

BILL

No. 15 of 1921.

An Act to amend the Acts constituting The Edmonton Charter and to validate By-law No. 42, 1920, of the City of Edmonton, as amended by By-law No. 45, 1920.

(Assented to _____, 1921.)

WHEREAS a petition has been presented by the City of Edmonton for the amendment of *The Edmonton Charter* and for the validation of By-law No. 42, 1920, of the City of Edmonton;

And Whereas it is reasonable that the prayer of the said petition should be granted:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

The Edmonton Charter is hereby amended—

1. By adding to section 43 the following proviso:

“Provided, however, that it may be a condition of the engagement of any commissioner that he shall give the city three months’ notice before retiring from office and the council may agree that he shall not be dismissed without receiving three months’ notice, except the dismissal be for good cause satisfactory to the council.”

Commissioners to have and give three months’ notice

2. By striking out of paragraph (a) of section 84 as printed in section 2 of chapter 42 of the Statutes of Alberta, 1920, the words “have for six months immediately preceding the first day of June in the year for which the list is being prepared,” and by substituting therefor the words “have since the first day of December then next preceding.”

Section 84 further amended

3. By striking out paragraph (b) of section 84 as printed in section 2 of chapter 42 of the Statutes of Alberta, 1920, and by substituting therefor the following:

“(b) All persons both male and female, being British subjects by birth or naturalization, of the full age of twenty-one years, whose names appear on the last revised assessment roll or rolls and reside within the city or who residing within thirty miles from the city apply to have their names placed upon said list as hereinafter provided.”

Qualification of voters amended

4. By striking out subsection 3 of section 85 as printed in section 2 of chapter 42 of the Statutes of Alberta, 1920, and by substituting therefor the following:

“(3) The assessor shall also place on said list of electors ^{Persons appearing on assessment roll to be placed upon voters' list} the names of such persons as are qualified under paragraph (b) of section 84, who reside within the city, together with the names of such persons who reside within thirty miles from the city and who in writing request their names to be placed on such list. The names of any such persons may be placed on the list for any polling subdivision that the assessor shall see fit. In case the assessor cannot readily ascertain whether or not any person assessed is a British subject, he shall opposite the name of such person write the word ‘Swear,’ and in case any such person shall tender his vote the officer presiding at the poll shall administer to him the following oath:

“‘You swear (or solemnly affirm) that you are a natural born (or naturalized) subject of His Majesty, of the full age of twenty-one years, and that you are the person named (or intended to be named) by the name of in the voters' list now shown you (showing list to the voter).’”

5. By striking out of section 102 the words “within forty-eight hours” where the same occur therein, and by substituting therefor the words “before ten o'clock in the forenoon of the day.” ^{Time within which candidates may retire amended}

6. By adding to section 221 the following subsection:

“(7) The council may also pass by-laws prescribing ^{Power to regulate space of land to be covered by buildings} the space to be left vacant about buildings, limiting the number and nature of buildings to be erected on any lot or parcel of land having regard to the nature and situation of the land, and for such purpose may divide the city into zones or districts and may make any such by-law or any part applicable to any particular zone or district or to any street or part thereof.”

7. By adding to the principal section of section 251 as amended by section 9 of chapter 52 of the Statutes of Alberta, 1918, the following: “or who is assessed on the business assessment roll and who by virtue ^{Persons liable to business assessment of \$500 or over to be burgesses} of such assessment pays or is liable to pay a business tax in respect of a business assessment of \$500 or more and who at the time of the making of the list of burgesses is still carrying on within the city the business in respect of which he is assessed or some other business of an assessable value of \$500; provided that where more than one person is assessed in respect of a business assessment of \$500 or more the name of only one of such persons, being the first in order or such other one of their number as shall be named in writing signed by all of them and filed

annually with the assessor before the date of the court of revision by the council, shall be placed on the list of burgesses."

