

BILL

No. 11 of 1911.

An Act respecting the Town of Camrose.

(Assented to 1911.)

1. The corporation of the Town of Camrose hereinafter called "the corporation" shall have power to construct, build, purchase, improve, extend, hold, maintain, manage, and conduct waterworks, sewers and electric lights and all buildings, materials, machinery, franchises, rights, privileges and appurtenances thereto belonging in the corporation and in the neighbourhood thereof as hereinafter provided, and either in connection with waterworks or not, a system of storm sewers or sanitary sewers or both.

2. The corporation shall have power to employ such engineers, surveyors and other persons and to rent with such conditions, covenants and stipulations as the corporation shall deem requisite and necessary or purchase at the option of the corporation such lands and buildings, waters and privileges as in their opinion may during the construction or at any future time be necessary or expedient to enable them properly to carry out the purposes of this Act.

3. The corporation, their engineers, servants and workmen from time to time and at such times as the corporation shall see fit, may enter into and upon, take or use the land of any person, bodies politic or corporate in the corporation or within ten miles thereof, and may survey, set out and ascertain such parts thereof as are required for the purposes of the waterworks, sewers or any other works contemplated by this Act, and may contract with the owner or occupier of the said lands and any person having a right or interested in any water for the purchase or renting thereof or of any part thereof or of any privilege that may be required for the purpose of the waterworks or sewers at the option of the corporation.

4. The corporation may construct, erect, and maintain in and upon any lands acquired under the provisions of this Act all reservoirs, waterworks, machinery requisite for the undertaking and for conveying the water thereto and therefrom, in, upon and through any lands lying intermediate between said reservoirs and waterworks and the rivers, ponds, springs, streams or waters from which the same are procured and the corporation by one or more lines of pipes as may from time to time be found necessary or expedient.

5. The corporation and their servants under their authority may for the said purposes enter and pass upon and over the said lands intermediate as aforesaid and the same may cut and dig up if necessary and may lay down the said pipes through the same, and in, upon, through, over and under the highways, streets, lanes, roads or other passages intermediate as aforesaid, and may for the purpose of such works enter and pass upon and over such lands as the corporation may deem expedient and the same may cut and dig up if necessary and may lay pipes, drains, sewers or other works through the same and in, through, over and under lands, highways, streets, lanes, roads, or other passages.

6. All lands not being the property of the corporation and all highways, roads, streets, lanes or other passages so dug up or interfered with shall be restored to their original condition without necessary delay.

7. The corporation may enter upon, set out, ascertain, purchase, use and occupy such parts of the said lands as the said corporation may think necessary and proper for the making and maintaining of the said works or for the opening of new streets required for the same and for the purchasing of said lands required for the protection of the said works or for preserving the purity of the water supply or for taking up, removing, altering or repairing the same and for distributing water to the inhabitants of the community or the suburbs of the corporation or for the uses of the corporation or for the proprietors or occupiers of the land through or near which the same may pass.

8. For the purpose of distributing water or for the purpose of sewerage as aforesaid the said corporation may sink and lay down pipes, tanks, reservoirs and other conveniences and may from time to time alter all or any of the said works as well in the position as in the construction thereof as they may deem advisable.

9. All works, pipes, erections and machinery requisite for the undertaking shall be vested in and be the property of the corporation constructing the said works.

10. Service pipes or sewers which may be required shall be constructed and laid down up to the outer line of the street by the corporation and the corporation shall be solely responsible for keeping the same in repair.

11. In cases where space intervenes between the outer line of the street and the wall of the building or other place into which the water is to be taken or with which the sewer is to be connected the corporation may with the consent of the owner lay the service pipes or sewers across such vacant space and charge the cost thereof to the owner of the premises or the owner himself may lay service pipes or sewers provided the same is done to the satisfaction of the corporation or person appointed by them in that behalf.

12. The expense incidental to the laying and repairing as hereinafter provided of the service pipes or sewers, if laid or repaired by the corporation, except the repairing of the service pipes or sewers from the main pipe to the outer limit of the street as aforesaid which shall be borne solely by the corporation, or of superintending the laying or repairing of the same if laid or repaired by any other person shall be payable by the owner on demand, or if not paid may be collected forthwith in the same manner as water rates:

Provided that in no case shall the expense of superintending the laying or repairing of such service, if laid or repaired by any other person aforesaid, exceed \$2.00.

13. The service pipes or sewers from the line of street to the interior face of the outer walls of the building supplied together with all branches, couplings, stopcocks and apparatus placed therein by the corporation shall be under their control; and if any damage is done to this portion of the service pipe or sewer or its fittings either by neglect or otherwise the occupant or owner of the lands shall forthwith repair the same to the

satisfaction of the corporation and in default of his so doing whether notified or not the corporation may enter upon the lands where the service pipes are and by their officers, agents or servants, repair the same and charge the same to the owner of the premises as hereinbefore provided.

