

BILL

No. 29 of 1911.

An Act respecting the City of Edmonton and the City of Strathcona and other matters relating to the union thereof.

(Assented to 1911.)

WHEREAS the municipal corporations of the Cities of Edmonton and Strathcona by their joint petition have represented that it is desirable to unite the two corporations under the name of "The City of Edmonton" and to provide for the extension of the limits of the said "The City of Edmonton";

And whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. From and after the coming into force of this Act *The Strathcona Charter*, being chapter 34 of the Statutes of Alberta, 1907, and all amendments thereto, shall be and the same are hereby repealed.

2. From and after the coming into force of this Act section 1 of title II of *The Edmonton Charter*, being chapter 19 of the Ordinances of The North-West Territories, 1904, as amended by section 3 of chapter 27 of the Statutes of Alberta, 1908, is hereby repealed and the following is substituted therefor:

"1. The inhabitants of the locality described as follows, that is to say: Commencing at a point where the centre line of the North Saskatchewan River crosses the west boundary of section twenty-three in township fifty-two in range twenty-five west of the fourth meridian; thence due north to the north-west corner of section twenty-three in township fifty-three in said range twenty-five; thence due east to the north-east corner of section twenty-three in township fifty-three in range twenty-four west of the fourth meridian; thence due south to the centre line of the North Saskatchewan River; thence following the sinuosities of said centre line up stream to a point where the same crosses the east boundary produced north of river lot twenty-nine in the Edmonton Settlement; thence due south to the south-east corner of the north-east quarter of section fifteen in township fifty-two in range twenty-four west of the fourth meridian; thence due west to the south-west corner of the north-west quarter of section thirteen in township fifty-two in range twenty-five west of the fourth meridian; thence due north to the centre line of the North Saskatchewan River; thence following the sinuosities of said centre line up stream to the point of commencement; and such persons as shall hereafter become inhabitants of the said locality shall be and are hereby declared to be a municipal corporation under the name of "The City of Edmonton":

"Provided that the exemption from taxation for general municipal purposes granted by said section 3 of chapter 27, 1908, shall remain in full force and effect."

3. The assessment rolls and voters' lists of the City of Strathcona for the year one thousand nine hundred and eleven as finally revised, the collectors' roll and all notices regarding taxes and special assessments and all proceedings respecting sales of land for arrears of taxes, are and each of them is hereby validated and confirmed and all and every of them shall upon the coming into force of this Act become part of the assessment rolls, voters' lists, collectors' rolls and notices regarding taxes and special assessments of "The City of Edmonton."

(2) And the collectors' notices, showing the amount of taxes payable by taxable persons for the year one thousand nine hundred and eleven, of the City of Strathcona, are hereby confirmed and the same shall be good and valid notices in that behalf notwithstanding the same or some of them may have been transmitted, posted, delivered or sent prior to the passing by the council of the City of Strathcona of the by-law of the council fixing and levying the rates for the year one thousand nine hundred and eleven.

4. All property, both real and personal, of whatsoever nature and kind and wheresoever situate, and all deeds, books, papers, writings and other documents belonging to or under the control of the council of the corporation of the City of Strathcona or of any officer, servant or agent of the said corporation, are hereby declared to be the property of the corporation of "The City of Edmonton" and shall forthwith be delivered to such persons or officials as the council of the corporation of "The City of Edmonton" shall appoint for that purpose.

(2) The filing of a copy of this Act in the land titles office for the North Alberta Land Registration District shall operate as a transfer to the corporation of "The City of Edmonton" of all lands, mortgages, encumbrances, leases and other instruments standing in the name of the City of Strathcona or corporation of the City of Strathcona and the registrar of said district shall upon payment of the proper fees register the corporation of "The City of Edmonton" as owner thereof.

5. All existing liabilities, lawful debts and obligations of the corporation of the City of Strathcona are hereby declared to be the liabilities, debts and obligations of the corporation of "The City of Edmonton," and shall be met, discharged, observed and kept by the corporation of "The City of Edmonton," according to the nature thereof, as if the same had been originally incurred or entered into by the corporation of the City of Edmonton.

6. All sureties for the several officials of the corporation of the City of Strathcona shall be and remain liable as if they had become sureties for such officials to the corporation of the City of Edmonton in the first instance; and all bonds and sureties (whether on behalf of officials or others) which shall have been given to the said City of Strathcona at any time before the passing of this Act shall enure to the benefit of the corporation of the City of Edmonton, and the said corporation shall have all the rights and remedies thereto and thereunder and be entitled to recover thereon to the same extent and under the like circumstances as the said corporation of the City of Strathcona could have done if it had remained a separate municipal corporation.

