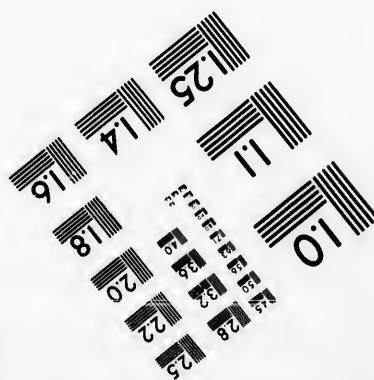
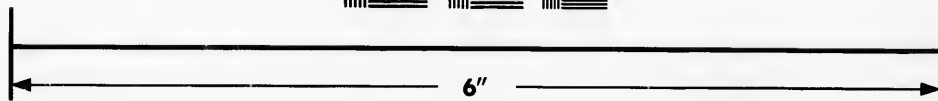
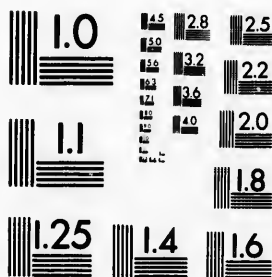


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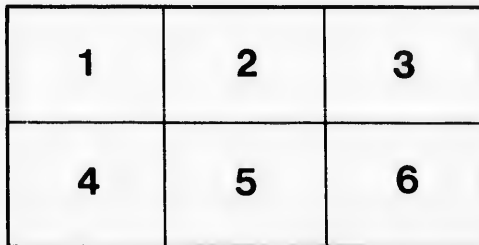
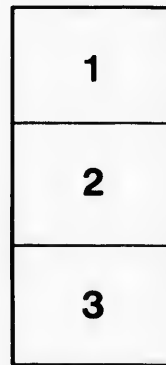
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12.  
ANALYTICAL TABLE

OF THE

# MUNICIPAL CODE

OF THE

PROVINCE OF QUEBEC,

BY

DAVID FORGET, ADVOCATE

FOURTH EDITION.

---

MONTREAL:

J. CHAPLEAU & SON, PRINTERS.

1882.

# ANALYTICAL TABLE

OF THE

## MUNICIPAL CODE

OF THE  
PROVINCE OF QUEBEC.

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### JANUARY.

**MUNICIPAL ELECTIONS.**—They take place on the second Monday in January, in each year. *Art. 292.*

The office of municipal councillor lasts three years. *Art. 277*, except in the cases of *Art. 116* and *279*.

Their qualification is of four hundred dollars. *Art. 283*  
The year following the first election, the electors shall elect two councillors two years consecutively, and three every three years. *Art. 279.*

The President of the election is appointed by the Council; if no one is appointed, or if the person appointed is absent, the Secretary-Treasurer is *ex officio* President of the election. *Art. 296.*

Within the three days following the election, the President must give, to each of the councillors elected, special notice of his election. *Art. 302.*

And within eight days, a like notice to the Warden or to the Secretary-Treasurer of the County. *Art. 303.* If a poll has been held, he must, within the same delay of eight days, deliver up the poll books at the office of the local council. *Art. 304.*

**OATH.**—The Councillors, before entering upon their functions, must take the oath of office. *Art. 108.*

**MAYOR.**—At the first session after the election, the Councillors appoint a Mayor. *Art. 330.* The Mayor must be able to read and write. *Art. 335.*

Immediately after the appointment of the Mayor, the Secretary-Treasurer must give a special notice of the fact to the warden of the county. *Art. 331.* The Mayor must take as such the oath of office. *Art. 333.*

The meeting for the election is held at the place where the Council holds its sessions, and at ten o'clock in the forenoon. *Art. 307.*

The local Council holds its sessions on the first monday in each month, except in the case of *Art. 611*, which empowers the Council to limit the number of its general sessions to not less than four during the year. *Art. 287.*

Four members form a quorum of the Council. *Art. 289.*

The special notice given, either for a special session or an adjournment, to the members of the Council, must be given at least two clear days before such meeting. *Art. 290.*

**MUNICIPAL RETURNS.**—Each year, in the month of January, the Secretary-Treasurer must transmit to the auditor of the accounts of the Province the return mentioned in *Art. 168.*

**SALE OF LANDS.**—Before the eighth day of January in each year, the Secretary-Treasurer of the County must prepare a list of lands to be sold in the County, from the statements transmitted to him by the Secretary-Treasurer of the local Councils. *Art. 998.*

