

BILL

No. 7 of 1922.

An Act to amend the Acts constituting The Edmonton Charter, and to validate a By-law of the City of Edmonton adjusting the Special Assessments respecting the Wadhurst Park Sewer.

(Assented to _____, 1922.)

WHEREAS a petition has been presented by the City of Edmonton for the amendment of *The Edmonton Charter* and for the validation of a by-law adjusting the special assessments respecting Wadhurst Park sewer;

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 striking out of section 58 the words: "He shall safely keep all the books, documents, records and securities of the council and the originals or duly certified copies of all the by-laws thereof," and by substituting therefor the words: "He shall safely keep the originals or duly certified copies of all the by-laws of the council and all such books, documents, records and securities of the city as the council shall from time to time by resolution direct."

Section 58 amended

2. By striking out sections 84, 85, 85a and 85b as now amended, and by substituting therefor the following:

Sections regarding preparation of electors' lists struck out and others substituted

"84. The assessor shall in each year prepare a list of electors in alphabetical form as hereinafter provided. He shall place on said list:

Assessor to prepare list

"(a) The names of all individuals, both male and female, being British subjects by birth or naturalization and residents of the city, of the full age of twenty-one years, whose names appear upon the last revised assessment roll or rolls, including income tax or other tax rolls or lists of the city. Where real property is owned by two or more individuals and is assessed in their names, each of them shall be deemed to be assessed. And where two or more individuals are members of a partnership assessed in respect of business or income each of them shall be deemed to be assessed.

Qualification of electors

(a) Persons whose names are on assessment rolls residing in city

"(b) The names of all individuals qualified as aforesaid not being residents of the city and who apply in the manner

(b) Persons assessed but not residents

hereinafter provided to have their names placed on said list.

“(c) The names of all individuals, both male and female, ^{(c) Residents not assessed} not qualified as aforesaid, being British subjects by birth or naturalization, of the full age of twenty-one years, who have for five months immediately preceding the first day of May in the year for which the list is being prepared continuously resided or have their fixed and permanent domicile in the City of Edmonton and who apply in the manner hereinafter provided to have their names placed on said list.

“(2) 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).’

“85. The said list shall be in alphabetical order and according to the proper polling subdivisions to be fixed by the council as hereinafter provided in section 93, a separate list to be prepared for each such division, which list shall state the name and place of residence or address of each elector. If an elector is a resident of the city his name shall be placed on the list for the polling subdivision in which he resides. If he be not a resident of the city his name may be placed on the list for any polling subdivision in which he is assessed. The said list shall be completed by the thirty-first day of August. ^{List to be in alphabetical order according to polling subdivisions in which elector resides}

“86. The assessor shall during office hours of every business day from the first day of May to the thirty-first day of July in each year receive applications personally or in writing from or on behalf of any individual qualified under clauses (b) or (c) of section 85 to have their names added to said list, which written application shall be in the form of a declaration setting forth the qualifications of the individual applying. ^{During May, June and July assessor to receive applications of persons not on assessment rolls}

“86a. In order to verify the qualifications of any individual the assessor may require him to furnish satisfactory proof thereof and shall have authority to take the affidavit or statutory declaration of such individual or of any other person he shall see fit, and he is hereby authorized to administer any required declaration or oath. ^{Assessor may require proof of qualifications of applicants}

“86b. Upon the completion of said list the assessor shall post up one typewritten copy within the main entrance of the civic block on the north side, one within the main entrance of the civic building on the south side and in four ^{Upon completion assessor to post up list}

other conspicuous places in the city. He shall also publish, ^{and advertise such posting, etc.} once a week for two consecutive weeks in a newspaper or newspapers published in the city, a notice stating that such list has been prepared and posted for inspection, stating the places where the same are posted and the time within which application for amendments thereto may be received by him."

3. By inserting after the word "roll" in line six of section ^{Section 92 amended} 92 as printed in section 26 of chapter 56, 1919, the words "or rolls including income or other tax rolls or lists."

