

BILL

No. 14 of 1915.

An Act to amend the Medicine Hat Charter.

(Assented to 1915.)

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

1. *The Medicine Hat Charter*, being chapter 63 of the Statutes of Alberta, 1906, as amended by chapter 27 of the Statutes of Alberta, 1910 (Second Session); chapter 58 of the Statutes of Alberta, 1911 and 1912; chapter 28 of the Statutes of Alberta, 1913; chapter 35 of the Statutes of Alberta, 1913 (Second Session); and chapter 38 of the Statutes of Alberta, 1914, is hereby further amended as follows:

(1) Title IV, by repealing sections 1 to 9 inclusive and substituting therefor the following:

“1. The persons qualified to vote at elections shall be all persons both male and female of the full age of twenty-one years, being subjects of His Majesty by birth or naturalization, whose names appear on the last revised voters' list.

“2. The council may by by-law declare that no person shall be entitled to vote who has not on or before a day to be named therein paid all taxes due by him to the city, either for the current year, or all arrears of taxes, or both.

“3. Where such by-law has been adopted, on or before the day of nomination of candidates the assessor shall prepare and verify on oath a correct alphabetical list of the names of all persons who have not complied with the terms of any such by-law, such list to be called 'the defaulters' list.'

“4. Any person named in such defaulters' list may vote at an election if at the time of tendering his vote he produces and leaves with the officer presiding at such election a certificate from the city treasurer showing that the taxes in respect of which default has been made have been paid, and such officer shall file such certificate, receive the vote, and note the same on the defaulters' list.

“5. The assessor shall on or before the first day of August in each and every year prepare a voters' list in alphabetical form. He shall place thereon—

“(a) The names of all persons, both male and female, of the full age of twenty-one years who are assessed in their own right on the last revised assessment roll for real property of the value of \$200 or upwards. Where the real property is owned by two or more persons and is assessed in their names, each shall be entitled to a vote if the total assessed value of the property is sufficient when divided to give each person a rating of \$200 or upwards; if otherwise none of such persons shall be entitled to vote.

“(b) The names of all banks, incorporated companies and corporations assessed on the last revised

assessment roll, and the vote of such bank, company or corporation may be given by the chief officer thereof present in the city at the time of voting. And whenever it is necessary to administer to such officer any oath under the provisions of this part of this Act, the form set out in section 20 of title XXIII hereof, (substituting throughout the words 'at this election' instead of 'on the by-law' shall be used.

“(c) The name of each person who for and during one month prior to the first day of December in the previous year has been a resident of the city and a tenant of real property of the assessed value of at least \$200, and when more tenants than one occupy separate portions of the same building or of different buildings on the same property, each shall be entitled to vote if the total assessed value of the property so occupied is sufficient when divided to give each occupant a rating of \$200, if otherwise, none of such occupants shall be entitled to vote;

“And the assessor shall distinguish on the said list the names of all burgesses and shall cause such voters' list to be printed. The list shall contain opposite the name of each elector a short description of the property in respect of which he is entitled to vote. A copy thereof shall be posted up in the office of the assessor on or before the first day of August and notice of such posting shall be published once in each week for two successive weeks in a newspaper published in the city.

“6. Any tenant who has been a resident in the city one month prior to the first day of December in the previous year and any other person who has been resident in the city in the then current year prior to the first day of July and continuously since and who is otherwise duly qualified, but whose name does not appear on the voters' list, or whose name has by reason of any error, omission or inadvertence been omitted from the assessment roll, may either by himself or his agent apply to have the voters' list amended by giving to the assessor a notice that he intends to apply to the council to have his name added to the voters' list and stating his qualifications; and any person whose name appears on the voters' list as prepared by the assessor, and who challenges or takes objection to the name of any other person appearing on such list on the ground that such other person has disposed of the property for which he was qualified as a voter, or is not duly qualified to be a voter in terms of this Act, may apply by similar notice to the assessor to have the voters' list amended by striking out the name of such other person, stating in such notice the grounds of his challenge or objection to the qualifications of such other person. Such notice may be in the following form or to the like effect:

““To the Assessor of the City of Medicine Hat:

““Take notice that I intend to apply to the council to have my name added to the voters' list (*or as the case*

may be) for the following reasons (*here state the grounds according to the facts*).