7. The by-laws and regulations of the City of Edmonton for the peace, order, good government and welfare of the city shall hereafter be in force throughout the whole of "The City of Edmonton" as hereby constituted and the by-laws and regulations of the City of Strathcona for these purposes shall hereafter cease to have any force or effect.

8. The mayor and aldermen of the City of Strathcona shall from the passing of this Act cease to hold office.

9. Forthwith after the passing of this Act the Minister of Education of the Province of Alberta shall issue such order or orders as shall be necessary under the provisions of *The School Ordinance* to so rearrange the boundaries of all school districts affected that the City of Edmonton as herein defined shall contain but one public school district and one Roman Catholic separate school district; and there shall be elected, at the same time as mayor and aldermen, ten trustees for each district who shall hold office for the several terms provided by *The School Ordinance* whereupon the present trustees for The Edmonton School District No. 7 of the Province of Alberta, Saint Joachim Roman Catholic Separate School District No. 7 of the Province of Alberta, the Strathcona Public School District No. 216 of the Province of Alberta and Saint Anthony Separate School District No. 12 of the Province of Alberta shall cease to hold office in so far as their authority extends over the territory herein defined as "The City of Edmonton."

10. The mayor and aldermen of the City of Edmonton shall hold office for a period of one month only thereafter, and the council of the City of Edmonton shall during such period of one month, pass such by-laws or by-law as shall be necessary under *The Edmonton Charter* for the holding of an election for the purpose of electing a mayor and ten aldermen for the City of Edmonton for the several terms provided by *The Edmonton Charter* and for election of the school trustees above provided for.

11. The portion of "The City of Edmonton" south of the Saskatchewan River shall be represented in the council by such number of aldermen, selected by the votes of the electors of the whole city as herein defined, as shall bear to the total number of aldermen composing the council, the proportion which the population of the portion of "The City of Edmonton" south of the Saskatchewan River bears to the population of the whole City of Edmonton, but in any event by not less than three aldermen exclusive of the mayor, and three aldermen shall be elected to represent such portion at the first election after the passing of this Act.

12. For the purpose of ascertaining the number of representatives to which the portion of the city south of the Saskatchewan River is entitled, a census shall be taken once in each year; in computing the number of aldermen, any fraction less than one-half shall be disregarded, and any fraction equal to or exceeding one-half shall be considered a whole unit.

13. At each election of aldermen there shall be first declared elected the proper number of candidates to which the portion of the city south of the Saskatchewan River is entitled under the terms hereof who reside and have more than one-half in assessed value of the property for which they are assessed in the City of Edmonton in that portion of the city south of

the Saskatchewan River, who receive the highest number of votes, and there shall be declared elected a sufficient number of the remainder of the candidates having the highest number of votes to make up the number required to complete the council irrespective of their places of residence and of the situation of the property for which they are assessed.

14. At the first election after the passing of this Act the three candidates for election as aldermen residing and having the necessary property qualifications south of the Saskatchewan River, who receive the highest number of votes, shall be declared elected (the two receiving the highest number of votes for two years and the third for one year). The remainder of the council shall be composed of the seven of the remaining candidates receiving the highest number of votes irrespective of their place of residence or the situation of the property for which they are assessed (the three receiving the highest number of votes for two years and the remaining four for one year).

15. The present markets in the City of Strathcona shall be maintained and shall be enlarged as required.

16. Civic sub-offices shall be maintained on the south side of the Saskatchewan River for the following purposes: Assessment and collection of taxes, electric light and power rates, licenses, police office, police court, dog taxes, receiving applications for local improvements and water and sewer extensions, and all other rates affecting the residents of the south side of the river.

17. The system of opening and maintaining streets shall be uniform throughout the whole city.

18. Electric light and power rates, water rates, street car fares, telephone rates, after the city has acquired the telephone system in Strathcona, and all taxation, shall be uniform throughout the whole city.

19. Within one year after the passing of this Act, the necessary land shall be purchased or otherwise acquired to extend and open up Saskatchewan Avenue, Strathcona, on the high bank on the south side of the Saskatchewan River towards the west and south as far as the boundary of the city, and be maintained out of the general funds of the city, subject to terms being arranged between the city and the University of Alberta in so far as the University property is concerned, provided that the city shall not be obliged to construct on such avenue any sidewalks out of the general funds.

20. The park purchased by the City of Strathcona from the Strathcona Industrial Exhibition Association, Limited, shall be maintained as a public park and recreation ground, and a reasonable sum of money shall be granted for an athletic sports and horse race meet at least once a year. And all city parks of the City of Strathcona shall be maintained and improved.

21. The contract between the City of Strathcona and the Governors of the University of Alberta regarding the erection of a hospital shall be fulfilled.

22. The system of fire protection at present established in the City of Edmonton shall be extended to and include that portion of the city south of the river.

