

BILL

No. 49 of 1948.

An Act to amend the Acts constituting The Edmonton Charter.

(Assented to _____, 1948.)

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 3 thereof: By deleting paragraph (d) of subsection (12) thereof and by substituting therefor the following:

“(d) All buildings, or any part of any building, and all structures, machinery and fixtures erected or placed upon, in, over, under or affixed to land;

“(e) All structures and fixtures erected or placed upon, in, over, under or affixed to any highway, road, street, lane, square or public place or water, but not the rolling stock of any railway or street railway;

“(f) In case of special franchises, machinery, fixtures, buildings, structures and other things existing, erected or placed upon, in, over, under or affixed to land, or any highway, road, street, lane, square, or public place or water, but not the rolling stock of any railway or street railway.”

2. As to section 8 thereof: By deleting the metes and bounds description therein contained commencing with the words, “Commencing at the north-east corner of section twenty-three in township fifty-three in range twenty-four, west of the fourth meridian” and ending with the words “and the east boundaries of said river lot thirty-four and sections fourteen and twenty-three in township fifty-three in range twenty-four to the point of commencement”, and by substituting therefor the following:

“Commencing at the north-east corner of section twenty-three in township fifty-three in range twenty-four west of the fourth meridian; thence west along the north boundaries of said section twenty-three and of sections twenty-two, twenty-one, twenty and nineteen in said township and range and of sections twenty-four and twenty-three in township fifty-three in range twenty-five west of the fourth meridian to the north-west corner of the east-half of said section twenty-three; 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 south 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; thence following the sinuosities of the said river down stream to its intersection with the west boundary of section twenty-four, township fifty-two, range twenty-five, west of the fourth meridian; thence southerly along the last named west boundary to its intersection with the easterly limit of road diversion as shown on road plan of record in the Land Titles Office for the North Alberta Land Registration District as 6408-E.T.; thence southerly along the eastern limit of the said road diversion to its intersection with the said west boundary of the said section twenty-four; thence southerly along the last named west boundary to the north-west corner of section thirteen in said township fifty-two, range twenty-five; thence easterly along the north boundary of the said section thirteen, in said township fifty-two in range twenty-five and the north boundary of section eighteen in the said township fifty-two in range twenty-four to the north-east corner thereof; thence southerly along the east boundary of section eighteen in said township fifty-two in range twenty-four west of the fourth meridian to the south-east corner of the north-east quarter thereof; thence easterly along the south boundary of the north-west quarter of section seventeen in township fifty-two in range twenty-four west of the fourth meridian to the western limit of the road as shown on road plan of record in the said Land Titles Office for the North Alberta Land Registration District as 6610-T; thence southerly along the western limit of the last named road and its production to the north boundary of the west half of fractional section seventeen R. in township fifty-two; thence easterly along the last named

north boundary to the north-east corner of the said west half of fractional section seventeen R.; thence southerly along the east boundary of the said west half of the said fractional section, to the northern boundary of section eight in township fifty-two in range twenty-four; thence easterly along the north boundary of the said section eight and section nine in township fifty-two in range twenty-four to the eastern limit of the right-of-way of the Calgary and Edmonton Railway as shown on Railway Plan of record in the said Land Titles Office as C. and E. No. one; thence northerly along the eastern limit of the said right-of-way to the north boundary of the west half of fractional section sixteen R.; thence easterly along the last named north boundary to its intersection with the production southerly of the eastern boundary of block eleven as shown on a plan of subdivision of the fractional south half of section sixteen in township fifty-two in range twenty-four of record in the said Land Titles Office as 1930-R.; thence northerly along the last named boundary to the south boundary of the north-east quarter section of the said section sixteen; thence westerly along the last named south boundary to the south-west corner of the said quarter section; thence northerly along the west boundary of the said quarter section to the north boundary thereof; thence easterly along the north boundary of the said sections sixteen and fifteen in township fifty-two in range twenty-four west of the fourth meridian to the north-east corner of section fifteen; thence north along the east boundaries of sections twenty-two, twenty-seven and thirty-four in township fifty-two in range twenty-four, and of river lot twenty-nine in the Edmonton Settlement and the production thereof to the centre of the North Saskatchewan River; thence following the sinuosities of the centre line of the said river down stream to its intersection with the east boundary of river lot thirty-four in the said Edmonton Settlement, produced south; thence north along said production and the east boundaries of said river lot thirty-four and sections fourteen and twenty-three in township fifty-three in range twenty-four to the point of commencement."