14. The stopcock placed by the corporation inside the wall of the building shall not be used by the water tenant except in cases of accident or for the protection of the building or the pipes and to prevent the flooding of the premises.

15. Parties supplied with water by the corporation may be required to place only such taps for drawing and shutting off the water as are approved of by the corporation.

16. Any person authorized by the corporation for that purpose shall have free access at proper hours of the day and upon reasonable notice and request made, or in case of the written authority of a commissioner given or in respect of the special case without notice to all parts of every building or other premises in which water is delivered and consumed or which is served by a sewer for the purpose of inspecting or repairing as aforesaid or for placing meters upon any service pipe or connection within or without any house or building as they may deem expedient; and for this purpose or for the purpose of protecting or of regulating the use of such meter may set or alter the position of the same or of any pipe, connection or tap; and may fix the price to be paid for the use of the meter and the time when and the manner in which the same shall be payable and may also charge for and recover the expenses of such alterations and such price and expense of such alteration may be collected in the same manner as water rates.

17. The corporation shall regulate the distribution and use of the water in all places and for all purposes where the same may be required and from time to time may fix the prices for the use thereof and the times for payments; and they may erect such number of hydrants and in such places as they shall see fit and direct in what manner and for what purposes the same shall be used, all which they may change at their discretion and may fix the rate or rent to be paid for the use of water by hydrants or fire plugs and public buildings.

18. The sum payable by the owner or occupant of any house, tenement, lot or part of a lot, for the water supplied to him there or for the use thereof, and all rates, costs and charges by this Act to be collected in the same manner as water rates shall be a preferential lien and charge on the house, tenement, lot or part of a lot; and may be levied and collected in like manner as municipal rates and taxes are by law recoverable.

19. The corporation may from time to time make and enforce by-laws, rules and regulations for the general maintenance or the management or conduct of the waterworks and of the officers and others employed in connection with them not inconsistent with this Act and for the collection of the water rates and for fixing the time and times when, and the places where the same shall be payable; and also for allowing a discount for prepayment and in case of default in payment may enforce payment by shutting off the water or by action in any court of competent jurisdiction, or by distress and sale of the goods and chattels of the owner or occupant or of any goods and chattels in his possession wherever the same may be found within ten miles of the property in respect of which the water

rate is payable or of any goods and chattels found on the premises the property of or in the possession of any occupant of the premises; but where the arrears exceed three months no distress shall be made of any goods and chattels which are not the property of the person liable for the water rate.

20. The distress and sale may be conducted in the same manner as distress sales are conducted for arrears of taxes and the costs chargeable shall be those payable under *An Act respecting Distress for Rent and extra-judicial Seizure*.

21. The corporation shall have power to employ the ordinary collectors and assessors and such other person as in their opinion may be necessary to carry out the objects of this Act and to specify their duties and to fix their compensation and all such persons shall hold their offices at the pleasure of the corporation or as the corporation shall determine by by-law in that behalf; and shall give security as the corporation shall from time to time require; and such assessors and collectors shall have full power in the performance and enforcement of the matters to them committed as the assessors and collectors of the corporation may by law possess and enjoy in respect of municipal taxes.

22. The corporation shall not be liable for damages caused by the breaking of any service pipes or attachment in the absence or negligence or for any shutting off of any water to repair mains:

Provided that reasonable notice of the intention to shut off the water shall be given whenever the same is intended to be shut off for more than six hours at any one time.

23. The said corporation shall have power and authority to supply with water upon special terms any person or corporation outside the town and may exercise all other powers necessary to the carrying out of their agreement with such corporation or person as well within the suburbs as within the town; and they may also from time to time make and carry out any agreement which they may deem expedient for the supply of water to any railway company, manufactory, industry or institution whether government or otherwise within ten miles of the corporation.

24. The corporation may make such by-laws as to the council may seem requisite for prohibiting by fine not exceeding twenty dollars and costs and in default by imprisonment for any term not exceeding one month any person being tenant, occupant or inmate of any house, building or other place supplied with water from the waterworks from lending, selling or disposing of the water thereof, from giving it away or permitting it to be taken or carried away or from using or applying to the use or benefit of others or to any other than his, her or their own use and benefit or from increasing the supply of water agreed for with the corporation or from wrongfully neglecting or improperly wasting the water.