23. "The City of Edmonton" shall complete a low-level combined traffic and railway steel bridge across the Saskatchewan River at or near the foot of Fourth Street, Edmonton, within eighteen months from the passing of this Act.

24. "The City of Edmonton" shall have a common basis for future extensions of its street railway system over the entire city.

25. The present lines of the Edmonton municipal street railway south of the Saskatchewan River shall be maintained and operated.

26. The present service and lines of the Edmonton municipal street railway on the south side of the river shall be extended from the corner of Fifth Street East and Whyte Avenue along Whyte Avenue, in an easterly direction, to or near the present easterly boundary of the City of Stratheona, thence northerly along or near the said eastern boundary, a distance of eighteen hundred feet, more or less.

27. The present service and lines of the Edmonton municipal street railway on the south side of the river shall be extended so as to serve the University of Alberta with a line from Whyte Avenue, the location of such line to be determined by the board of governors of the University of Alberta and the council of the City of Stratheona.

28. The present lines and services of the Edmonton municipal street railway on the south side of the river shall be extended from Whyte Avenue along Main Street in a southerly direction to Sixth Avenue South.

29. The extension as outlined in section 26 shall be completed by December 31st, 1912, and the extension as outlined in section 28 shall be completed within two years from the passing of this Act; the extensions as outlined in section 27 shall be completed by the first day of November, 1911.

30. "The City of Edmonton" shall within two years from the passing of this Act extend and bring into operation its street railway system from the corner of Main Street and Sixth Avenue South (Stratheona) west along Sixth Avenue South to Seventh Street West, and thence either--

- (a) North along Seventh Street West to University Avenue; thence north-westerly along University Avenue to Eighth Street West; thence northerly along Eighth Street West to Whyte Avenue or a street north thereof; thence east to connect with the lines operated on Whyte Avenue or Fifth Street West; or
- (b) Westerly along Sixth Avenue South for a distance of about two thousand nine hundred and sixty (2,960) feet, and the choice of routes to be determined by the superintendent of the street railway department.

31. The several sums of money necessary to be borrowed for the construction of said bridge near the foot of Fourth Street and said street railway extensions, and the purchase of the right-of-way to open up Saskatchewan Avenue, may be raised by by-law or by-laws passed by the municipal council, and the assent of the burgesses to any such by-law or by-laws shall not be required.

32. For the purpose of computing the number of licenses to be issued under the provisions of *The Liquor License Ordinance* the portion of the city south of the Saskatchewan River shall be considered as a separate municipality.

33. In that portion of the city south of the Saskatchewan River all poles used for the purpose of supporting trolley wires that shall be placed in the centre of the street shall be of iron, and that iron poles shall be substituted for the wooden poles at present in use, on the expiration of the lifetime thereof, that are already placed in the centre of the street.

34. That "The City of Edmonton" shall furnish the best street car service to all parts of the city south of the Saskatchewan River that can be furnished consistent with the proper operation of the said system from a business standpoint, and shall at all times have particular reference to providing Whyte Avenue and other business districts or centres on the south side of the river with good service, either by running all cars through or to such business districts or centres, or when necessary providing by transfer close connection therewith.

35. "The City of Edmonton" shall operate its street railway system on the line connecting Whyte Avenue and the present bridge between Edmonton and Strathcona along Fifth Street East by cars running at intervals of not more than thirty minutes both north and south.

36. Any of the provisions of this Act may be repealed by the Lieutenant Governor in Council upon its appearing to the satisfaction of the Lieutenant Governor in Council that the question of such repeal has been submitted to the electors on each side of the river and has been carried by a two-thirds vote of the electors voting thereon on each side of the river.

37. Inasmuch as the City of Strathcona was heretofore included in the electoral district of Strathcona, therefore it is enacted that for the purpose of elections to the Legislative Assembly the electors of that part of the City of Edmonton as hereby constituted being within the limits of said electoral district of Strathcona shall vote in the said electoral district of Strathcona in the same manner and to the same effect as if this Act had not been passed and as if the said territory within said electoral district of Strathcona had not as aforesaid been added to the said City of Edmonton.

38. The unsold debentures authorized by by-law numbered 187 of the City of Strathcona, finally passed the 30th day of May, 1907, intituled "A By-law to provide for raising \$70,000.00 to purchase Block 172 and to erect thereon a City Hospital," may be issued as of the date July 1st, 1911, and signed by the present mayor and secretary-treasurer, whose signatures upon the coupons thereto attached may be lithographed.

No. 29

THIRD SESSION

SECOND LEGISLATURE

2 GEORGE V

1911

BILL

An Act respecting the City of Edmon-
ton and the City of Strathcona and
other matters relating to the union
thereof.

Received and read the

First time

Second time

Third time

HON. A. C. RUTHERFORD

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