l) For imposing, levying and collecting, annually, on every carter and owner of a horse and vehicle used for conveying travellers or other persons from one place to another in the town, or from a place inside to a place outside the town, a tax not exceeding ten dollars, and for compelling such person to take out a license authorizing him to ply the trade of carter and carrier, and for each additional horse used for the same purposes, a tax not exceeding five dollars.”

Id., s. 61,
amended.

12. Section 61 of the said act is amended by adding the following paragraphs thereto :

Taxes for
expenses of
management.

“(m) For levying by direct taxation on all taxable property in the town all sums of money necessary for meeting the expense of management annually, or for any object whatever within the limits of the powers of the council of the town, not exceeding annually two per cent. of the estimated value of such taxable property.

Taxes on
tenants.

“(n) For levying annually upon every tenant paying rent in the town a sum not exceeding five cents in the dollar on the amount of his annual rent.

Taxes on lay
male inhab-
itants.

“(o) For levying annually upon all the lay inhabitants of the male sex, between twenty-one and seventy years of age, residing in the municipality and not otherwise taxed by the town, a sum not exceeding one dollar,—such tax shall not be imposed upon students in college.

Tax on
owners, &c.,
of bicycles,
&c.

“(p) For levying upon each owner or lessee of a bicycle or triecycle, a tax not exceeding two dollars, provided this paragraph shall not apply to such vehicles when used by children under ten years of age.”

Secs. added
after id., s. 61.

13. The following sections are added after section 61 of the said act :

Certain addi-
tional taxes
on certain
trades.

“**61a.** The council may also, by by-law, impose and levy, over and above the taxes authorized by paragraph (e) of section 61 of this charter, a tax not exceeding twenty dollars on every junk-dealer, and on every trader selling by retail,

elsewhere than in the shop which he keeps and for which he pays taxes, transient goods or bankrupt stock in the town, on every trader keeping more than one shop in the town and on every person who either as a dealer, agent or otherwise sells therein any vehicles made outside of the town.

61b. Every person doing business, carrying on any industry, profession, art or trade in the town, as above-mentioned, or keeping an animal, in connection with which a tax is imposed by the council, without previously obtaining the required license or paying the tax imposed, is liable to a fine of not less than one dollar nor more than fifty dollars for each infringement and, in default of payment, to imprisonment for a period not exceeding thirty days.”

License required to be taken or tax paid under certain penalty.

14. The town is and remains the owner of the land reserved for streets or public squares when the village of Chicoutimi was laid out, or those acquired in their place and stead.

Ownership of certain streets, &c., in town.

15. The town council is authorized to effect, by resolution a loan of five thousand dollars, and by by-law, approved by the majority in number of the votes that have been polled of the municipal electors who are proprietors, as they appear on the valuation roll in force, another loan of twenty-five thousand dollars, which said sums shall be devoted to improving its roads and streets, to constructing sewers, to extinguishing the floating debt, to extraordinary work on the streets, to the purchase of a site for a market, to improving the fire-stations and the necessary general expenses of the town.

Power to borrow certain sums for certain purposes.

16. The said loans shall be effected by issuing bonds signed by the mayor and secretary-treasurer of the town, payable out of the general funds of the town at such place, within such period of time not exceeding fifty years, and at such rate of interest not exceeding four and one-half per cent., as the council may determine by resolution, and redeemable by yearly or half-yearly annuities as may be determined by resolution, including the interest and the fraction of the capital to be paid yearly or half-yearly for the purpose of extinguishing the debt within the specified period.

How to be effected.

Articles 4523 to 4530, inclusively, and the first clause of article 4535 of the Revised Statutes shall not apply to the loans authorized by this act.

Certain articles of R. S., not to apply.

R. S., 4536,
to apply.

Article 4536 of the said Statutes shall apply to the said loan of twenty-five thousand dollars, except in so far as incompatible with this act.

By-law, No.
103 of 1899,
ratified.

17. The following by-law No. 103 of the by-laws of the town dated the 27th December, 1899, is ratified and declared valid :

BY-LAW No. 103.

Whereas the Chicoutimi Pulp Company, a body politic duly incorporated having its place of business in the town of Chicoutimi, has established an industrial and manufacturing corporation within the limits of the town of Chicoutimi ;

Whereas the said Chicoutimi Pulp Company has agreed to enlarge the said undertaking by building a new factory, with eighteen mill-stones, within a short delay, otherwise the by-law would not have been passed by the said corporation ;

Whereas a petition was presented to the council from the rate-payers of the town of Chicoutimi signed by three hundred and fifty rate-payers, praying that the said company be exempted from taxation ;

Whereas an application for exemption from taxation has also been made by the said company to aid it and favor it in establishing and carrying on its new undertaking ;

Considering the many and great advantages that will accrue to the town of Chicoutimi from the establishment and working of this additional manufactory, as well as from that already established by the said company ;

It is therefore decreed and enacted :

That all and every the grounds occupied by the said company in connection with its industry in the town of Chicoutimi, including the wharves, water-powers, dams, required and used for the purposes of the factory, as well as all the buildings, plant and machinery of every kind and nature which are or may be therein, are by this by-law exempt from all municipal and school taxes for a period of twenty years dating from the first of January, 1900 ;

On the following conditions :

1. The Chicoutimi Pulp Company shall pay every year to the town of Chicoutimi a sum of five hundred dollars, being the only amount which the town may claim from it under any pretext whatsoever, one-third whereof shall be paid to the school municipality of the town of Chicoutimi by the corporation of the said town ;

2. The company shall be bound to give employment, in its factory, in preference, to persons residing within the limits of the town.

The town shall apply to the Legislature of Quebec, while amending its charter, to have this by-law ratified and confirmed and the said by-law shall come into force only after such ratification and confirmation.

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

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