

BILL

No. 56 of 1919.

An Act to amend The Village 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 Village Act, being chapter 57 of the Statutes of Alberta, 1913, is hereby amended as follows:

1. Section 19: By striking out all the words in the said section after the word "subjects" in the third line thereof.

2. Section 31: By adding thereto the following subsection:

"(2) Where any elector has filed an affidavit showing that a member of the council has forfeited his seat at the council or his right thereto or has become disqualified or otherwise, and has paid into court the sum of \$25.00 as security for costs to abide the event of the application, it shall be lawful for the judge of the District Court of the judicial district within which the village is wholly or partly situated to grant a summons calling upon such person to show cause why he should not be ousted from the office; and where upon the return of the summons it shall appear to the judge upon affidavit or oral evidence that such member of the council has forfeited his seat at the council or his right thereto, or has become disqualified to hold his seat or his seat has become vacant by disqualification or otherwise, the judge may adjudge such person to be ousted of the same, and such person shall be ousted of the same accordingly, or the judge may discharge the summons and in either case with or without costs."

3. Section 33: By striking out the said section and substituting therefor the following:

"33. 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 so 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 village 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 section 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 clause 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 village.

“(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 thereto 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 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 54: By adding thereto the following:

“Such bond shall be in the form approved by the Minister, through whom the same shall be obtained from the guarantee corporation, and the requisite premium shall be paid by the secretary-treasurer to the Minister.”

5. Section 61, subsection 2: By striking out the word “abstract” where it appears in such subsection, and substituting therefor the word “statement”.

6. Section 63, clause 29: By adding thereto the following:
 “(b) Licensing porters, water dealers, milk dealers, carriers or common carriers, draymen, hackmen, omnibus drivers, and all persons performing work with horses or mules within the village for hire, and regulating same, and fixing a schedule of fees to be charged for same.”

7. Section 63: By inserting after clause 38 the following:
 “38a. Requiring all buildings used as garages to have concrete floors or to be at least 100 feet distant from any other building.”

8. Section 83a: 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 first and second lines thereof.

9. Section 83a: By inserting immediately after this section the following:

“**83b.** 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 village.
- “2. The books of every public library.
- “3. Household effects (except in hotels and restaurants) of every kind, books and wearing apparel in use.”

10. Section 85: By inserting after the word “land” in the first line thereof the words “or personal property”.

11. Section 113: By repealing same and substituting therefor the following:

“**113.** If the taxes payable on any lot in any subdivision or plan, or on any fraction of a quarter section for the purposes of the village, are less than 50 cents, the amount payable to the village on any such lot in any subdivision or plan, or on any fraction of a quarter section for such purposes shall be 50 cents.”

12. Section 120: 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.”

13. Section 131, subsection 1: 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.”

14. Section 132: By inserting the word “at.....” after the word “court” in the fifth line of the form of notice set forth therein.

15. Section 134, subsection 4: By striking out the word “copy” where it occurs in the first line thereof, and substituting therefor the word “notice”; and inserting after the word “adjudication” in the first line thereof the words “as set forth in subsection 5 hereof.”

16. Section 173, clause (b): By repealing this clause and substituting therefor the following:

“(b) To the poundkeeper for the care and sustenance of each animal for each period of twenty-four hours after the impounding thereof (any lesser period elapsing before such animal’s removal from the pound being deemed a full period of twenty-four hours)—

“For each stallion or jack.....	\$1.00
“For each bull.....	.75
“For each other animal.....	.50”

No. 56.

SECOND SESSION
FOURTH LEGISLATURE
9 GEORGE V
1919

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An Act to amend The Village Act.

Received and read the

First time

Second time

Third time

HON. MR. MACKAY.

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