

BILL

No. 7 of 1946.

An Act to amend the Acts and Ordinances constituting the Charter of the City of Calgary.

(Assented to _____, 1946.)

WHEREAS the City of Calgary has prayed for certain amendments to Ordinance 33 of 1893 of the North-West Territories and amendments thereto constituting the Charter of the City of Calgary;

And whereas it is expedient to grant the prayer of the said petitioner;

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

Ordinance 33 of 1893 of the North-West Territories and amendments thereto is hereby amended as follows:

1. That the Order in Council No. 1767-45 purporting to amend the Charter of the City of Calgary, being Ordinance 33 of 1893, is hereby validated and confirmed and declared to have been in full force and effect on and after the 31st day of October, 1945, until the coming into force of this amending Act.

2. By adding to the proviso at the end of subsection 1 of Section 4 of the said Ordinance the following words: "and if any member of the Council or School Boards whose term does not expire at the end of the current year intends to be a candidate at the annual elections for City Commissioner or Mayor he shall file with the City Clerk his resignation for the office of alderman or school trustee at least ten (10) days prior to nomination day for the position of City Commissioner or Mayor of the City, said resignation to take effect at the end of the current year."

3. Section 4 of the said Ordinance 33 of 1893 is hereby amended by adding thereto the following as 4 (3):

"4 (3) (a) In this section 'Member of the Armed Forces' means any person, male or female, who was a *bona fide* resident of the City of Calgary immediately prior to leaving the said City for the purpose of joining, and who did join, for full-time service in the present or just concluded war, any of the naval, military or air forces of His Majesty, or the Allies of His Majesty, and includes members of the permanent or regular forces of His Majesty on active service.

"(b) Notwithstanding the provisions of subsection (2) of section 4, any member of the armed forces who is otherwise

"2. That I am otherwise qualified as an elector of the City of Calgary.

4. By repealing subsection 32 of section 9 thereof and substituting the following:

5. By repealing the form of declaration provided for in subsection 36 of section 9 thereof and substituting the following:

“Canada
Province of Alberta
To Wit

"I, of
name address
do solemnly declare :
occupation

"That I have reason to believe that I shall be absent from the City of Calgary during the whole of the election day which comes on the day of November, A.D. 19 .., and unless I am allowed to vote before the said date, I will be unable to cast my vote at the said election.

“And I make this declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of *The Canada Evidence Act*.

Declared before me at the City of Calgary, in
the Province of Alberta, this.....day of Nov-
ember, A.D. 19.....

Returning Officer or Deputy Returning Officer."

6. Section 9, subsection 38 of the said Ordinance is hereby amended by striking out the words “special booth”, in the last line thereof, and substituting therefor the words “advance poll”.

7. By adding the following as subsection 40 of section 9 of the said Ordinance:

“9. (40) (a) For the purpose of taking the votes of any qualified electors of the City of Calgary who on the day fixed for the holding of any civic election may be confined to hospitals and who are in consequence unable to go to the polling place at which they are qualified to cast their votes, the City Clerk shall appoint a sufficient number of Deputy Returning Officers and Poll Clerks as he deems necessary to take the votes of such patients but of no other persons whatsoever, and shall appoint the times on election day at which the votes in the respective hospitals shall be taken and the deputy returning officers and poll clerks so appointed, accompanied by an officer of the hospital shall attend with a ballot box upon such patients as the superintendent or other person having charge of the hospital certifies to the deputy returning officer to be *bona fide* patients in the hospital and to be well enough to vote, and shall take the votes of any such patients who wish to vote.

“(b) Every hospital at which a poll is taken pursuant to the provisions of this section shall be a polling place and all the provisions of the City Charter shall *mutatis mutandis* and so far as the same are applicable apply to the holding of a poll under this section and to all proceedings in connection therewith or incidental thereto.

“(c) All proceedings which in the opinion of the City Clerk may be deemed necessary or expedient to give full effect to the provisions of this section shall be deemed authorized, notwithstanding any inconsistencies which may appear between the said subsection and any other portion of this Ordinance and amendments thereto.

