

# BILL

No. 1 of 1948.

An Act to amend The Lethbridge City Charter.

(Assented to \_\_\_\_\_, 1948.)

**W**HEREAS 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 4 of Title III is amended by striking out said section 4 and substituting the following therefor:

“**4.** The mayor shall be paid such remuneration as the Council shall decide, but in no case shall the remuneration exceed \$2,000.00 per annum, beginning with the year 1948.”

**2.** Section 8 of Title III is amended by striking out the words “one month” where they occur in the fifth line of said section, and substituting therefor the words “two months”.

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

“**1.** The persons entitled to vote at elections in the City of Lethbridge shall be all persons both male and female of the full age of twenty-one years whose names appear on the last revised voters’ list which shall be prepared annually as hereinafter provided.”

**4.** Section 2 of Title IV is amended by striking out the words “in alphabetical order” where they occur in the second and third lines of said section.

**5.** Section 3 of Title IV is amended by striking out subsection (c) of said section 3 and substituting the following therefor:

“(c). 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 whose names were placed and appear on the voters' list of any preceding year (beginning with the voters' list of the year 1947) by reason of registration in accordance with the provisions of section 3 A of this Title IV, excepting only the names of such registered voters who have since the year 1947 failed to vote at two consecutive general municipal elections at which a poll has been taken; and the City Clerk shall on or before the 1st day of June of the year A.D. 1950, and of each year thereafter prepare and deliver to the City Assessor a list of such registered voters who have failed to vote as aforesaid, and shall also on or before the 1st day of June, A.D. 1950, and of each year thereafter, mail to each registered voter whose name is thus to be omitted from the current year's voters' list, by registered mail addressed to his or her registered address a notice stating that his or her name will be removed from the list of persons entitled to vote at elections in the City of Lethbridge by reason of his or her failure to vote at two consecutive general municipal elections at which a poll was taken, but that if he or she is qualified he or she may again become entitled to vote by registering in accordance with the provisions of section 3 A of this Title IV."

6. Subsection (2) of section 3 A of Title IV is amended by striking out said sub-section (2) and substituting the following therefor:

"(2) The said registrar shall after notice thereof posted on the principal door of the city hall during the first fifteen days of the month of June in each year and published in at least three issues of a newspaper published in the City of Lethbridge during the first fifteen days of the month of June 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 period from the 16th day of June to the 30th day of June, both days inclusive, in each year, and also during the period from the 17th day of July to the 31st day of July, both days inclusive, 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 the said periods, and between the hours of nine in the forenoon and twelve noon of each Saturday of the said periods."

7. Subsection (5) of section 3 A of Title IV is amended by striking out said subsection (5) and substituting the following therefor:

"(5) As soon as the said registration of voters has been completed and not later than the 15th day of August 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."

**8.** Section 3C of Title IV is amended by striking out said section 3 C and substituting the following therefor:

“3C. After a person whose name appears on the assessment roll has once been placed on the voters’ list as hereinbefore provided, his or her name shall be continued on the voters’ 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.”

**9.** Section 3D of Title IV is amended by striking out said section 3D and substituting the following therefor:

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

**10.** Section 3E of Title IV is amended by striking out said section 3E and substituting the following therefor:

“3E. On or before the 15th day of October in each year the city assessor shall enter on a supplementary voters’ list which shall form a part of the revised voters’ list and be delivered forthwith to the city clerk, the names of all persons who, on or before the 1st 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, the said persons having resided in the city for two months prior to the 1st day of October in the current year, and if by error or omission the name of any person so qualified as aforesaid has been omitted from such supplementary voters’ list such person may apply to the tax collector of the city for a certificate that he or she 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 is entitled to vote, the said person shall receive a ballot paper and be entitled to vote.”

**11.** Section 4 of Title IV is amended by striking out said section 4 and substituting the following therefor:

“4. Any person whose name appears on the voters’ list and who challenges or takes objection to the name of any other person appearing on such list on the ground that such 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 other person and such notice shall state the grounds of challenge or objection to the qualification of such other person. Notice of such challenge or objection shall be immediately mailed by the city clerk to the person challenged or objected to, addressed to such person at his or her residence within the city.”

**12.** Section 10 of Title VI is amended by striking out the word “twenty”, where it occurs in the sixth line of the said section, and substituting therefor the words “twenty-five.”

