

BILL

No. 8 of 1925.

An Act to amend the Acts and Ordinances constituting the Charter of the City of Calgary.

(Assented to _____, 1925.)

WHEREAS the City of Calgary has prayed for certain amendments to Ordinance 33 of 1893 of the North-West Territories and the amendments thereto;

And whereas it is expedient to grant the prayer of the said petition;

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

Ordinance 33 of 1893, North-West Territories, and amendments thereto, is hereby amended as follows:

1. By adding the following as section 235 thereto: "Notwithstanding anything contained in any other Act or Ordinance, in any debenture, coupon or bond issued by the City of Calgary, all sinking fund collections shall be paid into and shall form one fund to be known hereafter as the 'Consolidated Sinking Fund of the City of Calgary.'"

Establish-
ment of
Consolidated
Sinking Fund.

2. By adding the following as section 236 thereto: "For the administration and investment of the said fund there shall be constituted a board of sinking fund trustees to be known hereafter as the 'Sinking Fund Trustees of the City of Calgary.'"

Establish-
ment of
Board of
Sinking Fund
Trustees.

3. By adding the following as Section 237 thereto:
"The said board shall consist of the mayor of the City of Calgary for the time being or the acting mayor whilst he is engaged in fulfilling the functions of the mayor, one alderman of the City of Calgary, who shall be appointed by the city council from among its own number and two residents of the City of Calgary who hold no elective or appointed office in the service of the City of Calgary, to be appointed by and removable by the senior judge of the District Court of the Judicial District of Calgary upon application made by the city solicitor acting upon the instructions of the city council.

"The term of office for the Sinking Fund Trustees shall, in the case of the mayor, acting mayor and alderman, be the period for which the said mayor, acting mayor or alderman are at the time of their appointment elected. The term of office for the two residents of the City of Calgary shall be, in the case of the first appointment made pursuant to this section, three years for one trustee and two years for the

other trustee, and thereafter the two residents of the City of Calgary to be appointed hereunder shall hold office for a term of two years. Upon the resignation, removal or retirement of any trustee, a successor or successors shall be appointed for the balance of the term of the trustee who resigns, retires or is removed."

4. By adding the following as section 238 thereto: "The Sinking Fund Trustees of the City of Calgary shall not be entitled to any remuneration."

Authority
vested in
Council in
certain cases.

5. By adding the following as section 239 thereto: "The Sinking Fund Trustees shall appoint their own chairman, who may on all occasions vote, but shall have no casting vote. If the vote is tied and no agreement is arrived at by a majority of the trustees, upon any particular matter falling within the scope of their powers and duties, the question shall be referred to the Council of the City of Calgary for final disposition."

6. By adding the following as section 240 thereto: "A majority of the Sinking Fund Trustees shall form a quorum, and all meetings shall be convened by the chairman."

Duties of
Trustees.

7. By adding the following as section 241 thereto: "It shall be the duty of the Sinking Fund Trustees of the City of Calgary, to see that all moneys legally collected on account of the Sinking Fund of the City of Calgary, shall be paid into the consolidated sinking fund of the said city."

Application
of moneys
received from
sale of tax
sale lands.

8. By adding the following as section 242 thereto: "Until the consolidated sinking fund of the City of Calgary shall, exclusive of promissory notes or treasury notes of the city (other than debentures legally purchased on account of the said sinking fund) amount to one hundred per cent of the levy of the said sinking fund or sinking funds of the City of Calgary, since its or their inauguration or except when the Board of Public Utility Commissioners shall otherwise order, the proceeds of the sale of all tax lands finally vested in the city shall be paid into the consolidated sinking fund of the city."

Application
of revenues
from tax
sale lands.

9. By adding the following as section 243 thereto: "The revenue from tax sale lands shall be applied from time to time as the Board of Public Utility Commissioners may direct."

10. By adding the following as section 244 thereto: "All treasury notes issued for or in respect of sinking fund properties taken over by the general fund of the city, shall be considered and treated, for the purposes of administration, as one treasury note and shall from time to time be consolidated as the need arises."

General fund
of City may
issue
debentures to
purchase
sinking fund
properties.

11. By adding the following as section 245 thereto: "The council of the City of Calgary may by by-law without a vote of the people but subject to the approval of the Utilities Board, provide for the issue of debentures, serial or other-

wise, or treasury notes, for the purchase by the general fund of the city of all real properties belonging to the sinking fund of the city and taken over by the general account of the city."

12. By adding the following as section 246 thereto: "It shall be illegal for the Sinking Fund Trustees to lend money from the consolidated sinking fund of the city on real estate or improvements."

No investment of sinking fund moneys upon real estate.

13. By adding the following as section 247 thereto: "It shall be illegal for the Sinking Fund Trustees of the City of Calgary to lend moneys from the consolidated sinking fund of the City of Calgary, upon any security other than the following:

How sinking fund moneys may be invested.

"(a) Debentures, bonds or savings certificates of the Government of Canada, or of any Province of Canada, or debentures, bonds or savings certificates guaranteed by any of these Governments;

"(b) The bonds or debentures of any incorporated Canadian city or the bonds or debentures of any school district included within the limits of any Canadian city."

14. By adding the following as section 248 thereto: "In estimating the amount of annual sinking fund payable in respect of any debentures or bonds of the City of Calgary, the rate upon which the sinking fund so payable shall be calculated, shall not exceed four per cent."

Sinking fund to be calculated on 4% basis.

15. By adding the following as section 249 thereto: "Any mayor, commissioner, alderman, trustee, comptroller, officer, official, servant or agent of the City of Calgary, who shall fail to observe any of the provisions of any of the foregoing sections, or who shall use any of the sinking fund moneys of the City of Calgary for any purpose other than for which they were specifically levied, or shall vote for such use, shall, in addition to any punishment that may be prescribed by *The Criminal Code* or *The Trustees' Act*, or any other act or Ordinance having force in Alberta, be personally liable for any loss resulting from such failure to observe these sections, or for such misuse of sinking fund moneys and the amount of the said loss so resulting, may be recovered from such mayor, commissioner, alderman, trustee, comptroller, officer, official, servant or agent of the City of Calgary by action against such person in any Court of competent jurisdiction."

Penalties for misapplication of sinking fund moneys.

16. By adding the following as section 250 thereto: "Lots 35 to 41 inclusive in block 5 according to a plan of part of the City of Calgary of record in the Land Titles Office for the Land Registration District of Southern Alberta as Plan 3577 P, and all improvements thereon, shall be exempt from all taxes including local improvement taxes as long as the said lands shall belong to George A. Sugden, a soldier blinded in the Great War, and are occupied by the said George A. Sugden as his home, and all local improvement taxes thereon shall for the said period be borne by the City of Calgary at large."

Exemption from taxes of lands of George A. Sugden, a blinded soldier.

17. This Act shall come into force on the day on which it is assented to.

No. 8.

FIFTH SESSION
FIFTH LEGISLATURE
15 GEORGE V
1925

BILL

An Act to amend the Acts and Ordinances constituting the Charter of the City of Calgary.

Received and read the

First time.....

Second time.....

Third time.....

MR. WHITE.

EDMONTON:
J. W. JEFFERY, KING'S PRINTER
A.D. 1925