4. By striking out of section 97 the words "and in ten ^{Section 97 amended} conspicuous places in the city and shall advertise at least twice," and by substituting therefor the words "and shall advertise at least three times."

5. By adding to section 233 the following subsection:

"(4) The granting or refusing of a license to any person ^{Council may refuse or . . . revoke any particular license} to carry on a particular trade, calling, business or occupation, or the revoking or cancelling of any license, shall be in the discretion of the council, and it shall not be bound to give any reason for such refusal, revocation or cancellation, and its actions shall not be open to question or review in any court."

6. By striking out of paragraph 1 of section 252 the ^{Section 252 amended} words "The council shall publish a notice in some newspaper in the city in at least one number of such paper once a week for three weeks which notice," and by substituting therefor the words "The council shall publish a notice in some newspaper in the city once a week for three consecutive weeks immediately preceding the day of general voting. At least one day, which may be a Sunday, shall intervene between the day of the last publication and said voting day. Such notice."

7. By inserting therein immediately after section 308 the following section:

"**308a.** Notwithstanding anything in said charter, ^{Power to issue debentures to buy in outstanding debentures} or in any other statute contained, the council of the city is hereby authorized from time to time to buy in any debentures, stock or other securities of the city from time to time outstanding and issue new debentures in place thereof or in substitution therefor and to raise by way of loan, by the issue and sale of debentures of the city such amounts as the council may estimate and deem advisable for the purpose of buying in any debentures, stock or other securities of the city from time to time outstanding; provided that any new debentures in excess of the amounts which may be found necessary for such purchase shall be cancelled. Such new debentures may be for such period

of time, at such rate of interest, payable in such mode of payments, at such place or places, and in such currency as the council may determine. Such powers may be exercised by by-laws passed by the council without the consent of the burgesses, but subject only to approval thereof of the Board of Public Utility Commissioners of the Province of Alberta.

“(2) All debentures, stock or other securities bought in shall be cancelled, but nevertheless any special annual rates and assessments levied and imposed in respect of any local improvement debentures which may be so bought in and cancelled, shall continue to be levied and collected under the by-law or by-laws imposing the same and the proceeds of such annual rates and assessments shall be applied towards payment of the principal and interest of the new debentures and any moneys held as a sinking fund in respect of any debentures, stock or other securities so bought in and cancelled shall be apportioned and held for and applied in payment of the principal of the new debentures when the same mature, or such sinking fund may be used in buying in any debentures, stock or other securities in respect of which same is held, thereby reducing the amount of the new debentures to be issued.”

“(3) The city may enter into any arrangement or agreement which the council deems advisable for the purpose of buying in any outstanding debentures, stock or other securities of the city and pending the issue of new debentures for such purposes as hereinbefore in this section provided, may borrow by way of temporary loan and may give any note, treasury bill, or other temporary security as security for such temporary loan, and may secure same in such manner as the council may deem advisable.”

8. By adding to subsection 2 of section 315 as printed in section 21 of chapter 28, 1916, the following: “The commissioners shall be *ex officio* members of said board but without voting power.”

9. By striking out of clause 4 of section 320 the words, “and not used for any other purposes for hire or profit,” and by adding to said section 320 the following:

“9. In case any building used as a place of worship is let for the purpose of holding any meeting, assembly, or entertainment and a charge is made for the use of such building for such meeting, assembly, or entertainment, the person or persons to whom such charge is payable shall before the holding of such meeting, assembly, or entertainment, obtain from such officer of the city as the council shall from time to time designate a permit to hold the same and shall pay to the city therefor a fee equal to twenty-five per centum of the charge made for the use of such build-

Debentures bought in to be cancelled but special rates thereunder to be levied

How such special rates to be applied

City may enter into agreements for above purpose and make temporary borrowings pending issue of debentures

Commissioners to be members of Board of Sinking Fund Trustees

Section 320 amended

When places for public worship let for meetings, etc., license fee to be payable to city

ing in excess of five dollars. The said fee shall be recoverable in the same manner as a license fee payable to the city under the provisions of any by-law of the city."

