

BILL

No. 11 of 1946.

An Act to amend the Acts constituting The Edmonton Charter.

(Assented to _____, 1946).

WHEREAS 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. As to section 8 thereof as amended by section 1 of chapter 73 of the Statutes of Alberta, 1944,—

By deleting from the amendment contained in said section 1 of chapter 73 the words “twenty-four”, where they occur in the eighteenth line thereof, and by substituting therefor the words “twenty-five”.

2. As to section 138 thereof,—

(a) By deleting therefrom the words “who is incapacitated by blindness or other physical cause”, where the same occur therein, and by substituting therefor the following; “who is incapacitated from any physical cause other than blindness”;

(b) By adding thereto the following section, namely:

“**138a.** In the case of an elector who is incapacitated by blindness from marking his ballot without requiring assistance so to do, the proceedings shall be as follows:

“(a) If so required by such blind elector, the presiding officer at the poll shall in the presence of the agents of the candidates cause the vote of such blind elector to be marked on the ballot paper in the manner directed by such blind elector and shall immediately place the ballot paper in the ballot box; or

“(b) If such blind elector is accompanied by a friend and the blind elector so requires, the presiding officer at the poll shall permit that friend to accompany such blind elector into a voting compartment for the purpose of marking the ballot

paper of such blind elector and the ballot paper when marked shall forthwith be delivered by such blind elector or the friend to the officer presiding at the poll, who shall immediately place said ballot paper in the ballot box;

“Provided that before any ballot paper is handed to such blind elector or his friend the following declarations shall have been taken by them respectively:

“FORM OF OATH OF BLIND ELECTOR.

“I,, of, swear (or solemnly affirm) that by reason of blindness I am unable to mark a ballot paper without requiring assistance so to do.

Sworn (or affirmed) before me at }
....., in the Province }
of Alberta, this day of }
....., 19....., having been }
first read over to the above }
named and signed by him in my }
presence. }

.....
Deputy Returning Officer.

“FORM OF OATH OF FRIEND OF BLIND ELECTOR.

“I,, of, swear (or solemnly affirm) that,—

“I will mark the ballot paper of in the manner directed by him and I will keep secret the name of the candidate for whom I mark his ballot paper.

Sworn (or affirmed) before me at }
....., in the }
Province of Alberta, this }
day of, 19..... }
..... } *Deponent.*

.....
Deputy Returning Officer.

“(c) The officer presiding at the poll shall state or cause to be stated in the poll book, by an entry opposite the name of such blind elector that the vote of such blind elector has been marked in accordance with the provisions of this section.

3. As to section 124a thereof, an enacted by section 6 of chapter 42 of the Statutes of Alberta, 1920,—

(1) By deleting the words “in the course of their business or employment” where the same occur in the first paragraph of said section;

(2) By deleting the words “in the course of my business employment” where such words occur in the affidavit or affirmation forming part of subsection (5) of said section.

4. As to section 315,—

(1) By deleting therefrom the words “for a period not exceeding two years from the coming into force of this amendment”, where the same occur in the eighth line of subsection (a) of section 16 of chapter 73 of the Statutes of

Alberta, 1944, and by substituting therefor the words "for a period not exceeding two years from the 30th day of March, 1946";

(2) By adding thereto the following subsection, namely:

"(12) (a) The Council is hereby authorized and empowered by by-law to abolish, suspend or discontinue in whole or in part the duties and operations of The Sinking Fund Trustees of The City of Edmonton (hereinafter in this subsection referred to as 'the said Trustees') as created and established by said section 315 and vest in or transfer to a Board consisting of not less than three permanent officials of the City and such other members as Council may deem expedient:

"(i) all or any of the powers, duties, rights, responsibilities and jurisdiction conferred upon or vested in the said Trustees by any of the provisions of *The Edmonton Charter*;

"(ii) all or any books, records, registers and documents belonging to or in use by the said Trustees in carrying out their duties;

"(iii) all or any of the lands, mortgages, encumbrances, leases, instruments, moneys, bonds, debentures, securities and property of every nature and kind (all of which are hereinafter for convenience sometimes collectively referred to as said assets) vested in the said Trustees or over which the Trustees exercise jurisdiction and control;

and said Council may in any such by-law provide for the doing of all acts, matters or things which may require to be done in order to carry into effect the powers and authority by this subsection granted;

"(b) Upon the passing of such a by-law all said assets held by or in the name of the said Trustees or over which the said Trustees have jurisdiction and control by virtue of any provision of *The Edmonton Charter*, shall vest in the City, provided that if any part of such assets is held by the said Trustees for or on behalf of any association of civic employees or of any person other than the City, then that part of such assets shall be held by the City subject to the same terms and conditions as the same are held by the said Trustees;

"(c) The filing in the Land Titles Office for the North Alberta Land Registration District of a certified copy of a by-law passed pursuant to this section shall operate as a transfer to The City of Edmonton of any lands, mortgages, encumbrances, leases or other instruments standing in the name of said Trustees, and the registrar of said district shall upon payment of the proper fees register The City of Edmonton as the owner thereof".

5. As to subsection (2) of section 353 thereof as enacted by section 10 of chapter 90 of the Statutes of Alberta, 1922,—

(a) By inserting between the word "taxes" and the word "upon", where the same occur in the sixth line thereof, the words "and school taxes";

(b) By adding thereto at the end thereof the following words: "or at a higher rate than that fixed by the said board, but not at a rate exceeding the rate to be levied for general municipal taxes and for school taxes upon lands or upon buildings or improvements situate within that area of the City not included in the suburban zone as established by Order No. 1505-B of the said board, dated the 1st day of March, 1921".

6. As to section 407,—

By adding the following proviso thereto, namely:

"Provided that in cases where a petition has been received or advertisement published in respect of any local improvement work and the doing of such work is in the opinion of two-thirds of all of the members of the Council necessary or required in the general interest of the district in which such work is situate, the said Council may notwithstanding lack of consent of the required majority of abutting or other owners concerned, authorize and direct that such work be carried out and the cost thereof charged against the properties concerned on a special frontage assessment system or special local improvement benefit assessment system, as the case may be."

7. As to section 503*a*, as enacted by subsection (10) of section 1 of chapter 69 of the Statutes of Alberta, 1929,—

(a) By inserting between the words "Council" and "may", where the said words occur in the second line thereof, the words "or Commissioners";

(b) By deleting the words "pursuant to any such by-law", where the same occur in the eighth line thereof, and by substituting therefor the words "before entering upon, crossing or turning onto a through street".

8. As to section 3 of chapter 65 of the Statutes of Alberta, 1930: By adding thereto the following subsection, namely:—

"(3) At any municipal or school elections the Council may from time to time by by-law provide for the taking of the votes of electors who by reason of illness are confined to any hospital situate within the City on the date set for any such election, and for such purpose the Council may in any such by-law define the meaning of the word 'hospital'".

9. 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, 1946, 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 of chapter 52 of the Statutes of Alberta, 1918, nor a violation of any of the provisions of the Edmonton-Strathcona Amalgamation Agreement”.

10. As to section 3 of Chapter 66 of the Statutes of Alberta, 1942,—

By deleting the figures and letter “124a”, shown as the number thereof, and by substituting therefor the figures and letter “124b”.

11. 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 Acts constituting
The Edmonton Charter.

Received and read the

First time.....

Second time.....

Third time.....

MR. JAMES.

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