

BILL

No. 48 of 1919.

An Act to amend The Public Utilities Act.

(Assented to , 1919.)

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

The Public Utilities Act, being chapter 6 of the Statutes of Alberta, 1915, is hereby amended as follows:

1. Section 48: By adding thereto the following subsection:

“(2) Any application, petition, matter or complaint over which the board has jurisdiction under this Act or any other Act may be heard by a single member of the board who, after such hearing, shall report his findings to the board, and the board may thereupon deal with the application, petition, matter or complaint as if such hearing had been before the full board.”

2. Section 86a: By adding to clause 2 the following words:

“and may direct that such lands be taxed at a lesser rate than that adopted generally throughout the city, town or village, and may fix a maximum rate at which such land may be taxed and for such time as the board may determine, and may direct that such land shall be liable to pay to the city, town or village a certain increment in value upon each subsequent sale thereof, such increment and the method of payment thereof to be fixed by the board.”

And by adding thereto the following subsections:

“(4) Where from the number of applications for separation from the limits of a city, town or village, or from the evidence adduced at the hearing of any application the board is of the opinion that some general plan should be adopted, covering lands coming within the provisions of the first clause hereof, so that all such lands may be dealt with by the board, whether included in any applications before it or not, the board may upon giving such notice to all parties interested as to it seems proper—

“(a) Withdraw from the limits of the city, town or village, any land, whether included in any application before it or not, upon such terms and conditions as the board may by order provide;

“(b) Direct that any land shall remain within the limits of the city, town or village, and may direct that in such case the city, town or village shall assess said land upon such basis or principle of assessment that may to the board seem proper, and for such time as the board may determine, and may direct that such lands be taxed at a lesser rate than that adopted generally throughout the city, town or village, and may fix a maximum rate at which such lands may be taxed and for such time as the board may determine;

“(c) Direct that either in the case of land separated by order of the board from the limits of the city, town or village, or where land is directed to remain within such limits, such land shall be liable for the payment of a portion of the increase in value on each sale subsequent to the board's order, and may fix the basis upon which such payment is to be arrived at, and the mode of collecting or providing for the payment to the city, town or village of such increase;

“(d) Require the city, town or village to prepare a map or plan of the whole city, town or village, showing each section and subdivision, and containing such information and particulars of streets, pavements, sidewalks, water and sewer mains, electric light and street railway lines, the number and class of buildings in the locality, the areas that are served by the public utilities of the city, town or village, and any other information the board may require;

“(e) Where the board is of the opinion that it is advisable to adopt a plan such as is referred to in this section, it may, notwithstanding anything in the first clause of this section, deal with parcels of land less than twenty acres in extent or land which is still subdivided, but it may make special terms and conditions in regard to such land as it thinks advisable;

“(f) Where land is separated from the limits of any city, town or village under the provisions of this section it shall notwithstanding such separation continue liable for the payment of any debenture indebtedness of the city, town or village incurred prior to the date of the order of separation in the same manner as if such separation had not taken place;

“(g) No reduction in the rate of taxation in any order made by the board shall affect the right of the city, town or village to levy and collect the debenture rate necessary to meet the payment of any debenture indebtedness incurred prior to the date of the Board's order.

“(5) Any terms or conditions contained in any order under this section shall have the same effect as a covenant running with the land and shall be binding upon each owner during his ownership, and a copy of any order under this section may be registered in the land titles office of the land registration district in which the land is situate.”

No. 48.

SECOND SESSION
FOURTH LEGISLATURE
9 GEORGE V
1919

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An Act to amend The Public Utilities
Act.

Received and read the

First time

Second time

Third time

HON. A. G. MacKAY.

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