

BILL

No. 8 of 1929

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

(Assigned to ... 1929)

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 31 of 1891, North-West Territories, and amendments thereto, is hereby amended as follows:

1. By amending section 27 of *The Charter of the City of Calgary* by deleting all the oath after the words "in the form following" and substituting therefor

"I do solemnly swear to the best of my knowledge and ability that I have set down in the foregoing assessment rolls, all the real property liable to taxation in the City of Calgary, and the true and actual value thereof in such coin and the taxable percentage thereof, according to the best of my information and judgment, and that I have estimated the same according to the best of my ability, information and belief, and that I have entered thereon the names of all persons entitled to be assessed with the true amount of taxable property, and that I have not entered the name of any person whom I do not believe to be taxable, and that the date of the delivering or transmitting the notice required herein is in every case truly and correctly stated in the said rolls; and that I have not entered the name of any person in order to give such person a vote, or at too high a rate in order to give such person a vote, or at too low a rate in order to deprive such person of a vote, and that the amount for which each person is taxable upon the said rolls truly and correctly appears in the said notice delivered or transmitted as aforesaid, and that I have truly set down on the said rolls all further particulars required by the Council, to the best of my knowledge and ability."

2. By adding the following as section 37(b) thereto
 "37. (b) Notwithstanding anything contained in *The Charter of the City of Calgary* or any amendments therein, the Council of the City of Calgary may from time to time by a by-law or by-laws, prescribe the form of assessment rolls and tax rolls, the regulations respecting the information to be set out thereon and all matters incidental thereto, and such by-law regulations shall be deemed to supersede any statutory provisions in *The Charter of the City of Calgary* or any amendment thereto that may be inconsistent therewith."

3. By adding the following as subsection 34(k) of section 117 thereto

"34(k). (a) The expression 'transient contractor' shall be deemed to include any person who has not resided continuously in the City of Calgary for a period of at least six months next preceding the time of commencement by him of business in the city, and who canvasses for or obtains contracts for painting, paperhanging or decorating

"(b) Before a person shall be deemed to be a transient painting, paperhanging or decorating contractor, he shall be an employee of labor or agree to undertake such painting, paperhanging or decorating upon terms other than the payment of his own hourly or day labor."

4. By adding the following as subsection 83(e) of section 117 thereto

"(e) The powers conferred upon the Council of the City of Calgary by subsection 83 of section 117 of *The Charter of the City of Calgary*, shall be deemed to include the power by by-law to permit the construction of tunnels under any street or lane in the city and the granting of privileges therefor, subject to the payment of such rentals and the giving of such indemnities by the grantee and the limitation of time during which the said grant shall be enjoyed, and such other conditions as the Council shall by by-law determine"

5. By amending section 184 of *The Charter of the City of Calgary* by deleting the words "registered owners" where they appear in the third line thereof, and substituting therefor the words "assessed owners," and by deleting the word "registered" where it appears in the sixth line thereof.

6. By amending section 237 of *The Charter of the City of Calgary* by adding the following at the end of the first paragraph thereof after the words "the instructions of the City Council".

"Such instructions shall be given by the City Council to the City Solicitor at its regular meeting immediately preceding the expiration of the term of office of the appointed trustee"

7. By adding the following as section 249 (d) thereto
"(d) The Board of Sinking Fund Trustees is empowered to pay reasonable remuneration whether by salary or otherwise, for clerical, professional and other services rendered to the Board of Sinking Fund Trustees, whether such services are rendered by employees of the City of Calgary or otherwise"

8. By adding the following as section 280 thereto
"280. A certain agreement dated the 31st day of December, A.D. 1928, between the Governor and Company of Adventurers of England trading into Hudson's Bay, generally known as The Hudson's Bay Company, and the City of Calgary, covering the closing of the easterly 250 feet of Block 49, Plan 'A,' Calgary, is hereby validated and confirmed and declared to be binding upon both of the parties thereto provided that nothing herein contained shall operate to prevent the said city and the said company from varying or amending the said agreement by mutual consent"

9. By adding the following as section 281 thereto

"281 (a) The Council of the City of Calgary may by by-law provide for the use as a sports stadium and athletic field of that portion of Memorial Park in the City of Calgary described as follows:

