

BILL

No. 8 of 1950.

An Act to amend the Acts Constituting The Edmonton Charter.

(Assented to , 1950.)

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 98. By striking out the same and by substituting the following:

“98.—(1) Nominations shall be made and received during the time and at the place mentioned in the notice.

“(2) All nominations shall be on a nomination form to be provided by the city clerk or returning officer and shall be completed and signed by the candidate and by at least two qualified electors.

“(3) Before being delivered to the returning officer, the nominating form must have indorsed thereon a certificate signed by the city assessor showing,—

“(a) that the person nominated is assessed on the assessment roll for land and buildings or business, as the case may be, to the minimum amount required for qualification as required by section 21;

“(b) whether the person nominated resides and has more than one-half of the property for which he is assessed in the city of Edmonton in that portion of the city south of the North Saskatchewan River;

“(c) that at least two of the electors signing the nomination paper are duly qualified electors of the city;

“(d) the certificate of the assessor shall be binding and conclusive as to the matters so certified.

“(4) If the number of persons nominated to serve as mayor, aldermen, or school trustees for the whole of the

city, as the case may be, does not exceed the requisite number, the returning officer shall declare the person or persons so nominated duly elected.

"(5) In case the number of persons certified by the city assessor as duly qualified to serve as aldermen or school trustees for that portion of the city south of the North Saskatchewan River does not exceed the number to which the said portion of the city is entitled, the returning officer shall declare such persons to have been duly elected as aldermen to represent the said portion of the city."

2. As to section 221,—

- (a) by striking out subsection (35) of section 221, as enacted by section 15 of chapter 113, Statutes of Alberta, 1949, the dollar sign and figures "\$100.00", wherever they occur, and by substituting the dollar sign and figures "\$75.00";
- (b) by adding immediately after subsection (35) the following new subsection:

"(36)—(1) The council may enter into an agreement for the development of the civic centre area, being that portion of the city of Edmonton bounded on the north by the north boundary of 104th avenue; on the south by the south boundary of 101A avenue; on the east by the east boundary of 99th street and on the west by the west boundary of 100th street in the city of Edmonton and such other land as may be required in connection therewith as a modern business, shopping, professional and social centre with provision for public services and public benefits such as an auditorium, a public market, public museum and art gallery and surface and underground public and private parking areas.

"(2) In connection with the agreement the council,—

- "(a) may lease the land comprising the said civic centre area for a period not exceeding ninety-nine years; and
- "(b) may grant such tax concessions, allowances or exemptions as in the opinion of council are commensurate with the public services and benefits provided by such completed development; to the person undertaking to complete such development and to furnish such public services and public benefits to the satisfaction of council.

"(3) The granting of such tax allowances, concessions or exemptions shall not be deemed to constitute the granting of a bonus within the meaning of *The Edmonton Charter*."

3. By adding the following new sections:

"**221k.**—(1) The city may impose, levy and collect an annual charge in respect of petroleum substances or natural

gas obtained by any person from any well drilled or to be drilled within the limits of the city of Edmonton upon any basis which council may deem equitable, but not to exceed the following rates, namely,—

“(a) in the case of natural gas:
for each 1000 cubic feet of natural gas obtained, an amount not exceeding $\frac{3}{4}$ of 1c or 15% of the fair value, whichever is the higher;

“(b) in the case of petroleum substances:
an amount not exceeding 15% of the sale price of petroleum substances obtained from each well.

“(2) The council may make such regulations with regard to the manner and time of payment of such charge and concerning enforcement of payment thereof as council may deem necessary and expedient.

