

REPRINTED BILL.

BILL

No. 9 of 1921.

An Act to amend The Medicine Hat Charter.

(Assented to , 1921.)

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

The Medicine Hat Charter, being chapter 63 of the Statutes of Alberta, 1906, and amendments thereto, is hereby further amended as follows:

1. Title IV, section 5 (3): By striking out the word "poll," and substituting therefor the word "service."

2. Title V, section 17: By repealing the first paragraph of "Directions for the Guidance of Voters in Voting," and substituting therefor the following:

"The voter will go into one of the compartments and with the pencil provided in the compartment place a cross thus 'X' on the right hand side opposite the name of the candidate for mayor for whom he votes, and by placing a cross on the right hand side opposite the names of the number of candidates to be elected for aldermen for whom he votes, or at any other place within the division which contains the name or names of such candidate or candidates."

3. Title V, section 17: By inserting the words: "Or for a less number of aldermen than the number to be elected" between the words "for" and "his" occurring in the second line of the fourth paragraph of "Directions for the Guidance of Voters in Voting."

4. Title VI, section 21: By inserting the words "or less" between the word "more" and the word "votes" occurring in the seventh line of said section.

5. Title VI, section 47: By inserting the words "or less" between the words "more" and "candidates" appearing in the third line, and by inserting the words "or less" after the word "greater" appearing in the tenth line, and by inserting the words "or less" between the words "more" and "candidates" appearing in the fourteenth line, and by inserting the words "or less" between the words "more" and "candidate" appearing in the first line of thirdly (d) of said section.

6. Title VI, section 11 (4): By inserting between the word "affirm" and the word "that" in the fourth line of said subsection "That you are a British subject by birth or naturalization and."

7. Title VII, section 7: By striking out the words "30th day of June" where they appear in the third line of said section, and substituting therefor the words "28th day of February."

8. Title XII, section 1: By adding thereto the following subsection:

"(1) The council may by by-law appoint a city manager who shall be under the supervision and direction of the council, and shall in said by-law define the duties and fix the remuneration of such city manager."

9. Title XV, section 1: By repealing said section, and substituting therefor the following: "The council may appoint as city solicitor or city solicitors a member of the Law Society of the Province of Alberta or a firm who are members of the said society and may determine his or their duties and the terms and period of his or their appointment."

10. Title XV, section 2: By repealing said section, and substituting therefor the following:

"2. In case the remuneration of the city solicitor or city solicitors so appointed is to be paid wholly or partly by salary, the city shall notwithstanding be entitled to tax and collect lawful costs in all actions and proceedings to which the city is a party; provided such costs are by the terms of engagement of the city solicitor or city solicitors payable to him or them as part of his or their remuneration in addition to his or their salary."

11. Title XVII, section 1 (2): By adding the following subsection:

"(3) The assessor shall collect a fee of twenty-five cents per lot for every search made in the assessment or tax rolls; and shall also, if required, without additional fee give a certificate under his hand showing whether or not all taxes due in respect of any such lot have been paid and if not the amount of the arrears chargeable against the said lot; and such fee shall form part of the general revenue of the town."

12. Title XXX, section 2: By striking out the word "other" where it appears in the third line of said section, and substituting therefor the words "or more"; and by striking out the words "30th day of April" where they appear in the fourth and fifth lines of said section, and substituting therefor the words "31st December in the previous year."

13. Title XXX, section 2a: By striking out the word "February" where it appears in the first line of said subsection and substituting therefor the word "January."

14. Title XXX, section 3: By striking out the word "May" where it appears in the first line of the said section, and substituting therefor the word "February."

15. Title XXX, section 15: By striking out the word "July" where it appears in the fourth line of the said section, and substituting therefor the word "February."

16. Title XXX, section 20: By striking out the word "June" where it appears in the sixth line of the said section, and substituting therefor the word "January."

17. Title XXX, section 23: By striking out the word "July" where it appears in the second line of the said section, and substituting therefor the word "February."

18. Title XXX, section 26 (6): By striking out the word "September" where it appears in the fourth line of the said section, and substituting therefor the word "March."

19. Title XXXI, section 10: By striking out the word "June" where it appears in the second line of said section, and substituting therefor the word "March."

20. Title XXXI, section 12: By repealing section 12, and substituting therefor the following:

"**12.** Except as hereinafter provided, every person, male or female, of the age of 21 years or over, who resides in the City of Medicine Hat for at least three months shall, upon the passing of a by-law therefor, pay to the City of Medicine Hat each year, as part of the general revenues of the city, a tax for services rendered by the city, herein referred to as 'the service tax,' or 'the said tax.'

"(2) For the purposes of this section, residence within the City of Medicine Hat shall be understood as actual residence therein for the said period of three months, irrespective of whether such person intends to reside in the city permanently, or whether or not the said period of residence is wholly or in part only within the year in which the said tax becomes due.

"(3) The amount of the annual service tax payable by each person liable therefor shall be not less than the sum of \$5 nor more than the sum of \$25 as provided in the next subsection.