“(d) For the purpose of this section the word ‘hospitals’ shall be deemed to include all sanatoria within the limits of the City of Calgary but shall not include any hospital within the meaning of *The Mental Diseases Act*, nor any hospital within the meaning of *The Mental Defectives Act*.”

8. Section 42 of the said Ordinance is further amended by striking out the following words: “of not exceeding one mill on the dollar to be levied” and substituting therefor the word “required”.

9. The said Ordinance is further amended as to section 42 (a) by striking out the figures “\$15,000.00”, where they occur in subsection 42 (a), and substituting therefor the figures “\$25,000.00”.

And by striking out the words at the end of section 42 (a), namely, “and the sum expended in advertising and publicity work shall not exceed \$3,000.00 in any one year.”

10. Section 94 subsection L of the said Ordinance is hereby amended by adding before the word “property”, where it first occurs in the said subsection, the word “real”.

11. By adding the following as subsection 3 to section 94 (L) :

“94 (L) 3. Notwithstanding anything contained elsewhere in this Ordinance in the case of certificates issued subsequent to the completion and certification of the voters’ list and up to and including the second day preceding an election, provided the name of the property owner or owners in whose name the certificate is issued appears on the voters’ list under a different qualification and/or address, the City Clerk shall be empowered to alter the qualification and/or address of any voter whose name appears on the voters’ list as finally certified. All such alterations shall require to be made only on the official copy of the voters’ list or lists to be used by the Deputy Returning Officers of the polling subdivisions at which such elector was and will be qualified to vote and shall be initialled by the City Clerk or any member of his staff whom he shall appoint for that purpose.

“In the case of property owners who by reason of their purchase have, up to and including the second day preceding an election, become qualified to vote at civic elections and whose names do not appear on the current year’s voters’ list, the City assessor upon application shall issue a certificate entitling them to vote at one of the polls provided at the City Hall”.

12. Section 105 of the said Ordinance is hereby amended by adding after the word “insertion”, in the second line thereof, the words “not authorized by the said Ordinance 33 of 1893”.

13. The said Ordinance is further amended by adding the following proviso immediately following section 110 of the said Ordinance:

“Provided that the Council of the City of Calgary may in its discretion decide that all signatures required on debentures to be issued under the provisions of any Money By-law of the City of Calgary may be lithographed or engraved.”

14. The said Ordinance is further amended by striking out of subsection (b) of subsection 86 of section 117 the words: “or in *The Industrial Relations Act*” and substituting therefor “or in *The Industrial Standards Act*”.

15. The said Ordinance is further amended as to subsection 110 of section 117 by adding after the word “licensed”, where it first occurs in the said subsection, the words “or exempt from payment of such license”.

16. By adding to section 117 the following subsection 117d:

“117d. The City shall have power to fix an increased fee for licenses to persons not permanent residents of the City in connection with any licenses which the City Council is authorized to exact under the provisions of this Ordinance.

This amendment shall be deemed to have been in force from the 1st day of January, 1946."

17. The said Ordinance is further amended by adding to section 172 the following as subsection (b) :

"(b) The City Council may by resolution delegate to the Chief of Police of the City of Calgary power to suspend, subject to the approval of or amendment by the Council, any license issued by the City of Calgary when in his opinion the holder of such license is violating any provision, rule, order or regulation of the City Charter, or of any By-law of the City of Calgary or any statute or regulation of the Dominion of Canada or the Province of Alberta."

18. The said Ordinance is hereby further amended by striking out subsection (c) of section 240 thereof and substituting therefor the following:

"240 (c) The Trustees may execute deeds and other writings under the name and style of the Sinking Fund Trustees of the City of Calgary, signed by the Chairman or any one of the Trustees and by the Secretary or Assistant Secretary, and affix the seal to all deeds and other writings executed by them required by law to be under seal. The seal shall be in the custody of the Secretary and shall be affixed to any deeds or writings only when as directed by resolution of the Trustees."

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

THIRD SESSION
TENTH LEGISLATURE

10 GEORGE VI

1946

BILL

An Act to amend the Acts and Ordinances constituting the Charter of the City of Calgary.

Received and read the

First time.....

Second time.....

Third time.....

MR. DAVISON.

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