"All and singular that portion or tract of land and premises lying and being situate in the City of Calgary, in the Province of Alberta, Canada, and being composed of a portion of the NW $\frac{1}{4}$ of Section 16, Twp. 24, Rge. 3, west of the Fifth Meridian, more particularly described as follows:

"Commencing at a point on the northerly limit of Ninth Avenue distant 250 feet westerly from the intersection of the said limit with the westerly limit of Eleventh Street West as said streets and avenues are shown on the plan of subdivision of record in the Land Titles Office for the Southern Alberta Land Registration District as Plan 'A-1', thence northerly parallel with the westerly limit of Eleventh Street a distance of 625 feet, thence westerly along the southerly limit of Seventh Avenue produced a distance of 270 feet, thence south-westerly, making an angle with the last mentioned course of 31 degrees 23 minutes, a distance of 709.5 feet, thence southerly parallel with the westerly limit of Eleventh Street a distance of 225 feet, more or less, to the northerly limit of Ninth Avenue, a distance of 853 feet, more or less, to the point of commencement, the whole containing 9.7 acres

"(b) Such use may include the power by by-law to lease to any person or athletic or sports club or organization, the portion of Memorial Park so dedicated, or any part thereof, and the Council of the City of Calgary may in such by-law provide for the charge

ing of admission fees and the granting of concessions upon such terms and conditions as the said Council may determine."

10. By adding the following as section 282 thereto

"282. The power inherent in and granted to the Council of the City of Calgary to regulate by by-law street traffic in the City of Calgary, shall be deemed to include and always to have included the right to delegate by by-law to the Chief Constable of the City of Calgary, the power and duty to set up 'No Parking' signs, 'Stop' signs and other traffic signals or signs and to designate areas in which parking shall be restricted or prohibited and taxi-cabs and busses shall stand or operate, to designate safety zones, crosswalks and stop streets and generally to perform whatever administrative duties with respect to traffic control may be assigned to him by the Council of the City of Calgary, and regulations as to such signs, signals, safety zones, crosswalks, stop streets, bus stands, taxicab stands and areas in which parking is restricted or prohibited, when made heretofore or hereafter pursuant to any by-law of the City of Calgary shall have the same force and effect as though they were individually incorporated in a by-law of the said City of Calgary."

11 By adding the following as section 283 thereof

"283. The Council of the City of Calgary is hereby empowered by resolution to declare any hedge, shrubbery, tree or trees, fence, railing or billboard situated on private property, a public nuisance where such hedge, shrubbery, tree or trees, fence, railing or billboard constitutes an undue obstruction to the vision of the operators of approaching motor vehicles or other conveyances and thereby a menace to public safety, and to provide for the abatement of such declared nuisance upon failure of the owner of the said hedge, shrubbery, tree or trees, fence, railing or billboard to remove the same after reasonable notice in writing so to do."

12. By adding the following as section 284 thereto

"284. Clause 6 of subsection (b) of section 26 of *The Charter of the City of Calgary* as enacted by section 4 of chapter 26, of 1915, and amended by section 4, chapter 41 of 1920, and section 6 of chapter 70, of 1921, are hereby repealed, and notwithstanding anything in the said charter inconsistent herewith, any license fee or fees imposed by the Council of the City of Calgary may be in the nature of a tax for revenue purposes."

13 By adding the following as section 285 thereto

"285. (a) Notwithstanding anything contained in *The Charter of the City of Calgary* and amendments thereto, the Council of the City of Calgary may at any time subsequent to the first reading of a by-law providing for the raising and expenditure of monies for the advancement or protection of public health, apply to the Minister of Public Health for

a certificate that the expenditure proposed in such by-law is necessary for the advancement or protection of public health.

- "(b) No application for such a certificate shall be made except upon a two-thirds vote of the Council of the City of Calgary present and voting;
- "(c) Any by-law carrying with it such a certificate from the Minutes of Public Health shall be deemed to be carried if it receives an affirmative vote of a majority of the electors of the City of Calgary qualified to vote on money by-laws and voting thereon;
- "(d) The validity of any by-law carrying with it such a certificate and receiving the necessary affirmative vote of the electors qualified to vote on money by-laws, shall not be questioned in any Court on any ground whatsoever, and any debentures issued thereunder shall be valid and binding upon the City of Calgary and the ratepayers thereof."

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

THIRD SESSION
SIXTH LEGISLATURE
19 GEORGE V
1929

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

MIC. PARKIN