

BILL

No. 9 of 1947.

An Act to amend the Acts constituting The Edmonton Charter.

(Assented to _____, 1947.)

WHEREAS a petition has been presented by the Council of the City of Edmonton for an amendment to 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 16 thereof, by deleting the same and by substituting therefor the following:

"16 (1) The Mayor of the City of Edmonton shall be elected by a general vote of the electors of the City in manner hereinafter provided.

"(2) The person elected as mayor at the general municipal election to be held in the year 1947 shall hold office for a term of two years and thereafter the term of office of mayor shall be for two years except in any case where the person is elected as mayor to fill an unexpired term of office caused by death, resignation, disqualification or otherwise, in which case such person shall hold office only during such unexpired term;

"(3) Any person may be re-elected as mayor, provided such person is duly qualified in accordance with the provisions of this Act;

"(4) This section shall not come into force and effect unless the question 'Are you in favour of a two-year term for mayor?' is submitted by way of plebiscite to the electors of the City at the general municipal election to be held in the year 1947 and is approved by a majority of the electors voting on such question".

2. As to section 221 thereof:

(1) As to paragraph (e) of subsection (2) of said section 221, as enacted by section 5 of chapter 2 of the Statutes of Alberta, 1937, by inserting therein between the words "classification" and "for", where the same appear in the

15th line thereof, the following words: "for limiting the number of such vehicles which may be used for plying for hire or for carrying passengers for hire!"

(2) By adding to said section 221 the following subsections, namely:

"(25) In any case where there exists upon any land within the City an excavation, depression or cellar which in the opinion of Council may be dangerous to life or which may be injurious to property or which may constitute a nuisance, the Council may require the owner or occupant concerned to fill in such excavation, depression or cellar or protect the same in such manner and within such period of time as Council may deem proper. If the owner or occupant concerned fails, neglects or refuses to fill in or protect such excavation, depression or cellar, as the case may be, the Council may cause such work to be done and may charge the cost against the land concerned as taxes due and owing in respect of said land, or may take such other proceedings to recover said cost as Council may decide.

"(26) The Council may prohibit or regulate the operation of any vehicle for advertising or announcing purposes upon any of the highways of the City and may prohibit or regulate the use within the City of any sound amplification equipment.

"(27) The Council may enter into a written agreement with the Council of any municipality abutting the boundaries of the City for the purpose of assisting any such abutting municipality in the administration or supervision of any part or parts of any such abutting municipality with respect to any matters concerning health, sanitation, fire, police, building restrictions or zoning upon such terms and conditions as said Council may deem expedient and any agreement so entered into shall be legal, valid and binding upon the City and upon any abutting municipality entering into such an agreement.

"(28) Notwithstanding the provisions of *The Vehicles and Highway Traffic Act* or the provisions of any other Act or law to the contrary, the Council by by-law may impose a fee for parking any vehicles upon any part of any of the highways of the City and Council may cause to be installed and used upon any part of any of said highways, any automatic device for calculating and showing thereon the amount of such fee, and Council may impose penalties as provided in Section 522 upon any person concerned who fails to pay the fee so imposed.

"(29) Notwithstanding any Act or law to the contrary, the Council may by by-law adopt for observance within the City any time other than Mountain Standard Time."

3. As to section 233 thereof:

By deleting paragraph (b) of subsection (3) thereof as enacted by section 17 of chapter 71 of the Statutes of Alberta, 1932, and by substituting therefor the following:

“(b) All persons who use any steam shovel, bull-dozer, drag line, scraper, fresno, slip, plow or any similar machinery or apparatus for the purpose of moving, removing, filling, levelling, conveying or carrying earth, sand, gravel, ashes or refuse or used in or about the making of any cellar or excavation.”

4. As to section 235 thereof :

By adding thereto the following subsection :

“(2) In any case where the Council deems it expedient to construct under any of the highways of the City a system of storm sewers separate from a combined system of sanitary and storm sewers, the owner of any building, erection or structure situate on land abutting upon any highway where such separate system of storm sewers is constructed shall, if so required by Council, connect such building, erection or structure to each of said systems. If the owner concerned fails, neglects or refuses so to do within such period of time as may be fixed by Council, the City may enter upon the land and building, erection or structure concerned and make such connection and charge the cost thereof against the land and building concerned in the same manner as taxes and with the same priority as to lien and to payment thereof as in the case of ordinary municipal taxes, except that in the case of any existing building, erection or structure connected with a sewerage system existing at the time of the construction of a separate storm sewer system the City will at its expense supply the material and perform the work of connecting such building, erection or structure with the separate storm sewer subsequently constructed.”

