

BILL

No 4 of 1931

An Act to amend the Acts constituting The Edmonton Charter and to validate a certain Local Improvement By-law

(Assented to

1931)

WHEREAS a petition has been presented by the City of Edmonton for the amendment of The Edmonton Charter and for validation of a certain Local Improvement By-law; and

Whereas it is reasonable that the prayer of the said petition should be granted;

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

1. Section 40 of the said Charter is hereby amended by adding thereto the following proviso:

"Provided, however, that if the Mayor be of opinion that the matter in respect of which a meeting is requested is not one of general public importance or interest, he may refer the petition to the Council for directions, whose decision shall be final and binding."

2. Paragraph (d) of Section 84 of the said Charter, is hereby amended by adding thereto the following proviso:

"Provided, however, that where the voters' list in any year is based on a census or enumeration as provided for in section 84a, this paragraph shall not apply."

3. Section 231 of the said Charter is hereby amended by adding thereto the following subsection:

"(2) The said 'The Edmonton Hospital Board' is hereby declared to be (and to have been since its inception) a Body Corporate under the name of 'The Edmonton Hospital Board,' and by the same name it and its successors shall have perpetual succession, with power to receive grants and donations, and shall have power to sue and be liable to be sued, implead and be impleaded, answer and be answered unto in all Courts in all actions, causes and suits, and they shall have a common seal with power to alter and modify the same at pleasure:

"Provided that the declaring the said Board to be a Body Corporate shall not give to the said Board any power not directly conferred upon it by this section as hereby amended."

4. Section 262 of the said Charter is hereby amended:

- (a) By inserting between the word "thereof" at the end of the second line thereof and the word "the" at the beginning of the third line thereof, the following "or a by-law of the Board of Trustees of the Edmonton School District No. 7 or of the Board of Trustees of the Edmonton Separate School District No. 7 requires the assent of the ratepayers thereof"
- (b) By adding to paragraph (f) thereof the following: "And in the case of a by-law of the Board of Trustees of a school district the amount of the property assessable for the purpose of the school district concerned."
- (c) By adding to paragraph (g) thereof the following: "And in the case of a by-law of the Board of Trustees of a School District the amount of the existing debenture debt of the school district concerned."

5. Section 515 of the said Charter is hereby amended by striking out the figures and word "506 or 507" and by substituting therefor the figures and word "507 and 508"

6. Section 321 of the said Charter is hereby amended:

- (a) By inserting immediately after paragraph (k) of subsection (3) thereof the following paragraph: "(k1) The said business assessment roll with any amendments made by the Commissioners (without being adopted by the Council) and certified by the Assessor shall thereupon become and be the revised business assessment roll for the City, and shall be valid and binding upon all parties concerned notwithstanding any defect or error therein or with regard thereto, or any defect, error or misstatement in the notice required by section 331, or any omission to deliver or transmit such notice: "Provided that there shall be a right of appeal from the decision of the Commissioners to the Judge as provided in respect of the general assessment."
- (b) By adding to paragraph (j) of said subsection (3) the following: "This paragraph shall apply to and include every person moving into new premises or opening new premises or branches of an existing business after the final revision of the business assessment roll, notwithstanding his name is entered on such roll, and shall also apply to any person who may have commenced business before the final revision of the business assessment roll, but whose name is omitted from such roll."

7. Section 3 of chapter 65 of the Statutes of Alberta, 1930, is hereby amended by adding thereto the following subsection:

"(2) The words 'the second week in November' shall for the purposes of this section mean the consecutive seven days commencing with the eighth and ending with the fifteenth day of November."

8. By adding to section 3 of chapter 43 of the Statutes of Alberta, 1924, the following subsection:

"(2) If in the opinion of the Council any bridge has become unsafe for traffic, the Council may, without referring the matter to the burgesses, pass a by-law or by-laws for borrowing a sum not exceeding twenty-five thousand dollars for the purpose of replacing or reconstructing said bridge."

9. Section 233 of the said Charter is hereby amended by striking out the words "his or its principal" where the same occur in the ninth line of subsection (2) thereof and by substituting therefor the words "a permanent."

10. By-law No. 47, 1930, of the City of Edmonton, passed on the 27th day of October, 1930, and intitled "A By-law to create a debt in the sum of \$29,404.33 to pay that part of the cost of the works hereinafter described to be borne by the properties benefited thereby, and to issue debentures in the said sum," and all assessments thereby imposed or authorized to be imposed, and each and every of them, are hereby validated and confirmed and declared to be legal, valid and binding upon the City of Edmonton and the ratepayers or burgesses thereof affected thereby, and the same shall not be open to question in any Court on any ground whatsoever; and all debentures and the coupons attached thereto, issued or to be issued or purporting to be issued under the same or any of them, are hereby declared to be issued on the credit and security of the municipality at large and are hereby declared to be legal, valid and binding upon the City of Edmonton and the ratepayers or burgesses thereof, and the same shall not be open to question in any Court on any ground whatsoever.

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

FIRST SESSION
SEVENTH LEGISLATURE
21 GEORGE V
1931

B I L L

An Act to amend the Acts constituting The Edmonton Charter and to validate a certain Local Improvement By-law

Received and read the

First time

Second time

Third time

MR. JAMIESON