25. And may also make by-laws regulating the time, manner, extent and nature of the supply by the works to the tenement or parties to which and to whom the same shall be furnished the price or prices to be enacted therefor and each and every other matter or thing related to or connected therewith which it may be necessary or proper to direct, regulate or determine in order to secure the inhabitants of the corporation a continued and abundant supply of pure and wholesome water and to prevent the practising of frauds upon the corporation with regard to the water so supplied.

26. The amount of the fine, the duration of the imprisonment and also the option between fine and imprisonment shall be in the discretion of the justice of the peace before whom any proceeding may be taken for the enforcement of such by-law.

27. In case a petition signed by two-thirds of the resident ratepayers of the corporation qualified to vote on by-laws requiring the assent of the electors is presented to the council of the corporation asking for the construction of waterworks under the powers conferred on the corporation by this Act, it shall be the duty of such council to submit a by-law for the construction of such waterworks to the vote of the ratepayers of the corporation and such council shall forthwith prepare a by-law directing the submission of the question in accordance with the prayers of the petitioners or in such form as may be approved by the vote of two-thirds of the members of such council and shall submit the same to the vote of the ratepayers within six weeks after the receipt of the petition of the council.

28. The power of the town council shall not be deemed to be abridged by this Act except as expressly stated herein.

29. The proceedings in taking the vote and the persons having the right to vote shall be the same as nearly as may be as are required by *The Municipal Ordinance* in case of by-laws creating debts.

30. If the by-law be approved of by two-thirds of the duly qualified ratepayers voting thereon it shall be the duty of the council to pass the by-law and forthwith to proceed in the construction of the works:

Provided always that the council may for any good cause if deemed expedient by a vote of two-thirds of its members hold the works in abeyance until after the next general municipal election.

LIGHTING, HEATING AND POWER WORKS.

31. The corporation shall have power to manufacture and supply for the use of the corporation and of all persons, gas (including natural gas) for heating, cooking and all other purposes for which gas can be used and to manufacture and supply electric, galvanic or other artificial light or heat or power either in connection with gas or otherwise, and for these purposes shall have power to construct, purchase, improve, extend, hold, maintain, manage and conduct any works which they may deem requisite; and shall have power to acquire any patent or other rights for the manufacture or production of any artificial light or heat or power; and also to supply, sell or lease all fittings, machines, apparatus, meter or other things for the purposes aforesaid.

32. The corporation may sell or dispose of coke, tar and every other product, refuse, or residue obtained in or from their said works and any surplus of coal they may have on hand.

33. The corporation shall have power to rent, purchase or lease such land and buildings as they may deem necessary or advantageous for the purpose aforesaid.

34. The corporation or their servants under their authority may for the purpose of laying down, taking up, examining or keeping in repair the pipes or wires used for conducting the

gas, electricity or other means of producing light or heat or power, break up, dig and trench in, upon, through, over and under the highways, streets, lanes, roads, squares and other public passages and places in the corporation; or, with the consent of the owner in, upon, through, over or under any private property; or may upon poles or otherwise conduct such wires and rods along and across such streets, lanes, roads, squares and other public passages and places or, with the consent of the owner, upon private property.

35. Where there are buildings within the corporation, different parts whereof belong to different proprietors or are in possession of different tenants or lessees, the corporation may, with the consent of the owner, carry pipes, wires, or rods to any part of any building so situate passing over the property of one or more proprietors or in the possession of one or more tenants to convey the gas, electricity or other means of providing light or heat or power to the property of another or in possession of another.

36. Such pipes, wires or rods shall be carried up and attached to the outside of the building unless consent is obtained to carry the same inside.

37. The corporation may also break up and uplift all passages common to neighbouring proprietors or tenants and dig or cut trenches therein for the purpose of laying down pipes or wires or taking up, or repairing or examining the same, doing as little damage as may be in the execution of the powers hereby conferred and restoring such passages to their original condition without unnecessary delay.

38. The corporation shall construct gas and other works and all apparatus and appurtenances thereunto belonging or appertaining or therewith connected and wheresoever situated so as not to endanger the public health or safety.

39. Where the corporation has constructed any works for supplying the town with light, heat or power as hereinbefore provided and where there is a sufficient supply thereof it shall be the duty of the corporation to supply all buildings within the town situate upon land lying along the line of supplies, upon the same being requested by the owner, occupant or other person in charge of any such building, at the customary charges and on the customary terms.

40. The corporation may from time to time make and enforce all necessary by-laws, rules and regulations for the general maintenance and management of all the works constructed or maintained under this Act; and of the officers or others employed in connection with them; and for the collection of the rates and charges for supplying gas, or electricity or other means of providing light or heat or power hereunder and for the rent of fittings, machines, apparatus, meters or other things leased to consumers; and for fixing such rates, charges and rents; and the times and places when and where the same shall be payable; and the corporation may allow for prepayment or punctual payment such discount as they may deem expedient.