Such list is accompanied by a public notice, showing that such lands are to be sold on the first monday in March next, and published in the *Official Gazette* and in one or more newspapers during the month of January. *Ibid.*

**SECRETARY-TREASURER.**—He must be appointed by the Council within thirty days after the entry thereof into office. *Art. 142.*

He remains in office during the pleasure of the Council. *Art. 143.*

He must take the oath of office and give security. *Art. 144.*

He may appoint an assistant Secretary-Treasurer, who is vested with the same powers, and the latter must also take the oath of office. *Art. 145.*

The Secretary-Treasurer is bound to render, during the month of January in each year, and oftener if required by the Council, a detailed account of his receipts and expenditures. *Art. 166.*

The Secretary-Treasurer of every local municipal council is bound yearly, between the first and the twenty-first day of January of the year during which Valuation Roll is made, to transmit to the Provincial Secretary the return required by *Art. 168.*

**FEBRUARY.**

**ROLLS OF MILITIA.**—The obligation imposed upon valuers to prepare, between the first day of February and the first day of May, in each year, the militia roll, according to Sect. 12, chap. 2, 27 Vict., is now fulfilled by the Captains aided by the officers and sub-officers of the Company, on or before the 28th day of February, in each year. Sect. 16. chap. 40, 31 Vict., 1868.

**AUDIT OF ACCOUNTS.**—The auditors are bound, during the month of February in each year, to make an examination of all accounts of the Corporation. *Art. 176.*

**VALUATION ROLL.**—In the Counties of Gaspé and Bonaventure, the valuation roll must be drawn in the months of February and March. *Art. 716.*



## MARCH.

**COUNTY COUNCIL.**—It is composed of the Mayors in office of all the municipalities in the County. *Art. 246.*

Its general sessions are held on the second wednesday in each of the months of March, June, September and December. *Art. 256.*

**WARDEN.**—In the month of March, the Mayors appoint a warden from amongst them, who presides at the sessions of the County Council. *Art. 248.* As to quorum, see *Art. 259.*

The notice for special and adjourned sessions is given ten days in advance. *Art. 260.*

The delegates are three in number. *Art. 361.*

**OFFICERS.**—In the month of March, every two years, the local councils appoint three valutors, road inspectors, rural inspectors and pound keepers. *Art. 365.* These officers, except pound-keepers, are required to take the oath of office. *Art. 366.*

The qualification of valutors is of four hundred dollars. *Art. 374.*

The Council must also appoint one or two auditors in the month of March. *Art. 173.* They take the oath of office, and must be able to read and write. *Art. 175.*

**SALE OF LANDS.**—On the first monday of March in each year, the Secretary-Treasurer of the county proceeds to the sale of the lands on which arrears are due for taxes. *Art. 998.*

The sale takes place at ten o'clock in the forenoon, and is not subject to any auction duty. Par. 4, Sect. 1, chap. 5, C. S. L. C.

**LIST OF ELECTORS.**—The Secretary-Treasurer of each municipality shall, between the first and fifteenth days of the month of March in each year, make in duplicate a list in alphabetical order, of all persons who, according to the valuation roll, then in force in the municipality for local purposes, appear to be electors by reason of the real estate possessed or occupied by them within the municipality. 38 Vict., chap. 7, Sect. 12. One of the duplicates of the list so attested shall be kept in the office of the Secretary-Treasurer, at the disposal and for the information of all persons interested. Sect. 20.

Public notice shall be given by the Secretary that a duplicate has been lodged in his office. Sect. 21.

**APRIL,**

**BY-ROADS.**—In the absence of process-verbals or by-laws for the keeping of by-roads, such work is publicly given out by the inspectors of roads to the lowest tenderer, during the month of April, for the time to elapse from the first day of May to the first day of November. *Art. 828.*

**FENCES.**—Fences taken down alongside winter roads must not be erected before the first day of April. *Art. 836.*

**MAY.**

**TAXATION.**—Before the 15th day of May, the Secretary-Treasurer of the County Council must make an apportionment among the municipalities of the County. *Art. 940.*

**LICENSES.**—Tavern licenses expire on the first day of May in each year. 34 Vict., chap. 2.

A license for a ferry can be granted for a period exceeding five years. *Art. 552.*

**RETURNS.**—The Registrar of the Province must transmit, to the office of the local council entitled thereto, before the month of June in every year during which the valuation roll is to be made, a list of the lands granted by the Crown. *Art. 715.*

In the month of May, rail-road companies must deposit, at the office of the council, a statement showing the real value of their real property situated in the municipality. *Art. 720.*

Local councils have alone the right to make by-laws respecting licenses for the sale of liquors, or the prohibition thereof. *Art. 561.*

**SECT. 2, chap. 5, 34 Vict.**, is to the effect that the revenue inspector cannot grant a license for keeping a house of public entertainment, unless the person demanding the same is the bearer of a certificate signed by 25 electors, and approved by the Municipal Council.

