

REPRINTED BILL

BILL

No. 5 of 1927.

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

(Assented to _____, 1927.)

WHEREAS the City of Calgary has prayed for certain amendments to Ordinance 33 of 1893 of the North-West Territories and 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 258 thereto:

"Subsections 1 and 2 of section 15 of *The Tax Recovery Act, 1922*, shall not apply to the City of Calgary, but the city shall nevertheless advertise every such proposed sale, which shall be by public auction, in a newspaper having general circulation in the City of Calgary once in each of the two weeks immediately preceding the proposed date of sale."

Sub-sections 1 and 2 of section 15 of *The Tax Recovery Act* not to apply

2. By adding the following as section 259 thereto:

"In case the City of Calgary, after the fifteenth day of December of the year next following the year in which a caveat has been filed, pursuant to *The Tax Recovery Act, 1922*, in the Land Titles Office for the South Alberta Land Registration District, shall have taken over possession and control of any parcel of land or shall have received or collected any rents or profits in respect thereof, the amount of the rents or profits so received or collected shall notwithstanding the subsequent redemption of any such parcel of land belong exclusively to the said city and the owner of such parcel shall have no claim against the said city in respect of any such amount or any part thereof."

The city not to account for rents or profits after taking over possession and control of any parcel of land subsequently redeemed

3. By adding the following as section 260 thereto:

"Notwithstanding anything contained in *The Tax Recovery Act, 1922*, or any other Act or Ordinance, the total proceeds of the sale of any land after the date of its final acquisition by the city under the provisions of *The Tax Recovery Act, 1922*, shall, subject to whatever claim there may be for Supplementary Revenue Tax, be and shall be deemed to have been, since the date of the passing of *The*

Proceeds of sale of land after acquisition by the city to be the sole and absolute property of the city

Tax Recovery Act, 1922, the sole and absolute property of the City of Calgary, and shall be applied in accordance with the terms of section 8 of chapter 64 of the Statutes of Alberta, 1925.”

Supplement-
ary assess-
ment roll
shall be made
of buildings
begun or
completed
subsequently
to Oct. 31st in
each year

4. By adding the following as section 261 thereto:

“The assessor shall by the 31st day of December in each and every year, compile a supplementary assessment roll in respect of buildings and improvements begun or completed subsequently to the 31st day of October next preceding.”

5. By adding the following as section 262 thereto:

“The assessed owner of any building or improvement begun or completed subsequently to the 31st day of October and prior to the 31st day of December, shall be taxed for the following year on the said building or improvement so begun or completed, on a valuation for assessment purposes, as of the date of the 31st day of December.”

6. By adding the following as section 263 thereto:

“The rules and regulations for the mailing of assessment notices, the mailing of tax notices, the notices of appeals to the Court of Revision and to the District Court, shall *mutatis mutandis* apply to the said supplementary assessment.”

Council may
capitalize
certain assets
created from
current rev-
enues and
issue debent-
ures therefor

7. By adding the following as section 264 thereto:

“The Council of the City of Calgary may, without a vote of the ratepayers, but subject to the approval of the Board of Public Utility Commissioners, pass a by-law or by-laws capitalizing the following expenditure made from current revenue, for the acquisition of the following described assets, in the sums hereinafter specified:

- (a) New Burnsland Cemetery..... \$23,857.37
- (b) Hillhurst Athletic Park..... 15,000.00

Such by-law or by-laws may provide for the issue of debentures on the general credit of the City of Calgary covering the whole or any portion of the amount of \$38,857.37 so capitalized.”

8. By adding the following as section 265 thereto:

“Such debentures shall be for a period of twenty years and when issued shall constitute a valid and binding obligation upon the City of Calgary and the ratepayers thereof.”

9. By adding the following as section 266 thereto:

“The proceeds of the sale of the said debentures shall be applied and used in such manner as the Council of the City of Calgary may in its discretion determine.”

10. By adding the following as section 267 thereto:

“(a) There shall be added to the definition of local improvement as contained in section 131 of the Charter of the City of Calgary the following, that is to say:

“The covering of any street or lane with any crude oil, oil, tar sands, calcium chloride or other road binding material of any nature whatsoever.”

“(b) The period of advertising the intention of the Council to pass a by-law or by-laws and the period for presenting a petition after the publication of notice of such intention, shall in respect of a local improvement of the class referred to in subsection (a) hereof and notwithstanding the provisions of subsection (b) of section 132 and section 133 of the Charter of the City of Calgary, be two weeks and seven days respectively.”

11. By adding the following as section 268 thereto:

“The following persons shall be entitled to have their names added to the voters’ list of the City of Calgary: Service tax payers to enjoy certain rights in respect of voters’ list

“(a) Any person who in the preceding year paid to the City of Calgary service tax;

“(b) Any person who in the year in which the voters’ list is prepared, paid to the City of Calgary his current year’s service tax on or before the 14th day of October.”

