

REGLEMENTS MUNICIPAUX

81

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CONSEIL

Règlements municipaux

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REGLEMENT MUNICIPAL no 81
8 août 1842

1842 Règlement relatif aux obstructions nuisant
à la circulation sur les trottoirs

Amendé par les règlements 198 - 229

CORPORATION OF MONTREAL

BY-LAW of the Council of the City of Montreal

relating to the encumbering and obstructing of
side-walks, streets or other public places
and repealing a by-law therein mentioned.

Submitted and read 1st, 2d and 3d times on monday
8th August 1842.

" WHEREAS it has become desirable and necessary to repeal
and amend the ~~By-Law~~^{By-Law} of the Council of the City of Montreal
made and passed on the twenty first day of April one thousand
eight hundred and forty one and intituled "By-Law of the Coun-
cil of the City of Montreal relating to the encumbering or
obstructing of sidewalks, streets and other public places",

THE MAYOR, ALDERMEN AND CITIZENS of the City of Mont-
real duly assembled in Council at the City Hall, in the City
of Montreal, on monday the eighth day of August in the year
of Our Lord One thousand eight hundred and forty two, in
virtue of the authority vested in them in and by an Ordi-
nance of the Governor of the late 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 Montreéal" and also by an other subsequent Ordinance
of the said Governor and Special Council made and passed in
the fourth year of Her said Majesty's Reign intituled "An
Ordinance to amend the Ordinance to incorporate the City
and Town of Montreal",

DO ORDAIN AND ENACT and it is hereby ordained and
enacted. 9

SECTION 1

SECTION 1

That the said By-Law intituled "By-Law of the Council of the City of Montreal relating to the encumbering or obstructing of sidewalks, streets and other public places" be and the same is hereby rescinded and repealed.-

SECTION 2

And be it further ordained and enacted that all steps, door steps, porches, railings, platforms or other erections projecting into or obstructing any sidewalk, street, square, lane, or highway within the said City shall be removed by and at the expense of the proprietor or proprietors of the real property on or connected with which such projections or obstructions shall be found within the period specified in an order or notice by the City Surveyor to be served or given in the manner prescribed in the eighth section of the by-law regulating the duties of the said Surveyor under a penalty not exceeding Five Pounds and not less than ten shillings for each offence, provided nevertheless that water spouts and window guards not projecting from the face of the Wall, more than six inches shall not be taken and considered as projections or obstructions within the meaning of this section, and provided also that any door steps laid down and connected with any house built before the passing of this by-law and not projecting into any sidewalk, street, square or lane as aforesaid more than six inches from the wall of such house may remain until the said house shall be rebuilt.-

SECTION 3

And be it further ordained and enacted that whenever any person or persons shall intend to alter, repair or erect any building upon ground abutting on any of the public streets, squares, lanes or highways of the said City, such person or persons shall apply to the Surveyor of Highways, streets and Bridges or other officer by the Council duly empowered

who shall set off or allot such part or portion of the street square, lane or highway opposite to such ground or the site of such building, as shall be deemed necessary and sufficient for the purpose and who shall at the same time grant a minute in writing of such allotment in which minute shall be specified the time for which such allotment shall be made, and for every such minute the party or parties so applying shall pay to the said Surveyor or other officer aforesaid the sum of five shillings, and the part or portion set off or allotted under no other part of the said street, square, lane or highway shall be used for laying down the materials for any such building or repairing thereof, and for receiving the rubbish arising therefrom and all the rubbish arising therefrom or thereby shall be fully and entirely removed and carried away at the expense of the person or persons so building or repairing, and all persons offending against any of the provisions of this section, shall pay and forfeit for each offence a sum not exceeding Five Pounds, provided nevertheless that the space to be allotted and set off as aforesaid shall not exceed one third the breadth of the street, square, lane or highway opposite such ground or buildings aforesaid.-

SECTION 4

And be it further ordained and enacted that any person or persons who shall encumber and obstruct any sidewalk street, square, lane, highway or bridge within the said City, with any article or materials whatsoever without having previously obtained a written permission from an officer or member of the Corporation duly authorized to grant the same shall forfeit and pay a sum not exceeding five pounds for each offence.-

SECTION 5

And be it further ordained and enacted that whenever any article or material whatsoever encumbering and obstructing any sidewalk, street, square, lane or highway in the said

City shall have been ordered or directed to be removed pursuant to any preceding sections of this By-Law, and the same shall not be removed within the time limited by such order or direction it shall be lawful for the Surveyor of highways, streets and bridges or his deputy to order the same to be carried or transported to a place of deposit allotted by the Council for the reception of all such articles or materials.-

SECTION 6

And be it further ordained and enacted that any person or persons who shall place, hang or suspend or cause to be placed, hung or suspended any sign, show bill, show board or any emblem of his, her or their trade at any greater distance than six inches in front of and from the wall of any house store or any other building within the said City or at any greater distance than twelve inches where such sign, show bill show board or emblem shall be placed, hung or suspended at a height not less than ten feet above the sidewalk or street in front of such house, store or building shall incur and pay a penalty of ten shillings currency for each offence.-

SECTION 7

And be it further ordained and enacted that any person or persons who shall place, fix or continue in any street, square, lane or highway any awning posts or any cloth or canvass for an awning unless the same shall be placed and fixed and such posts be of such height as shall cause no public inconvenience and as shall be directed by the Surveyor of highways, streets, and bridges or his deputy or who shall neglect or refuse to comply with such directions or orders of the said Surveyor or his deputy shall forfeit and pay for every such offence the sum of ten shillings currency.-

