

*Bill No 23.*

An Act to amend the Acts and Ordinances relating to the City of Calgary, and to validate certain by-laws of the said City.

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WHEREAS the City of Calgary has prayed for certain amendments to Ordinance 33 of 1893 of the N.W.T. and the amendments thereto and to validate certain by-laws of the said City,

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. Sec. 3 of Ch. 30 of the Statutes of Alberta, 1913 (2nd Session) is hereby repealed and the following substituted therefor: "Every elector shall vote by ballot and shall vote only in the polling subdivision in which he resides or, if the elector is not a resident of the City, or assessed in the polling subdivision in which he resides, in one only of the polling subdivisions in which he is assessed".
2. Secs. 7, 8 and 9 of Ch. 30 of the Statutes of Alberta 1913 (2nd Session) are hereby repealed.
3. Sec. 46 is hereby amended by striking out the word "registered" after the word "mail" in the second line thereof.
4. Sub-sec. 11 of §ec. 9 of Ordinance 33 of 1893, N.W.T. is hereby repealed and the following substituted therefor: "It shall be the duty of the Clerk forthwith after the nominations are held for the office of aldermen, in case an election for aldermen is necessary, to cause to be printed ballots, which

shall have printed upon them in large letters the names of the candidates for the office of aldermen in alphabetical order, and to deliver a sufficient number of ballots to the Deputy Returning Officer of each polling subdivision.

5. (a) Wherever any amendment has been made in any provision of the acts and ordinances relating to, and known as the Charter of the City of Calgary, requiring a corresponding amendment in the prescribed form of any oath, affirmation, declaration or form relating to the provision so amended, the said required amendment shall be understood as having been made in the prescribed oath, affirmation, declaration or form as the case may be.

(b) Wherever the words "of the ward" or "for the ward" are used in the said acts and ordinances with reference to the voters' list, or the conduct of any election, or the taking of a vote on any question, they shall be understood as referring to and meaning the polling subdivision to which the context may apply.

(c) Wherever in the said acts and ordinances the words "for each ward" are used with reference to the election of aldermen of the City, the said words shall be understood and construed as meaning "for the City of Calgary at large" so long as the City continues to elect aldermen for the City of Calgary at large, as provided for by bylaw No. 1620, entitled a bylaw to provide for the election of all the aldermen of the City of Calgary from the City at large, which said bylaw is hereby validated and confirmed, and the Council of the City of Calgary is hereby given full power to amend same from time to time or to repeal the said bylaw after approval of any proposed amendment to the said bylaw, or of the repeal of the said bylaw by a majority vote of the persons qualified to vote at municipal elections in the City.

6. Sub-sec. 3 of Sec. 108 of Ordinance 33 of 1893, N.W.T. as amended by Sec. 12 of Ordinance 40 of 1901, N.W.T.

is hereby amended by striking out the words: "of the proposed bylaw" in the last line thereof, and substituting therefor the following words: "of the information".

(a) Sub-secs. 4 and 5 of the said Ordinance 33 of 1893, N.W.T. are hereby repealed and the following substituted therefor:

(4) The Council shall publish the following information at least once a week for three weeks before the day appointed for voting on the proposed bylaw in some newspaper published in the City.

1. The No. of the bylaw is .....
2. The object of the bylaw is .....(here insert the object of the bylaw, as set forth in the preamble of the bylaw).
3. The amount of the debt to be created by the bylaw is .....
4. The total amount to be raised annually for ..... years for principal is \$ .....; and for interest is \$ .....
5. The total existing debt of the City, exclusive of debts for local improvements is \$.....
6. The total rateable property of the City according to the last revised assessment roll is \$.....
7. The rate of assessment on the Dollar required to pay the loan is .....

(5) Appended to the said information so published shall be a notice signed by the City Clerk stating that such information is a true statement of the facts of a proposed bylaw, which will be taken into consideration by the Council after being voted on by the electors, and stating the date of the first publication of the said information, and the date, time and place or places fixed for taking the votes of the electors, Provided, that in case

the said facts of more than one proposed bylaw are published together in the same issue of any newspaper, and the voting on such proposed bylaws is to take place on the same date, time and place, one such notice appended to the said published information of all such proposed bylaws shall be sufficient.

(b) The form of notice referred to in said sub-sec. 5 of Sec. 108 of Ordinance 33 of 1893, N.W.T., and appended to the form of a general money bylaw, contained in Schedule "A", as referred to in sub-sec. 2a of Sec. 109 of the said Ordinance, is hereby amended by striking out the words "copy of a proposed bylaw" in the first line thereof and by inserting in the place thereof the following words "statement of the facts of a proposed bylaw", or in case the facts of more than one proposed bylaw are being published together in the same issue of any newspaper, the words inserted shall be, "statement of the facts of proposed bylaws", and the notice published as so amended shall be sufficient.