For a shop-license, a certificate signed by one elector is sufficient. *Sect. 20, same chapter.*

**JUNE.**

**ROADS.**—From the first to the fifteenth day of June, the road inspectors must examine the roads and other public works within their limits, and report to the Council. *Art. 404.*

**MUNICIPAL WATER-COURSES.**—Must be kept in good order, at all times, from the 1st June to the 30th October. *Art. 875.*

Rural inspectors must, from the 1st to the 15th day of June, in each year, and from that date to the month of November, visit and examine the water-courses under their superintendance. *Art. 876.*

Noxious weeds growing on municipal roads must be cut down and destroyed between the 20th June and the 1st day of August in each year. *Art. 168.*

The auditor of the accounts of the Province must prepare, during the month of June, a table from the statements transmitted under *Art. 168.*

**VALUATION.**—In the months of June and July the valuers of each municipality must draw up the valuation roll. *Art. 716.*

## JULY.

**VALUATION-ROLL.**—In the months of June and July after the coming into force of the Code, and thereafter every three years, the valuator shall make out the valuation-roll *Art. 716.*

They are bound to deposit the same at the office of the Council before the 1st day of August. *Art. 726.*

Immediately after such deposit, the Secretary-Treasurer gives public notice of such deposit. *Art. 732.*

The Council, within thirty days from the above mentioned notice makes the revision of the roll. *Art. 734.*

The Council, before proceeding to the revision of the roll, gives public notice of the day when such revision shall be commenced. *Art. 736.*

Within ten days following the thirty days above mentioned, the Mayor, or Secretary-Treasurer, is bound to forward to the office of the County Council a copy of such roll.

The valuation-roll comes into force after the thirty days fixed for revising the same, and remains in force until a new valuation-roll comes into effect. *Art. 742.*

The valuation-roll, for the purposes of the voters' list, must be revised in each year, in the months of June and July. Sect. 10, chap. 6, C. S. C.

## AUGUST.

**BUILDING FUND.**—In old Districts each local municipality pays to the Sheriff, in the month of August, the annual contribution required by the 12th par. of Sect. 15, chap. 109 C. S. L. C. ; and in the new Districts, in the month following that in which the Criminal Court has been established. But municipalities, in complying with Sect. 16, may get rid of such contribution.

**JURY LIST.**—By the 32nd Vict., chap. 22 Sect. 7, the Secretary-Treasurer must, within the two months following the making of the valuation-roll, draw out and deliver to the sheriff an extract containing the names of the persons qualified to act as jurors.

By Sect. 8, the municipal council must examine and approve of said extract, before its delivery by the Secretary to the Sheriff.

By Sect. 9, the Secretary-Treasurer must, every 12 months, during the interval between the making of each valuation-roll, correct the said extract and transmit the same to the Sheriff.

This disposition of the Statute only concerns the municipalities situated within the thirty miles of the seat of the Court in the District. Sect. 6.

**GRAND JURORS.**—In towns or cities of 20,000 inhabitants, in order to be grand juror one must be the owner of real property assessed at over two thousand dollars, or the lessee of real property of the assessed yearly value of over three hundred dollars.

In other municipalities, he must be the owner of real property of the assessed value of over \$1,500, or the lessee of real property of the assessed yearly value of over \$150.

**PETIT JURORS.**—In towns and cities of at least 20,000, in order to be qualified to serve as petit juror, one must be the owner of real property of the assessed value of at least \$800 and not more than \$2,000, or lessee of real property of the assessed yearly value of at least \$100, but not more than \$300. In the other municipalities, he must be the owner of real property of the value of at least \$600 and not over \$1,500, or lessee of real property of the assessed yearly value of at least \$80, but not over \$150.