8. By inserting after the word "may" in line three of section 308 the words "from time to time as long as any such debentures are unsold," and by inserting after the word "hypothecate" in line five thereof the words "and re-hypothecate"; and by inserting after the word "loan" in line five thereof the words "notwithstanding that any such loan may be of a refunding nature for the purpose of repaying in whole or in part a previous loan on such debentures or some of them, and that at the time of such refunding loan the said debentures or some of them are hypothecated to secure a previous loan then outstanding and unpaid"; and by adding after the word "issued" in line seven thereof the words "or in the repayment in whole or in part of a previous loan made on such debentures."

And it is hereby declared that the said section as hereby amended shall be taken to have always been in force, and that the said amendments hereby made shall be deemed to have always formed a part of the said section.

9. By adding to section 320 the following subsection:

"9. All lands acquired by the city through forfeiture or sale for arrears of taxes from and after the year in which the city has obtained title thereto and thereafter until the sale thereof by the city; provided any occupant of any such land shall be assessable in respect of his interest therein. But the said lands shall nevertheless be liable to be assessed for local improvements."

10. By inserting in section 321 as amended, the following:

"(2) In estimating the value of any land no regard shall be had to the price at which any land or lands owned by the city and being adjacent to or in the vicinity of the land being assessed has or have been sold or offered for sale by the city."

11. By inserting in section 347 the following subsection:

"(6a) The price at which the city has sold or offered for sale any land owned by it and being adjacent to or in the vicinity of any land in respect of which an appeal is being heard by the commissioners, the council or a judge shall not be or be received as evidence of the value of the land in regard to which an appeal is being heard."

12. By adding to section 547 the following subsection:

"(4) In assessing land having any buildings thereon the value of the land and buildings shall be ascertained separately and shall be set down separately in the assessment roll either in the same or separate columns and the assessment shall be the sum of such values."

“In case any land and the buildings thereon are owned by different persons the buildings shall nevertheless for the purpose of assessment be considered part of the land and the separate owners may be assessed jointly or any owner may be assessed for the sum of such values.”

13. In case the city, the Edmonton Hospital Board, or the Edmonton Board of Public Welfare shall have furnished any relief for any indigent person not a resident of the city or for the care and treatment of any person not a resident of the city and in case such person shall not have repaid or fully compensated the city or the board furnishing such relief, care or treatment within three months from the furnishing of the same, the city may demand, collect and recover by action the actual expense incurred from the municipality of which the person was a resident at the time of the granting of such relief, care or treatment.

City may
recover from
other
municipalities
cost of
maintenance
of indigents

For the purposes of this section, “resident” means any person who has had his home in the city for at least three successive months prior to the date he receives or commences to receive relief, care or treatment, and the fact that he may have been temporarily in the city for said period of three months shall not constitute him a resident of the city.

14. Whereas the city has at various times borrowed by means of the issue of debentures certain sums on capital account for the doing of the works therein set forth and the said works have not been proceeded with either in whole or in part or have been completed for less than the estimated cost and there is now at the credit of capital account the sums following:

Permitting
transfer of
sums to
credit of
special capital
accounts to
general capital
account

BY-LAW	OBJECT	AMOUNT UNEXPEND- ED
552	Fire Department Equipment.....	\$ 22,325.36
556	Fire and Police Station.....	73,632.67
75	Grand Trunk Pacific Rly. Right-of- way Lands	13,512.02
303	Industrial Sites	11,305.50
511-521	Local Improvements—Boulevards (Special)	65,448.03
510	Local Improvements—Concrete Walks (Special)	29,459.62
521	Local Improvements—Plank Walks (Special)	408.56
511-521	Local Improvements—Street Grading (Special)	403.91
513-521	Local Improvements—Street Grading (Special)	1,917.21
512	Local Improvements—Street Paving (Special)	58,296.69
507	Local Improvements—Paving 10th St. (Special)	29,200.00
189	Market Site, South Side.....	6,000.00
465	Market Building 101st St.	23,307.92
270	Nuisance Ground.....	1,376.83
395	Police Department Buildings.....	60,770.79
564	Police Department Furniture.....	8,726.80
323	Private Plumbing (Part Only).....	25,000.00
312	Parks Department—Old City Hospital Site	803.67
559	Parks Department—Various Sites....	47,312.19
320	Subways—124th St.....	11,764.39
461	Civic Stables—South Side.....	3,170.73
461	Civic Stables—West End.....	4,006.51
87	Incinerator No. 1 North Side.....	415.65
438	Incinerator No. 2 South Side.....	8,087.62
471	Stores and Works—Machinery.....	2,925.65
461	Stores and Works—South Side Ware- house.....	1,214.36
470	Stores—Fencing Yards.....	2,258.92
470	Stores—Lands	15,724.09
		\$528,775.69

