

BILL

No. 1 of 1946.

An Act to amend The Lethbridge City Charter.

(Assented to _____, 1946.)

WHEREAS, the City of Lethbridge has prayed for certain amendments to *The Lethbridge City Charter*, being chapter 75 of the Statutes of Alberta, 1928; and

Whereas it is expedient to grant the prayer of the said petition;

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

The Lethbridge City Charter, being chapter 75 of the Statutes of Alberta, 1928, is hereby amended as follows:

1. Section 1 of Title IV is amended by striking out said section 1 and substituting the following therefor:

“1. The persons and corporations entitled to vote at elections in the City of Lethbridge shall be those persons and corporations whose names appear on the last revised voters’ list which shall be prepared annually as hereinafter provided.”

2. Section 2 of Title IV is amended by striking out the words “first day of September”, where they appear in the first and second lines of said section, and substituting therefor the words “First day of October.”

3. Section 3 of Title IV is amended by striking out said section 3 and all subsections and clauses thereof and substituting the following therefor:

“3. The City Assessor shall place on the said voters’ list,—

“(a) The names of all persons, both male and female, of the full age of twenty-one years, who are assessed in their own right on the last revised Assessment Roll for real or personal property of the value of two hundred dollars or upwards, and where the real property is owned by two or more persons and is assessed in their names, each such person shall be entitled to be placed on the said voters’ list if the total assessed value of the property is sufficient when divided to give each person a rating of two hundred dollars or more; if otherwise, none of such persons shall be entitled to be placed on the voters’ list.

“(b) The names of the husbands and wives of the persons whose names appear on the said assessment roll provided application in writing signed by the person assessed is made

to the City Assessor on or before August first in each year to have the husband or wife, as the case may be, of such person placed on said voters' list, and provided further that the husband and wife are living together in the City of Lethbridge at the time of such application and that the assessed value of the property assessed in the name of the husband or wife making the application is over four hundred dollars; And provided further that the city assessor shall require and obtain from any such applicant proof satisfactory to him of his or her qualification and that for that purpose the city assessor or any deputy appointed by him in writing shall have authority to take from any such applicant a statutory declaration or affirmation proving any statement made by the said applicant.

“(c) The names of all corporations assessed on the last revised assessment roll for real or personal property of the value of two hundred dollars or upwards, provided that any such corporation so entered on the voters' list may vote by any person being an officer, member or employee of the corporation, but no person shall vote for more than one corporation and no person shall be entitled to vote for any corporation if he or she is otherwise entitled to vote.

“(d) The names of all persons, both male and female, of the full age of twenty-one years, who are British subjects by birth or naturalization and who are residing in the City of Lethbridge and who have so resided continuously since the 30th day of November of the year immediately preceding the year in which the voter's list is being prepared, provided each such person in the year for which the voters' list is being prepared has made an application to be placed on the voters' list for the then current year, in the manner and at the time hereinafter set forth and prescribed, to a Registrar appointed by the City Council to receive, hear and record such applications.”

4. By adding to Title IV immediately following section 3 of said Title the following section to be known as section 3. A. of said Title IV:—

“3. A. (1) The City Council shall at or before its last meeting in the month of March in each year appoint a registrar to receive, hear, and record the applications of all persons qualified under the provisions of subsection (d) of section 3 of this Title IV.

“(2) The said registrar shall after notice thereof posted on the principal door of the city hall during the last fifteen days of the month of April in each year and published in at least three issues of a newspaper published in the City of Lethbridge during the month of April in each year, cause to be opened and kept open by the said registrar, or a deputy appointed in writing by the said registrar, an office for the registration of persons qualified under the provisions of subsection (d) of section 3 of this Title IV, during the months of May, June, July, and August in each year between the hours of nine in the forenoon and five in the afternoon of each Monday, Tuesday, Wednesday, Thursday and Friday

of said period, and between the hours of two in the afternoon and nine in the afternoon of each Saturday of said period.

“(3) All persons duly qualified under the provisions of subsection (d) of section 3 of this Title IV who appear in person at the said Registration Office during the period aforesaid shall upon making before the officer in charge of said registration office (who is hereby authorized and empowered to administer the same) an oath or affirmation or solemn declaration that he or she is so qualified, be entitled to be registered as a voter, and the registrar shall place or cause to be placed the names and addresses of all such persons on his list of registered voters.

