

REPRINTED BILL.

BILL

No. 7 of 1919.

An Act to amend the Ordinances and Acts relating to the
City of Red Deer.

(Assented to , 1919.)

WHEREAS the City of Red Deer has prayed for certain amendments to Chapter 70 of the Consolidated Ordinances of the North-West Territories, being *The Municipal Ordinance* and the amendments thereto, and the Ordinance and Acts respecting Red Deer;

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. Subsection 16 of section 95 of *The Municipal Ordinance* is amended by striking out the word "all," by substituting for the word "if" the word "when," and by adding to the subsection the words "or by a police officer of the city." Weighing of coal

2. Subsection 6 of section 138 of the said Ordinance is amended by substituting the word "February" for the word "September" where it occurs in the said subsection. Subsection 8 of said section 138 is amended by substituting for the word "Supreme" where it occurs in the subsection the word "District." Date for decision of appeals

3. Section 185 of the said Ordinance is hereby amended by striking out all the words after the word "by" where it occurs in the said section, and by substituting therefor the words "a description sufficient to identify the same." Advertisement, contents

4. Section 194 of the said Ordinance is hereby repealed and the following substituted therefor:

"194. The purchaser shall on receipt of the secretary-treasurer's certificate of sale become the owner of the land so far as to have all necessary rights and powers for protecting the same from spoliation or waste, and if there is no one in possession of such land the purchaser shall have the right to take possession thereof and from time to time Tax sale purchaser's rights

rent the same at a reasonable rental and expend such moneys as may be necessary to keep such land in tenantable repair and he shall be accountable for the net proceeds received by him in the event of the said land being redeemed.

"(2) The assessor shall mail to the tax purchaser (unless the city be the tax purchaser) a notice of assessment and tax demand."

5. Section 201 of the said Ordinance is amended by adding the following subsection:

"(1) Such transfer shall contain a description of the land sold sufficient for registration purposes in a land titles office, in the Province of Alberta."

Description
of lands in
transfer

6. The said Ordinance is amended by adding after section 203 a new section:

"203. (a) The city may, at any time, sell and transfer any tax sale certificate or tax sale transfer issued to the city."

Sale of tax
sale certificate
or transfer

7. Subsection 11 of section 3 of chapter 36 of the Statutes by adding thereto the following words: "provided that in so far as the City of Red Deer is concerned the word 'judge,' where it is used in chapter 12 of the Ordinances of 1901, shall mean and include a judge of the District Court of the judicial district within which the City of Red Deer is situated as well as a judge of the Supreme Court of Alberta; provided further that the foregoing proviso shall be retroactive."

Definition of
"judge"
amended

8. Section 13 of the said Act of 1913 (Second Session), as amended by section 3, chapter 31, of the Statutes of Alberta, 1916, is further amended by adding "if at any time before the first day of December in any year it is discovered that any person carrying on any trade, business or profession within the limits of the city has not been assessed under the provisions of this section, the secretary-treasurer shall notify such person that at a meeting of the council to be held at least six days after such notice an application will be made to the council by the secretary-treasurer to assess such person under the provisions of this section from the time such person commenced such trade, business or profession until the end of the current year; and that such person is required to attend such meeting to show cause why the said assessment should not be made against him, and at a meeting of the council held pursuant to such notice the council may by resolution direct the secretary-treasurer to make the necessary entries upon the proper assessment roll, and immediately after such assessment,

Adding names
to business
assessment

subject to his rights of appeal, the taxes due, pursuant to such assessment, shall be collectable in the same manner as any other taxes levied under the provisions of this section; provided that the person so assessed shall have the privilege of appealing direct to a District Court judge, according to the provisions of section 138 of *The Municipal Ordinance*, at any time within eight days from the passing of the said resolution, and said judge shall have power to confirm or amend the said assessment."

9. Section 14 of the said Act of 1913 (Second Session), is further amended by adding thereto the following subsections:

"(2) In addition to all other remedies for the collection of taxes, the secretary-treasurer is hereby authorized, where any taxes are due upon any land occupied by a tenant, to give such tenant notice in writing requiring him to pay the city the rent of the premises, as it becomes due from time to time, to the amount of the taxes due and unpaid; and the secretary-treasurer shall have the same authority as the landlord of the premises has to collect such rent by distress or otherwise, to the amount of the unpaid taxes. Right to collect rents

"(3) Any tenant may deduct from his rent any taxes paid by him, which, as between the tenant and the landlord, the latter ought to pay. Tenant may deduct amounts paid

"(4) No assignment of the rent by the landlord made subsequent to the service of the aforementioned notice shall have any validity to prevent the secretary-treasurer from proceeding hereunder, or the tenant from paying the rent to the city pursuant to the said notice." No assignment to affect same

10. Section 16 of the said Act of 1913 (Second Session), is amended by striking out the number "15," where it occurs in the sixteenth line of the said section, and substituting therefor the number "14."