—the council of the City of Edmonton is hereby authorized and empowered to transfer the said unexpended moneys or any of them to general capital account and to use the moneys so transferred for any purpose not payable out of current revenue, including the purpose of completing any work already undertaken and not completed or unprovided for by the sale of debentures, and the council shall in each year where the sum required to be raised annually to retire the debt created is not payable by the city at large, collect along with the ordinary municipal taxes and pay over to the proper person such sum or sums as shall be necessary to retire the proper proportionate part of the debt so transferred.

15. By-law No. 42, 1920, of the City of Edmonton, intituled "A By-law of the City of Edmonton authorizing the issue of Gold Notes in the sum of \$2,135,000 and the hypothecation of debentures as security for the payment of same," as amended by By-law No. 45, 1920, intituled "A By-law of the City of Edmonton to amend By-law No. 42, 1920," is hereby declared legal, valid and binding on the City of Edmonton and the ratepayers thereof, and that the same shall not be open to question in any court on any ground whatever, and all notes and the coupons attached thereto issued or purporting to be issued under said by-law are hereby declared legal, valid and binding on the City of Edmonton and the ratepayers thereof, and the same shall not be open to question in any court on any ground whatever. The hypothecation of debentures of said city pursuant to said by-law No. 42, 1920, as amended by said By-law No. 45, 1920, and the agreement therein mentioned, is hereby declared to be legal, valid and binding on the said city.

16. Every householder (as hereinafter defined) in the city shall pay an annual tax equal to such percentage as the council shall fix of the annual rental value of the premises occupied by him, and he shall have the right to set off this tax against any tax which he is liable to pay to the city in respect of any land, improvements thereon or business assessment.

The foregoing assessment may be made as part of the general assessment roll of the city or may be made in a separate roll and at a different time, in which case all the provisions of *The Edmonton Charter* respecting the return thereof and appeals therefrom shall apply.

The council may by by-law or resolution make the said tax payable in one sum or by monthly or other instalments and may prescribe the minimum payment which shall be made in any one month.

Any such tax shall be a debt due to the city and may be collected in any manner in which any other tax due the city is collectable.

Householders
not otherwise
assessed to
pay tax
based on
rental value
of their
holdings

“Householder” shall mean every person in the city over the age of twenty-one years not being the husband or wife of any person assessed under this section, who occupies any dwelling-house or part thereof, whether as owner or tenant, and shall include any person occupying a room or rooms for residential purposes in any apartment or business block.

17. The council may at any time direct that the “utilities” as defined in section 482 shall be assessed in the same manner and to the same extent as they would be liable to be assessed if they were owned, operated or carried on by a private individual or company.

No. 15.

FOURTH SESSION
FOURTH LEGISLATURE
11 GEORGE V
1921

BILL

An Act to amend the Acts constituting The Edmonton Charter and to validate By-law No. 42, 1920, of the City of Edmonton, as amended by By-law No. 45, 1920.

Received and read the

First time

Second time

Third time

MR. A. F. EWING.

EDMONTON:
J. W. JEFFERY, KING'S PRINTER.
A.D. 1921