41. The sum payable by the owner or occupant of any house, tenement or building for the light, heat or power supplied to him there, or for the use thereof, and all rates, costs and charges by this Act to be collected in the same manner as taxes shall be a preferential lien and charge on the house, tenement or building, and may be levied and collected in like manner as municipal rates are by law recoverable.

42. Where any consumer continues the use of gas or other means of providing light or heat or power furnished by the corporation or the corporation lawfully refuses to continue any longer to supply the same the officers and servants of the corporation may at all reasonable times enter the premises in or upon which consumer was supplied with gas or the means of providing light or heat or power for the purpose of removing therefrom any fittings, machines, apparatus, meters, pipes or other things being the property of the corporation in or upon such premises and may remove the same therefrom doing no unnecessary damage.

43. The said corporation shall have power and authority to supply with gas (including natural gas) for heating, cooking and all other purposes for which gas can be used, electric, galvanic or any other artificial light or heat or power, either in connection with gas or otherwise upon special terms any person or corporation outside the town and may exercise all other power necessary to the carrying out of their agreement with such corporation or person as well within the suburbs as within the town, and they may also from time to time make and carry out any agreement which they may deem expedient for the supply of such light, heat or power to any railway company, manufactory, industry or institution whether government or otherwise within ten miles of the corporation.

GENERAL.

44. The corporation shall do as little damage as may be in the execution of the powers by this Act granted to them and shall make reasonable and adequate satisfaction to the owners, occupiers or other persons interested in the land, waters, rights or privileges entered upon, taken or used by the corporation or injuriously affected by the exercise of its powers; and in case of disagreement the compensation or damages shall be ascertained as provided in like cases in *The Municipal Ordinance*.

45. The attempt to collect any rates by process hereinbefore mentioned shall not in any way invalidate the lien on the premises as hereinbefore provided.

In the event of the rate remaining uncollected and unpaid and continuing a lien upon the said premises as aforesaid the amount of the rate so in arrears shall be returned by the collectors to the secretary-treasurer or clerk of the town annually on or before the eighth of April, in each and every year or such other time as may be fixed by the corporation by-laws in that behalf; and the same together with interest at the rate of six per centum per annum thereon shall thereupon be collected by the secretary-treasurer or clerk by the sale of the lands and premises in the same manner and subject to the same provisions as in case of the sale of lands for arrears of municipal taxes for the time being.

46. The corporation and their officers, agents and servants shall have the like protection in the exercise of their respective offices and the execution of their duties as public officers have under the laws of the province and the watchmen and other officers of the corporation when in the discharge of their duties shall be *ex officio* possessed of all the powers and authorities of constables.

47. All materials procured under contract with the corporation and upon which the corporation shall have made advances in accordance with such contract shall be exempt from execution.

48. The lands, buildings, machinery, reservoirs, pipes, poles, wires, rods, meters, fittings and all other real or personal property connected with or appertaining or belonging to any work under this Act shall be exempt from taxation for civic, school or other purposes.

49. No property owned by the corporation under the authority of this Act shall be liable to seizure by way of distress for rent.

50. The corporation may dispose of any real or personal property acquired by them for the purpose of this Act when no longer required and until sold may rent or lease the same. Any property so sold shall be free from any charge or lien on account of any debentures or other securities issued by the corporation; but the proceeds of the sale shall be added to and form a part of the fund for the redemption and payment of any such securities constituting a charge thereon but may be reinvested in similar property under the authority of this Act which substituted property shall immediately upon its being acquired be and become subject to such securities as the property sold was subject to; or should no such securities then exist then the said proceeds shall form part of the general fund of the corporation and may be applied accordingly.

51. In case credit is given for any portion of the purchase money of such real property the corporation may take security by way of mortgage to secure the same; and the corporation shall have all the rights, powers or remedies expressed in or implied by any mortgage given as fully as if the mortgage had been given to a private person; and every such mortgage and the proceeds thereof shall be subject to the provisions of the preceding section.

52. No member of the town council shall personally have or hold any contract in connection with any works under this Act or be directly or indirectly interested in the same or any of them; but no person shall be held to be disqualified from being elected or sitting as a member of the council of the corporation by reason of his being a taker or consumer of water, light, heat or power supplied by the corporation or by reason of any dealing or contract with the corporation with reference to the supply of water, light, heat or power to such person.

53. All persons and corporations who shall by themselves, their servants or agents by act, default, neglect or omission occasion any loss, damage or injury to the public works constructed under the provisions of this Act or to any plant, machinery, fitting or appurtenances thereof shall be liable to the corporation for or in respect of such damage, loss or injury and damages in respect thereof may be recovered by the corporation in any court of competent jurisdiction.