“(4) Every person upon registration as aforesaid shall state to the officer in charge of the registration office whether he or she is a public school supporter or a separate school supporter, and the said registration officer shall mark the list accordingly.

“(5) As soon as the said registration of voters has been completed and not later than the fifth day of September in each year, the registrar shall deliver or transmit to the City Assessor his list of voters registered as aforesaid, together with the whole of the voters’ declarations, and the assessor shall keep the said declarations filed so long as the list of voters to which they relate is in force.”

5. By adding to Title IV immediately following said section 3. A. of said Title IV the following to be known as section 3. B. of said Title IV:

“3. B. After delivery to him by the registrar of the list provided for in section 3. A. hereof and within the time and in accordance with the provisions of section 2 of this Title IV, the city assessor shall prepare a voters’ list and deliver the same to the city clerk to be dealt with by the city clerk in the manner provided for in section 2 of this Title IV.”

6. By adding to Title IV immediately following said section 3. B. of said Title IV the following to be known as section 3. C. of said Title IV:

“3. C. After a person or corporation whose name appears on the assessment roll has once been placed on the voters’ list as hereinbefore provided, his, her or its name shall be continued on the voter’s list from year to year so long as it remains on the assessment roll, and likewise the name of the wife or husband of any such person after being placed on the voters’ list shall be continued on the same from year to year so long as the name of such person remains on the assessment roll.”

7. By adding to Title IV immediately following said section 3. C. of said Title IV the following to be known as section 3. D. of said Title IV:

“3. D. If any person or corporation whose name appears on the last revised assessment roll has his, her or its name omitted through error from the voters’ list, he, she or it shall be entitled to vote by procuring from the assessor a certificate that his, her or its name does so appear on the last

revised assessment roll and that he, she or it is entitled to vote, and such certificate must be given to the deputy returning officer or the person in charge of the poll before voting; and if the name of any person mentioned in subsection (b) of section 3 of this Title IV is omitted from the voters' list through error after proper application has been made, he, or she shall be entitled to vote by procuring from the assessor a certificate that his or her name should have been on the voters' list and that he or she is entitled to vote, and such certificate must be given to the deputy returning officer or person in charge of the poll before voting."

8. By adding to Title IV immediately following said section 3. D. of said Title IV the following to be known as section 3. E. of said Title IV:

"3. E. On or before the first day of November in each year the city assessor shall enter on a supplementary voters' list which shall form a part of the revised voter's list and be delivered forthwith to the city clerk, the names of all persons who, on or before the 15th day of October of the current year, have paid the poll tax or service tax or rental tax or floor space tax for the current year, and of all corporations which have on or before the 15th day of October of the current year paid rental tax or floor space tax for the current year, the said persons having resided in the city for two months prior to the 15th day of October in the current year, and the said corporations having been established and doing business in the city for two months prior to the 15th day of October in the current year, and if by error or omission the name of any person or corporation so qualified as aforesaid has his, her or its name omitted from such supplementary voters' list such person or corporation may apply to the tax collector of the city for a certificate that he, she or it has paid the said poll tax or service tax or rental tax or floor space tax, and the said tax collector shall issue such certificate, and upon presenting the said certificate to the deputy returning officer at the poll where such person or corporation is entitled to vote, the said person or the qualified representative of the corporation shall receive a ballot paper and be entitled to vote, but the provisions of clause (c) of section 3 of this Title shall apply to voting on behalf of any such corporation."

9. By striking out section 4 of Title IV and substituting the following to be known as section 4 of said Title IV:

"4. Any person whose name appears on the voters' list and who challenges or takes objection to the name of any corporation or other person appearing on such list on the ground that such corporation or other person is not duly qualified to be a voter under the provisions of this Act, may apply to have the list amended by giving to the city clerk on or before the 20th day of October in any year a notice in writing of his or her intention to apply to the city council for an amendment of the said list by striking out the name of such corporation or other person and such notice shall state the grounds of challenge or objection to the qualification of such corporation

or other person. Notice of such challenge or objection shall be immediately mailed by the city clerk to the person or corporation challenged or objected to, addressed to such person or corporation at his, her or its residence or place of business within the city.”

10. By striking out section 5 of Title IV and substituting the following to be known as Section 5 of said Title IV:—

“5. During the period from the 10th day of October to the 20th day of October (both days inclusive), in any year, any person may apply to the city assessor at his office in the city hall to have his or her name added to the voters’ list if improperly omitted therefrom or to change his or her place of residence as entered, and the city assessor shall forthwith report any such applications to the city clerk.”