10. By repealing sections 339, 340 and 341.

11. By striking out of section 342 as amended the word "council" in line four thereof, and by substituting therefor the word "commissioners"; and by striking out all the words after the word "time" in line six thereof.

Assessment appeals to council abolished Appeal to be from commissioners to a judge

12. By striking out of section 343 the words "or council" in lines two and seven thereof, and by striking out the last sentence thereof commencing with the word "Any."

13. By striking out of section 346 the word "council" wherever the same occurs therein, and by substituting therefor the word "commissioners."

14. By striking out of section 347 the word "council" wherever the same occurs therein, and by substituting therefor the word "commissioners."

15. By adding to section 353 the following:

"(2) In case any area within the city has been dealt with by the Board of Public Utility Commissioners under the provisions of *The Public Utility Act* so that an order has been made whereby a special rate of assessment or taxation is applicable to certain lands therein, the council may fix the rate to be levied for general municipal taxes upon the lands within such area to which the order of the board does not apply at the same rate as that fixed by said board upon the lands to which its order applies, notwithstanding such rate is less than the rate fixed upon lands without the limits of such area."

Council may fix lesser rate on lands within area dealt with by Board of Public Utility Commissioners

16. By striking out the principal section of section 368 as printed in section 13 of chapter 56, 1919, and by substituting therefor the following:

Section 368 amended

"368. In the event of any of the said taxes remaining unpaid after the thirty-first day of May of the year for which the same are imposed there shall be added thereto an additional percentage charge equal to five per centum of such taxes remaining unpaid and which are paid on or before the next thirty-first day of July; the said percentage charge shall be seven per centum on all such taxes paid after the thirty-first day of July and on or before the next thirty-first day of October, and eight per centum on all such taxes paid after the said thirty-first day of October and on or before the thirty-first day of December next."

Extra percentage to be added to current taxes unpaid after 31st May

17. By inserting between the words "taxes" and "remaining" in line one of subsection 2 of said section 368 the following: "together with said percentage charge of eight per centum."

18. By striking out section 388 as printed in section 23 of chapter 24, 1915, and by substituting therefor the following:

"388. The net proceeds of the school taxes collected by the assessor shall be paid over by him from time to time as the same are collected to the school trustees having the right thereto or their authorized officers."

19. By striking out of section 28 of chapter 28, 1916, all the words after the word "applicable" in line six thereof, and by substituting therefor the following: "and the rental charge therefor shall be returned to the assessor and be placed by him upon the tax roll under the heading of 'special taxes' and the same shall thereupon become taxes due in respect of the lands abutting the excavation. The charge for each coal chute, however, shall not exceed two dollars a year and shall in like manner be part of the special taxes against the land served thereby."

(2) All the aforesaid rentals now in arrear shall be placed in the manner aforesaid on the tax roll for the year 1922 and shall thereupon become part of the taxes due in respect of the abutting lands.

20. By repealing section 18 of chapter 74 of the Statutes of Alberta, 1921, and by substituting for paragraph (e) therein mentioned the following:

"(e) There shall be no rebate, remission or setoff in whole or in part of any business tax against any license fee or license fee against business tax."

21. Notwithstanding the provisions of *The Public Health Act* the local board of health for the City of Edmonton shall consist of the council of the city, and said council shall in addition to the powers and duties conferred and imposed upon it by *The Edmonton Charter* have all the powers and perform all the duties of a local board of health under the provisions of *The Public Health Act* and amendments thereto.

22. Notwithstanding any provision or provisions contained in *The Tax Recovery Act* or *The Supplementary Revenue Act*, the council may at any time and from time to time direct the assessor of the City of Edmonton not to assess or place upon the assessment roll of the city any or all lands which have been sold to it for arrears of taxes and in regard to which the redemption period has expired. And the assessment roll of the City of Edmonton for the

current year shall be valid and binding upon all persons notwithstanding that any such lands have not been assessed therein.