54. The corporation may purchase or lease any works constructed for the supply of water, light, heat and power within or in the neighbourhood of the corporation and being the property of any person or company and under the provisions of this Act may improve or extend such works.

55. If any person does or commits any of the following acts:

1. Wilfully or maliciously hinders or interrupts or causes or procures to be hindered or interrupted the said corporation or their managers, contractors, servants, agents, workmen or any of them in the exercise of any of the powers and authorities in this Act authorized and contained;

2. Wilfully or maliciously lets off or discharges water or gas so that the same runs waste or useless;

3. Not being in the employment of the corporation and not being a member of the fire brigade and duly authorized in that behalf wilfully opens or closes any hydrant or obstructs the free access of any hydrant, stopcock, chamber pipe or hydrant chamber by placing on it any building material, rubbish or other obstruction;

4. Throws or deposits any injurious, noisome or offensive matter into the water or waterworks or upon the ice in case such water is frozen or in any way fouls the water or commits any wilful damage or injury to the works, pipes or water or encourages the same to be done;

5. Wilfully alters any meter placed upon any service pipe or connected therewith within or without any house, building or other place so as to lessen or alter the amount of water, gas or electricity registered thereby unless specially authorized by the corporation for that particular purpose and occasion;

6. Lays or causes to be laid or attached any pipe or wire or rod to communicate with any pipe or main or wire or rod of the works or in any way obtains or uses any water, gas, or electricity thereof without the consent of the corporation;

7. Washes or cleanses cloth, wool, leather, skin or animals or places any nuisance or offensive thing within the distance of one mile from the source of supply for such waterworks in any river, pond, creek, spring, source or fountain from which the water of the waterworks is obtained or conveys, casts, throws or puts any filth, dirt, dead carcass or other noisome or offensive thing therein or within the distance as above set forth, causes, permits, or suffers the water of any sink, sewer or drain to run or be conveyed in the same or causes any other thing to be done whereby the water therein may be in any way tainted or fouled;

And if such person is convicted of such act before a justice of the peace he shall for every such offence forfeit and pay a sum not exceeding twenty dollars and not less than one dollar together with the costs and charges attending the proceedings and conviction and in default the offender may be imprisoned for a period not exceeding thirty days.

56. The penalties in money under the last preceding section or any portion of them which may be recovered shall be paid to the convicting justice; and by him paid one-half to the treasurer of the corporation and the other half to the prosecutor unless the prosecutor is the officer or servant of the corporation in which case the whole of the penalty shall be paid to the corporation.

57. Any civic public work provided for in this Act may be constructed, built, purchased, improved, extended, held, maintained, managed and conducted either separately as distinct undertakings or in conjunction as one entire undertaking.

58. It is hereby provided that any public work or works constructed or acquired under this Act and all lands acquired for the purpose thereof, and every matter and thing appertaining thereto and all revenues derived therefrom shall be held to be entirely separate from all other assets of the corporation and shall not be liable for any debt of the corporation heretofore or hereafter contracted by the corporation on the credit of the corporation at large, and such public work or works, lands, appurtenances and revenues shall be and are hereby specially charged with the repayment of any sum or sums of money which may be borrowed at the credit thereof by the

corporation for the purposes thereof, and for any debentures which may be issued therefor; and the holders of such securities shall have a preferential lien and charge on the said works, lands, appurtenances and revenues for the securing of the repayment of the same and the interest thereon irrespective of the order in which the same are issued.

59. After the construction of the works all the revenues arising from and out of the supplying of water, light, heat or power or from the real and personal property connected with the works to be acquired by the corporation under this Act shall, after providing for the expenses attendant upon the maintenance of the works and after payment of the amount payable for principal and interest or sinking fund and interest up to the end of the then current year shall year by year be transferred to and form part of the general funds of the corporation and may be applied accordingly.

60. In the event of default being made in the payment of any portion of the moneys so borrowed or the interest thereon the holder or holders of such debentures shall be at liberty as often as such default shall happen and shall have continued for the space of twelve months but without prejudice to the jurisdiction of any competent court to interfere before the expiration of such period to enter upon, and take possession of the public work or works, lands and appurtenances and operate the same until all arrears of principal and interest and the reasonable costs and expenses of taking possession and of operating the same shall be fully paid and may upon such terms as any competent court or a judge therefor may order, advertise and sell the said public work or works, lands and appurtenances by public auction and apply the proceeds of such sale in repayment of the moneys so borrowed and interest and costs and expenses, and the balance if any remaining after such payment shall be paid over to the corporation.

