

BILL

No. 6 of 1947.

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

(Assented to , 1947.)

WHEREAS the City of Medicine Hat prayed for certain amendments to chapter 63 of the Statutes of Alberta, 1906, and amendments thereto:

And whereas it is expedient to grant the prayer of the said petition:

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

Chapter 63 of the Statutes of Alberta, 1906, and amendments thereto, is hereby amended as follows:

1. Title III, section 4, by deleting the proviso following the words "preceeding his nomination" in the said section.

2. Title IV, section 5, subsection (a) (4), by deleting the words "twenty-one", where they appear in the said subsection, and substituting therefor the word "nineteen".

3. Title IV, section 5, subsection (b), by inserting immediately after the said subsection, the following proviso: "Provided that no vote may be cast on behalf of a bank, an incorporated company or a corporation at the election of the Mayor or Aldermen."

4. Title IV, section 5, subsection (c), by repealing the said subsection.

5. Title IV, by inserting immediately after section 10, the following sections:

"11. During the month of September, A.D., 1947, and every two years thereafter, the Assessor shall enumerate the voters entitled to vote at the election of Mayor and Aldermen, on plebiscites and as burgesses on money by-laws, in the manner hereinafter set out:

"(a) The Assessor shall appoint one competent and reliable person as enumerator for each polling division in the City in Form 1 under this Title and shall sign such appointment.

"(b) Every enumerator shall, before acting as such, take on Oath of Office, in Form 2 under this Title which may be sworn before the Assessor, a Justice of the Peace, a Commissioner of Oaths, or a Notary Public who shall administer the Oath without charge.

"(c) Each enumerator shall immediately upon his having taken the Oath of Office, prepare and complete a voters' list in duplicate of all the persons qualified to vote at the election of the Mayor and Aldermen in the polling division to which the said enumerator was appointed, and in the case where a voter has real property, entitling him to vote as a burgess, and shall add to the list, the property in which such voter is entitled to vote as a burgess.

"(d) The names of the voters shall be alphabetically arranged according to the first letter of their surnames, and shall give the occupation and residence of each voter.

"(e) The enumerator shall include on the said voters' list the names of all persons, banks, companies and corporations as set out in section 5 of this Title.

"(f) On or before the 30th day of September in the year in which he is appointed, the enumerator shall prepare two copies of the voters' list and shall sign a certificate in Form 3, that the said voters' lists are true copies of the voters' list made by him, and shall attach such certificates to each of the said voters' lists and shall forward them to the City Assessor.

"12. On receipt of the voters' list by the Assessor, the Assessor shall cause the voters' lists for each polling division to be posted in at least two places in the City Hall to which the public has access, one of which shall be in the office of the City Clerk and the said lists shall be available for inspection to all persons residing in the City of Medicine Hat until the 15th day of October.

"13. The City Assessor shall cause to be inserted at least twice in a paper having circulation in the City of Medicine Hat, an advertisement to the effect that the voters' lists are available for inspection at the City Hall, and if no objection is made by any person whose name has been omitted on or before the 15th day of October, then the voters' list shall be closed and no further alterations or additions may be made.

"14. Any person whose name is not on the voters' list as prepared by the enumerator may give notice to the Assessor in the following form:

"To the Assessor of the City of Medicine Hat:

"Take Notice that I intend to apply to the Council sitting as a Court of Revision to have my name added to the voters' list of the City of Medicine Hat for the following reasons:

.....

(Signature of applicant or agent.)

"17. In any year, in which the enumeration of voters is not provided for, the voters' list shall be prepared in the same manner as set out in sections 5 to 9 inclusive in this Title."

"To of
 (full name) (residence)

 (occupation)

"Given under my hand at the..... of.....
in the Province of Alberta, the..... day of.....
A.D. 19 ..

"I, the undersigned.....of.....
(name in full) (residence)
.....appointed enumerator for polling
(occupation)

SWORN (or affirmed) before
me at the.....of.....
in the Province of Alberta,
this.....day of.....
A.D. 19.....

(Enumerator.)

R.O., E.C., J.P., A commr., or N.P.

"FORM 3.

