

BILL

No. 72 of 1913 (Second Session).

An Act to amend The Town Act.

(Assented to _____, 1913.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

The Town Act, being chapter 2 of the Statutes of Alberta, 1911-12, is amended as follows:

1. Section 19: By adding thereto the following two subsections:

“(a) The Lieutenant Governor in Council may at any time dismiss the whole council or any member or members thereof, and appoint some person or persons to act as mayor, councillor or councillors for the town, in the place and stead of the person or persons so dismissed, and every such person so appointed shall have all the powers and authorities conferred by this Act on mayors or members of the council, as the case may be.

“(b) Upon the appointment of any person or persons as aforesaid the person or persons, as the case may be, previously elected as mayor or members of the council and in whose stead such appointment or appointments were made shall cease to hold office.”

2. Section 163, subsection 37, subclause (b): By striking out the words “commissioners and commissioner” where the same occur therein and substituting therefor the words “superintendents or superintendent”, as the context may require.

3. Section 163, subsection 54: By adding after the word “governing” in the first line thereof the word “auctioneers”, and by adding the word “auctioneer” after the word “any” in the third line thereof.

4. Section 163, subsection 60: By striking out the words “insurance companies, offices and agents” in the second line thereof and substituting therefor the words “automobile liveries”.

5. Section 163, subsection 73: By inserting after the word “same” in the sixth line thereof the following:

“Provided, however, that such land or any portion thereof shall not be disposed of for a consideration less than the assessed value of adjacent land similarly situated and that payment therefor shall be made in full in not less than three years from the date of sale.”

6. Section 175: By inserting after the word “the” in the first line thereof the word “resident”.

7. Section 190, subsection 3: By striking out the words “the following form” in the first line thereof and substituting therefor the words “either of the following forms”; and by adding thereto the following:

"In pursuance of *The Town Act* the Deputy Minister of Municipal Affairs hereby certifies that the within by-law is valid and binding and that its validity is not open to question in any court on any ground whatever.

"Dated this day of , 19

"(SEAL)

.....
"Deputy Minister of Municipal Affairs."

8. Section 193: By adding thereto the following:

"The Deputy Minister of Municipal Affairs shall have the power, equally with the Minister, to grant any of the certificates or countersign any of the debentures referred to in the foregoing sections."

9. Section 266, subsection 6: By adding after the word "improvements" in the second line thereof the words "and frontage tax".

10. Section 290: By striking out the word "August" in the second line thereof and substituting therefor the word "July".

11. Section 293, subsection 7: By striking out the word "September" in the fourth line thereof and substituting therefor the word "August".

12. Section 294, subsection 1: By striking out all that part of the subsection after the word "thereof" in the sixth line thereof, and by adding thereto the following:

"(4) The council may assess, levy and collect a frontage tax on all lands fronting or abutting on any of the streets, lanes, squares or other public places in, through or along which waterworks mains have been or may hereafter be laid. Such tax shall be a uniform one of a certain amount (not exceeding 10 cents) per foot of the frontage, to be assessed, levied and collected as part of and along with the ordinary municipal taxes, and shall form a lien upon the lands affected in the same way as such ordinary taxes.

"(b) The amount of such tax, the lands to be affected, the mode of adjustment and the amount of the tax in respect of lands of peculiar shape or size, or of varying depths, or in respect of lands fronting or abutting on more than one street, lane, square or public place, shall be ascertained and determined by the assessor in such manner as he shall be directed thereto by the council. The assessor shall on or before the 15th day of July prepare and file with the official, in whose charge the collector's rolls are prepared, a report showing the names of all persons liable for frontage tax, a description of the lands and the amount of such tax. Immediately upon the completion of the report the assessor shall make and attach thereto a statutory declaration in the following form:

"I,, of the Town of, in the Province of Alberta,, do solemnly declare:

"1. That I have, according to the best of my knowledge, information and belief, set down in the attached report all lands liable to frontage tax situated in the Town of

"And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same

force and effect as if made under oath and by virtue of
The Canada Evidence Act.

“Declared before me at... ..,
 in the Province of Alberta, this }
 day of }
 A.D. 19. } *Assessor for the Town*
 of..... ..

.....
A Commissioner in and for the
Province of Alberta.

“(c) The official in whose charge the collector’s rolls are prepared shall enter the amount of such tax in such rolls against the respective lands affected, in the same manner as and as part of the ordinary municipal rates and taxes. Such tax may be so assessed, levied and collected irrespective of whether such lands are vacant, or are not connected with the water mains or do not use or receive water from the same, and such frontage tax shall be a charge separate and apart from the rate or price charged for water actually furnished or supplied, or agreed to be furnished or supplied by the council.”

13. Section 300: By striking out same and substituting therefor the following:

“On or before the first day of September in each year the secretary-treasurer, with the assistance of the assessor, shall prepare a tax roll and shall proceed to collect the taxes specified therein.

“(2) The tax roll may be a continuation of the assessment roll and shall in that way, or independently, contain—

“(a) The name of every person assessed;

“(b) His residence;

“(c) The value of the land in respect of which he is assessed;

“(d) The total amount for which he is assessed;

“and there shall be calculated and set down opposite each such entry, in appropriately headed columns, the sums for which such person is chargeable by way of taxes on account of: (1) The general rate, which may include the general debenture rate; (2) special rate; (3) school rate, and (4) arrears and the total thereof.

“(3) If the taxes payable on any lot or portion of land, for the purposes of the town, be less than \$1.00, the amount set down as payable on such lot or portion of land shall be \$1.00, and if the amount payable for school purposes on any lot or portion of land shall be less than \$1.00 the amount set down as payable on such lot or portion of land shall be \$1.00.”

14. Section 304: By striking out the word “five” in the second line thereof and substituting therefor the word “ten”.

15. Section 367, subsection 1: By adding after the word “by-law” in the second line thereof the following: “and provide for reasonable punishment by imprisonment, with or without hard labour, in the nearest common gaol for any period not exceeding sixty days in case of non-payment of the fine and costs inflicted for any such breach unless such fine and costs, including the costs of committal, are sooner paid.”

16. Section 368: By adding thereto the following new subsection:

“(2) Any secretary-treasurer, or other officer of the town, who refuses, neglects or fails to discharge the duties of his office, or who knowingly signs any false statement, report or return required by this Act, or any other enactment in force in the province, or who refuses or neglects to hand over to his successor in office, or such persons as may be designated in writing to him by the council or by the Minister, all moneys, books, papers and other property of the town in his possession, in addition to any civil liability which he may incur shall be guilty of an offence and liable on summary conviction thereof to a penalty not exceeding \$100.00.”

No. 72

FIRST SESSION
THIRD LEGISLATURE

4 GEORGE V
1913
(SECOND SESSION)

BILL

An Act to amend The Town Act.

Received and read the

First time.....

Second time.....

Third time.....

EDMONTON:
J. W. JEFFERY, Government Printer
A.D. 1913