61. The purchaser or purchasers on any such sale and their assigns shall have and possess and may exercise all the rights, powers, privileges and franchises relating to the construction, maintenance, working and conduct of the work or works which are by this Act conferred upon the corporation subject to the right of the corporation to resume the ownership thereof at the expiration of ten years from such sale on giving six months' notice and on payment within six months after such period of ten years at a valuation to be ascertained by arbitration subject to the assent of the ratepayers as in the case of the original construction or purchase of the said works.

62. In case the corporation fails to exercise the right of resuming the ownership of the public work or works at the expiration of the said period the corporation may similarly exercise such right at the expiration of any fifth year thereafter upon giving one year's notice to the purchasers or their assigns.

63. It is hereby declared that the powers of borrowing and issuing of debentures in this Act provided for are not to be accounted as diminishing the powers of the corporation to borrow and issue debentures conferred by *The Municipal Ordinance* nor are they to be taken as restricting the power of the corporation to borrow and issue debentures on the credit of the corporation at large under *The Municipal Ordinance* within the limit of amount therein provided for, for the purpose of constructing or purchasing any public work or works or assisting therein; and in borrowing for the purpose aforesaid or for the

purpose of constructing a system of sewerage in connection with a system of waterworks the corporation in borrowing whether under the provisions of this Act or of *The Municipal Ordinance* may extend the time of payment for any term up to forty (40) years.

64. Debentures issued in pursuance of a by-law passed under the authority of this Act may bear any date provided such date be within four years from the date of the final passing of the by-law, and may be made payable in such manner that for the first five years succeeding their date interest only shall be payable.

65. And where a system of waterworks has been established and it is proposed to extend the said system it shall not be necessary to obtain the assent of the ratepayers to the passing of a by-law for raising the cost of such extension though such cost is to be wholly or partially borne by the municipality at large.

66. For the purpose of assisting in the payment of any debentures issued for the purpose of waterworks constructed or acquired under the provisions of this Act and the interest thereon it shall and may be lawful for the corporation to provide by by-law for the assessment and collection of a special tax or rate in each year not exceeding four mills on the dollar upon the several properties according to the assessed value thereof fronting or abutting on the street in, through and along which the waterworks mains are laid, as well as all other properties which may enjoy the advantage of the use of the water from the said main distant not more than three hundred feet therefrom for the purpose of protection against fire, whether the owners or ratepayers thereof use the water or not for general purposes to meet the yearly interest upon any debentures issued for the purposes of the said waterworks, and the annual instalment of principal or the annual amount of payment to the sinking fund for the payment of the principal thereof provided that the collector of taxes upon the production by the owner or occupant using said water of the receipt for payment of the rent chargeable for the use thereof during the year or such proportion thereof as equals such special tax shall remit or allow to such owner or occupant the amount so paid as a payment *pro tanto* on account of the special tax authorized to be levied by this section.

67. The corporation may itself or by its officers exercise and enjoy the powers, rights, authorities and immunities hereby conferred upon it or the council either before the commencement of the works or at any time while they are in the course of construction or after their completion by by-law provide for the appointment of one or more commissioners for such purpose.

68. The council by bylaw may appoint one or more commissioners (in which case the mayor shall be a commissioner *ex officio*) and may by by-law delegate to the commissioners all or any of the powers, rights and authorities in this Act vested in the corporation other than legislative powers.

69. No commissioner shall be appointed except by by-law passed by a vote of at least two-thirds of all the members of the council. Appointed commissioners shall hold office during the pleasure of the council but shall not be dismissed except by by-laws passed by a vote of at least two-thirds of all the members thereof.

70. The council shall fix the annual salary to be paid to each of the commissioners including the mayor, and the salaries so fixed shall be decreased during the tenure of office of any such commissioner.

71. Every commissioner shall before taking office give such security for the performance of his duties as the council shall require.

72. No commissioner shall personally have or hold any contract in connection with the said works or be directly or indirectly interested in the same or any of them.

73. The commissioner or commissioners shall keep or cause to be kept separate books and accounts of the receipts and disbursements for and on account of the works distinct from the books and accounts relating to the other property, funds or assets belonging to the works; and all such books shall be open to the examination of any person appointed for that purpose by the council.

74. The commissioner or commissioners on or before the 15th day of January in each year or upon such other day as the council may name shall cause a return to be made to the council containing a statement of the affairs of the works which shall show the amount of the rents, issues and profits arising from the works and the number of consumers during the previous year; the extent and value of the moveable and immoveable property belonging to the works; the amount of debentures then issued and remaining unredeemed and uncanceled and the interest paid thereon or yet due and unpaid and the state of the sinking fund; the expenses of collection and management and all other contingencies; the salaries of officers and servants; the cost of repairs, improvements and alterations; the price paid for the acquisition of any real estate that may have been acquired for the use of the works; and generally such a statement of the revenue and expenditure of the works as will at all time afford to the ratepayers a full and complete knowledge of the state of affairs of the works.