**SEPTEMBER.**

VALUATION-ROLL.—In the month of September, in the year during which the new valuation-rolls are made, the County Council must examine all the valuation-rolls of the municipalities of the county, transmitted at the office. *Art.* 740.

These rolls are only used for county purposes.

**OCTOBER.**

**ROADS.**—Between the first and the fifteenth day of October, the road-inspectors must inspect the roads and public works. *Art. 404.*

The keeping of by-roads in their district must also be given out to the lowest tenderer, for the period comprised between the 1st of November and the 30th of April. *Art. 828.*

**COLLECTION-ROLL.**—The Secretary-Treasurer of the local council must make out the general collection-roll during the month of October, in each year. *Art. 954.*



**NOVEMBER.**

**ARREARS OF TAXES.**—In this month, the Secretary-Treasurer must prepare a statement showing the arrears for taxes, debts and costs due to the Corporation. *Art. 371.* Such statement must be submitted to the Council and approved of by it. *Art. 372.*

**CLEARANCE.**—Any person who demands a clearance from his neighbor, must prove that he has served him with a special notice to that effect before the 1st of December. *Art. 417.*

**FENCES.**—Any person demanding a new fence must give a special notice in writing to that effect before the first day of December. *Art. 426.*

**WATER COURSES.**—No one can be required to work at water courses, from the first day of November to the 31st day of May. *Art. 877.*

**WINTER ROADS.**—They are traced before the first day of December, at the places indicated by road inspectors. *Art. 832.*

**DECEMBER.**

**ARREARS OF TAXES.**—Each year, before the 20th day of December, the Secretary-Treasurer of the local council must transmit into the office of the County Council a statement of arrears for taxes due to the Corporation. *Art. 373.*

**FENCES.**—Along the side of public roads, fences remain pulled down twenty-four inches above the ground, from the first of December to the first of April. *Art. 836.*

**COUNCILLORS.**—In the month of December, the councillors mentioned in part 1 and 2 of *Art. 280* shall draw lots. *Art. 280.*

**WINTER ROADS.**—Are laid out before the first day of December in each year, in the places fixed by the road inspector. *Art. 832.*

**FENCES.**—Nobody can order the making of a new fence unless the party bound to do such work has received special notice in writing to such effect before the first day of the preceding month of December. *Art. 426.* And the same thing for the clearance to be made by his neighbour. *Art. 417.*

**OATH.**—Any oath required by the Code may be made before any Warden, Mayor, Secretary-Treasurer or Justice of the Peace within their respective territorial jurisdiction. *Art. 6,* and before a Councillor. *Art. 98.*

## FINES

Imposed by the Municipal Code upon the following persons refusing to accept offices.

—o—

- 1 WARDEN.—The sum of forty dollars. *Art. 254.*
- 2 MAYOR.—The sum of thirty dollars. *Art. 334.*
- 3 COUNCILLOR.—The sum of twenty dollars. *Art. 117.*
- 4 ROAD INSPECTOR.—The sum of from one to twelve dollars. *Art. 381.*
- 5 RURAL INSPECTOR.—The sum of from one to twelve dollars. *Art. 381. See Art. 407.*

### OTHER FINES.

- 6 Persons refusing to give the public notice for the election of Councillors, the sum of from five to twenty dollars. *Art. 295.*
- 7 Person illegally voting at an election, the sum of twenty dollars. *Art. 316.*
- 8 President of the election refusing to vote in case of an equal division of votes, the sum of from twenty to fifty dollars. *Art. 321.*
- 9 Person obstructing roads, sidewalks and bridges, the sum of from two to ten dollars. *Art. 391.*
- 10 Person depositing filth or dead animals, etc., on the land of others, and in a water-course, the sum of from two to ten dollars. *Art. 416.*
- 11 Person refusing to obey the orders of the rural Inspector for works ordered, the sum of two dollars per acre. *Art. 418.*
- 12 Person refusing, upon the order of the rural inspector, to clean his ditches, the sum of one dollar per acre. *Art. 423.*
- 13 Person obstructing a line ditch, one dollar for each day. *Art. 424.*
- 14 Pound keepers refusing to give the necessary food to animals impounded, the sum of one dollar for each day. *Art. 429.*
- 15 Pound keepers for refusing to notify the owner of the animal impounded, the sum of from two to ten dollars. *Art. 430.*
- 16 Person impounding an animal without leave from the keeper, a sum equal to the amount claimed for such animal with the additional sum of two dollars. *Art. 439.*
- 17 Justice of the Peace or other refusing to fulfil a duty imposed by the Municipal Code, the sum of from four to twenty dollars. *Art. 9.*
- 18 Person tearing down or defacing posters, the sum of from one to eight dollars. *Art. 11.*