(2) No supplementary revenue tax shall be payable in respect of the lands so removed from the assessment roll until they are again placed thereon and become taxable for general municipal purposes.

23. In addition to the rights given by the provisions of section 29 of *The Tax Recovery Act*, the city shall in case of any land sold to it at any tax sale have the right in case there be any buildings upon such land which become vacant during the redemption period and remain vacant for three months, to enter into possession of such land and from time to time rent such buildings and expend such moneys as may be reasonably necessary to keep such buildings in tenantable repair, such expenses to be deducted from rent or added to taxes, but the net revenue shall in the event of said lands being redeemed be a credit to the owner on account of the moneys required to redeem.

24. For the purposes of cleaning privies the council may charge to all assessed owners of lands abutting upon any street, lane or public place through or along which a sewer and water main are laid and upon which land any building exists used in whole or in part as a dwelling and not connected with a sewer, a fixed sum of \$10.00 per annum; and may charge to all assessed owners of lands which abut upon a street through or along which a sewer and water main are not laid and upon which land any building exists used in whole or in part as a dwelling, a fixed sum of \$5.00 per annum; such charges shall be added to the tax roll each year as a special assessment against such lands and shall be recovered in like manner as other taxes which are a lien upon land.

25. In addition to but not in substitution for the powers given in this charter, the council may by resolution or by by-law declare any building, structure or erection of any kind whatsoever, or any drain, ditch, watercourse, pond, surface water or any other matter or thing in or upon any private land, street or road or in or about any building or structure a nuisance and dangerous to the public safety or health, and by such by-law or resolution as may be directed therein order that the same shall be removed, pulled down, filled up or otherwise dealt with by the owner, agent, lessee or occupier thereof, as the council may determine and within such time after service of the order as may be therein named.

(2) At or near the locality of the nuisance so declared a placard shall be posted giving the order provided for

herein, and, subject to the provisions of the next following subsection, the order shall be served personally upon the owner, agent, lessee or occupant of the premises.

(3) In case personal service of the order cannot be readily effected, the mailing of a copy of the order in a registered post letter addressed to the registered and assessed owner or owners of the land upon which the nuisance exists shall be good and sufficient notice.

(4) The removal or pulling down of any building, structure or erection may be done by way of selling the building, structure or erection to be pulled down or removed. In which case the net proceeds shall be credited against taxes due upon the lands upon which the same is situate or held by the city and applied upon future taxes.

26. Subsection 7 added to section 221 by section 6 of chapter 74, 1921, is hereby amended by striking out the words "subject to the approval of the Board of Public Utility Commissioners" where the same occur therein.

27. Said section 221 is further amended by adding thereto the following:

"(8) The council may pass by-laws for declaring any highway or part of a highway to be a residential street and for prescribing the distance from the line of the street in front of and at the side of it at which no building on a residential street may be erected or placed. It shall not be necessary that the distance shall be the same on all parts of the same street.

"(9) The exercising of any of the powers given in the next two preceding subsections shall not be deemed to be an injurious affection or render the city liable to pay any compensation or damage."

28. The city may pass by-laws adopting any scheme of compensation, benefit or insurance, including life insurance, for its employees, provided that the scales of compensation are not less favourable than the corresponding scales contained in *The Workmen's Compensation Act*, 1918, the amendments thereto and the regulations made thereunder and that where the scheme provides for contributions by the employees it shall confer benefits at least equivalent to these contributions in addition to the benefits which the employees would have been entitled to under said Act, amendments and regulations without contribution.

(2) No such by-law shall come into effect until it has been approved of by the Attorney General of the Province of Alberta and a majority of the employees of the city (to be ascertained by ballot) are in favour of such scheme.

(3) The Attorney General, when satisfied that the scheme is approved by the employees, shall issue a certificate of

approval which shall name a day upon which such by-law shall come into effect, upon which day the scheme shall be substituted for the provisions of said Act, and thereupon the city shall be liable only in accordance with the scheme.