5. As to section 239 thereof :

By deleting the same.

6. As to section 239a, as enacted by section 4 of chapter 102 of the Statutes of Alberta, 1939.

(1) By deleting from paragraph (h) of subsection (3) thereof, the words “as said Council in its absolute discretion may determine”, where the same occur therein, and by substituting therefor the following :

“and in any such by-law the Council may establish a system of rotation or by districts or otherwise as Council may determine whereby one or more garages or one or more gasoline service stations may remain open during the general closing hours fixed by Council” ;

(2) By changing the number “239a” thereof to “239”.

7. As to section 327, by deleting the words “ten a.m. to four p.m. on every day which is not a public holiday, except Saturday (and on that day from ten a.m. to twelve o’clock noon)”, where the same appear in the notice forming part of said section 327, and by substituting therefor the following :

"ten a.m. to four p.m. on every day of the week, except on Saturday and Sunday, and on every day which is a public holiday."

8. As to section 359 thereof:

By deleting the same.

9. As to section 407 thereof:

By deleting from subsection 1 (b) the following words which occur therein: "The request of the petition may be acceded to by the Council of the current or the next succeeding year", and by substituting therefor the words: "The request of the petition may by resolution of Council be acceded to at any time during the five years next succeeding the date of the filing of said petition with the Council".

10. As to section 415 thereof:

By deleting subsection numbered 3 and by substituting therefor the following, namely:

"3. If any part of the debt is to be borne by the City at large, the value of the whole rateable property of the City according to the last revised assessment roll."

11. As to subsection (3) of section 503b, enacted by section 5 of chapter 119 of the Statutes of Alberta, 1941, by inserting between the words "classification" and "and", where the same occur in the 15th line thereof, the words "as Council may prescribe".

12. As to section 528 thereof, by adding thereto the following subsection:

"(2) Notwithstanding anything to the contrary contained in any provision of *The Edmonton-Strathcona Amalgamation Act* (being chapter 66 of the statutes of Alberta, 1911-12), the Council may in substitution for the street railway service on the highways referred to in section 30 of the said Act bring into operation and maintain as part of the Edmonton Transportation System, bus services on the following highways, namely:

"(a) From the corner of Whyte Avenue and 104th (Main) Street south on 104th (Main) Street to 76th Avenue; thence west on 76th Avenue to 106th Street; thence south on 106th Street to 70th Avenue; and

"(b) From the corner of Whyte Avenue and 109th Street, south on 109th Street to 76th Avenue; thence west on 76th Avenue to 118th Street:

"Provided that with respect to operating standards and running time the substituted bus services shall be at least equivalent to the street railway services provided for the several areas in question as at the time of such substitution." and section 30 of said Act shall be altered in accordance with the provisions of this section.

13. As to subsection (d) of section 9 of chapter 65 of the Statutes of Alberta, 1930, as enacted by section 24 of chapter 106 of the Statutes of Alberta, 1936, by adding thereto the following sub-paragraph:

“(1) The Council may prohibit or regulate the use by such heavy vehicles or by horse-drawn vehicles or by vehicles engaged in the conveyance of inflammable, explosive or dangerous substances of any of the bridges crossing the North Saskatchewan River within the limits of the City, provided that if the use by any such vehicles of any of such bridges is prohibited, Council shall provide a reasonable alternative route over one of the other of such bridges for the use of such vehicles.”

14. As to section 8 thereof:

By deleting therefrom the following words, namely: “thence south along the west boundaries of the east halves of sections twenty-three, fourteen, eleven and two in township fifty-three, range twenty-five, west of the fourth meridian and of sections thirty-five, twenty-six and twenty-three in township fifty-two in said range twenty-five, to the centre of the North Saskatchewan River”, where the same occur in said section, and by substituting therefor the following words: “thence south along the west boundaries of the east halves of sections twenty-three, fourteen, eleven and two, in township fifty-three, range twenty-five, west of the fourth meridian, to its intersection with the centre line of Stony Plain Road between stations six and seven, as shown on Plan 77 C.L. of record in the Land Titles Office for the North Alberta Land Registration District; thence south-westerly along the said centre line as shown on the said plan to its intersection with the centre line of the said road between stations seven and eight thereof; thence south-easterly along the said centre line to its intersection with the west boundary of the east half of section thirty-five, township fifty-two, range twenty-five, west of the fourth meridian; thence along the west boundary of the east halves of sections thirty-five, twenty-six and twenty-three in township fifty-two, in said range twenty-five, to the centre of the North Saskatchewan River”.

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

No. 9

FOURTH SESSION
TENTH LEGISLATURE

11 GEORGE VI

1947

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
1947