“**221l.** At any time after the estimated lifetime of any local improvement work has expired and continuing until such local improvement work is wholly reconstructed, the council may impose against each lot or parcel of land abutting such local improvement work an annual charge in respect of the maintenance and repair thereof at a rate not exceeding the rate shown opposite the type of local improvement work concerned, namely:

Maximum Rate

“(a) street or lane paving (asphalt or portland cement concrete)	5c	per	assessable	foot
“(b) concrete curbing	2c	“	“	“
“(c) concrete or bituminous walks	2c	“	“	“
“(d) plank walks	10c	“	“	“
“(e) street gravelling	5c	“	“	“
“(f) lane gravelling	75c	per	parcel	of land.”.

4. By adding immediately after section 299 the following new sections,—

“**299a.**—(1) Where two or more by-laws have been passed to authorize the issue and sale of debentures payable in instalments, whether over the same or different periods of years, instead of issuing debentures under the separate by-laws, the council by by-law, hereinafter called the consolidating by-law, without the assent of the burgesses, may provide for the issue of consolidated debentures for the aggregate of the amounts authorized by the separate by-laws.

“(2) The consolidating by-law shall designate by recitals or otherwise in respect of what separate by-laws it is passed.

“(3) Consolidated debentures maturing in any year shall bear the same rate of interest as would have been borne by debentures maturing in the same year if the same had been issued under the separate by-laws at the time of issue of the consolidated debentures; and the amount of principal payable in any year in respect of the ‘consolidated debentures’ shall be the amount of principal payable in any year in respect of the separate debentures.”

tures' shall be the aggregate of the amounts of principal which would have been payable in the same year if debentures had been issued under the separate by-laws at the time of issue of the consolidated debentures.

"(4) In calculating the outstanding debenture debt for the purpose of determining the borrowing power of the City consolidated debentures shall be deemed to have been issued under the separate by-laws included in the consolidation instead of under the consolidating by-laws.

"(5) The net amount realized by the issue and sale of consolidated debentures shall be applied for the purposes set forth in the separate by-laws in the same proportions as the respective principal amounts of debentures authorized by the separate by-laws bear to the principal amount of the consolidated debentures.

"(6) The amount of consolidated debentures payable in each year shall be allocated to the respective purposes set forth in the separate by-laws in the respective amounts which would have been payable in the same year in respect of such purposes respectively if the debentures had been issued under the separate by-laws at the time of issue of the consolidated debentures.

"**299b.** The following by-laws of The City of Edmonton passed on the 13th day of February, 1950, for the purposes and amounts hereinafter mentioned, namely:

<i>By-law No.</i>	<i>Purpose</i>	<i>Amount</i>
1264	Paving	\$1,260,000.00
1265	High Level Bridge	1,000,000.00
1266	Equipment, Engineers Dept.	140,000.00
1267	Storage Building, Engineers Dept.	110,000.00
1268	Paving Plant	25,000.00
1269	Fire Station Buildings	245,000.00
1270	Fire Fighting Equipment	405,000.00
1271	Comfort Stations	40,000.00
1272	Toilet Facilities in Play Grounds ..	12,500.00

are and each of them is hereby declared to be legally valid and binding upon the City of Edmonton and the rate payers and burgesses thereof affected thereby and shall not be open to question in any court on any ground whatever and all debentures and coupons thereto attached issued or to be issued or purporting to be issued under the said by-laws or under any consolidating by-law passed pursuant to Section 299a hereof are hereby declared to be issued on the credit and security of the municipality at large and to be legally valid and binding upon the City of Edmonton and the rate payers and burgesses thereof and the same shall not be open to question in any court on any ground whatever."

5. As to section 302. By adding immediately after subsection (3) the following new subsection:

"(4) The signature of the treasurer upon any such memorandum may be engraved, lithographed or otherwise mechanically reproduced."

6. This Act shall come into force on the day upon which it is assented to, and upon so coming into force section 221/ shall be deemed to have been in force at all times on and after the first day of January; 1950.

THIRD SESSION
ELEVENTH LEGISLATURE

14 GEORGE VI

1950

BILL

An Act to amend the Acts Constituting
The Edmonton Charter.

Received and read the

First time

Second time

Third time

MR. ADAMS.