“.....
 (Signature of Applicant)
 Applicant.
 ““ or
 (Name of Applicant)
 Applicant by his Agent.
 ““ or
 (Signature of Agent).”

“7. Notices may be given to the assessor under the preceding section by sending the same to him by registered post, or serving the same upon him in the way service is usually effected and such notices may be so given on or before the first day of October in any year.

“8. On or before the fifth day of October in each and every year the assessor shall make a list of all applicants for amendments of or to the voters’ list, stating the names and grounds of each of such applications; and shall post the same in a conspicuous place in his office and he shall immediately thereafter by advertisement in one or more newspapers published in the city, give public notice of the time and place fixed by the council for hearing such applications.

“9. On or before the fifteenth day of October in each and every year the council shall meet as a final court of revision on the voters’ list and shall then hear and determine all applications of which notice has been given to the assessor as hereinbefore provided; and the assessor shall thereupon revise and correct the voters’ list in accordance with the decisions of the council and the list when so revised and corrected shall be the voters’ list of the city and shall remain in force until a new voters’ list has been finally revised; and forthwith thereafter the assessor shall in case the city is divided into wards, prepare a list of the electors entitled to vote in each ward designating thereon those not entitled to vote for mayor in each ward.

“10. As to the attendance of witnesses and the imposition and recovery of penalties and as to procedure the council when sitting as a final court of revision on the voters’ list as aforesaid shall have the powers and privileges conferred by this Act upon the council in relation to the assessment roll.”

(2) Title XII, by repealing section 3 thereof and substituting the following:

“3. Unless it shall be otherwise provided by special by-law appointing him, every officer, official, servant or employee of the corporation shall hold his office or employment at the pleasure of the council or at the pleasure of such department head as the council may by general or special by-law provide, and every such person shall in addition to the duties assigned to him by this Act or the general law of the province, perform such other duties as may be required of him by by-law of the city.”

(3) Title XXI, section 3, subsection (a) by striking out the word “and” where it appears after the word “baths” and by inserting after the word “stables” the words “and farms”.

(4) Title XXIII, section 2, by repealing subsections (2), (3) and (4) thereof and substituting therefor the following:

“(2) The council shall by the by-law fix the day and hour for taking the votes of the burgesses and the places in the city where polls shall be opened and where the votes are to be taken at more than one place shall name a deputy returning officer to take the votes at every such place. The day so fixed for taking the votes shall not be less than three nor more than five weeks after the first publication of the information as herein provided.

“(3) The council shall publish a notice in some newspaper in the city in at least one number of such paper once a week for three weeks which notice shall contain the following information in some brief and general terms:

“(a) The object of the debt or debts intended to be created by the by-law or by-laws and the amount thereof;

“(b) The period over which the indebtedness is to be spread;

“(c) The rate of interest and whether the same is to be paid annually or semi-annually;

“(d) Whether the indebtedness is repayable in equal annual payments or on the sinking fund plan;

“(e) The day and hours between which the voting shall take place;

“(f) The amount of the whole rateable property in the city according to the last revised assessment roll;

“(g) The existing debenture debt of the city;

“(h) In case of the granting of a franchise or the ratifying of any agreement is proposed, a copy of the proposed franchise or agreement shall also be published.

“(4) The notice may be in the following form or to the like effect, and any number of matters may be included in one notice:

““PUBLIC NOTICE.

““Notice is hereby given that the municipal council of the City of Medicine Hat hereby refers the following questions to the burgesses for their approval:

““(a) Creating a debenture debt in the sum of \$ for the street railway construction; twenty year debentures; interest 5%, semi-annually; sinking fund plan.

““(b) Creating a debenture debt in the sum of \$ for purchasing land for certain several new fire hall sites; thirty year debentures; interest 5%, annually; equal annual payment plan.

““Rateable property according to last revised assessment roll is \$

““Total debenture debt \$

““Local Improvement and other debts not affecting 25% borrowing power \$

““Debenture debt affected by 25% limit \$

““No amount of the principal or interest is in arrear (or as the case may be.)

““(c) Or shall the council pass a by-law granting to the franchise specified in the following agreement, or shall the council pass a by-law authorizing the execution of the following agreement:

““The Mayor will attend at the city hall on for appointment of agents to attend polls on behalf of persons

opposing or promoting the said questions. The vote will be held on day, the day of 19. between the hours of 9 a.m. and 5 p.m. at the following places.
(places fixed by the by-law).