3. By adding thereto the following new section, namely:

"**21a.** No person eligible for election as mayor, alderman or school trustee shall be permitted to be a candidate at one and the same election for more than one of such offices, nor shall any person be permitted to hold at one and the same time the office of mayor and of alderman or of mayor and of school trustee or of alderman and of school trustee."

4. As to subsection (22) of section 221 thereof: By deleting therefrom the words "to relieve the housing shortage due to war conditions" and by substituting therefor the words "to relieve any housing shortage in the City".

5. As to section 239 thereof:

(a) By deleting paragraph (h) of subsection (3) thereof and by substituting therefor the following:

“(h) The Council may deal with garages and gasoline service stations as a special class and may pass by-laws requiring that the said garages and gasoline service stations shall be and remain closed for the service of customers during such hours on any day of the week as said Council may in its discretion determine and may establish a system, on a rotation basis or otherwise, whereby one or more garages or one or more gasoline service stations may remain open during the hours fixed by Council as the closing hours applicable generally to garages and gasoline service stations, and Council may exclude any of the provisions of section 239 from applying to garages and gasoline service stations it deems advisable.”

(b) By adding to said subsection (3) the following paragraph, namely:

“(i) The Council may deal with barber shops or beauty parlours either together or separately as a special class and may pass by-laws requiring that said barber shops or beauty parlours shall be and remain closed for the service of customers during such hours on any day of the week as said Council may in its discretion determine, and Council may exclude any of the provisions of section 239 from applying to barber shops or beauty parlours it deems advisable.”

6. As to section 250 thereof: By adding thereto the following subsection, namely:

“(2) Notwithstanding that the burgesses may have authorized the borrowing of money for the doing of any works authorized by the provisions of *The Edmonton Charter*, the Council may nevertheless postpone the borrowing of the money so authorized or the carrying out of the works in respect of which such borrowing was authorized to such future date as Council may deem expedient, not exceeding a period of five years from the date of the final passing by Council of the by-law authorizing the borrowing of the money for the doing of the works concerned.”

7. As to section 522 thereof: By adding thereto the following subsection, namely:

“(6) To enact that if by reason of the breach or non-observance by any person of any provision of any law or by-law relating to traffic any expense has been incurred by the City for or in connection with the moving of any vehicle or obstruction from any part of the highways of the City, the amount of the expense so incurred shall be added to the amount of any fine or penalty imposed in respect of such breach or non-observance or added to the amount fixed by Council in lieu of prosecution pursuant to the provisions of subsection (5) of this section, and that the person con-

cerned shall be required to pay the amount of of such expense in addition to the fine, penalty or amount so fixed by Council as aforesaid, as the case may be.

8. As to section 547, as enacted by chapter 52 of the Statutes of Alberta, 1918: By adding thereto the following subsection, namely:

“(5) For the purpose of this section the word or expression ‘improvements’ or ‘buildings and improvements’ shall include all buildings or any part of any building and all structures; machinery and fixtures erected upon, in, over, under or attached to any land.”

9. As to section 3 of chapter 42 of the Statutes of Alberta, 1924:

(1) By inserting between the words “streets” and “concrete”, where the said words occur in the sixth line of paragraph lettered “(a)” of said section 3, the word “bridges”;

(2) By deleting subsection (2) thereof, as enacted by section 8, of chapter 83 of the Statutes of Alberta, 1931.

10. As to section 8 of chapter 65 of the Statutes of Alberta, 1930: By adding thereto the following subsections, namely:

“(g) To set aside any part of any bridge or any part of any subway within the City for the exclusive use of any type of highway traffic specified by Council;

“(h) To set aside any part of any highway within the City for the purpose of erecting thereon safety islands, platforms or traffic standards.”

11. As to section 13 of chapter 74 of the Statutes of Alberta, 1947: By deleting the figure “9”, where it occurs in the first line thereof, and by substituting therefor the figure “8”.

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

FIFTH SESSION
TENTH LEGISLATURE
12 GEORGE VI
1948

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
1948