(4) The Attorney General may give a certificate to expire at the end of a limited period of not less than five years and may from time to time renew with or without modifications, such latter certificate to expire at the end of the period for which it is renewed. Certificate may be for limited time

(5) If complaint is made to the Attorney General by or on behalf of the employees of the city that the benefits conferred by any scheme no longer conform to the conditions stated in subsection 1 of this section, or that the provisions of such scheme are being violated, or that the scheme is not being fairly administered, or that satisfactory reasons exist for revoking the certificate, the Attorney General shall examine into the complaint, and, if satisfied that good cause exists for such complaint, shall, unless the cause of complaint is removed, revoke the certificate. Under what circumstances certificate may be revoked

(6) When a certificate is revoked or expires, any moneys or securities held for the purposes of the scheme shall after due provision has been made to discharge the liabilities already accrued, be distributed as may be arranged between the city and its employees, or as may be determined by the Attorney General in the event of a difference of opinion. Distribution of moneys on revocation

(7) The scheme may contain provisions for group life insurance, for insurance against accidents not in the course of employment and for insurance against illness and disease. Extent of scheme

29. Whereas the City of Edmonton has issued or authorized the issue of debentures providing for the payment of certain works or undertakings, the date of maturity of such debentures being many years less than the estimated lifetime of the said works or undertakings;

And whereas the issue of such debentures on a short term basis causes an unduly heavy annual charge upon the general tax rate of the city;

And whereas it is deemed advisable that the burden of taxation should be distributed over the estimated lifetime of the various works undertaken in order that the burden may be equitably distributed over the period during which the work is in existence and beneficially utilized;

And whereas it is expedient that the city be authorized to pass any by-laws and make any assessments and levies thereunder providing for the payment of the said works or undertakings during the lifetime thereof and providing for the payment of outstanding debentures issued in respect of such work or undertaking at the date of the maturity thereof;

Now, therefore, it is further enacted:

1. Where the city has issued debentures or other securities or has passed a by-law authorizing the issue of debentures or other securities and the council is of opinion that the period for payment of such debentures or other securities is less than the lifetime of the work or undertaking and desires to pass a new by-law extending the payment for the work or undertaking over the lifetime of the same, the council may, notwithstanding any other Act or provision, pass a by-law or by-laws fixing the period over which the indebtedness may be spread, such period to be based on the lifetime of the work or undertaking or other object of the proposed extending by-law as the same may be estimated by the council, and without the assent of the burgesses may pass a by-law or by-laws providing for the raising of a sum of money and the levying of a rate or rates sufficient therefor to meet the indebtedness at the maturity of the extended period as herein provided. .

Where debentures have been issued for shorter period than life-time of works, new debentures may be issued based on lifetime of the work or undertaking

Assent of burgesses not required

2. From and after the passage of such superseding by-law and the execution and issue of debentures as thereby authorized the city shall levy yearly the respective sums thereby required to be raised sufficient with interest compounded yearly at the rate of five per centum per annum to meet the indebtedness at maturity, taking into consideration the amount of money at the credit of the sinking fund under the superseded by-law for the purpose of forming a sinking fund for the payment of the principal of the said debentures, and shall cease to levy the respective sums required to be levied under the by-law or by-laws superseded for the purpose of the principal of the debentures issued under such by-law respectively.

Necessary rates to be levied for principal of superseding by-laws

3. The city shall continue to levy yearly under the superseded by-law or by-laws the respective amounts required to pay the interest on the debentures issued under such by-laws or on such of the debentures issued under such by-laws as may be outstanding.

As to levy of interest under superseded by-laws

4. The superseding by-law shall make a provision for the issue of debentures to an amount sufficient to meet the principal at maturity, bearing the same rate of interest as that provided for in the superseded by-law or by-laws, but no levy shall be made for such interest during the period that levies are being made for interest under the superseded by-law or by-laws.

As to levy of interest under superseding by-laws

5. Such superseding by-law shall also provide for the issue of a debenture or debentures to an amount sufficient to meet any difference which may arise in the sinking fund from year to year between the amount provided by the superseded by-law and the amount provided by the superseding by-law, such debenture or debentures to be placed to the credit of the sinking fund until such time as it may be sold or otherwise disposed of and the proceeds placed to the credit of the sinking fund.