SECTION 8

And be it further ordained and enacted that any person or persons for any purpose whatsoever who shall intenti-

onally place or cause to be placed or shall suspend or cause to be suspended or exposed from any house, shop, store, building or lot abutting on any of the public streets, squares, lanes or highways of this City any goods, wares, or merchandises whatever so that the same shall extend or project from the wall in front of the said house, shop, store, building or lot more than six inches towards or into any public street, square, lane or highway aforesaid shall forfeit and pay the sum of ten shillings for each offence.-

SECTION 9

And be it further ordained and enacted that no person or persons whether agent, owner or employer shall hereafter suffer or permit any case, bale, bundle, box, crate or any goods wares, or merchandize to be raised from any street, square or public place or the outside of any building for the purpose of storing the same in the second story of ^{such} any building or to be lowered from the same in a similar manner by means of a rope, pulley tackle or windlass under the penalty for each offence of ten shillings currency, provided that the provisions of this section shall not be considered or taken to extend to the raising of any material or other articles necessary in the repairing or erecting or taking down of any building or to the removing of any merchandize or other articles in the case of danger by fire or other such casualty.-

SECTION 10

And be it further ordained and enacted that no person or persons shall place any animal, cart, truck or carriage of any description whatever or any obstructions of any kind upon or across any of the flags or stepping stones placed for the convenience of foot passengers across any street, square, lane or highway in the said City, under a penalty of not less than five shillings nor more than five pounds for each and every offence.-

SECTION 11

And be it further ordained and enacted that no person or persons shall lead, drive or ride any horse or other animal or wheel or drag any hand burrow or hand cart or push or drag any sleigh or sled or saw any wood or in any other-wise needlessly impeded any footpath or sidewalk in the said City, under the penalty of twenty shillings for each offence.--

SECTION 12

And be it further ordained and enacted that if any driver, carter or other person or persons shall break or otherwise injure any footpath or sidewalk in the said City he, she or they shall within twenty four hours thereafter cause the same to be well and sufficiently repaired and mended, under a penalty of not less than ten shillings and not more than five pounds for each offence.--

SECTION 13

And be it further ordained and enacted that any owner or occupant of any store, house, building or lot in the said City who shall permit or suffer any cart, truck or any kind of summer or winter vehicles whatsoever for the purpose of loading or unloading the same with any boxes, crates, casks or packages whatsoever weighing less than one hundred weight each to be driven or placed or backed over or upon the footpath or sidewalk opposite such store, house, building or lot or who shall suffer or permit any cart, truck or any kind of summer or winter vehicles for the purpose of loading or unloading the same with ^{any} boxes, crates, casks or packages weighing more than one hundred weight each to be driven or placed or backed over or upon the footpath or sidewalk opposite such store, house building or lot as aforesaid and remain so for a longer space of time than three minutes at any one time shall incur and pay a fine or penalty not exceeding ten shillings for each offence.--

SECTION 14

And be it further ordained and enacted that no person or persons shall expose in any of the streets, squares, lanes, highways or other public places of the said City any table or device of any kind whatsoever upon which any game of chance or hazard can be played and no person shall play at any table or device or unlawful game in any place as aforesaid under the penalty of a sum not less than five shillings and not more than two pounds ten shillings for each offence.--

SECTION 15

And be it further ordained and enacted that no person or persons shall encumber or obstruct any sidewalk, street, square, highway or bridge by exposing for sale thereon either in baskets or tables or in any other manner any fruits, confectionary, small ware, beer or any other article, under the penalty of five shillings for each offence.--

SECTION 16

And be it further ordained and enacted that no person or persons shall swim or bathe in the river opposite or adjacent to the said City or in the Canal or other waters adjacent to any of the bridges or avenues leading into the City so as to be exposed to the view of the inhabitants under a penalty of ten shillings for each offence.--

SECTION 17

And be it ordained and enacted that no person or persons shall slide with a sled, train, traineau or skate on any square, street, lane or highway in the said City under a penalty of ten shillings currency for each offence.--

SECTION 18

And be it further ordained and enacted that no person owning driving or having charge of any cart, caleche, cab, sleigh or any other kind of vehicules whatsoever for hire shall remain or loiter about with his cart, caleche, cab, sleigh

or vehicle when unemployed on any square, street, lane or road of the said City or on any other than the stands allotted for such carts, caleches, cabs, sleighs or vehicles under the penalty of five shillings for each offence. -||

SECTION 19

And be it further ordained and enacted that all proprietors or occupiers or person or persons having charge of any house or building in the said 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 proprietors or occupiers of said premises to put on each side of the opening of such cellar door a sufficient guard to be at least three feet high so as to protect passengers from injury, under a penalty of five pounds for each offence to be recovered from the proprietors, occupiers, or person or persons having charge of any such house or building. -

SECTION 20

And be it further ordained and enacted that whosoever shall hereafter at any time play at foot ball or the game commonly called Shinty or shall throw stones or snow balls in any street, square ^{or} lane of the City shall forfeit and pay for each offence a sum not exceeding ten shillings currency or shall be subject to an imprisonment not exceeding twenty four hours. --

PETER MCGILL,

Mayor.

Archives de la Ville de Montréal