**"ENUMERATOR'S CERTIFICATE OF TRUE COPY
OF LIST.**

"I, certify that the foregoing is a true copy of the voters' list in the Polling Subdivision, (or as the case may be) in the City of Medicine Hat, as prepared by me for use in the forthcoming municipal election, and I hereby designate the City Hall in the City of Medicine Hat as the place where and when voters may conveniently examine this list for correction and amendment if necessary.

.....
(*Enumerator.*)"

6. Title V, section 3, by repealing the said section and substituting therefor the following:

"3. At the time and place named in the notice, the returning officer shall declare the meeting open for the purpose of receiving nominations and any person whose name appears on the last revised voters' list may propose or second a nomination of any person shown on the last revised voters' list to serve as Mayor or Alderman of the City; and the meeting shall remain open until noon when, if the number of persons nominated to serve as Mayor and Aldermen does not exceed the requisite number, the returning officer shall declare the persons so nominated, duly elected."

7. Title V, section 57, subsection (b), by repealing the said subsection and substituting therefor the following:

"26. Council may, notwithstanding anything herein contained, by by-law provide for the election of the Mayor and Aldermen of the City by the proportional representation system of voting, or the preferential system of voting, or by any other system of voting whether a modification of such systems or not, and the proposed system of voting shall be described in such by-law."

8. Title VI, section 3, by inserting between the words "summon" and "to", where they appear in the third line of the said section, the following words: "any male person".

9. Title VII, section 3, by deleting all words following "School Trustees" in the third line of the said section.

10. Title VIII, section 7, by deleting the words "Class A", where they occur between the words "suit" and "by" in the said section, and substituting therefor the words "in Column 1."

11. Title XXI, section 3, subsection (a), by adding immediately following the words "street railway", in the twelfth line of the said section, the word "buses".

12. Title XXI, section 3, subsection (a), by adding immediately after the words "street railway syndicate or company", in the third line of the said section, the words "or bus syndicate or company".

13. Title XXI, section 5, by adding the following subsections:

"(k) The Council may license fur farms within the City limits.

"(l) The Council may license automatic music machines and other games, machines or devices which may be caused to be operated after the insertion of a coin or coins.

"(m) The Council may license hotels."

14. Title XXIX, section 3, subsection (3), by inserting between the words "sewers" and "culvert", in the said subsection, the words "water-mains, gas-mains and all authorized public works."

15. Title XXXI, section 6, by adding the following subsections:

"(h) Notwithstanding anything hereinbefore provided, the Council may, by by-law, impose a minimum business tax.

"(i) Notwithstanding anything hereinbefore provided, the Council may, by by-law, provide that the payment of the business tax for the next previous year shall be a condition precedent before the owner of a business may apply to the City for license to carry on any business."

16. Title XXXI, section 8, by deleting the words "except that it shall not be recoverable by the sale of land" where they occur at the end of the said section.

17. Title XXXVII, by adding the following sections:

"14. The following by-laws of the City of Medicine Hat, assented to by the burgesses of the City on the 9th day of December, 1946, and which were passed by the Council on the 13th day of January, 1947, are hereby validated and confirmed and declared to be legal, valid and binding upon the City of Medicine Hat, the ratepayers and burgesses thereof, and the validity of the said by-laws shall not be open to question in any court on any grounds, and the City of Medicine Hat is hereby authorized and empowered to do all necessary acts for the full and proper carrying out of the objects of the said by-laws:

"By-law No. 943—\$180,000.00—Dual Gas Main

"By-law No. 944— 85,000.00—Storm Sewers.

"By-law No. 945— 115,000.00—Rising Water Main.

"By-law No. 946— 330,000.00—Turbo Generator.

"By-law No. 947— 25,000.00—Domestic Sewers.

"By-law No. 948— 100,000.00—Street Paving and
Public Works.

"15. Notwithstanding anything hereinbefore contained, the agreements between the City of Medicine Hat and War-time Housing Limited, signed on September 17, 1946, and signed by the Mayor and City Clerk on behalf of the City, is hereby validated and confirmed and declared to be legal and binding on the City of Medicine Hat and the ratepayers and the burgesses thereof."

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

No. 6

FOURTH SESSION
TENTH LEGISLATURE

11 GEORGE VI

1947

BILL

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

Received and read the

First time.....

Second time.....

Third time.....

DR. ROBINSON.

EDMONTON:
A. Shnitka, King's Printer
1947