

BILL

No. 5 of 1924.

An Act to amend The Lethbridge City Charter.

(Assented to _____, 1924.)

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

The Lethbridge City Charter, being chapter 22, of the Statutes of Alberta, 1913, as amended, is hereby further amended as follows:

Title IIa, section 1, as amended by chapter 91, of the Statutes of Alberta, 1922, section 1, by adding the word "commissioners" where it appears in the first and second lines of said section, the following words: "who shall devote their whole time to the business of the City and they shall not be employed in any other business while acting as said commissioners."

Title IIa, section 1, is amended by adding after said section 1, as section 1a, the following:

"Each commissioner shall have the power to employ such employees, as may be required to carry on the work of his department, and to dismiss any such employees, and any such employee so dismissed may appeal to the council against such dismissal, and any commissioner or advisory commissioner may bring the matter of such employment or dismissal before the council and the council shall have the final decision in the matter. This clause shall not apply to the following officials: City clerk, city solicitor, city assessor, city treasurer, city engineer, sanitary health officer, and auditor."

Title III, section 2, subsection (a) is amended by adding to the said subsection the following:

"Provided that the names of no persons shall be placed on the voters' list unless their taxes amount to at least \$10, or in case their taxes do not amount to the sum of \$10, then their names shall not be placed on the list until they shall have paid the difference between the amount of their taxes and the sum of \$10."

Title III, section 2, subsection (a), as amended by chapter 69, of the Statutes of Alberta, 1921, is hereby further

amended by striking out all the words after the word "city" where it appears in the fifth line of said subsection and substituting therefor the following:

"For two months prior to the first day of November in the current year, and immediately on demand being made prior to the first day of November in such year, the said Assessor shall place the name of such persons so paying the poll taxes, upon the voters' list or the supplementary voters' list."

Title III, section 3, is amended by inserting as clause 3a, the following:

"3a. The city clerk shall on the first day of November in each year, prepare a supplementary voters' list which shall comprise the names of all persons who are not on the regular voters' list, and who are entitled on that date to vote under the provisions of this Act."

Application to be placed on such list may be made to the city clerk, in writing.

Title III, section 9, is amended by adding to said section, subsection 9a, as follows:

"9a. On the eighth day of November, in each year, the council shall sit as a final court of revision on the supplementary voters' list, and shall revise the said list and determine all applications of which notice has been given the city clerk, and the list so revised by the council shall be the supplementary voters' list and be used as forming a part of the regular voters' list for the city."

Title IV, section 1, by striking out the word "second" where it appears in the second line of said section, and by adding after the word "the" at the end of the first line, the following words "eighth day, following the first."

Title IV, section 14, by striking out the words after the words "on the" where they appear in the fourth line of said section, down to, and including the word "week," where it appears in the fifth line of said section, and substituting therefor the words "eighth day following the day of nomination."

Title IV is amended by adding section 34, as follows:

"34. The council of the City of Lethbridge is hereby given power to pass a by-law or by-laws providing for the election of the commissioners and advisory commissioners of the city by proportional representation, or the preferential system of voting, or by any other system of voting whether a modification of such systems or not."

(a) The proposed system of voting to be described in such bylaw shall go into effect upon the passing thereof notwithstanding any other system or method of election

heretofore in force in the said city, or that might be authorized or required by chapter 22 of the Statutes of Alberta, 1913, and amendments thereto.

(b) The said by-law may contain all the rules, regulations and provisions that may be deemed necessary to render any such system practicable and complete and may contain clauses or provisions that either expressly or by necessary implication repeal any clause or provisions of the said chapter 22 of the Statutes of Alberta, 1913, and amendments thereto, inconsistent with the said rules and regulations of any such proposed system.

(c) The council may by by-law further provide for such advance polls as it considers necessary, and the places where they shall be held, and the time, and the days and hours on which they shall be kept open.

Title XXIV, section 10, subsection (w), by adding to said subsection the following words: "and the council may by resolution refuse a license to any circus, menagerie, wild west show, trained animal show or travelling show, notwithstanding the fact that the proprietor, owner, manager, agent or person in charge has obtained a license from the provincial secretary."

Title XXXV, section 5, by adding subsection (b) as follows: "The price at which land is sold under the provisions of *The Tax Recovery Act*, being chapter 122 of the Revised Statutes of Alberta, 1922, and amendments thereto, or under any other Act or Acts at any time in force shall not be used as a basis of assessment of land in the city nor shall it be used in any appeal from the assessment to prove that the assessment is too high or too low."

