

# BILL

No. 6 of 1945.

An Act to amend the Acts constituting The Edmonton Charter.

(Assented to \_\_\_\_\_, 1945.)

**W**HEREAS a petition has been presented by the Council of The City of Edmonton for an amendment of the Acts constituting *The Edmonton Charter*; and

Whereas it is reasonable that the prayer of the said petition shall be granted;

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

*The Edmonton Charter*, being chapter 23 of the Statutes of Alberta, 1913 (First Session), as amended from time to time, is hereby further amended as follows:

**1.** By adding thereto the following new section:

“**57c.** The Council may pass by-laws for the establishment, maintenance and operation of a plan of group life, accident or sickness insurance for the benefit of all its employees or of any class or classes thereof and may contribute to any such plan by annual grant or otherwise. In any such by-law Council may provide for compulsory contribution by employees concerned and for deduction from salary or wages of the compulsory contribution and that any such plan may be administered by the employees concerned alone, jointly by the City and the employees concerned, or by the City alone, according to the nature of the plan.”

**2.** As to Section 221,—

(1) As to clauses (a) and (b) of subsection (17) thereof, by deleting the same and by substituting therefor the following:

“(a) To promote the incorporation of or directly apply to incorporate under any appropriate Act or Statute a limited liability company for the purpose of carrying on business as a lending institution or as a limited dividend housing corporation as defined in *The National Housing Act, 1944*, being chapter 46 of the Acts of the Parliament of Canada, 1944, with all powers necessary or incidental to such purposes, and to subscribe and pay in cash or otherwise for shares in the capital of such company;

“(b) To act as a limited dividend housing corporation as defined in the said *The National Housing Act, 1944*, and

within The City of Edmonton to construct, hold and manage low rental housing projects as defined in the said *The National Housing Act, 1944.*"

(2) By adding the following new subsections thereto:

"(23) The Council may pass by-laws for the purpose of eliminating or mitigating within the City,—

"(a) the mosquito nuisance; or

"(b) insect pests harmful to the growth or development of trees and shrubs or any vegetable or plant life;  
or

"(c) blight or disease to trees and shrubs, or vegetable or plant life;

and in any such by-law the Council may,—

"(i) Require the owner or occupier to remedy in such manner as Council deems proper any condition on his land which contributes to such nuisance, insect pest, blight or disease, and impose appropriate fines and penalties in case of failure so to do;

"(ii) Authorize the entry into lands and buildings to inspect or remedy conditions which contribute to the spread of mosquitoes, insect pests, blight or disease;

"(iii) Provide for the collection of the costs incurred by the City in remedying conditions upon any land from the owner or occupier thereof and in default of payment charge such costs by way of taxes against the land concerned;

"(iv) Make any other provisions which Council deems necessary to carry out the purposes of the by-law.

"(24) (1) Notwithstanding anything in any other Act or law to the contrary and without restricting the general powers of the City under this section, the Council may pass by-laws,—

"(a) For regulating the keeping by any person of wild or domestic animals or poultry within the limits of the City;

"(b) For prohibiting the keeping by any person of any wild or domestic animals or poultry in any specified part or parts of the City where in the opinion of Council such keeping is likely to cause a nuisance.

"(2) This subsection (24) shall be deemed to have been in force and effect as from the 1st day of January, 1944.

**3.** As to section 295 thereof,—

By adding at the end thereof the following words: "and the signatures of the Mayor or the person authorized by by-law to sign in his stead on such debentures may be engraved or lithographed."

**4.** As to subsection (d) of section 301 thereof,—

By deleting the word "sixty", where the same occurs in the first line thereof, and by substituting therefor the word "thirty."

**5.** As to subsection (2) of section 302 thereof,—

By inserting therein after the word “thereunder”, where it appears in the fifth line of said subsection, the words:

“and the number and date of any order of the said Board issued under Part IV of *The Public Utilities Act, Revised Statutes of Alberta, 1942, chapter 28, authorizing the issue of debentures under section 296d of this Act, as enacted by section 10 of chapter 73 of the Statutes of Alberta, 1944, and particulars of all debentures issued thereunder.*

“This amendment shall be deemed to have been in force and effect from and after the 1st day of March, 1944.”

**6.** As to sub-clause (ff) of clause (d) of subsection (3) of section 321 thereof,—

By adding immediately after the words “on the land subject to such business assessment”, where the same occur in the sixth and seventh lines thereof, the words “provided that where a manufacturer is not actually manufacturing his products within the City but is wholly or mainly dealing therein as a wholesale dealer or distributor of his products, then such wholesale dealing or distribution shall be considered the chief or preponderating business of such manufacturer carried on within the City and the manufacturer concerned shall be liable to pay to the City a business tax at the rate applicable to wholesale dealers or distributors as fixed by this Act or by Council, as the case may be”.