7. The Council shall have power to include in the annual estimates a sum in the opinion of the Council sufficient for the purpose of acquiring or purchasing options on property, real or personal, on which the Council or any committee thereof may decide to take an option, and any sum or sums expended for this purpose shall be replaced to the credit of the said account or fund as soon as the moneys have been received or raised under the bylaw or from the source against which the purchase of such property may properly be charged.

8. (a) Sub-sec. 17 of Sec. 117 of Ordinance 33 of 1893, N.W.T. as amended by Sec. 1 of Ch. 55 of 1906, Statutes of Alberta, is hereby repealed and the following substituted there-

for: "For prohibiting or regulating the running at large of dogs; for seizing and impounding and for killing, whether before or after impounding, dogs running at large contrary to the bylaw; and for selling dogs so impounded at such time and in such manner as may be provided by the bylaw.

(1) For the purposes of this paragraph a dog shall be deemed to be running at large when found in a highway or other public place and not under the control of any person.

(b) Sub-sec. 24 of said Sec. 117 is hereby amended by adding the following words thereto: "or in any vacant lots adjacent to any public street or highway in the City", and by adding at the end thereof the following sub-section as sub-section 24 a.: "To impose a penalty for light weight or short count or measurement in anything marketed or sold by weight, count or measurement anywhere in the City of Calgary".

(c) Sub-sec. 56 of Sec. 117 of Ordinance 33 of 1893, N.W.T. as amended by Sec. 1 of Ch. 26 of 1899, N.W.T.; Sec. 3 of Ch. 28 of 1910 Statutes of Alberta; Sec. 10 of Ch. 36 of 1908, Statutes of Alberta; Sec. 8 of Ch. 63 of 1911, Statutes of Alberta, and Sec. 13 of Ch. 35 of 1913 (1st session), Statutes of Alberta, is hereby further amended by inserting the word "stockyards" in the third line thereof after the words "gravel pits", and before the word "abattoirs", and by inserting the word "oil" after the said word "abattoirs".

(d) Said Sec. 117 is hereby further amended by adding the following thereto as sub-sec. 102: "To regulate, control and license any person, firm or corporation operating or conducting an exchange or premises where stocks, shares or certificates of oil or natural gas companies, or petroleum or natural gas leases, are bought, sold or exchanged or offered for sale or exchange, and notwithstanding any such corporation is incorporated under the Companies Ordinance and amendments thereto, or by special Act or Ordinance.

9. Sub-sec. a. of Section 42 of Ordinance 33 of 1893, as amended by Section 4 of Ch. 63, Statutes of Alberta, 1910. and Sec. 6 of Ch. 30 of Statutes of Alberta, 1913 (second session), is hereby repealed and the following substituted therefor:

"The Council may include in the annual estimates a sum not exceeding \$25,000.00 to be expended in the reception and entertainment of guests, travelling expenses necessarily incurred in and about the interests and business of the City, diffusing information about the City, and the advertisement of the advantages of the City as a location for manufactories and businesses, and in such other manner as in the opinion of the Council will advance the interest, progress and welfare of the City; and for the purpose of granting aid to worthy objects or purposes not otherwise provided for as the Council may deem proper. No sum in excess of the said sum of \$25,000.00 shall be so expended without such proposed expenditure being first approved by a two-thirds vote of the ratepayers entitled to vote on money bylaws".

10. Notwithstanding anything to the contrary contained in Ch. 29 of 1901, Ordinances of N.W.T. and any amendments thereto, known as the School Ordinance, or in any other ordinance or act, there shall be seven trustees on the Board of Trustees of the Calgary Protestant Public School District No. 19 of the Province of Alberta, each of whom shall have the same qualifications, be elected in the same manner and for the same term of office as provided for in the said Ordinance and amendments thereto and in any other act or ordinance governing same, Provided, that at the next election of trustees to the said Board the five candidates who are declared elected shall hold office for the following terms; the three candidates who receive the highest number of votes shall hold office for two years and the remaining two candidates shall hold office for one year. In the event of two or more candidates receiving the same number of votes, the

returning officer shall and is hereby authorized to give the casting vote for the purposes of this clause. After the said election each of the trustees on the said Board shall hold office for two years, four of whom shall retire in the year A.D. 1915, and three in the year A.D. 1916, and so on alternately.