**13.** Section 1 of Title XIII is amended by striking out the words “at a salary not exceeding six thousand dollars per annum” where they occur in the first and second lines of said section.

**14.** Subsection (h) of Section 1 of Title XIV is amended by striking out said subsection (h) and substituting therefor the following:

“(h) He shall be the General Purchasing Agent for the City, with authority to purchase all material and supplies required by the City, and he may delegate to an assistant or assistants power and authority to make purchases for the City of material and supplies of a cost not exceeding \$100.00 for any one bill of such material and supplies.”

**15.** Subsection (i) of section 1 of Title XIV is amended by striking out said subsection (i) and substituting the following therefor:

“(i) When the amount of any purchase will exceed the sum of \$500.00 he shall first obtain competitive tenders except in case of emergency, and if the amount of the purchase will exceed \$2,000.00 he shall report such tenders to the City Council before accepting or rejecting any of the tenders.”

**16.** Subsection (u) of section 30 of Title XXIV is amended by striking out the words “by the health officer” where they occur in the first and second lines of said subsection.

**17.** Title XXIV is further amended by adding thereto immediately after section 30a thereof the following section to be section 30b of the said Title XXIV:

"30b. The City Council, without taking a vote of the burgesses thereon, may amend the existing Employees' Pension Plan By-law to provide that the yearly contribution by the City to the pension fund on account of accrued liability shall be reduced from \$10,008.00 to \$8,628.00 as of, from, and after January 1st, 1947, and also to provide that the maximum age at which any employee may become a new member of the Pension Scheme shall be 35 years instead of 30 years as presently provided for in said by-law."

**18.** Title XXIV is further amended by adding thereto immediately after Section 30b thereof the the following section to be section 30c of said Title XXIV:

"30c. The City of Lethbridge shall have and shall be deemed always to have had power and authority to make regulations governing the use and operation of bicycles within the City of Lethbridge, and without in any way restricting the generality of the foregoing shall have and shall be deemed always to have had power and authority,—

- "(a) to license bicycles and to require the owner or operator of any bicycle used or operated within the City of Lethbridge to pay a yearly license fee not exceeding one dollar for each such bicycle; and
- "(b) to provide that any bicycle found on any public highway or in any public place within the City of Lethbridge in contravention of any by-law of the City of Lethbridge or of any law of the Province of Alberta may be impounded by any Constable of the city police force and kept in custody until such pound charge as may be prescribed by city by-law is paid by the owner or operator of such bicycle, and that payment of such pound charge shall not relieve such owner or operator from liability for any penalty prescribed for violation of any law or by-law."

**19.** Title XXIV is further amended by adding thereto immediately after section 30c thereof the following section to be section 30d of said Title XXIV:

"30d. The City of Lethbridge shall have and shall be deemed always to have had power and authority to make regulations governing the parking of vehicles within the City of Lethbridge, and without restricting the generality of the foregoing shall have and shall be deemed always to have had power and authority,—

- "(a) to designate areas within the City, whether the same be a public highway or a public place or otherwise, where the parking of all vehicles or of vehicles of a certain class or of certain classes is prohibited;
- "(b) to designate areas upon public highways or in public places where parking of vehicles is reserved for

vehicles of a certain class or classes, and to prohibit the parking therein of vehicles of any other class;

- “(c) to limit the time during which vehicles may be parked upon any public highway or in any public place within the City or upon or within any part of any such public highway or public place;
- “(d) to provide for the installation of parking meters upon or within any public highway or public place or any part of any public highway or public place within the City of Lethbridge and to require by means of such meters the payment of fees for parking where such meters are installed, and to provide penalties for non-payment of such fees and for parking beyond the time limit for which any prescribed fee has been paid.”

**20.** Title XXIV is further amended by adding thereto immediately after section 30d thereof the following section to be section 30e of said Title XXIV:

“30e. The City of Lethbridge shall have and shall be deemed always to have had power and authority to make Regulations governing the keeping of dogs within the City, and without in any way restricting the generality of the foregoing shall have and shall be deemed always to have had power and authority,—

- “(a) to prohibit the running at large within the City of any dog and to prescribe the conditions under which dogs may be lawfully upon or within any public highway or public place within the City;
- “(b) to license dogs and to require the owner or keeper of any dog to pay a yearly license fee for each dog, and to provide for higher license fees for female dogs than for male dogs;
- “(c) to provide for the capture, impoundment and destruction of unlicensed dogs and of dogs which are kept or found running at large or found upon or within any public highway or public place within the City in contravention of any By-law or Regulation governing the keeping of dogs within the City;
- “(d) to provide for the capture, impoundment and destruction of any vicious dog or of any dog which within the City has injured any person, or injured, damaged or destroyed any domestic animal or poultry or any property of any kind whatsoever.”