12. By adding the following as section 269 thereto:

“Any person who has paid his or her service tax for the current year up to and including the date of the general municipal election, whose name has been omitted from the voters’ list, shall be entitled to receive from the assessor and tax collector of the City of Calgary, a certificate stating that such person has in fact paid his or her service tax for the current year. Upon presentation of such certificate to the returning officer, such service tax payer shall be entitled to cast his or her vote at the general municipal election.” Service tax payers for current year to be entitled to vote

13. By adding the following as section 270 thereto:

“Any person, whether as transferee or as vendee under an agreement for sale, who has purchased property in the City of Calgary in respect of which arrears of taxes and taxes for the current year have been paid, shall, notwithstanding the omission of his or her name from the voters’ list, be entitled to receive from the city assessor and tax collector, a certificate stating that such person is the owner of property within the City of Calgary in respect of which all arrears of taxes and all current taxes have been paid and upon the production of such certificate to the returning officer, such person shall, notwithstanding his or her omission from the voters’ list, be entitled to cast a vote at the general municipal election.” Person during current year acquiring property in respect of which all taxes paid to be entitled to vote

14. By adding the following as section 271 thereto:

“By-law No. 1781 of the City of Calgary, dated the 13th day of March, A.D. 1915, being a by-law to consolidate the debentures authorized to be issued under certain local improvement by-laws and to provide for the issue of such By-laws 1781, 1783, 1937 and 1938 are validated and confirmed

consolidated debentures to the amount of \$1,208,629.42 Canadian Currency, the proceeds to be used for the purposes mentioned in such by-laws, and also to provide for the assessment and collection of the sums necessary to pay such debentures;

“By-law No. 1783 of the City of Calgary, dated the 13th day of March, A.D. 1915, being a by-law to consolidate the debentures authorized to be issued under certain money by-laws and to provide for the issue of such consolidated debentures to the amount of \$1,314,121.95 Canadian Currency or its equivalent in gold coin of the United States of America at par of exchange, the proceeds to be used for the purposes mentioned in such by-laws, and also to provide for the assessment and collection of the sums necessary to pay said debentures;

“By-law No. 1937 of the City of Calgary, dated the 26th day of November, A.D. 1917, being a by-law to consolidate the debts and liabilities of the said City incurred over and above the net amount received from the sale of certain debentures and to authorize the issue of debentures therefor, to the amount of \$186,306.99, and to provide for the assessment and collection of the sums necessary to pay said debentures;

“By-law No. 1938 of the City of Calgary, dated the 26th day of November, A.D. 1917, being a by-law to consolidate debentures authorized to be issued under certain local improvement by-laws and to provide for the issue of such consolidated debentures to the amount of \$156,971.32 Canadian Currency, the proceeds to be used for the purposes mentioned in such by-laws and also to provide for the assessment and collection of the sums necessary to pay such debentures—

are hereby validated and confirmed and declared to be legal, valid and binding upon the City of Calgary and the ratepayers thereof and the same shall not be open to question in any court on any ground whatever; and all debentures and coupons issued thereunder are hereby declared to be legal, valid and binding upon the City of Calgary and the ratepayers thereof and the same shall not be open to question in any court on any ground whatever.”

15. By adding the following as section 272 thereto:

Grounds for
disqualifica-
tion of
commissioner

“Notwithstanding anything contained in Ordinance 33 of 1893 of the North-West Territories and amendments thereto, a commissioner shall be disqualified for election on the same grounds as are applicable to the election of mayor or alderman.”

16. By adding the following as section 273 thereto:

Debt in
respect of
which bill not
rendered no
disqualifica-
tion

“No person shall be disqualified for election for mayor, alderman, commissioner or school trustee for the City of Calgary on account of any debt for electric light, water or other city service in respect of which a bill has not been rendered.”

17. By adding the following as section 274 thereto:

“(1) The Council of the City of Calgary may pass a by-law or by-laws regulating the management of the hospitals belonging to the City of Calgary and without restricting the generality of the foregoing, may in particular regulate by by-law the conditions under which doctors may practise in the hospitals belonging to the City of Calgary and the admission of doctors to and the suspension and dismissal of doctors from the hospital staff.”

Council to
have power to
regulate
admission of
doctors to
hospital staff

“(2) The power to regulate referred to in the last preceding subsection shall include the power to delegate authority to the medical health officer of the City of Calgary, subject always to the legislative jurisdiction of the Council of the City of Calgary.”

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

No. 5.

FIRST SESSION
SIXTH LEGISLATURE
17 GEORGE V
1927

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:
W. D. McLEAN, ACTING KING'S PRINTER
A.D. 1927