Superseding by-law to provide for difference in sinking fund

6. Any shortage which may arise from the sale or other disposition of such debentures shall be made up by annual levies by the city as the same occur.

Shortage from sale to be made up by annual levies

7. A separate by-law or by-laws may be passed by the council to provide for such difference instead of making provision therefor in the superseding by-law.

Difference may be provided for in separate by-laws

8. When debentures have been issued under any superseding by-law the city may upon obtaining the consent of the party interested, issue new debentures in such sum as it may deem expedient, and may, if agreed, exchange such debentures for outstanding debentures under the same by-law, which outstanding debentures shall be forthwith cancelled.

Superseding debentures may be exchanged for superseded debentures

9. The city may in case any debentures authorized by any by-law have not been issued, or having been issued have become the property of the city, provide by by-law that such debentures if issued be destroyed, and if unissued be not issued, and may authorize debentures to be issued under the authority of the by-law providing for the extended period of payment for any work or undertaking.

Non-issued or re-acquired debentures may be destroyed, etc., and fresh debentures issued for extended term

10. The purchasers of any of the debentures which may be issued under the authority of this section shall not be bound to see that the purchase money is applied for the purposes herein or in the by-law specified.

Purchasers not bound to see to application of purchase money

11. No portion of any loan raised by the city under the provisions of a superseded by-law shall after the passing of the superseding by-law form part of the general debt of the city within the meaning of the sections limiting the borrowing powers of the city, and it shall not be necessary to recite the amount of the loan secured by such superseding by-law.

12. Any by-law passed under the provisions of this section, unless otherwise provided, shall not be repealed until the debt created under the by-law is fully paid and satisfied.

No repeal until debt paid

30. By adding to subsection 5 of section 309 the following paragraphs:

Section 309 further amended

“(d) In this subsection, unless the context otherwise requires, the expression ‘arrears of taxes’ or ‘taxes in arrear’ means arrears of municipal taxes and includes taxes for which any parcel of land is sold, notwithstanding that the land has been purchased at a tax sale by the city or that the city has acquired title thereto;

Arrears of taxes meaning of

“(e) The council may by by-law, which need not be referred to the burgesses, capitalize such arrears of taxes, with penalties and costs and subsequent taxes, up to and including those levied in the year preceding the year in which the by-law is passed, which have accrued against the lands specified in the by-law or any of them, giving in the by-law a list of lands intended to be covered thereby and

Further power to borrow against arrears of taxes

the total amount of the taxes capitalized as aforesaid, and shall on obtaining the permission of the Board of Public Utility Commissioners for the purpose, issue and offer for sale such debentures to the amount authorized; and may issue debentures to be deposited with the sinking fund trustees to cover any arrears of sinking fund levied but not paid in respect to such arrears of taxes and subsequent taxes;

“(f) On the disposal of debentures as authorized by the Public Utility Commissioners, the council shall apply the proceeds in payment of any advances made on security of the taxes due as aforesaid in respect of such lands, and should there be any deficiency shall meet the same from the general revenues of the city; How proceeds to be applied

“(g) The council shall forthwith, as often as it is in a position to apply for title to any of the lands mentioned in the by-law, make application therefor and, on obtaining title and leasing or selling the same, the proceeds therefrom shall be deposited in a special account, from the interest earnings of which shall be paid such sums as are from time to time required to meet interest on the debentures and from the principal such sums as are required to meet portions of the principal of the debentures as they may accrue due. Should there be any deficiency the same shall be met from the general revenues of the city. Disposal of proceeds from lands acquired at tax sales

“(h) The funds in such special account shall be invested in securities in which the sinking fund of the city may be invested, and from the principal of the fund such sums shall be paid from time to time as are required to provide a sinking fund; Funds to be deposited in special account