75. The commissioner or commissioners shall also from time to time furnish such information as may be required by the council.

76. All accounts relating to the works shall be audited by the auditor for the corporation in regular course and the commissioner or commissioners and all the officers shall furnish to the officers such information and assistance as may be in their power to enable the officers to properly audit such accounts.

77. The commissioner or commissioners and the clerks employed in their revenue service shall be sworn before a justice of the peace for the faithful performance of their duties; the commissioner or commissioners shall keep a book for the purpose of recording the whole of their official proceedings and such book shall be open for inspection in the same manner as the books mentioned in section 99.

78. The corporation may, besides the other remedies for collection provided in this Act, discontinue to supply light, heat, water or power to any consumer who has not paid the sum owing by him for such service when the same is due and payable and shall have the power to require any consumer to deposit in advance with the corporation such sum as the said corporation

may deem necessary to secure the payment of the rates, costs and charges of such consumer for one month in advance, and if any consumer after demand made for such deposit neglects or refuses to make the same the corporation may refuse to supply him with such service or if the same be already supplied may discontinue such supply.

79. By-law No. 108 of the Town of Camrose as set forth in schedule A to this Act is confirmed and declared legal, valid and binding upon the said corporation and the ratepayers thereof to all intents and purposes and from the time of passing thereof notwithstanding any want of jurisdiction, power or authority on the part of the said corporation to pass the said by-law and notwithstanding any defects or errors in substance or in form of the said by-law or in the manner of the obtaining the assent of the ratepayers thereto or notwithstanding such assent may not have been obtained or in the manner of passing of same and each and all of the debentures issued or to be issued thereunder, are hereby declared valid, legal, and binding upon the said corporation and the ratepayers thereof and the said Town of Camrose shall be bound to pay each and all of the said debentures therein stated, and the said corporation is hereby authorized and empowered to do all necessary acts for the full and proper carrying out of the said By-law No. 108. The provisions of section 63 of this Act shall apply to said By-law No. 108, and in borrowing for the purposes mentioned in said by-law, the corporation may extend the time for repayment of any term up to forty years, and that the debentures issued or to be issued for the said sum of eighty-three thousand dollars may be made payable at the expiration of forty years from the date of the by-law taking effect, and that the sum of seventeen thousand dollars or thereabouts mentioned in said by-law as proposed to be raised by special frontage assessment or special local benefit assessment upon the lots or other portions of land fronting or abutting on, or otherwise served or benefitted by the said sewer may be raised by way of a loan, and may be raised in the manner proposed in said by-law and that debentures may be issued for the said sum of seventeen thousand dollars or thereabouts to be repaid at the expiration of forty years from the date of the by-law authorizing the issue of the same.

76. The corporation is authorized to borrow from any bank, person or body corporate, by way of a special account for a period of five years, money for the purpose of installing waterworks and sewerage in the premises of the citizens at current rates of interest, and to make all necessary contracts and agreements with any citizen that the money expended for installing waterworks and sewerage as aforesaid, and the interest in respect thereof shall be repaid to the corporation in five equal aggregate yearly sums.

SCHEDULE A.

BY-LAW No. 108 OF THE TOWN OF CAMROSE.

A By-law of the Town of Camrose to raise the sum of eighty-three thousand dollars for the purpose of constructing and laying a Municipal Waterworks System and Sewers of the said Town of Camrose, and to issue debentures for the said sum, and to provide for the assessment and collection of the sum necessary to pay said debentures.

Whereas the municipal council of the Town of Camrose deem it expedient that a system of waterworks and sewers be constructed within the corporation of the Town of Camrose and in the neighbourhood thereof;

And whereas M. A. Maxwell, civil engineer, engaged by the municipal council for that purpose has prepared plans and specifications for said system of waterworks and sewers, and has estimated that the cost of constructing a system of waterworks and sewers extending over certain portions of the corporation, and of the neighbourhood thereof, is, of the waterworks fifty-four thousand dollars, and of the sewers forty-six thousand dollars, making a total of one hundred thousand dollars;

And whereas the said municipal council have submitted the said plans and specifications and an analysis of the water to the provincial board, and have received the certificate required by *The Public Health Act*, which said plans and specifications may be seen at the office of the said M. A. Maxwell, at Camrose, Alberta;

And whereas it is proposed to construct the said system of sewers as a local improvement, and to raise by special frontage assessment or special local benefit assessment upon the lots or other portions of land fronting or abutting on, or otherwise served or benefited by the said sewers, the sum of seventeen hundred dollars or thereabouts, leaving a balance of twenty-nine thousand dollars or thereabouts, provision for the raising of which is made by this by-law;

