

RÈGLEMENTS MUNICIPAUX

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RÈGLEMENT MUNICIPAL no 6  
7 janvier 1841

## CORPORATION OF MONTREAL

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 BYE LAW of the Council of the City of Montreal  
 regulating Winter Roads and other purposes  
 therein mentioned, and for the appropriation  
 of a certain sum of money therein mentioned.--  
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( Submitted and read 1st time 22 december  
 1840 " " 2d time, 29 dec., and  
 " 3d time, 7 January /41)  
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The Mayor, Aldermen and Citizens of the City of Montreal, duly assembled in Council, at the City Hall, in the City of Montreal, on thursday the seventh day of january in the year of Our Lord One thousand eight hundred and forty one, in virtue of the authority invested in them, in and by an Ordinance of the Governor of the Province of Lower Canada, and the Special Council for the Affairs of the said Province, made and passed in the fourth year of Her present Majesty's Reign, intituled: "An Ordinance to incorporate the City and Town of Montreal-,

DO ORDAIN and it is hereby ordained and enacted-  
 Section 1--- That from and after the first day of November and until the first day of May of each and every year, the owner, occupier or person having charge of any house or other building or lot of land, within the City of Montreal, shall be bound to repair and maintain in good order the road or roads in front of his or her house, tenement or lot of ground respectively, by levelling the snow or removing the same as hereinafter provided, breaking the cahots and filling up the slopes every day and as often as the case will require.--

Section 2---And be it further enacted That in every case

where snow shall become so congealed upon the sidewalks in this City as to become dangerous to passengers, it shall be the duty of the owner, occupier or person having charge of any building or lot of land to cause the side walks opposite to his, her or their premises, to be strewed with ashes or to be made rough by cutting the ice so as to prevent accidents, under the penalty of Five Shillings and costs of prosecution to be paid by the owner, occupier, person or persons having charge of any such building or lot of land.--

Section 3---And be it further enacted that each and every owner, occupier or person having charge of any house, building or lot of ground in this City, shall, within twenty four hours, after every fall of snow, level the same in front of his, her or their premises, in such a manner as will admit of the convenient passing of horses and sleighs or other winter vehicules under the penalty of Fifteen Shillings currency and costs of prosecution for each and every time he, she or they shall neglect so to do, to be recovered from the said owner, occupier or person having charge of said house, building or lot of ground.--

Section 4--- And be it further enacted that each and every owner, occupier or person having charge of any house, building or lot of ground in this City shall remove all the snow or ice in front of his, her<sup>or</sup> their premises over and above the thickness of two feet, and in streets of a width of twenty eight feet or less, where it may be productive of danger or inconvenience, all over and above the thickness of one foot within twenty four hours after a written or printed notice shall have been given to him, her or them, or left at his, her or their house or place of abode by the Surveyor of Highways, streets and bridges of this City, which said notice shall state whenever it may be so required, that the snow or ice shall be removed to a depth

of less than two feet under the penalty of Twenty Five Shillings currency and costs of procecution for each and every time of neglecting so to do.-

Section 5----And be it further enacted that in the event of the owner,occupier or person having charge of any house, building or lot of land neglecting to comply with the provisions of the two preceding Sections,it shall be the duty of the City Surveyor to cause the same to be done at the expense of the owner,occupier or person having charge thereof from whom,severally and respectively,after a previous demand therefor the said Surveyor is hereby authorized and enjoined to recover,by action af law,in the name of the Corporation,the amount expended by him in the performance of the said duties together with the costs of suit.-

Section 6--- And be it further enacted that in the spring and until the first day of May,in each and every year,unless otherwise ordered,by the City Council,all proprietors,occupiers or persons having charge of any house,building or lot of land within the limits of this City shall,from time to time,as the snow or ice may mflt away,cause the dirt and dung opposite to his,her or their respective premises to be collected and carried away under a penalty of Twenty Five Shillings currency and costs of prosecution on each and every proprietor,occupier or person refusing or neglecting so to do,within a time to be appointed and fixed by the City Surveyor in orders which he will give and cause to be published by the City Crier to that effect,at least three days previously to the time of removal of the said dung or dirt- And the said dung or dirt so to be removed may be deposited upon the ground forming the continuation of Bonaventure street,between Saint-Antoine and Saint -Joseph Suburbs,and during the

winter and spring may be removed and with the permission of the proprietors thereof, deposited on the meadows south and west of the said continuation of Bonaventure street, and also on the meadows north west of Craig street, in the Saint-Antoine and Saint-Lawrence Suburbs, and the said dung or dirt shall be carried to or deposited on no other public place than that hereinbefore mentioned under the aforesaid penalty of Twenty Five Shillings currency and costs for each and every time it shall be so removed and deposited.-