**21.** Section 9 of Title XLI is amended by striking out the word “fifteen”, where it occurs in the thirty-third line of said section, and substituting therefor the word “forty”.

**22.** By adding to Title XLI a further section to be known as section 12 of said Title XLI namely:

**"12.** The City of Lethbridge shall have and shall be deemed always to have had power and authority to provide that vehicles shall not cross from one side to the other side of a street or avenue at the intersection of a lane with said street or avenue."

**23.** By adding to Title XLI a further section to be known as section 13 of said Title XLI, namely:

**"13.—**(1) When the city engineer has certified to the City Council that any building or structure or any part of any building or structure is in a ruinous or dilapidated condition the Council may make an order requiring the owner thereof within a period of time, which shall not be less than three months from the date of the making of the order,—

"(a) to remedy the condition of the said building or structure or of the said part of a building or structure in the manner and to the extent directed in any such order,

or

"(b) to clear the said building or structure or the said part of a building or structure from the site thereof either by tearing it down and removing the torn down material or by removing the said building or structure or the said part of a building or structure from its site to another site outside the City.

"(2) If any building or structure or any part of a building or structure has been erected or placed on any site within the City of Lethbridge in contravention of any of the provisions of the zoning by-law of the City of Lethbridge, or of any other by-law of the City of Lethbridge, the City Council may make an order requiring the owner thereof within a period of time, which shall not be less than three months from the date of the making of the order, to clear the said building or structure or the said part of a building or structure from the site thereof either by tearing it down and removing the torn down material or by removing the said building or structure or the said part of a building or structure from its site to another site outside the city or to any other site within the city which the council deems fit and proper.

"(3) Before making any order under the provisions of either subsection (1) or subsection (2) hereof the City Council shall give not less than thirty days' notice in writing to the registered owner of the land upon which the building or structure or part of a building or structure stands, and also to the assessed owner thereof if the registered owner is not the assessed owner, specifying the time and place at which the making of such an order will be considered by the Council and stating that any such owner may appear before the council at such time and place to show cause why no such order should be made, and such notice may either be

served personally or sent by registered mail to the registered or assessed owner at his or her last known post office address.

“(4) Any person who thinks himself aggrieved by any order of the council made as aforesaid may within thirty days from the date of the making of the order appeal to a Judge of a District Court of the District of Southern Alberta in Chambers at the City of Lethbridge upon not less than ten days’ notice to the city clerk of his intention so to appeal, and the judge, if satisfied that the proper procedure set forth in this Section has not been followed or that the council has acted in a manner contrary to the intention and meaning of this section or that the circumstances do not warrant the order appealed from, may set aside, vary or modify the order of the council as he deems fit and proper, or may make any order which he deems fit and proper within the limitations of subsections (1) and (2) hereof.

“(5) If the owner does not comply with any such order within the time specified therein the City Council may cause the building or structure or the part of a building or structure in question to be torn down and the torn down material to be disposed of as the council deems fit, or may clear the said building or the said part of a building or structure from the site thereof by selling the said building or structure or the said part of a building or structure for removal from its site; and if the said building or structure or the said part of a building or structure is sold for removal as aforesaid the net proceeds realized from such sale after deducting any taxes owing in respect thereof or on the land on which the same is situate shall be paid to the owner, mortgagee or other person thereto entitled, but if the said building or structure or the said part of a building or structure is torn down the cost of such tearing down less anything realized from salvaged material shall be a preferential lien and charge upon the land upon which the said building or structure or the said part of a building or structure stood and may be levied and collected in like manner as municipal rates and taxes are by law recoverable.”

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



FIFTH SESSION  
TENTH LEGISLATURE  
12 GEORGE VI  
1948

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**BILL**  
An Act to Amend The Lethbridge  
City Charter

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Received and read the

First time.....

Second time.....

Third time.....

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MR. LANDERYOU.

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A. Shnitka, King's Printer  
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