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No. 45.

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2nd Session, 7th Parliament 26 Victoria, 1863.

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**BILL.**

**An Act to amend the Lower Canada Consolidated Municipal Act, and to erect the Village of Chicoutimi into a Separate Municipality.**

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Received and Read 1st time, Friday 6th  
March, 1863.  
Second Reading, Monday, 9th March, 1863.

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**MR. PRICE.**

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**QUEBEC :**

**PRINTED FOR THE CONTRACTORS, BY HUNTER,  
ROSE & LEMIEUX, ST. URSULE STREET.**

An Act to amend the Lower Canada Consolidated Municipa-  
Act, and to erect the Village of Chicoutimi into a Separate  
Municipality.

**WHEREAS** the inhabitants of the Village of Chicoutimi, in the County of Chicoutimi, have represented that the number of houses now erected in the said Village exceeds one hundred and twenty-five, inhabited by a population exceeding eight hundred souls, that in some parts of the Village the houses and other buildings erected entirely of wood are in too great proximity, and are, in consequence, very liable to destruction by fire; and that in view of the rapid increase of the village, and the necessity of establishing certain regulations for the prevention of accidents by fire, and have prayed that the said Village may be erected into a Village Municipality, and it is expedient to grant their prayer: Therefore Her Majesty, &c., enacts as follows:—

**1.** It shall be the duty of the Registrar of the County of Chicoutimi, within one month after the passing of this Act, by notice to be given as in the case of a Municipal Election, to call a meeting of the Municipal Electors of the Municipality of Chicoutimi, for the purpose of deciding whether the Village of Chicoutimi shall or shall not be separated from the remainder of the Municipality of Chicoutimi, and become a Village Municipality under this Act, and such notice shall be given not less than sixteen days before the day appointed for such meeting, including three consecutive Sundays; and at such meeting the Municipality shall vote by “yea and nay,” those in favor of the separation aforesaid, voting yea, and those opposing such separation, voting nay, and such voting shall continue during two consecutive days—and if the majority of the Electors so voting are in favor of such separation, the Registrar shall record the fact, and the following sections of this Act shall then be in full force, otherwise they shall have no further force or effect.

**2.** From and after the first day of July next, the Village of Chicoutimi, in the County of Chicoutimi, shall be erected into a separate Municipality distinct from that of the Township of Chicoutimi, in which the said village is situated, under the name of the “Municipality of the Village of Chicoutimi.”

**3.** The Municipality of the Village of Chicoutimi shall consist of all that part of the Township of Chicoutimi, divided into Village and Park lots, and commonly known as the Village of Chicoutimi.

**4.** The first meeting for the election of Councillors for the Municipality of the Village of Chicoutimi shall be called by the Registrar of the County of Chicoutimi, who shall also preside at the said election, and the election shall take place within the first fifteen days of the month of July next, and the seven Councillors then elected, or those who may be appointed according to law, in default of such election, shall hold office until the general election, which will be held in the month of January, one thousand eight hundred and sixty-six.

5. All the provisions of the Lower Canada Consolidated Municipal Act, and of the Acts amending it, which apply to Villages incorporated in virtue of the said Acts, shall apply to the Municipality of the Village of Chicoutimi, and the rights, privileges, power and duties of the said Village Municipality shall be those prescribed by the said Acts, and shall be exercised and discharged by the Council of the said Municipality. Municipal Act to apply.

6. And whereas there exists within the limits of the said Village a considerable stream called the river Chicoutimi, over which an expensive bridge has been erected by *corvees* and voluntary contributions, and the said bridge is more advantageous to the inhabitants of a part of the Township of Chicoutimi than to the inhabitants of the Village, and whereas doubts have arisen as to the validity of the By-law passed by the Municipality of the Township of Chicoutimi, compelling a portion of the inhabitants of the said Village, and of the said Township of Chicoutimi to keep the said bridge in repair, for the avoidance of difficulties, it is enacted that the said bridge shall be under the control of the Municipal Council of the County of Chicoutimi. Repairs of bridge over Chicoutimi River.

7. And whereas a Town Hall has been erected within the limits of the said Village, and it is but just that this building should remain the property of the Municipality of the Township of Chicoutimi; therefore the Municipality of the Village of Chicoutimi, shall not claim any share or right of property in the said Town Hall. Town Hall to belong to Township.

8. The moveable property and the assets and liabilities of the Municipality of the Township of Chicoutimi, shall be divided between the said Municipality and the Municipality of the Village of Chicoutimi, in conformity with the provisions of the Municipal Act, and the Acts amending it, and in effecting the said division, allowance shall be made to the new Municipality of its share of the cost of the said Town Hall. Division of assets and liabilities.

9. And whereas it is expedient to authorize the Municipality of the village of Chicoutimi to prevent and cause to be removed all encroachments in and upon the lands set apart for streets, the Municipal Council of the Village of Chicoutimi shall be authorized to put a stop to, remove and prevent all encroachments now existing or which may hereafter be made in and upon the lands which have been set apart for the opening of front and cross streets in the said Village, and any legal proceedings taken for that purpose shall be taken, conducted and decided in conformity with the provisions of the forty-ninth Section of the Lower Canada Consolidated Municipal Act. Encroachments on streets.

10. And whereas the establishment of a market and the construction of Water Works in the said Municipality would entail expenses which would weigh too heavily on the present population, it is enacted that the Municipal Council of the Village of Chicoutimi, shall not be empowered to pass any By-law under the authority of paragraphs 2, 3, 4, 5, and 26 of section 28 of the said Municipal Act, until the population of the said Village is not less than 3,000; nor in any case shall the said Municipality have power to erect Toll Bars, or charge toll for passing through any of the streets or public ways, or over any bridge constructed within the limits of the said Municipality. Market and water works. Provision as to their construction.