11. Subsection (b) of subsection 2 of section 2, chapter 31 of the Statutes of the Province of Alberta, 1916, is hereby amended by inserting the words "sufficient to identify the same" after the word "land," where it occurs in the said subsection; and said section 2 is further amended by inserting a new subsection 3: Description of land in assessment roll

"(3) All land heretofore assessed by the City of Red Deer under a description sufficient to identify the same is hereby declared to be a good and valid assessment."

12. The sale of land to the city for arrears of taxes held in the year 1918 is hereby annulled without prejudice, however, to any of the city's rights to sell the said lands at a subsequent sale or to any other right of the city to collect the said arrears. Sale of land annulled

13. The council shall have power to issue and sell city treasury bills for an amount not exceeding ninety per centum of the total amount of arrears of taxes up to and including the arrears of taxes of 1918 and the total taxes and costs charged against lands sold to the city for arrears of taxes and against lands to which the city has obtained title by tax sale proceedings including lands in the Red Deer Public School District No. 104 and in the Roman Catholic Separate School District of North Red Deer No. 17. Such treasury bills shall be in sums of not less than \$100.00 each in such form and payable at such place or places and for such period not exceeding ten years from the issue of the same as the council shall by by-law provide and it shall not be necessary to submit such by-law to the burgesses and further provided that the rate of interest of the said treasury bills shall not exceed eight per centum per annum.

(2) From the proceeds of the sale of treasury bills issued under the authority of subsection 1 hereof there shall be deposited in a savings bank account in some chartered bank to be known as "The Treasury Bills Trust Account" a sum sufficient to pay all outstanding treasury bills previously issued and all arrears of taxes collected by the City of Red Deer and all proceeds of sales of lands to which the city has obtained title by tax sale proceedings and all moneys received by the city from redemptions of lands sold to the city for arrears of taxes up to and including the year 1918 shall be deposited in such savings bank account and the money so deposited in the savings bank account shall be used for sole the purpose of redeeming the treasury bills as they become due.

(3) When sufficient moneys have been collected as above provided and deposited as aforesaid to meet all outstanding treasury bills in such case any further moneys collected on the above mentioned accounts may be used by the municipality for any other lawful purpose.

(4) The council shall have power to issue treasury bills in each year to an amount not exceeding ninety per cent. of the amount of the arrears carried forward from the previous year and such treasury bills shall be issued in the form and manner as provided in subsection 1 hereof.

(5) All arrears of taxes collected by the City of Red Deer against which treasury bills have been issued under authority of subsection 4 hereof shall be deposited in a separate savings bank account in a chartered bank and used for the sole purpose of redeeming the treasury bills issued against the security of such arrears as they become due until sufficient has been collected to pay all outstanding

treasury bills issued against the security of such arrears after which any arrears collected may be used for any other lawful purpose of the municipality.

(6) Section 8 of chapter 31 of the Statutes of Alberta, 1916, is hereby repealed.

14. The council shall have power to enter into an agree-^{Arrears of taxes}ment with the owner of any lands against which there are taxes in arrears providing for the payment of the arrears of taxes in not more than ten equal annual instalments with interest and on condition that the current taxes each year shall be paid together with the instalment of arrears.

15. The council may from its members appoint a deputy^{Deputy mayor} mayor who in the absence of the mayor shall have all the powers of the mayor and such appointment shall be for a period of not more than three months.

16. No sale by the city of lands to which the city has got its title through a tax sale shall be deemed to have fixed the fair actual value of such land, nor in fixing the fair actual value of such land shall the price, which the city obtains for the same, be taken into account by any assessor, court of revision or judge.

17. Chapter 21 of the Ordinances of the North-West Territories, 1902, as amended by section 11, chapter 31 of the Statutes of Alberta, 1916, is further amended by striking out of section 21 of the said Act the words "the said" in the thirteenth line of the said section 21.

No. 7.

SECOND SESSION
FOURTH LEGISLATURE
9 GEORGE V
1919

BILL

An Act to amend the Ordinances and
Acts relating to the City of
Red Deer.

Received and read the

First time

Second time

Third time

MR. GAETZ

EDMOTON:
J. W. JEFFERY, KING'S PRINTER
A. D. 1919