City Clerk.'

(Have franchise or agreement here set out in full).

"(5) Title XXV, section 11a, by striking out the word 'raise' in the third line thereof and substituting the words 'borrow from any bank, person or corporation by promissory note, treasury bill or overdraft'.

"(6) Title XXXI, section 4, subsection 8, by striking out all the words after the word 'stands' in the third line thereof and substituting therefor the following: 'shall (subject to subsection (10) hereof) be taxable only on the amount exceeding \$25,000 of their assessed value'".

2. By-law No. 482 of the City of Medicine Hat, being a by-law to provide for the borrowing of \$21,387.00 by the issue of debentures upon the credit of the municipality at large, to provide for the deficiency on the sale of debentures under By-law No. 389 of the said city; By-law No. 483 of the City of Medicine Hat, being a by-law to provide for the borrowing of \$16,000.00 upon the credit of the municipality at large to improve lands acquired by the city for industrial purposes authorized by *The Medicine Hat Charter*; By-law No. 484 of the City of Medicine Hat, being a by-law to authorize a loan to be made to the Medicine Hat Agricultural Society to the amount of \$3,500.00 and to provide for the issue of debentures of the City of Medicine Hat for the purpose of raising the said sum; By-law No. 485 of the City of Medicine Hat, being a by-law to authorize the borrowing of \$11,700.00 upon the credit of the municipality at large for construction of spur tracks to the industrial sites of the city; By-law No. 486 of the City of Medicine Hat, being a by-law to authorize the borrowing of \$10,000.00 for the purpose of purchasing rights of way set forth in By-law No. 420, being a by-law of the City of Medicine Hat ratifying and confirming a certain agreement bearing date the 18th day of October, 1913, made between the Canadian Northern Western Railway Company and the City of Medicine Hat; By-law No. 487 of the City of Medicine Hat, being a by-law to provide for the borrowing of \$17,199.00 upon the credit of the municipality at large by the issue of debentures to provide for the deficiency on the sale of debentures under By-law No. 373; By-law No. 488 of the City of Medicine Hat, being a by-law to provide for the borrowing of \$1,250.00 for the purpose of improving the public market in the City of Medicine Hat; By-law No. 489 of the City of Medicine Hat, being a by-law to provide for the borrowing of \$14,140.00 for the purpose of improving the parks in the City of Medicine Hat; By-law No. 490 of the City of Medicine Hat, being a by-law to provide for the borrowing of \$92,253.00 upon the credit of the municipality at large by the issue of debentures to provide for the deficiencies on the sales of debentures under By-laws of the City of Medicine Hat Nos. 314, 376, 377 and 421; By-law No. 491 of the City of Medicine Hat, being a by-law to provide for the borrowing of \$9,214.00 upon the credit of the municipality at large by the issue of debentures to provide for the deficiency on the sale of debentures under By-law No. 422; By-law No. 492 of the

City of Medicine Hat, being a by-law to authorize the issue of debentures of the City of Medicine Hat to the amount of \$14,500.00 for the purpose of providing for the deficiency on the sale of debentures issued under By-law No. 395, all of which said by-laws were finally passed on the 8th day of February, 1915, are and each of them is hereby declared legal, valid and binding on the said City of Medicine Hat notwithstanding any want of jurisdiction or power on the part of the said city or the council thereof to pass said by-laws or any of them and notwithstanding any informalities, irregularities or defects therein either in substance or in form and each and all of the debentures and the coupons thereto attached, issued or to be issued under said by-laws or either or any of them, are hereby declared legal and valid and the said City of Medicine Hat shall be bound to pay each and all of said debentures and coupons as therein respectively stated, and all assessments made or to be made for the payment of any and all of the said debentures are confirmed and declared to be legal, valid and binding and the said City of Medicine Hat is hereby authorized and empowered to do all necessary acts for the full and proper carrying out of the said by-laws or any one or more of them.

3. This Act shall come into effect on the date it is assented to.

No. 14

THIRD SESSION
THIRD LEGISLATURE

5 GEORGE V

1915

BILL

An Act to amend The Medicine Hat
Charter.

Received and read the

First time

Second time

Third time

MR. SPENCER.

EDMONTON:
J. W. JEFFERY, Government Printer
A. D. 1915.