11. By striking out section 6 of Title IV and substituting the following to be known as section 6 of said Title IV:

“6. On or before the 31st day of October in each year the city clerk shall make a list of all applications for amendments to the voters’ list, including applications made to the city assessor under section 5 hereof, stating the names of such applicants and the grounds of each such application, and shall post the said list in a conspicuous place in his office, and he shall immediately thereafter notify by mail the parties interested of the time and place when the city council, sitting as a final court of revision on the voters’ list, will hear and determine all such applications.”

12. By striking out section 7 of Title IV and substituting the following to be known as section 7 of said Title IV:

“7. On the 8th day of November in each year the city council shall meet as a final court of revision on the voters’ list, including the supplementary voters’ list, and shall then hear and determine all applications of which notice has been given either to the city assessor or the city clerk as hereinbefore provided for in sections 4 and 5 of this Title, and the city clerk shall thereupon amend the voters’ list including the supplementary voters’ list in all cases as directed by the city council, and the list so amended, including the supplementary voters’ list, shall be the voters’ list of the city for the ensuing year or until a new voters’ list has been carefully revised, and forthwith thereafter the city clerk shall in case the city is divided into polling subdivisions prepare a list of the voters entitled to vote in each polling subdivision.”

13. By striking out sections 8 and 9 of Title IV.

14. Section 7 of Title XIII is amended by adding the words “or employee” immediately following the word “officer” where the said word “officer” occurs in the first line of said section.

15. Section 5 of Title III is struck out and the following substituted therefor to be known as section 5 of said Title III:

"5. From and after January 1st, 1946, each councillor shall be paid a fee of \$5.00 for each regular or special meeting of the council which he attends, including meetings of the council sitting as a court of revision or as the appeal board under the City Zoning By-law, but the amount paid to any councillor for attendances in any one year shall not exceed \$250.00."

16. Section 10 of Title VI is amended by striking out the word "eighteen", where it appears in the sixth line of said section, and substituting therefor the word "twenty".

17. Title XXXVIII is amended by adding thereto immediately following section 5 of said Title a further section to be known as section 5. A. of said Title XXXVIII, namely:

"5. A. Notwithstanding any previously established system or practice, a corner property which has been charged or assessed for sewer construction cost for frontage on one street or avenue shall not be charged or assessed for sewer construction cost on the other street or avenue upon which it has frontage."

18. Section 7 of Title XXVII is hereby amended by striking out the word "either", where it occurs in the third line of said Section, and substituting therefor the word "any", and by adding to said section 7 immediately following subsection (b), thereof a further subsection to be known as subsection (c) of said section 7:

"7 (c) In such manner that the principal shall be repayable in equal consecutive annual payments, together with annual payments of interest on the amount of principal from time to time remaining unpaid."

19. By adding to Title XLI immediately following section 8 thereof a further section to be known as section 9 of said Title XLI, namely:

"9. An Agreement dated the 28th day of August, A.D. 1945, made between the Corporation of the City of Lethbridge, of the First Part, His Majesty the King in the right of Canada, of the Second Part, and Wartime Housing Limited, of the Third Part, which provides for the conveyance by the Corporation of the City of Lethbridge to His Majesty the King in the right of Canada of certain parcels of vacant land within the City of Lethbridge for the purpose of providing building sites for low rental houses to be erected thereon by His Majesty or said Wartime Housing Limited, and also provides for exemption of the said building sites and houses from taxes and certain other charges and assessments by the City for a period of fifteen years in consideration of payment of a fixed annual rate or sum, and further provides that any existing or future provisions of the City Charter and/or by-laws of the city regarding the manner, mode, location and type of construction shall not apply to any such houses, is hereby validated and confirmed and declared to be legal and binding upon the City of Lethbridge;

and the City of Lethbridge shall have power by by-law or by resolution of the city council to make and enter into any further or supplementary agreement or agreements with His Majesty the King in the right of Canada and Wartime Housing Limited, or either of them, which seem advisable to the city council for the purpose of providing low rental houses within the city, and may acquire any land or property necessary therefor by purchase, gift or otherwise, or by expropriation proceedings pursuant to the provisions of *The Lethbridge Charter*, and may, in and by any such agreement or supplementary agreement provide for exemption of any such low rental houses and their sites from taxes and other assessments and charges of the city for a period not exceeding fifteen years in consideration of payment of a fixed annual rate or sum which may be lower than that prevailing in the rest of the City."