Title XXVIII is hereby amended by striking out sections 3 and 5 of the said title.

Title XXVIII, section 6, as amended by section 2 of chapter 58 of the Statutes of Alberta, 1919, is hereby amended as follows:

By striking out all of section (6a), and substituting the following as section (6a):

"(6a). The council is hereby authorized and empowered without the assent of the burgesses to issue debentures on the credit of the City of Lethbridge, at large, to the extent of not more than \$100,000 per year, during each of the years 1924, 1925, 1926, 1927 and 1928, the proceeds of such debentures to be used for the purposes of paying off and discharging the debenture principal matured or maturing during each of the said years, on any City debentures or the debentures of any school district in the City of Lethbridge, or for liquidating in whole or in part any sinking fund payment due from the revenue account of the city, under any by-law heretofore passed. The

said debentures may bear such interest, be repayable and be in any form authorized by *The Lethbridge City Charter*."

Title XXXII, section 3, subsection (c), is hereby repealed.

Section 4 of said title is hereby repealed, and the following added in place thereof as section 4:

"Notwithstanding anything contained in this or any other Act or Ordinance, the City of Lethbridge shall not be liable nor shall any right of action be maintained against the said city for failure to repair or to keep in repair any public street, road, square, lane, boulevard, sidewalk, bridge or other highway within the limits of, or under the control of the said city, nor shall the said city or any of its servants be liable to any penalty provided by law for such failure to repair or to keep in repair."

Title XXXIV, section 9, is amended by adding subsection (g) as follows:

"The City of Lethbridge shall have a preferred lien preferred over all other creditors except the Crown, on any movable property situated upon any premises assessed either upon the floor space occupied, or upon the rental value of the office or place of business occupied and belonging to the party assessed for the said space or place of business so occupied."

Title XXXV, section 2, is amended as follows:

By striking out the second clause of subsection (c) therein, and adding subsections (d), (e), (f) and (g), as follows:

"(d) Every employer employing help in the City of Lethbridge, shall, within ten days after demand in writing made on him by the poll tax collector, furnish him with a list of all his employees residing or working in the city, and if the said employer fails or refuses so to do, the city may collect from the said employer the amount of all poll taxes due by the employees of such employer, as a debt due to the city, by action in any court having jurisdiction in the matter.

"(e) Provided that in case any person neglects or refuses to pay the poll taxes when demanded by the collector, the collector may then demand from the employer or employers of the person or persons so neglecting or refusing the amount due for such poll tax or taxes and the said employer shall pay to the city such amount within ten days from such demand, and the employer paying the same shall have the right to deduct the sum so paid from the salary or wages due to the person so neglecting or refusing, and the said employer or employers are hereby rendered liable for the amount or amounts demanded by the collector as a

debt due to the city. If he or they fail to deduct the same from the salary or wages due to the said person or persons employed, and pay the same over to the city within ten days, the said sum shall be a debt due to the city and the city may collect the same by action in any court having jurisdiction in the matter.

“(f) Any person assessed on the last revised assessment roll for real property, or for income or for personal property, whose taxes do not amount to the sum of \$10 in any year, shall in that year pay the difference between the amount of his taxes and the sum of \$10 as a poll tax, provided he has resided in the City of Lethbridge for two months during the said year.

“(g) Provided that except persons entitled to vote by virtue of being assessed on the last revised assessment roll, for real property, income or personal property, no person shall have a vote or be placed on the voters' list unless he has resided in the city for a period of at least two months prior to the first day of November, in the year in which the said voters' list is prepared.”

WHEREAS certain doubts have arisen as to the validity of the sale of land in the City of Lethbridge under the provisions of *The Tax Recovery Act*, being chapter 122 of the Revised Statutes of Alberta, 1922, which sale was held on the nineteenth day of December, 1923, and adjournments of the same:

The said sale of land for taxes under the provisions of *The Tax Recovery Act*, being chapter 122 of the Revised Statutes of Alberta, 1922, held in the City of Lethbridge on the nineteenth day of December, 1923, and adjournments, is hereby declared to be valid and binding on all parties; and sale of any of the lands sold at such tax sale, shall not be set aside on account of failure to comply with any of the provisions of the said *Tax Recovery Act*.

FOURTH SESSION
FIFTH LEGISLATURE
14 GEORGE V
1924

BILL

An Act to amend the Lethbridge
City Charter.

Received and read the

First time.....

Second time.....

Third time.....

DR. STEWAR'

EDMONTON:
• J. W. JEFFERY, KING'S PRINTER
A.D. 1924