

BILL

No. 5 of 1932.

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

(Assented to _____, 1932.)

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 amending section (a) of subsection 5 thereof by deleting all the words after the word "me" as enacted by section 1 of chapter 63 of the Statutes of Alberta, 1930, and substituting therefor the following: "Any company incorporated under any Statute of the Dominion of Canada or of the Province of Alberta or of the Ordinances of the North-West Territories or of any company registered under any Act of the said Province having a permanent place of business within the said city and assessed as in this section mentioned, may vote on money by-laws only (the term money by-laws including any plebiscite submitted only to ratepayers qualified to vote on money by-laws) through some one resident official of the company.

"(a) Such company shall be entitled to vote through the said resident official only upon the production to the city clerk, either before or on the polling day in each year of a letter signed by the president or vice-president or secretary of the company under the seal of the company, certifying that the company desires to exercise its vote on money by-laws as defined above through the resident official named in the said letter and upon the issue of a certificate by the city clerk consequent upon the receipt of the said letter.

"(b) The vote of the company through the said resident official shall be cast only at one of the polling stations situate in the city hall at Calgary."

2. By adding the following as subsection 5 of section 6 thereof:

"No candidate for the office of mayor, alderman, commissioner, or school trustee shall be disqualified by reason only of the fact that either on nomination day or subsequently thereto, he is indebted to the City of Calgary for unpaid property taxes, either general or special, or arrears of property taxes on any property owned by him within the City of Calgary, but the said exemption from such disqualification shall not be applicable in case the said candidate is indebted to the city for any business tax, service tax or any tax other than the general property and special property taxes referred to above."

3. By adding the following as section 41a thereof:

"The cost of any land acquired by the city at tax sale proceedings or the price at which land has been sold under the provisions of *The Tax Recovery Act*, being chapter 122 of the Revised Statutes of Alberta, 1922, and amendments thereto, or any other Act or Acts at any time in force, or the price at which lands acquired by tax sale proceedings are sold subsequently to the said acquisition, shall not be used as a basis of assessment of land in the city, nor shall the said cost or price be offered in evidence or used in any manner whatsoever in any appeal either before the court of revision or before the district court judge from any assessment hereafter made in and for the City of Calgary."

4. By amending subsection 61 of section 117 thereof by striking out the words and brackets "(which said alteration or repairs exceed one hundred dollars in value)" where the same occur in the 18th and 19th lines of the said subsection 61 of said section 117.

5. By amending subsection 61a of section 117 thereof by striking out the words "but such plans or specifications shall not be required unless the cost of the proposed alteration or repairs exceed in value one hundred dollars," where the said words occur in the 13th, 14th, 15th and 16th lines of the said subsection 61a of the said section 117.

6. By amending subsection 210 of section 15, chapter 54 of the Statutes of Alberta, 1919—

- (a) By deleting the figures "210" and substituting therefor the figures "116."
- (b) By adding the words "wrestling bouts and contests" after the word "contests" where the said word appears in the second line of subsection 1 of the said section 210 as enacted by section 15 of chapter 54 of the Statutes of Alberta, 1919.
- (c) By adding the following as subsection 4 to the said section 210 as enacted by section 15, chapter 54 of the Statutes of Alberta, 1919: "The Council may in its discretion impose upon the organizers and promoters of every boxing bout and contest or wrestling

bout and contest within the City of Calgary an annual license fee not exceeding one thousand dollars per annum or a license fee not exceeding two hundred dollars per day for each individual programme of bouts and contests or by way of license fee may exact from the promoters of wrestling bouts or boxing bouts a percentage of the gate receipts, such percentage to be fixed by the Council in its discretion."

