

BILL

No. 82 of 1930.

An Act Respecting Mining in Urban Areas.

(Assented to _____, 1930.)

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 Urban Mining Operations Act*."

2. Upon it being made to appear to the Lieutenant Governor in Council that mining is being carried on underground, within the corporate limits of any city, town or village, and upon the Council of such city, town or village passing a resolution requesting the appointment of a competent Mining Engineer or Mine Surveyor as an Inspector under this Act, and providing for his remuneration, the Lieutenant Governor in Council may appoint such person as an Inspector and may prescribe his duties.

3. Every Inspector appointed pursuant to this Act is empowered to enter and inspect the underground workings of every mine of every description which are located under any part of the corporate area of the city, town or village at whose request he is appointed, and to make any inspections, surveys, measurements or observations of such workings as he may deem necessary for the purpose of ascertaining the nature and extent of such workings and their location, with reference to the surface, and for the purpose of ascertaining whether or not any surface damage is caused by any such workings or for either of such purposes.

4.—(1) The owner, agent and manager of every mine which has any underground workings located under the land included within the limits of any city, town or village, shall, on the first day of June, 1930, and on the first day of June in every year thereafter, deliver to the clerk or secretary-treasurer of the city, town or village, as the case may be, a map or plan showing as at the preceding first day of April—

- (a) The boundaries of the workings of the mine and all working places therein, and the position of all such workings with regard to the surface.
- (b) If more than one seam is, or has been, worked, the boundaries of the workings in each seam, and all working places therein and the position of all such workings with regard to the surface.

(2) In the case of a mine to which *The Mines Act* or any Act substituted therefor applies, the requirements of this section shall be deemed to be complied with upon the delivery to the clerk or secretary-treasurer of the city, town or village, as the case may be, of a copy, on durable material, of the plan of the mine kept pursuant to the said Act, made up to the first day of April preceding the filing thereof.

In the case of any other mine, the plan shall be made upon durable material and shall be drawn to a scale of one inch to two hundred feet.

5. The Lieutenant Governor in Council may, from time to time, appoint one or more persons as a commission for the purpose of investigating, reporting upon, and making recommendations with regard to any matter or thing relating to the operation of all, or any, mines in the corporate limits of cities, towns and villages, or of any cities, towns and villages, named in any such order and with regard to the nature and extent of the effects upon the surface which has, or is likely to be, caused by reason of any such operations, and with regard to the nature of any legislative provisions which the commission deems reasonable and proper in the circumstances; and every such commission and every member thereof shall have for any such investigation, all the powers conferred upon an inspector by section 3 of this Act, and in addition shall have all the powers which are, or may be, conferred upon a commissioner appointed pursuant to *The Public Inquiries Act*.

6. The owner, agent and manager of every mine shall afford every inspector and every commission and every member of such commission appointed pursuant to this Act to make any inspection, survey or observation authorized by this Act, every reasonable facility for so doing and every such inspector, commission, or member of a commission making any such inspection, survey or observation shall be accompanied by an official of the mine who, in the case of a coal-mine, shall be the holder of a first, second, or third class certificate of competency, whilst engaged upon making any inspection, survey or observation underground.

7. Every owner, agent or manager of any mine who omits or neglects to deliver any plan at the times and in the manner prescribed by this Act shall be guilty of an offence punishable, on summary conviction, by a penalty of not more than five hundred dollars and costs.

8. Every person who hinders, interferes with, or obstructs any inspector, commission or member of a commission appointed pursuant to this Act in making or carrying out any inspection, survey or observation which he is by this Act empowered to make, shall be guilty of an offence, punishable upon summary conviction; and if the person convicted is the owner, agent, manager or an official of the mine, he shall be liable to a penalty of not more than five hundred dollars and costs, and if any other person, he shall be liable to a penalty of not more than one hundred dollars and costs.

FOURTH SESSION
SIXTH LEGISLATURE
20 GEORGE V
1930

BILL

An Act Respecting Mining in Urban
Areas.

Received and read the

First time

Second time.....

Third time.....

HON. MR. BROWNLEE

EDMONTON:
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A.D. 1930