Section 7---And be it further enacted that no person shall drive a Cariole, train, sleigh or other vehicle in the winter season within the limits of this City without having at least two Bells or Grelots for each horse therein tackled affixed to the harness of the said horses, under a penalty not exceeding Twenty Five Shillings currency for each offense to be paid by the driver, owner or person having the care, charge or keeping thereof severally and respectively, together with ~~costs~~ of suit, provided that in case the driver or drivers of such horse or horses shall give a satisfactory affidavit before any Justice of the Peace, that he, she or they have lost their bell or bells or grelots on their way at the time the offence was committed.--

Section 8--- And be it further enacted that any person or persons driving any one or more horses and a sleigh or other vehicle who shall obstruck any street, lane or public Square in this City, or drive his, her or their horses at a greater speed than a moderate trot or pass through the road opposite the Court House, *inside* of the front wall or railing thereof, except on business, or the streets on each side of the New Market during market hours faster than a walk, or interrupt any funeral, shall for each and

and every offence incur a penalty not exceeding Five Pounds currency to be recovered from each and every driver or owner of such sleigh or other vehicle horse or horses. together with costs of prosecution, committed he, she or they shall not be liable to pay the fine imposed by the present Section.--

Section 9----And be it further enacted that no person shall drive any horse or horses and sleigh, train, cariole or other vehicle faster than a walk, when coming out of any cross street, into any of the main or leading streets in this City, under a penalty not exceeding Forty Shillings currency, for every such offence, to be recovered from the driver or owner severally and respectively and costs of prosecution.--

Section 10--- And be it further enacted that no person shall run, race or trot, any horse or horses in this City, for any trial of speed for the purpose of passing any other horse or horses, whether the same be founded on any stake, bet or otherwise, under a penalty of Five Pounds currency and costs of prosecution to be recovered from each and every driver or owner so offending.--

Section 11---- And be it further enacted that no person on horseback shall gallop in any of the streets, squares or lanes of this City, nor shall go faster than at a walk in turning any corner of any street or square, nor shall ride or stand on any part of any side walk, nor wilfully run against any person or his or her sleigh, train, cariole or other vehicle, under a penalty of Forty Shillings currency, and costs of prosecution, besides being responsible for any damage or injury what may have been sustained-- the said penalty to be recovered from the driver, owner or person having such horse in charge.--

Section 12---- And be it further enacted that whenever any person on horseback shall meet any carriage, sleigh, cariole or other vehicle in any road, street or lane of this City, such person so riding on horseback shall in all cases give the way to such carriage, sleigh, cariole or other vehicle, and when any light carriage, sleigh, cariole or other vehicle shall meet any loaded carriage, sleigh, cariole or other vehicle, the light carriage, sleigh, cariole or other vehicle shall give way to the loaded carriage, sleigh, cariole or other vehicle, and in all cases each driver shall take the right hand, under a penalty not exceeding Ten Shillings currency and costs of prosecution for each and every offence against any of the provisions herein contained, which said penalty shall be recovered from the driver, owner or person having charge of any such horse, sleigh, train, cariole or other vehicle.--

Section 13---And be it further enacted that no person shall break in any horse or horses in any manner whatsoever, upon any street, square or public place in this City, under a penalty of Five Pounds currency and costs of prosecution to be recovered from the driver, owner or person having such horse or horses in charge.--

Section 14--- And be it further enacted that no person shall skate or slide with a sled, train, traineau or otherwise in any square, street or public places in this City, under a penalty not exceeding Ten Shillings currency against each and every person so offending.--

