

BILL

No. 80 of 1928.

An Act to amend The Public Utilities Act, 1923.

(Assented to _____, 1928.)

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

1. This Act may be cited as "*The Public Utilities Act, 1923, Amendment Act, 1928.*"

2. *The Public Utilities Act, 1923*, being chapter 53 of the Statutes of Alberta, 1923, is amended by adding thereto as section 78*a*, immediately after section 78, the following:

"**78*a*.**—(1) The Board shall not approve of the granting by a municipality to any person whomsoever of any franchise or privilege in respect of the supply of power unless it is a term of the grant that such franchise or privilege shall have no force or effect as against His Majesty in the right of the Province.

"(2) The Board shall not approve of any such grant unless and until—

"(a) the consent of the Minister of Public Works enabling the person seeking franchise or privilege to place equipment for the transmission of power over, under and along any highways between the source of supply and the point of intended delivery;

"(b) the person seeking the franchise or privilege has submitted to the Board the general scheme of his undertaking and has satisfied the Board as to the feasibility thereof; and

"(c) the Board is satisfied that having regard to the availability of any other source of supply in the area in which the municipality is situate, and to any other circumstances, the granting of such franchise or privilege is to the general benefit of the Province."

3. Section 130*a* is added to the said Act immediately after section 130 thereof, as follows:

"**130*a*.**—(1) Whenever a majority of the resident land owners of any territory adjacent to a city desires annexation thereto or the council of any city desires that any such territory should be annexed to the city, then such land owners or the council, as the case may be, may present a petition

to the Board to that effect and the Board thereupon by order may annex any such territory to and make it a part of the city.

“(2) Such order shall be published in *The Alberta Gazette* and shall thereupon become effective, and may be made subject to such terms and conditions as to the Board may seem proper, and in particular may contain directions that the annexed territory shall or shall not be subject to debentures already issued by the city or the rate levied to meet such debentures, and that the city shall assess the land in such territory upon any basis or principle of assessment that may seem to the Board proper, and continue to do so for a fixed term of years, and may fix a maximum rate of taxation for the land in such territory for a fixed term.

“(3) Notwithstanding the provisions of any other Act, no territory shall be added to any city except under the provisions of this section.”

No. 80.

SECOND SESSION
SIXTH LEGISLATURE
18 GEORGE V
1928

B I L L

An Act to amend The Public Utilities
Act, 1923.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. REID.

EDMONTON:
W. D. McLEAN, ACTING KING'S PRINTER
A.D. 1928