20. By adding to Title XLI a further section to be known as section 10 of said Title XLI, namely:

"10. An Agreement dated the 9th day of July, A.D. 1945, made between the City of Lethbridge, of the One Part, and the Director, *The Veterans' Land Act*, of the Other Part, for the establishment of veterans on land units within the City of Lethbridge pursuant to the provisions of *The Veterans' Land Act* of the Dominion of Canada which provides *inter alia* for tax exemption of each unit until sold to a veteran and taxation of each unit for fifteen years after sale to a veteran at a fixed annual rate or sum is hereby validated and confirmed and declared to be legal and binding upon the City of Lethbridge; and the City of Lethbridge shall have power by by-law or by resolution of the city council to make such further or supplementary Agreement or Agreements with the said Director or His Majesty in the right of the Dominion of Canada or with His Majesty in the right of the Province of Alberta, or any other person or Corporation which the city council may deem advisable, for the establishment of veterans on lands within the City of Lethbridge, and for such purpose may acquire any land or real property necessary therefor by purchase, gift or otherwise, and by expropriation proceedings pursuant to the provisions of *The Lethbridge Charter*; and may provide for a tax assessment on any property established for the use of veterans within the City of Lethbridge for a fixed annual tax on such land, which fixed assessment or tax may be lower than that prevailing in the rest of the City, and may apply during such period not exceeding fifteen years as the Council may determine."

21. By adding to Title XLI a further section to be known as section 11 of said Title XLI, namely:

"11—(a) The City of Lethbridge shall have and shall be deemed always to have had power and authority to acquire, establish, maintain and operate an airport situate on lands in sections 4 and 9, in township 8, range 21, west of the fourth meridian, in the Province of Alberta, and to instal, construct and erect improvements, facilities and buildings

thereon, including improvements, facilities and buildings for the use or occupation by persons, firms or corporations other than the City of Lethbridge, upon such terms as may be deemed advisable by the City Council; and to carry on on said airport site the business of a dealer in, and vendor of any goods, commodities or supplies required by any person, firm or corporation using the said airport or any of its improvements, facilities or buildings; and to acquire by purchase, gift, or otherwise howsoever, adjacent lands as an addition to the said airport site, and to lease, sell or dispose of said airport and the improvements, facilities and buildings thereon, or any part thereof, upon such terms and for such consideration as may be deemed advisable by the City Council.

“(b) The said airport lands with the improvements, facilities and buildings thereon, shall, while owned by the City of Lethbridge, be exempt from taxation by any taxing authority having jurisdiction in, or control over, the area in which said airport is situate.

“(c) The City of Lethbridge shall have and shall be deemed always to have had power and authority to extend its bus transportation system to and from said airport from and to any part of the City of Lethbridge and to charge special passenger fares separate or different from and higher than passenger fares charged within the city.”

22. By adding to Title XXXVIII immediately following section 22 of said Title a further section to be known as section 23 of said Title XXXVIII:

“23. Notwithstanding any of the provisions of this Title XXXVIII to the contrary, the City of Lethbridge shall have and shall be deemed always to have had power and authority to open up, widen, straighten, extend, grade, level, macadamize, pave, hard surface, reconstruct and improve any public highway or public place within the City of Lethbridge at the cost of the city at large, provided such cost is paid out of current revenue for the year in which the work is done.”

23. By adding to Title XXXII immediately following section 7 of said Title a further section to be known as section 8 of said Title XXXII:

“8. The City of Lethbridge shall have and shall be deemed always to have had power and authority by levy or otherwise to create and accumulate a reserve fund to cover the cost of unspecified municipal works or undertakings or delayed public improvements within the city to be undertaken at such time or times as to the city council seems advisable; provided, however, that in any year hereafter, beginning with the year 1946, the amount so levied or accumulated shall not exceed \$25,000.00.”

24. Subsection (f) of section (2) of Title XXXII which is inconsistent with the provisions of Title IV is hereby struck out.

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

THIRD SESSION
TENTH LEGISLATURE

10 GEORGE VI

1946

BILL

An Act to amend The Lethbridge
City Charter.

Received and read the

First time.....

Second time.....

Third time.....

MR. J. C. LANDERYOU.

EDMONTON:
A. Shnitka, King's Printer.
1946