Section 15---- And be it further enacted that no purchaser of any cord wood or fire wood shall permit or suffer such wood unnecessarily to be and remain in any of the streets, lanes or public squares in this City, nor shall any greater quantity than two cart loads of such wood in any case be permitted by the purchaser thereof, to lay or continue in



any street, lane or public square, and the same when so left shall be properly piled close to the sidewalk, and in case it must of necessity remain after dark, the purchaser thereof shall cause a sufficient light to be kept or placed over or near the same, through out <sup>(the whole of</sup> the night, so as to give sufficient notice to prevent injuries to passengers, under a penalty of Twenty Five Shillings currency, with costs of prosecution to be recovered from the owner of such wood.

Section 16---- And be it further enacted that no person shall saw, pile or cause to be piled any firewood upon the foot or sidewalks of any of the streets, lanes or squares of this City, nor shall any person stand on any such foot or side walk with his wood saw or horse to the hindrance or obstruction of any foot passenger, under penalty not exceeding Ten Shillings currency and costs of prosecution to be recovered from the person or persons so offending.

Section 17---- And be it further enacted that all proprietors or occupiers or person or persons having charge of any house or building in this City having cellar doors made on the footpath or sidewalk opposite their premises shall constantly keep the said doors in good repair and shut after dark, nor leave the said cellar doors open or suffer the same to be left open in the day time for any greater length of time than may be reasonably sufficient for getting into or out of the same such goods, wood or effects as may be intended to be introduced into or taken out of such cellar, and during the time the said cellar door shall remain open in the day time for the purpose aforesaid, it shall be the duty of the proprietor or occupier of said premises to put on each side of the opening of such cellar door a sufficient guard to be at least two feet high, so as to protect passengers from



injury, under a penalty of Five Pounds currency and costs of prosecution to be recovered from the proprietor, occupier or person or persons having charge of any such house or building.--

Section 18---- And be it further enacted that whenever any water shall be found to lodge in any square, street or lane of this City, during the winter or spring seasons, all proprietors or occupiers or person or persons having charge of any house, building or lot of ground, before whose premises water shall lodge as aforesaid, shall draw off the same by sufficient drains, under the direction of the City Surveyor, and under a penalty of Five Shillings currency with costs of prosecution for each refusal to do so.--

Section 19--- And be it further enacted that whosoever shall hereafter at any time play at foot ball or the game commonly called Shinty or shall ~~throw~~ throw stones or snow balls in any street, square or lane of this City shall forfeit and pay for each offence a sum not exceeding Ten Shillings currency, with costs of prosecution, or shall be subject to an imprisonment not exceeding twenty four hours.--

Section 20--- And be it further enacted that it shall be the duty of the City Surveyor to cause to be made, repaired and maintained in good order the winter roads in front of every public square, and also to cause to be made, repaired and maintained in good order, at the cost of the City, the roads upon the river and beach contiguous to the City of Montreal, in conformity with the twelfth Section of the Act Thirty Ninth George the Third, chapter the fifth, and that for the making, repairing and maintaining of such roads a sum not exceeding One Hundred and Fifty Pounds, be and is hereby appropriated.--

Section 21--- And be it further enacted that in every case of a violation of the present Bye Law, if the person or persons so offending be a minor or minors, apprentice or servant, the Parents, guardian, master or mistress of every such person shall, as well as every such person, be liable to pay the penalty incurred and shall and may be sued for the same, as provided by the present Bye Law.--

Section 22---- And be it further enacted that all and every the Rules, Orders, Regulations and Acts of Authority made and passed by the Justices of the Peace for the City of Montreal, in and by virtue of any Act or Acts, Ordinance or Ordinances of the Legislature of this Province, which now may be in force, concerning or touching any of the matters contained in the present Bye Law, which are inconsistent with or repugnant to the provisions contained in the present Bye Law, be and the same are hereby rescinded and repealed.--

Section 23--- And be it further enacted that the present Bye Law shall not be considered to be in force or operation until five days after the same shall have been published in the english and french language in at least two newspapers in this City, one published in the english and the other in the french language.--

PETER MCGILL,

Mayor.

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