“(i) If the council applies the proceeds of debentures sold under the provisions of this subsection or the proceeds of the sale or lease of lands specified in the by-law, otherwise than as herein directed, the members who vote for such application shall be personally liable for the amount diverted, and the same may be recovered by the city by action against them in any court of competent jurisdiction; In case of misapplication council to be personally responsible

“(j) If the council, upon the request in writing of a ratepayer, or of any person who is a creditor of the city for advances made on the security of the taxes capitalized or any portion thereof, or of a holder of any of the debentures the sinking fund for payment of which has been diverted, refuses or neglects for one month to bring an action therefor, the action may be brought either by any ratepayer on behalf of himself and other ratepayers or by any such creditor or debenture holder; Right of ratepayer or creditor to sue

“(k) The members of the council who vote for such application as is mentioned in subsection (i) shall be disqualified from holding any municipal office for two years.” Disqualification

31. Whereas pursuant to a certain agreement made the first day of May, 1911, between the City of Edmonton and Wadhurst Park sewer adjustment

the owners of certain lands in Wadhurst Park and Groat Estate, the city extended its sewage system so as to serve said lands and other lands in said subdivisions;

And whereas part of the said scheme was the purchase of land for and the erection and maintenance of a pumping station for the disposal of the sewage of the area to be sewerred;

And whereas the sewer extensions were undertaken as a local improvement under the provisions of *The Edmonton Charter*;

And whereas as the erection and maintenance of said pumping station could not be so undertaken, the agreement provided that the persons executing the said agreement would pay for the same as if undertaken as a local improvement and charged their respective lands with the cost of said station and the maintenance and operation thereof;

And whereas many of the lands so charged have been sold and transferred and the present owners were in many cases unaware of said agreement and other lands other than those charged have been connected with said system and some of the lands charged are otherwise connected with the general sewage system of the city;

And whereas the city has since the year 1913 made charges against such lands for the construction of the sewage system, cost of pumping station, and the maintenance and operation thereof in accordance with the said agreement, some of which have been paid, others paid under protest and in other cases payment has been refused;

And whereas various negotiations have taken place between the officials of the city and many of the persons interested and the following basis of settlement has been agreed upon by a number of the owners affected: The city in future to levy the usual and general sewer assessment of six cents per frontage foot per year for forty years, and in addition \$6.00 per connection per year for maintenance and operation; that fifty per cent. of the amounts already paid be rebated and fifty per cent. of the amounts outstanding be collected.

Therefore it is enacted:

1. The city shall from the first day of January, 1922, assume and pay for all cost of maintenance and operation of said pumping station and shall also assume the payment of all loans made for the purpose of erecting and equipping the said station including the purchase of the necessary land.

2. The council shall have power to finally ascertain and determine what lands are to be included within or affected by the said adjustment and may by by-law provide for the assessment and levy (as special taxes, for forty years from the year 1913), commencing in the year 1922, of six cents per foot front upon all lands ascertained and determined to be served by said sewer, and for a further assessment

and levy as special taxes of six dollars a year for each connection with said sewer against the land served by the connection.

3. The council shall repay to the persons who have paid the amounts heretofore assessed one-half of the amount paid, unless the council shall determine that in any particular case the land heretofore assessed has not been served by said sewer, in which case the whole amount shall be repaid.

4. One-half of the amounts unpaid shall be rebated and the remaining half shall be and form part of the special taxes for the year 1922 against the lands in respect of which they are owing, unless the council shall determine that in any particular case the land heretofore assessed has not been served by said sewer, in which case the whole amount shall be rebated.

No. 7.

FIRST SESSION
FIFTH LEGISLATURE
12 GEORGE V
1922

BILL

An Act to amend the Acts constituting The Edmonton Charter, and to Validate a By-law of the City of Edmonton adjusting the Special Assessments respecting the Wadhurst Park Sewer.

Received and read the

First time.....

Second time.. ..

Third Time.....

MR. J. C. BOWEN.

EDMONTON:
J. W. JEFFERY, KING'S PRINTER
A.D. 1922