11. Local Improvement Bylaw No. 1296 of the City of Calgary authorizing the grading and filling on the streets and avenues therein named, and authorizing the Mayor and Treasurer to borrow by way of temporary loan the sum of \$120,000.00 to carry on the said work, and finally passed on the 18th day of March, A.D. 1912, is hereby declared to be valid and binding notwithstanding any informalities, irregularities or defects therein either in substance or in form, or in any advertisement relating thereto, and the City of Calgary shall have the right to construct the local improvements as set out in the said bylaw, and to assess against the property fronting or abutting on the streets mentioned in the said bylaw the cost of the said work, and each and all of the debentures or coupons thereto attached issued under the said bylaw or any final bylaw to raise debentures for the payment of the said works or of any consolidation thereof, are hereby declared legal and valid and the said City of Calgary shall be bound to pay each and all of the said debentures and the coupons as therein respectively stated.

12. Bylaw No. 1579 entitled a bylaw of the City of Calgary to raise the sum of \$350,000.00 for purchasing 55 acres of land more or less situate in the South East quarter of Section 11, Township 24, Range 1, West of the 5th Meridian for the establishment of Union Stock Yards, Abattoirs, Warehouses and Manufactories thereon is hereby declared to be legal, valid and binding notwithstanding any informalities, irregularities and defects therein, either in substance or in form, or any lack of authority on the part of the City of Calgary to enact the

said bylaw, and the City of Calgary is hereby given full power and authority to purchase the land described in the said bylaw in accordance with the terms thereof on approval of such purchase by a two-thirds vote of the ratepayers of the City entitled to vote on money bylaws, and the Council of the City may repeal the said bylaw if on such vote being taken as aforesaid the required two-thirds of the vote cast at such poll is not in favour of purchasing the said land. In the event of the said land being purchased as provided for herein the City of Calgary is hereby given full power and authority to make use of the whole or any portion of the said land as the City may deem advisable for the establishment and maintenance of stock yards, whether union stock yards or otherwise, abattoirs, warehouses, industries and manufactories thereon, or for any one or more of the said purposes.

13. Whereas the City of Calgary has incurred certain debts and liabilities for permanent improvements and has issued debentures for the payment thereof,

And whereas the debentures have been sold at a discount, and by reason of the said discount and expenses incurred in the flotation of the said debentures the sums realized have been insufficient to meet the said debts and liabilities,

And whereas the amount of the said debts and liabilities incurred over and above the net amount received from the sale of debentures, to pay the said debts and liabilities is the sum of \$764,911.99,

And whereas it is expedient to consolidate and capitalize the said debt and authorize the City to issue debentures for the payment of the same for a sum in all not to exceed the said sum of \$764,911.99,

Therefore, it is enacted as follows:



1. That the Council of the City of Calgary may by bylaw in the usual statutory form, without a vote of the rate-payers thereon, altered as circumstances may require, consolidate the said floating debt and liabilities of the City to an amount not exceeding \$764,911.99, and to realize the said sum by way of a loan on the credit of the City at large, and to issue debentures for the payment of the said loan at the expiration of thirty years from the date of issue and bearing interest at the rate of 5% per annum payable half yearly, the said principal and interest to be payable in such currency and at such places as Council in the said bylaw may determine, and the City shall have power to levy a special rate over and above all other rates to provide for the sinking fund to meet the principal sum at maturity and for the payment of the half yearly interest of the said debt.

2. The money so raised shall be applied only to the redemption and payment of the said debts and liabilities and to and for no other purpose whatever, and the sinking fund levied and collected for the redemption of the debentures shall be and become part of the sinking fund of the City and subject to the provisions governing the sinking fund of the City.

3. The amount hereby authorized to be raised by way of a loan shall not be computed as part of the amount authorized to be borrowed under Section 166 of Ordinance 33 of 1893, N.W.T., as amended by Ordinance 39 of 1900, and as further amended by Ch. 25 of the Statutes of Alberta 1909, so as to reduce or in any way affecting the borrowing power of the City therein provided.

14. Section 53 of Ordinance 33 of 1893, N.W.T. is hereby amended by inserting after the words "non-sufficient property to distrain" in the second to the last line thereof the following words "or, instructed not to distrain", and any instructions not to distrain given by the City Council to the Collector of Taxes shall not affect or prejudice any other right or remedy of the City to collect any taxes in arrear.

**AN ACT**  
**to**  
**Amend the Acts and Ordinances**  
**relating to the City of Calgary.**