

C A P. L V.

An Act to amend the charter of the town of Côte St. Louis.

[Assented to 24th June, 1892.]

Preamble.

WHEREAS the corporation of the town of Côte St. Louis has, by its petition, represented that it is desirable to grant it more ample powers, and that it is expedient to grant its prayer ;

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

Sections added after 53 V. c. 75, s. 23.

1. The act 53 Victoria, chapter 75, is amended by adding the following sections, after section 23 :

Certain special assessment may be paid into general funds and applied to meet cost of administration. Application already made of that assessment ratified.

“ **23a.** To avoid increasing the amount of taxes required to meet the cost of administration, and to fulfil the obligations of the municipality, the council of the town of Côte St. Louis is authorized to take the special assessments collected and those to be collected for the construction of a system of drainage, and pay them into the general fund of the corporation ; and the use already made of the said assessments, in paying the expenses of administration, is ratified and confirmed.

Council may order and control sale of stone by weight.

“ **23b.** The council of the said town may order and control the sale by weight of stone taken from the quarries in the municipality and sold or delivered in the municipality of the town of Côte St. Louis, as well as of stone brought into and delivered in the municipality, either for building purposes, for the manufacture of lime, or for any other purpose, erect scales for that purpose, establish and fix the fees to be paid and appoint weighers.

Certificate from public weigher when public scales established. Proviso.

When public scales shall have been established by the municipality, the certificates issued by the public weigher, appointed for that purpose, shall be deemed sufficient to sell the stone, to which the said certificates refer, in every municipality in which the weighing of stone has been ordered, and no other weighing of such stone shall be necessary in such municipality ; provided, always, that such municipality shall have the right to appoint an inspector of the said scales.

Council to decide whether works are of public interest, &c., and apportion expense of expropriation accordingly.

“ **23c.** In the event of the expropriation of an immovable required for the execution of works or improvements in the municipality, the council shall decide whether these works are of general interest for the municipality and should be made at its expense or whether these works or improvements are more especially advan-

tageous to a particular locality, or to a street, a ward or to a part of the town, or whether they should be made at the costs of the proprietors of the locality, of the street or of the ward.

In such case, before valuing the immoveables to be expropriated, the arbitrators shall first establish who are the persons who will derive the benefit of the works or improvements resolved upon, and who should be specially taxed for the requirements of the projected improvements; and they shall draw up a report and shall give a public notice of the same, in which they shall not be bound to give the names of the persons who derive benefit from the said improvements, but only to designate the bounds or limits in which the immoveable property shall be taxable.

The parties so notified, who may desire to oppose the improvement, may do so by means of a declaration signed by them, and deposited in the hands of the secretary of the town, within the ten days following the date of the last publication of the said notice.

At the expiration of such delay, the secretary of the town shall forward the declaration deposited in his hands (if there is one) to the council, and the latter shall establish and decide without appeal, if in fact the signers of such declaration constitute the majority in value of the parties to derive a benefit from the same (said value being established in the general assessment roll last made and revised), and if it is found that such majority is opposed to the improvement, the proceedings in expropriation shall be, *ipso facto*, annulled; but if, on the contrary, there has been no declaration sent in, or if the council decides that the majority in value of the said parties has not signed the declaration, the proceedings in expropriation shall be continued, and the arbitrators shall fix a day to proceed to the valuation of the immoveables subject to expropriation, of which they shall give a public notice.

“23d. In all cases when the council shall have resolved to execute works or improvements for which an expropriation is necessary of a portion only of an immoveable belonging to a single proprietor, the arbitrators shall be bound to decide and award the damage or depreciation in value, if any, resulting to the remainder of such immoveable in consequence of its separation from the portion required by the town; they shall determine the intrinsic value of the portion of the property to be taken; and if, in their opinion, the remainder of the property is increased in value by the projected improvement, they shall fix the amount of such increase; in the first instance, the proprietor will receive the intrinsic value of the property taken and the amount of damage awarded; in the second instance he will only

Arbitrators to first establish who are the persons interested.

Report and notice thereof.

How opposition to be made.

Council to decide on opposition.

If no opposition, or if it is set aside.

Duty of arbitrators when portion only of immoveable is to be expropriated, when fixing values.

receive the difference between the intrinsic value of the portion of the property required and the said increased value."

Id., s. 25,
replaced.

Council may
impose cer-
tain taxes for
certain pur-
poses, upon :

Immove-
ables;

Tenants;

Dogs.

Id., s. 9,
amended.

Not to apply
to proprietors
of immove-
ables.

2. Section 25 of the said act is replaced by the following :

" 25. In order to levy the sums required by the council to meet the expenses of administration, provide for the improvements and fulfil the obligations of the town, the council may impose the following annual taxes :

1. Upon all immoveable property, town lot or part of lot, with all the buildings and constructions thereon, if any there are, a sum not to exceed one and one half cent in the dollar on their total value, as established by the valuation roll of the town ;

2. Upon every tenant paying rent in the town, an annual sum of, at least, one dollar and not to exceed two cents in the dollar upon the amount of the rent, when it is more than twenty dollars per year ;

3. Upon every dog kept by a person residing in the town, an annual sum not to exceed three dollars, to be collected from the owner or from the person in possession of the animal."

3. Section 9 of the said act is amended by adding the following clause :

" This section shall not apply to the proprietors of immoveables in the municipality."

C A P. L V I.

An Act to consolidate the various acts affecting the corporation of the town of Iberville.

[Assented to 24th June, 1892.]

Preamble.

WHEREAS it is expedient to consolidate the act of the late Province of Canada, 22 Victoria, chapter 64, and the acts of the Province of Quebec, 34 Victoria, chapter 40 ; 43-44 Victoria, chapter 63, and 49-50 Victoria, chapter 48, affecting the corporation of the town of Iberville ;

Whereas it is expedient to grant the said corporation more extended and better defined powers ;

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