

claimed, as soon as incurred, from the municipality of the county or incorporated city or town, liable for the payment of half of the maintenance, saving its recourse for the same reasons, in the same manner and with the same proof as for the costs of custody and maintenance."

Coming into
force.

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

C A P. X X I X .

An Act respecting Public Buildings.

[Assented to 8th January, 1894.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Section re-
placed.

1. Section first of chapter second of title seventh of the Revised Statutes is replaced by the following :

SECTION I.

SAFETY IN PUBLIC BUILDINGS.

§ 1.—*Interpretative and declaratory provisions.*

Interpretation
of: "Public
building."

" 2973. The words: "public building," mean and include churches, chapels or buildings used as such, seminaries, colleges, convents and school-houses, hospitals and asylums, hotels and boarding-houses capable of receiving ten or more boarders, theatres, halls for public meetings, lectures or public amusements.

"Proprietors
of public
buildings."

" 2974. The words: "proprietors of public buildings," include individuals, companies and corporations who are proprietors, tenants or in possession under any title whatsoever, of any of the buildings mentioned in the definition given in the preceding article, and their agents.

§ 2.—*Application of the law.*

Application
of the law.

" 2975. Saving such restrictions as the Lieutenant-Governor in Council may be pleased to determine in the regulations which he may make under article 2987, all public buildings mentioned in article 2973 are subject to the provisions of this law.

§ 3.—*Safety in public buildings.*

“**2976.** The public buildings mentioned in article 2973 Safety in public buildings. must afford all the security required by this act and the regulations made under its authority.

2. Public buildings now open to the public, and which Buildings now open to the public. would require too heavy an expense to be made conformable to the prescribed requirements, must however be made to conform thereto as much as possible, to the satisfaction of the inspector.

3. A new public building shall be so erected as to avoid at the outset all defects which it would be very difficult to remedy afterwards, and, to this end, the architect's plans Construction of new public buildings and submission of plans. must be previously submitted to the inspector.

4. When extensive alterations are made to a public building, an architect's certificate as to the solidity and safety of such building shall be given to the inspector. Architect's certificate in cases of extensive alterations.

5. If the destination of a public building is so altered that greater solidity is required, an architect's certificate as to such solidity shall be given by the proprietor to the inspector. Architect's certificate, if destination of building is changed.

§ 4.—*Duties of proprietors of public buildings.*

“**2977.** Every proprietor of a public building shall : Duty of proprietor to :

1. Transmit to the inspector a written notice giving his name, the name of the building and its destination, as well as the name of the place where it is situated, within thirty days previous to the opening of such building to the public, if it be recently erected, and within sixty days from the coming into force of this section, if it be at present open to the public ; Notify inspector, giving his name, that of the building, &c. ;

2. Transmit a written notification to the said inspector of every fire or accident which occurs in such building, within forty-eight hours from the occurrence of such fire or accident ; Notify inspector of every fire, &c. ;

3. Provide such inspector with everything necessary for facilitating an effective inspection of the building and its dependencies ; Provide inspector with facilities to inspect ;

4. If the building is a theatre or a hall for lectures or public amusements, have a certificate of inspection, signed by the inspector, posted up, and keep it there constantly whole and legible. Have certificate of inspection posted up.

§ 5.—*Inspection of public buildings.*

“**2978.** The factory inspectors appointed in virtue of the fourth section of this chapter are assigned the duty of seeing to the observance of this section and the regulations made under its authority. Duty of factory inspectors under this section, &c.

Powers and obligations of factory inspectors.

"2979. The said inspectors have, *mutatis mutandis*, the same powers and are subject to the same obligations, as regards safety in public buildings, as those indicated in the said fourth section and in the regulations made by the Lieutenant-Governor in Council, respecting safety in factories, in so far as the same may be applicable thereto.

May be present at inquiries held by fire commissioners and coroners.

"2980. They have the right to be present at inquiries held by the fire commissioners of Quebec and Montreal, and at inquests held by coroners, in all cases of fire or accident in a public building, and to question the witnesses, in order to ascertain the cause of such fire or accident.

May make suggestions to authorities.

"2981. They have the right to make to the proper authorities, any suggestions they may consider advisable in the interest of safety in public buildings.

Shall publish in *Quebec Official Gazette* certain portions of law and of regulations, &c.

"2982. They shall publish, in the *Quebec Official Gazette*, such provisions of the law and the regulations as they consider should be more especially made known to the public, and also publish their addresses therein.

§ 6.—*Contraventions and penalties.*

Penalty for infringing section or regulations.

"2983. Proprietors of public buildings who infringe the provisions of this section and of the regulations made under the authority thereof are liable to a fine not exceeding fifty dollars and costs.

Application of section to church-wardens, &c.

2. The incumbents, church-wardens or trustees owning churches or buildings used as such under section first of chapter third of title ninth of these Revised Statutes, respecting lands held by religious congregations, and all others owning churches or buildings used as such in virtue of any other law, are subject to the provisions of this section, and in case of contravention, are severally liable to the penalties set forth in the preceding paragraph.

Penalty for infractions.

"2984. Every proprietor of a theatre or hall, used for public meetings, lectures or public amusements, who, without the required certificate of inspection, allows such building to be open to the public, is liable, in addition to the fine indicated in the preceding article, to a penalty not exceeding fifty dollars and costs, for every day that such building so remains open.

Additional penalty for each day during which infringement continues.

2. On the report of the inspector, the Commissioner of Public Works may order such owner to close the doors of such building until he has obtained the required certificate.

Closing of doors of public buildings by order of Commissioner.

Execution of order.

Such order may be executed, by a constable of the municipal or provincial police force, either by preventing the public from entering or by causing the place to be cleared.

§ 7.—*Jurisdiction of certain courts and procedure.*

“**2985.** All prosecutions under this section are brought by the inspector before the judge of the sessions or the police magistrate in the cities of Quebec and Montreal, and before the district magistrate or a justice of the peace of the place where the offence was committed, if in any other part of the Province. Prosecutions under this section.

2. The procedure to be followed in such cases is that prescribed for summary convictions by the Criminal Code, 1892. Procedure to be followed.

3. No prosecution shall be brought for any infringement of the law or of the regulations after sixty days from the time such infringement came to the knowledge of the inspector. Prescription of suits.

§ 8.—*Application of fines.*

“**2986.** The fines imposed under this section shall be paid to the Provincial Treasurer for the uses of the Province. Application of fines.

§ 9.—*Regulations.*

“**2987.** The Lieutenant-Governor in Council may make regulations, with respect to the buildings mentioned in article 2973, upon the following, amongst other matters: Regulations which Lieutenant-Governor may make respecting: Construction of buildings;

(a). The construction of public buildings, and their solidity, so as to insure the safety of those who reside in or who frequent the same;

(b). The precautions to be taken against fire, and more particularly as respects: doors and windows, staircases, escapes, apparatus for extinguishing fire and saving life, and elevators and their safety appliances. Precautions against fire.

2. Nothing in this article shall, however, affect the powers possessed by municipal councils for making by-laws respecting public safety, nor the powers of the commissioners appointed under the law respecting the erection and division of parishes, to make regulations on the same subject, with respect to churches and other buildings for divine worship; provided such by-laws or regulations be similar or equivalent to those made in virtue of this section.” Proviso as to power of municipal authorities, &c.

2. This act shall not affect any rules and regulations, matters or things done or made under the law replaced by this act, which shall remain in force until the contrary be decided under this act. Certain rules, &c., not affected.