And whereas it will be necessary for the purpose aforesaid to raise the sum of twenty-nine thousand dollars in respect of the proposed system of sewers by a loan on the credit of the corporation at large, and the sum of fifty-four thousand dollars in respect of the proposed system of waterworks, by a loan on the credit of the corporation at large;

And whereas it is expedient that the time of repayment of the proposed indebtedness of eighty-three thousand dollars should be extended over a period of twenty years and that the said indebtedness should bear interest at the rate of 5 per cent. per annum, and that the debentures to be issued in pursuance of this by-law shall be dated as of the actual date of the issue thereof, and shall provide for the repayment of the principal of the said indebtedness, and the interest in respect thereof in equal aggregate yearly sums, during the said period of twenty years, within which the said indebtedness and interest is to be discharged;

And whereas the value of the rateable property of the Town of Camrose, according to the last revised assessment roll is the sum of \$1,539,711.00.

And whereas the amount of the existing debt of the Town of Camrose, outside of debts due for the current expenses of the year is the sum of \$68,594.48 whereof no part is in arrear;

And whereas the amount required to be raised annually by special rate during the currency of the said debentures for paying the principal and interest on eighty-three thousand dollars is six thousand, six hundred and sixty dollars and thirteen cents (\$6,660.13);

And whereas it is expedient that this by-law should take effect on the 22nd day of April, A.D. 1911;

Now therefore the council of the Town of Camrose enacts as follows:

1. It shall and may be lawful for the council to construct a waterworks plant, and to raise by way of a loan the sum of \$83,000.00 for the purpose of constructing and laying a system of waterworks and sewers in the Town of Camrose, aforesaid.

2. That debentures be issued for the said sum of \$83,000.00 to be payable at the expiration of twenty years from the date of this by-law taking effect, and that coupons shall be attached to the said debentures for the payment of interest on each debenture respectively at the rate of five per centum per annum, and the principal of the said debt and the interest with respect thereof shall be paid in equal aggregate yearly sums during the said period of twenty years.

3. That the debentures shall be sealed with the corporate seal and these shall be signed by the mayor and secretary-treasurer of the said town, and shall be payable in Canadian currency at the Merchants Bank of Canada, Camrose, Alberta.

4. That in addition to all other amounts there shall be levied and collected in each year during the currency of the said debentures, on all the rateable property in the said town, at the same time and in the same manner as the ordinary general municipal taxes, a sum sufficient to meet the amount of the annual instalment of principal and interest in each year in respect of the said debentures.

This by-law shall take effect on the 22nd day of April, A.D. 1911.

The votes of the electors for and against this by-law shall be taken in the Town Hall in the Town of Camrose, on Friday, the 21st day of April, A.D. 1911, between the hours of nine o'clock in the forenoon and five o'clock in the afternoon.

O. B. Olson is hereby appointed returning officer to take the votes at the time and place aforesaid.

At the said town hall at the hour of six of the clock in the afternoon, of the said 21st day of April, A.D. 1911, the said returning officer shall sum up the number of votes given for and against this by-law.

The mayor of the said Town of Camrose shall attend at the said town hall at the hour of nine o'clock in the forenoon on the said 21st day of April, A.D. 1911, and shall upon proper application made to him by any person interested in, promoting or opposing the passage of this by-law, authorize the attendance of one person on behalf of such party applying to the said polling place, and of the final summing up of the votes.

Passed provisionally in council at Camrose, this 30th day of March, A.D. 1911.

(Sgd.) F. P. LAYTON,
Mayor.

(Sgd.) O. B. OLSON,
Secretary-Treasurer.

Finally passed in council at Camrose, this 26th day of April, A.D. 1911.

(Sgd.) F. P. LAYTON,
Mayor.

(Sgd.) O. B. OLSON,
Secretary-Treasurer.

NOTICE TO THE ELECTORS OF THE TOWN OF CAMROSE.

The above is a true copy of a proposed by-law which will be taken into consideration by the municipal council of the Town of Camrose, after being voted on by the electors and is first published this 30th day of March, 1911, in "The Camrose Canadian" and the votes of the electors thereon will be taken on the 21st day of April, A.D. 1911, between the hours of nine o'clock in the forenoon and five o'clock in the afternoon at the Town Hall, Camrose.

(Sgd.) O. B. OLSON,
Returning Officer.

No. 11

THIRD SESSION

SECOND LEGISLATURE

2 GEORGE V

1911

BILL

An Act respecting the Town of Camrose.

Received and read the

First time

Second time

Third time

GEO. P. SMITH

EDMONTON:
JAMES E. RICHARDS, Government Printer
A.D. 1911