

ACT TO AMEND THE LETHBRIDGE CHARTER.

His Majesty by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:-

The Lethbridge Charter (Chapter 64 of the Statutes of Alberta 1906) is hereby amended as follows:-

1. Title VI, Section 4, Subsection (2) by adding thereto the words "But the Council may by bylaw provide that such polls shall remain open until such time not later than 8 o'clock in the afternoon, as the bylaw may prescribe."

2. Title XXI, by inserting after section 7 the following section:

"7a. The Council may by bylaw require that during the whole or any part or parts of the year all or any class or classes of shops within the City shall be closed, and remain closed on each or any day of the week at and during any time or hour between six of the clock in the afternoon of any day and five of the clock in the forenoon of the next preceding day."

"(2) The Council having passed any bylaw in pursuance of the provisions of this Act, may from time to time, by bylaw, amend the said bylaw, changing the hours when the said shops shall be closed and remain closed, and substituting such other hours in the place and stead of the hours mentioned in the bylaw, and may repeal any bylaw passed, or to be passed, and may pass any new bylaw for closing the same, or any other shops, either with or without any petition therefor being presented to the council.

"(3) Every such bylaw shall take effect on a date named therein, being not less than one nor more than two weeks after the passing thereof, and shall before that date be published in such manner as to the council passing a bylaw may appear best fitted to insure the publicity thereof.

"(4) A shop in which more than one class of trade is
"carried on shall be closed so far as relates to each class
"of trade at the hour and during the time at and during which
"any such bylaw requires shops in which the class of trade in
"question is carried on to be closed."

"(5) Nothing in any such bylaw contained shall render the
"occupier of any premises liable to any fine, penalty or punish-
"ment for supplying any article to any person lodging in such
"premises, or for supplying any article required for immediate
"use by reason or because of any emergency arising from sick-
"ness, ailment or death; but nothing herein contained shall be
"deemed to authorize any person whomsoever to keep his shop
"open after the hour appointed by such bylaw for the closing
"of shops."

"(6) Where an offence for which the occupier of a shop
"is liable under any such bylaw to any fine, penalty or
"punishment has in fact been committed by some agent or
"servant of such occupier, such agent or servant shall be liable
"to the same fine, penalty or punishment as if he were the
"occupier."

"(7) Where the occupier of a shop is charged with an offence
"against any such bylaw, he shall be entitled, upon information
"duly laid by him, to have any other person whom he charges as
"the actual offender brought before the Court at the time
"appointed for hearing the original charge; and the charges
"upon both informations shall be tried together and if after
"the commission of the offence has been proved, the said
"occupier proves to the satisfaction of the court that he has
"used due diligence to enforce the execution of the provisions
"of the bylaw, and that the said other person committed the
"offence in question without his knowledge, consent or connivance,
"or wilful neglect or default, the said occupier shall be
"exempt from any fine, penalty or punishment; but the said other
"person shall thereupon be summarily convicted of such offence,
"and shall be liable to the same fine, penalty or punishment

"therefor as if he were the occupier. "

"(8) Nothing in the preceding sections of this Act or
"in any bylaw passed under authority thereof shall be deemed
"to render unlawful the continuance in a shop, after the hour
"appointed for the closing thereof, of any customers who were
"in the shop immediately before that hour, of the serving of such
"customers during their continuance therein."

"(9) Notwithstanding that a bylaw, passed or purporting to
"be passed, under or pursuant to the provisions of this Act,
"may be invalid or ineffectual as to some shops or to some class
"or classes of shops, every such bylaw shall, nevertheless, and
"to all intents and for all purposes, be held and deemed to be
"valid and effectual as respects any other shop or class or
"classes of shops, and the occupiers of any other shop or
"class or classes of shops thereby required to be closed."

"(10) In the foregoing subsections the expression "Shops"
"means any barber shop or any building or portion of a
"building, booth, stall or place where goods are exposed or
"offered for sale by retail, but not where the only trade or
"business carried on is that of a tobacconist, news agent,
"victualling-house, or refreshment house, nor any premises
"wherein under license, spirituous or fermented liquors are
"sold and for the purposes of this Act sale by retail shall
"be deemed to include sale by auction; and the expression
" 'closed' means not open for the serving of any customer."

"(11) This section shall not apply to pharmaceutical
"chemists or to chemists and druggists."

3. Title XXII, Section 6, by striking out the words "as the Council
"may deem expedient", and substituting the words "be made
"payable in one or other of the modes hereinafter mentioned, or
"that it be made payable in either of such modes as the council
"may deem expedient, that is to say", and by adding to clause 2
"thereof the words "or semi-annually."

4. Title XXIII, Section 15, by adding thereto the words
"But the Council may by bylaw provide that such polls
"shall remain open until such time not later than 8
"o'clock in the afternoon, as the bylaw may prescribe."
5. Title XXVIII, by inserting therein the following section:
"(4) No action for any damages alleged to have been
"sustained by reason of the negligence or default of the
"City shall be commenced after the expiration of six
"months from the date when such damages shall have been
"sustained"
6. Title XXIX, Section 3, by adding the following paragraph
to subsection (1) thereof:
"But in the event of the Council proposing to close the
"whole of any portion of any such street, road, lane or
"public highway for the purpose of ~~as~~ granting, selling
"or leasing the same to His Majesty the King for the
"use of the Dominion of Canada or the Province of Alberta,
"or for erecting thereon any building for the use of the
"City, the City may make a bylaw authorizing the closing
"thereof, and the granting, selling or leasing thereof
"to the King, or for setting it apart for the erection
"of such building for the use of the City; but any
"such bylaw shall, before the final passing thereof,
"receive the assent of two-thirds of the burgesses voting
"thereon in accordance with the provisions of Title XXIII
"and in the event of such bylaw being finally passed no
"person or corporation shall be deemed to be injuriously
"affected thereby, or to be entitled to any compensation
"consequent on the ^{closing,} granting, selling or leasing of the
"land therein comprised, or the erection of any public
"building thereon."
7. Title XXIX by striking out ~~the~~ Subsection (3) of Section
3 and all of Section 4, and substituting therefor the
following:

"(4) Every public street, road, square, bridge or highway
"whether originally laid out or constructed by the City or
"laid out or constructed by any private party and by bylaw
"established as a public work or which has been assumed for
"public use by the Council or Commissioner of the City shall
"be vested in and kept in repair by the City, and shall not
"be interfered with in any way or manner whatever by
"excavation or otherwise by any person or any corporation
"whether such person or corporation now enjoys or hereafter
"has enjoyed or exercised such powers or not, except such
"person or corporation shall first have made application to
"and received permission from the Council in writing, and
"such permission shall state the amount of and manner in
"which the required work is to be done and shall be strictly
"complied with."

18. Title XXXI, by adding thereto the following section:

"(5) The Council may from time to time pass bylaws
"providing that all buildings within the City shall be
"wholly or partially exempt from taxation on any amount
"assessed over an amount specified in such bylaw, or that
"only the assessed value in excess of any amount named in
"such bylaw shall be liable to taxation, and any such bylaw
"shall continue in force from year to year until repealed or
"amended."

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