19 Person summoned refusing to appear, the sum of from four to ten dollars. *Art. 99.*

20 President or Secretary and municipal officer refusing to receive and give receipt for a document deposited, the sum of twenty dollars. *Art. 103.*

21 Secretary refusing to give security, the sum of twenty dollars. *Art. 151.*

22 Secretary refusing to give information touching the absence or death of his sureties, the sum of one hundred dollars. *Art. 152.*

23 Secretary lending money of the Corporation, or giving receipt therefor without having received any money, to the rate-payers, the sum of twenty dollars. *Art. 161.*

24 Secretary refusing to transmit to the auditor of the Province the statement required by *Art. 168*, the sum of from twenty to two hundred dollars. *Art. 169.*

25 Person refusing to comply with the orders of any municipal officer, the sum of from one to five dollars. *Art. 195.*

26 Person hindering a municipal officer in the exercise of his functions, the sum of from two to ten dollars. *Art. 195.*

27 Person omitting the reading of a public notice, the sum of from two to ten dollars. *Art. 234.*

28 Person obstructing a municipal water-course, the sum of one dollar for each day. *Art. 879.*

29 Person refusing to answer questions put by the valuator, the sum of from five to eight dollars. *Art. 745.*

30 Person refusing to fence the roads mentioned in *Art. 749*, the sum of twenty dollars for each day. *Art. 749.*

31 Person felling a tree planted for the ornament of a municipal road, the sum of from two to five dollars. *Art. 792.*

32 Corporations refusing to keep their roads in good order, a sum not exceeding twenty dollars. *Art. 793.*

33 Person displacing balizes in a road, a sum not exceeding eight dollars. *Art. 834.*

34 Person driving faster than a walk on a bridge, the sum of from two to twenty dollars. *Art. 859.*

35 Secretary-Treasurer not complying with articles 990 and 991, a sum not exceeding two hundred dollars. *Art. 995.*

36 County Corporation refusing to procure a metal safe or fireproof vault, the sum of two hundred dollars. *Art. 515.*

37 Person selling liquor without a license, the sum of fifty dollars. *Art. 566.*

38 Person omitting to read a by-law, the sum of from ten to twenty dollars. *Art. 693.*

39 Person refusing to fence road according to *Art. 750*, the sum of twenty dollars for each day. *Art. 750.*

40 Person notified to perform work on roads and refusing to do the same, the sum of four dollars for each day. *Art. 791.*

41 Railroad company refusing to comply with *Art. 22*, the sum of twenty dollars for each day. *Art. 22.*

Owners of animals found straying, for the first offense :

For each stallion not under one year.....	\$6.00
“ “ bull, boar or ram.....	2.00
“ “ gelding, colt, filly, mare,	
“ “ ox, cow, calf, heifer or hog ringed.....	0.25
“ “ hog not ringed or goat.....	1.00
“ “ sheep.....	0.10
“ “ goose, duck, turkey or other poultry.....	0.05

*Art. 440.*

### PRESCRIPTIONS.

Every action, right or claim against the Secretary Treasurer resulting from his administration is prescribed in five years. *Art. 170.*

The right of demanding the annulment of any by-law is prescribed by thirty days. *Art. 708.*

All arrears for taxes, except in the cases of articles 402 and 495 are prescribed by three years. *Art. 950.*

Prosecutions for fines must be commenced within six months. *Art. 1045.*

The owner of land sold for taxes may redeem within two years. *Art. 1008.*

The appeal to the county council from a by-law of a local council, must be made within thirty days from the promulgation of the by-law. *Art. 925.*

Same delay for the appeal from valuation-rolls, acts of apportionment and Proces-Verbals.

The right of appeal to the Circuit Court of the County or District :—

- 1o From any judgment rendered by a Justice of the Peace ;
- 2o From any decision given by a county council, sitting otherwise than in appeal, or by a board of delegates,—is prescribed by thirty days. *Art. 1064.*

The action to annul a sale of land by the county council is prescribed by two years from the date of such adjudication. *Art. 1015.*