"(4) The council of the city may pass a by-law fixing the amount of the annual service tax for all persons as above provided and the council may differentiate between the

amount payable by different classes of persons so as to fix the amount thereof payable by each class of persons in accordance with any basis of classification the council may adopt for such purpose.

“(5) Married women residing with their husbands shall be exempt from the said tax, and the council may also by by-law provide for exempting therefrom any other class or classes of persons.

“(6) The service tax for the year 1921 shall become due and payable on the first day of July, 1921, unless the council by by-law fixes an earlier date for the payment thereof, in which case the service tax shall become due and payable on the date fixed by such by-law.

“(7) The service tax shall become due and payable in each year after the year 1921 on the first day of January of such year.

“(8) If any person has not resided within the city for three months prior to the date the service tax becomes due and payable in any year, such person shall become liable to pay to the city the said tax for that year so soon as such person shall have been a resident of the city for three months.

“(9) The service tax shall be due and payable from each person liable therefor upon and after the date such tax becomes due and payable in any year, or so soon as any person shall have been a resident of the city for three months, without any formal demand for payment thereof.

“(10) Every taxpayer shall be credited with the amount of the service tax paid by or on behalf of such person to the city for the year in reduction of rental taxes payable by such person to the city for the same year.

“(11) Every employer, including partnerships and companies, shall upon application therefor to such employer, or to the manager of the business of such employer, either personally, or by letter addressed to the place of business, furnish forthwith to the secretary-treasurer of the city, or to any person authorized by him to apply therefor, the name and address of each and every person in his or its employ, and the wages or salary paid to such employee, and of any other information that may be reasonably required for the purpose of the said tax.

“(12) Every person shall furnish forthwith, upon request made therefor by the secretary-treasurer of the city, or by any other person authorized by him to apply therefor, his, or her name, place and period of residence within the city, and shall also inform the collector or other person whether or not he or she is of the age of 21 years, or over, and the wages or salary received during the three months preceding the date the said tax became due and payable by such person to the city.

“(13) Every employer, and the manager of the business of such employer, and every person who refuses, or neglects for three days after request made therefor, to furnish the

information required to be furnished under either of the said two preceding subsections, or who furnishes any false information, shall upon summary conviction thereof be liable to a penalty not exceeding \$100 exclusive of costs.

“(14) Every employer shall pay to the City of Medicine Hat within one month after notice by the secretary-treasurer of the city the full amount of the service tax payable to the city by any employee of such employer, whether such tax has been previously demanded from such employee or not, and the amount so paid may be deducted by the employer from the wages or salary of the employee.

“(15) The service tax may be recovered by suit in the name of the city as an ordinary debt from any person liable to pay same, and may also be recovered by distress and sale of any personal property belonging to such person at any time after such tax becomes due and payable provided, however, that before action is commenced, or seizure is made, demand in writing for payment of the service tax shall have been delivered to such person or shall have been mailed to the correct address of such person.

“(16) In the case of the person primarily liable for the said tax at least three days, and in the case of the employer at least one month, shall have elapsed after the delivery or mailing of such demand.

“(17) The service tax shall be collectable on behalf of the city by the secretary-treasurer of the city, or any person duly authorized for such purpose.

“(18) The secretary-treasurer shall keep a register of the names and addresses of all persons who have paid to the city the service tax in any year, and the names of all such persons shall be added to the voters' list of the city for the year by the city clerk, unless such names already appear on the voters' list for that year, or unless the voters' list shall have been completed prior to the payment of the said tax.”

21. Title XXXII, section 1: By striking out the word “October” where it appears in the first line of the said section, and substituting therefor the word “March.”

22. Title XXXII, section 5: By repealing section 5, and substituting therefor the following:

“5. The council may by by-law allow a discount not exceeding ten per cent. for payment of the aforesaid taxes or any part thereof or any instalment thereof, on or before the day or days therein named and may by by-law impose an additional percentage charge not exceeding ten per cent. per annum for non-payment of the aforesaid taxes, or any part thereof, or any instalment thereof before the day or days therein named and such additional percentage shall be added to any unpaid amount of taxes or assessments or

rate or instalment and collected by the secretary-treasurer or by distraint or otherwise as if it had been originally imposed by the by-law."

23. Title XXXI, section 2 (*e*): By deleting the words "all property belonging to the city and used only for civic purposes" where they appear in the first and second lines of said subsection.

24. Title XXXV, section 29: By repealing the said section.

25. Title XXXI, section 3: By repealing same, and substituting therefor the following:

"(3) Buildings and improvements on lands shall be assessed for the year 1922 and thereafter at not less than fifty per cent. of their fair actual value."

No. 9.

FOURTH SESSION
FOURTH LEGISLATURE
11 GEORGE V
1921

BILL

An Act to amend The Medicine Hat
Charter.

Received and read the

First time.....

Second time.....

Third time.....

MR. N. SPENCER.

EDMONTON:
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A.D. 1921