

BILL

No. 55 of 1919.

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

1. Section 2, paragraph 19: By inserting after the word "town" where it occurs therein the words "or shipped into the town."

2. Section 4: By inserting immediately after this section the following:

"4a. If anything to be done by or under this Act within a fixed time cannot or is not done the Minister may by order from time to time appoint a further or other time for doing the same, whether the time within which the same ought to have been done has or has not expired.

"(2) Anything done within the time prescribed by such order shall be as valid as if it had been done within the time fixed by this Act."

3. Section 16, subsection 3: By repealing same, and substituting therefor the following:

"(3) The Minister may at any time dismiss any member or members of the council and may appoint another person or persons in the place and stead of the person or persons dismissed, and every such person so appointed shall have all the powers and authorities conferred by this Act on elected members of the council, and shall be paid such salary out of the funds of the town as the Minister may determine. The Minister may dismiss the whole council, and may appoint an official administrator who shall have and exercise all the rights and powers conferred upon an official administrator by this Act.

"(a) The official administrator appointed under this subsection shall hold office during the pleasure of the Minister, and may be removed at any time, and where the official administrator appointed under the provisions of the

said paragraph dies after assuming office, or is unable through sickness or any other cause to discharge the duties of the office, or does not discharge such duties, the Minister may appoint some other person as official administrator, who shall have the like powers and authorities and be charged with the like duties and responsibilities as his predecessor in office.

“(b) The official administrator is hereby clothed with full power and authority to perform the duties of secretary-treasurer, assessor and collector of taxes, and it shall be his duty to perform the duties of each and every of said officials, or to appoint one or more persons as secretary-treasurer, assessor and collector, and he shall have the right and authority to employ such assistants as he may deem advisable to assist him in the discharge of any such duties, and their salaries shall be paid out of the funds of the town.

“(c) Where an official administrator has been appointed the Minister may at any time appoint a returning officer to hold an election to elect a new council and give any necessary or proper directions as to such election or the consequences thereof, that may be rendered necessary by the circumstances of the case, including directions as to the periods of office of the elected persons and all matters of an analogous nature or otherwise ancillary to such election and its consequences notwithstanding that any such direction may appear to be in conflict with this Act; otherwise, such election shall be held in the manner as nearly as may be as other elections under this Act, and the election of a new council shall *ipso facto* act as a dismissal of the official administrator.”

4. Section 18: By adding thereto the following subsection:

“(2) In the event of a majority of the whole council resigning the Minister may appoint a returning officer and fix a date for an election to fill the vacancies.”

5. Section 53, subsection 2: By striking out the word “December” where it occurs for the second time therein, and substituting therefor the word “April”.

6. Section 78, subsection 1: By adding thereto the following: “Provided further that prior to or on election day, any person whose name appears on the last revised assessment roll, and who is assessed for fifty dollars or upwards, but whose name is omitted from the voters’ list, may obtain from the secretary-treasurer a certificate to that effect, which he may present to the deputy returning officer, and thereupon the deputy returning officer shall enter his name on the list, and he shall, subject to all other requirements of this Act, be entitled to vote at said election.”

7. Section 79: By adding thereto the following:

“(2) The name of the wife, husband, son or daughter of each person assessed shall only be entered on the voters’ list on application of the person who claims to be entitled to have his or her name so placed on the voters’ list, and the secretary-treasurer shall, during the usual office hours from the first day of July to the thirty-first day of August, both inclusive, in each year, receive or cause to be received the application of every such person, and on being satisfied that the applicant is duly qualified, the secretary-treasurer shall place the name of such applicant with his or her place of residence, on such voters’ list; such application may be made either by said person or by the person on account of whose assessment the applicant claims to be entitled to have his or her name placed on the voters’ list.”

8. Section 81: By inserting after the word “land” where it occurs in the fourth line thereof the words “business or buildings and improvements or personal property.”

9. Section 117: By inserting immediately after this section the following:

“**117a.** Any bank or corporation assessed on the last revised assessment roll in such a way that if the assessment were that of an individual, would entitle him to vote, shall be entitled to one vote only which may be given by the chief resident officer of such corporation.”

10. Section 163: By inserting after the word “vaults” where it occurs in the second line of clause 42 thereof the words “out-buildings and cess-pools.”

By repealing clause 55 and substituting therefor the following:

“55. Licensing and regulating all persons or concerns carrying on business as vendors, buyers or traders of horses, cattle or other animals within the town, or bringing horses, cattle or other animals into the town for the purpose of shipping, selling, or offering same for sale, provided, however, that this clause shall not apply to *bona fide* farmers selling, buying or trading with their own stock.”

By inserting after clause 65 thereof the following:

“65a. Requiring all buildings used as garages to have concrete floor, or to be at least 100 feet distant from any other building.”

11. Section 265a, subsection 1: By striking out the words “for a period not exceeding four years from the thirty-first day of December, 1915,” where they occur in the fifth, sixth and seventh lines thereof.

12. Section 265f: By inserting thereafter the following:

"Where any such by-law has been passed, it may be continued in force by a resolution of the council until such time as the by-law is repealed by a by-law of the council."

13. Section 267, subsection 3: By striking out all the words in this subsection after the word "assessed".

14. Section 270b: By inserting immediately after this section the following:

"**270c.** The council may by by-law passed at a regular meeting of the council held prior to the first day of May in any year at which two-thirds of the members of the whole council vote in favor of such by-law provide for the imposition of a tax to be known as a personal property tax upon all personal property except that exempt from taxation by the provisions of this section, and where such a tax is levied the form of the assessment roll herein provided shall be varied accordingly, and all the provisions of this Act in regard to assessment notices, appeal from assessment, and enforcement of payment of taxes shall *mutatis mutandis* apply.

"(2) The following personal property shall be exempt from taxation:

"1. All personal property belonging to the town.

"2. The books of every public library.

"3. Household effects (except in hotels and restaurants) of every kind, books and wearing apparel in use."

15. Section 293, paragraph 13: By striking out the same, and substituting therefor the following:

"13. An appeal shall lie from the decision or judgment of the judge to the Appellate Division of the Supreme Court."

16. Section 323: By adding thereto the following:

"(2) Where a penalty of five per cent. is added, under the provisions of this section, it shall be five per cent. of the arrears of taxes and of the penalties, if any, already added."

17. Section 328: By striking out the words "every issue of The Alberta Gazette for two months" where they occur in the fifth and sixth lines thereof, and substituting therefor the words "in four regular consecutive issues of The Alberta Gazette," and by adding thereto the following:

"(3) Where heretofore a notice of the time and place of such sittings has been published in four regular consecutive issues of The Alberta Gazette, such publication is hereby declared to be for two months."

18. Section 333, clause (b): By striking out the words “mayor and” where they occur in the second line thereof.

19. Section 337: By striking out the word “six” where it occurs in the seventh line thereof, and substituting therefor the word “eight”.

No. 55.

SECOND SESSION
FOURTH LEGISLATURE
9 GEORGE V
1919

BILL

An Act to amend The Town Act.

Received and read the

First time

Second time

Third time

HON. MR. MacKAY.

EDMONTON:
J. W. JEFFERY, KING'S PRINTER
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