

B I L L N O.

of 1909.

An Act to amend Ordinances and Statutes respecting the City of Calgary, and to validate and confirm certain by-laws of the said City.

WHEREAS the Corporation of the City of Calgary has prayed for amendments to the Ordinance Chapter 33 of 1893, and other Ordinances of the late N. W. T., and the Statutes of the Province of Alberta, 1906, 1907 and 1908.

AND WHEREAS it is expedient to grant such prayer.

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

1. Section 2, of Chapter 55, of the Statutes of Alberta, 1906, is hereby amended by adding after the word 'reconstruction' in the second last line of sub-section 131, the words 'or the making of any water or sewer connections', and by adding after Section (a) of 132, the following -

"In case the Council deem it necessary in the interest of the Sanitary arrangements of the City, as aforesaid, or as required by the municipal by-laws of the City of Calgary in regard to sanitation, to install water and sewer connections with any houses or buildings, and where the owners of such buildings are unable to pay for the work themselves, or refuse to do so, the City Council may in such case, without a vote of the rate-payers, and without any notice, by a vote of two-thirds of the members present at any regular meeting pass a by-law or by-laws authorizing the installation of the proper sewer and water connections with any properties or buildings in the said City, and providing for raising of the amounts necessary for making such connections, and that the costs thereof should be charged against the property benefited thereby, with interest at the rate of eight per-cent per annum, payable in six annual installments as part of and in addition to the regular taxes, and shall be levied against each property so connected in the same manner as Local Improvement Frontage Taxes are now levied, the said charge to be a first lien

against the said property benefited and also authorizing the City to issue debentures for such amount as may be necessary on the credit of the City at large to be used exclusively for this purpose, and as provided in Ordinance 33 of 1893, and amendments thereto."

2. Section 22 of Chapter 32 of the Statutes of Alberta, 1907, is hereby repealed and sub-section 132 of Section 2 of Chapter 55 of the Statutes of Alberta, 1906, is hereby declared to be of full force and effect, as before passing of the section hereby repealed.

3. Section 166 of Chapter 33 of the Ordinances of the N. W. T. of 1893, is hereby amended by striking out the word 'fifteen' in the fifth line of said section, and in the third line from the end of the said section, and substituting therefor in each case, the word "twenty".

4. Section 94, Chapter 33, of the Ordinances of the N. W.T., 1893, is hereby amended by adding the following sub-section after section 94.

(a) "If any person in such request states that he is possessed of sufficient qualifications to be placed on the assessment roll and established the same to the satisfaction of the City Clerk, then the latter may add such person's name to the list, and strike off the name of any other person appearing on the Roll qualifying for the same property, by giving a notice to such person in writing, by registered letter, posted in the Post Office at Calgary.

(b) In order to verify such request, the City Clerk shall have the authority to take the affidavit or Statutory Declaration from such party on oath, or take an affidavit under oath of any person whom he sees fit, or for such purposes as hereby authorized to administer such oath.

(c) In case any such party above mentioned is dissatisfied with the decision of the City Clerk he may give the City Clerk notice of the Appeal to a Judge of the Supreme Court.

5. Section 96, of Chapter 33, of the Ordinances of the N. W. T., 1893, is hereby repealed, and the following section

substituted therefor.

(96) "In case of any appeal under sub-section 'c' of section 94, the City Clerk shall immediately obtain an appointment from the Judge to try the said appeal and shall notify all parties appealing of the date set for hearing the appeals, by registered letter addressed to them at Calgary, and the Clerk shall attend before the Judge on the said day, with the Assessment Roll and Voters List."

6. WHEREAS the City Council of the City of Calgary, with the approval of the electors, and by virtue of Ordinance 33 of 1893, and amendments thereto, passed a by-law, Number 743, authorizing the issue of Debentures of the said City, to the amount of \$26,000.00, as follows -

(a) The sum of \$18,400.00 to improve and establish the Parks and Cemeteries of the City

(b) The sum of \$5,000. for the purpose of building catch basins in the City.

(c) The sum of \$2,000.00 for the purpose of grading the hill on Victoria Road.

(d) The sum of \$600.00 to improve and construct addition to the Crematory.

AND WHEREAS the said Council did issue debentures for the sum of \$26,000.00, payable in twenty years, at 4½%;

AND WHEREAS the said by-law was passed in the Council of the City of Calgary on the 9th. day of May, 1907, and came into effect on the first day of June, 1907;

AND WHEREAS certain doubts have arisen as to the validity of the said by-law, and the debentures authorized by the same;

THEREFORE, it is hereby enacted as follows -

THAT By-law, Number 743, passed by the Council on the 9th day of May, 1907, is hereby declared legal, valid and binding on the said City of Calgary, notwithstanding any informalities, irregularities and defects therein, either in substance or in form, and each and all of the debentures and coupons therein attached, issued, or to be issued therein, are hereby declared to be legal and valid, and the City of Calgary shall be bound to pay each and all of the said debentures and coupons as here-

in respectively stated.

7. WHEREAS the Council of the City of Calgary purporting to act under and by virtue of the authority conferred upon it by Ordinance No. 33 of 1893, of the N. W. T., and amendments thereto, did pass several by-laws authorizing the issue of debentures for Local Improvements in the said City of Calgary, for the amounts and for the purposes following, viz;-

By-Law No. 764 passed on the 29th. day of July, 1907, for \$56,000.00 for the construction of sewers in the said City.

By-Law No. 775, passed on the 9th. day of September, 1907 for \$39,000.00 for the construction of sewers in the City.

By-Law No. 882, passed on the 24th. day of August, 1908, for \$110,000.00 for the construction of sewers in the said City.

AND WHEREAS debentures were issued by the said City for the amount of the said by-laws to be paid by the City;

AND WHEREAS provisions were made for collection of the amount from the property assessed for the amount due by the said property;

AND WHEREAS doubts have arisen as to the validity of the said several by-laws and the debentures authorized therein;

AND WHEREAS it is advisable that the said several by-laws should be validated and confirmed;

NOW THEREFORE it is enacted as follows -

That By-Laws, numbered 764, 775 and 882 passed by the Council of the City of Calgary, on the 29th. day of July, 1907; the 9th. day of September, 1907; and the 24th. day of August, 1908, are each of them hereby declared legal, valid and binding on the said City of Calgary, notwithstanding any informalities, irregularities or defects therein, either in substance or in form or in procedure taken in passing the several by-laws, and all the debentures and coupons thereto attached, issued or to be issued therein are hereby declared legal, and

valid, and the said City of Calgary shall be bound to pay each and all of the Debentures and Coupons as therein respectively stated.