**7.** As to subsection (c) of section 406 thereof,—

By adding at the end thereof the following words:

“And it is hereby further declared that for the purposes mentioned in this part of this Act the amount of the debenture debt, secured by special assessment, at any time outstanding shall be deemed to be the aggregate amount of debenture debt created from time to time and secured by special assessment, less the aggregate of the amounts applied from time to time, as shown by the records of the City, out of the proceeds of such special assessments, in payment of the principal of any Debentures issued by the City.”

**8.** As to sections 476, 478 and 479 thereof,—

By repealing the same, provided that the repeal of the said sections shall not affect the rights presently attached to any debentures of the City outstanding as at the date of the passing of this amendment.

**9.** As to section 480 thereof,—

By adding thereto the following new subsection, namely:

“(4) The amount of the debenture debt of the City at any time outstanding for the purposes mentioned in this part of this Act shall be deemed to be the aggregate amount of debenture debt created for such purposes from time to time, less the aggregate of the amounts applied from time to time, as shown by the records of the City, out of revenues from

the works in respect of which such debt was created, in payment of the principal of any debentures issued by the City."

**10.** As to subsection (2) of section 39 of chapter 52 of the Statutes of Alberta, 1918, as amended by section 15 of chapter 101 of the Statutes of Alberta, 1938,—

By repealing the same and by substituting therefor the following:

"(2) If the street railway or bus or trolley bus transportation system of the City is extended to serve any districts either within or without the City not served by the said system as at the 1st day of January, 1945, the Council may charge special tolls or fares to and from the districts thus served different from and higher than the tolls or fares charged in respect of the existing street railway, bus or trolley bus system of the City, as the Council may deem reasonable, and the charging of such special tolls or fares shall not constitute a violation of the principle of uniformity of passenger fares throughout the City as referred to in section 39, chapter 52 of the Statutes of Alberta, 1918, nor a violation of any of the provisions of the Edmonton-Strathcona Amalgamation Agreement."

**11.** By adding thereto the following new section:

**"533.**—(1) If in the opinion of Council a building, structure or erection by reason of its ruinous or dilapidated condition is,—

"(a) seriously detrimental to the amenities of the neighbourhood; or

"(b) seriously depreciates the value of land or buildings in the vicinity;

the Council may make an order requiring the owner within a period of time which shall not be less than three months from the date of the making of the order,—

"(i) to remedy the condition in the manner and to the extent directed in any such order; or

"(ii) to demolish and remove the building, structure or erection and clear the site thereof;

"(2) If the owner does not remedy the condition within the period specified in the order and the building, structure or erection has not been demolished and removed at the expiration of the period specified in the order, the Building Inspector shall cause the building, structure or erection to be demolished or removed and the site thereof cleared, but such removal may be done by way of selling the building, structure or erection, in which case the net proceeds realized by the building inspector from such sale shall be payable to the owner, mortgagee or other person thereto entitled unless there are any taxes owing in respect of the building, structure or erection or the land on which the same are situate, in which case the amount of such taxes will be set off against the net proceeds of the sale of the building, structure or erection and any amount in excess thereof shall be paid to the owner, mortgagee or other person thereto entitled;

“(3) The Council shall cause not less than one month’s notice to be sent by registered mail to the registered and assessed owner of the land upon which the ruinous or dilapidated building stands, specifying the date, time and place at which the making of such an order will be considered and that such owner will be given an opportunity of appearing and of being heard by Council at such meeting before the making of the order;

“(4) Any person who thinks himself aggrieved by an order of the Council made hereunder may within thirty days from the date of the making of the order appeal to a Supreme Court Judge in Chambers, who if satisfied that the proper procedure set forth in this section has not been followed or if the Council has acted in a manner contrary to the intent and meaning of this section, may set aside, vary or modify the order of the Council as he deems just.”

**12.** This Act shall come into force on the day upon which it is assented to.

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FIRST SESSION  
TENTH LEGISLATURE  
9 GEORGE VI  
1945

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**BILL**

An Act to amend the Acts constituting  
The Edmonton Charter.

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Received and read the

First time.....

Second time.....

Third time.....

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MR. N. B. JAMES.

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EDMONTON:  
A. Shnitka, King's Printer  
1945