- (d) By adding the following as subsection 5 to subsection 210 as enacted by section 15 of chapter 54 of the Statutes of Alberta, 1919: "The Council may by by-law or resolution provide for the total or partial exemption of license fees in the case of amateur boxing bouts or contests, or amateur wrestling bouts or contests, or bouts or contests promoted for charitable purposes."
- (e) By adding the following as subsection 6 to the said subsection 210 as enacted by section 15 of chapter 54 of the Statutes of Alberta, 1919: "In addition to any license fees imposed the Council may require any promoter or organizer of any boxing bout or contest or wrestling bout or contest as a condition precedent to the holding of any such bout or contest, to deposit with the city clerk a bond in form, amount and on such conditions as the said Council may deem expedient and necessary."

7. By amending section 294a thereof by deleting the words "two hundred and fifty thousand dollars" where they occur in the fifth and sixth lines of the said section and substituting therefor the words "five hundred thousand dollars."

8. By repealing section 295 of *The Charter of the City of Calgary* other than subsection 2 thereof and substituting therefor the following:

"The term of office of the city commissioner declared elected by acclamation on the 7th day of December, A.D. 1931, or of any successor to the said commissioner who may be elected or appointed to his place between the 7th day of December, A.D. 1931, and the 31st day of December, A.D. 1932, shall be determined and terminated on the 31st day of December, A.D. 1932."

9. By adding the following as section 298 thereof:

"No person shall acquire nor shall at the date hereof be deemed to have acquired any right, title or interest in any land, the property of the City of Calgary or in or to any street, lane, sidewalk, highway or boulevard or portion thereof within the City of Calgary by reason of prescription or the lapse of time and any occupation or enclosure of or encroachment upon any land the property of the City of Calgary or any street, lane, highway or boulevard within the

City of Calgary shall not be deemed to confer or to have conferred upon any person any right whatsoever as against the City of Calgary any other provision of law to the contrary notwithstanding."

10. By adding the following as section 299 thereof:

"The Council of the City of Calgary is hereby empowered to issue and sell, without a vote of the ratepayers, but subject to the approval of the Board of Public Utility Commissioners of the Province of Alberta, special debentures, notes, treasury bills or other securities in such form and payable at such place or places either within or without Canada, and by such mode of payment of principal and interest, and for such rate of interest and for such period not exceeding five years from the issue of the same as the Council may by by-law provide, and may make the same a first charge on all taxes including school taxes then in arrears and on all tax sale lands acquired by the city subsequently to the 1st day of January, 1928, provided that the face value of the said special debentures, notes, treasury bills or other securities shall not exceed the total amount of such arrears of taxes due at the time of issue.

"(a) All such arrears of taxes and the proceeds of the sale of any of the said tax sale lands so acquired subsequently to the 1st day of January, 1928, shall, as collected, be deposited by the city treasurer in a special account and shall be used for the sole purpose of redeeming the principal of all such outstanding securities, provided that when a sufficient part of such arrears of taxes and sale price of such lands so collected has been deposited to pay the principal amount of the said securities at maturity all further arrears of taxes and sale price of such lands so collected shall be applied by the city treasurer to the General Revenue Account of the city in the usual course and manner."

11. By adding the following as section 300 thereof:

"The Council of the City of Calgary is hereby empowered to issue and sell, without a vote of the ratepayers, but subject to the approval of the Board of Public Utility Commissioners of the Province of Alberta, treasury bills to a total aggregate amount of two million two hundred and seventy thousand dollars in such form and payable at such place or places, either within or without Canada, by such mode of payment of principal and interest, and at such rate of interest and for such period not exceeding five years from the issue of the same as the Council may by by-law provide.

"(a) As security for the said treasury bills the City Council is hereby empowered to hypothecate any debentures outstanding at the date hereof, or which may hereafter be issued by the city pursuant to the powers granted by and the provisions of section 287 of *The Charter of the City of Calgary*.

“(b) The proceeds of the sale of such securities shall be applied in reduction of the advances made by the Bank of Montreal, its successors and assigns for the construction of the waterworks project and on the security of debentures to be issued therefor pursuant to the provisions of section 287 of *The Charter of the City of Calgary*.”

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

SECOND SESSION
SEVENTH LEGISLATURE
22 GEORGE V
1932

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.....

DR. MCGILL

EDMONTON:
W. D. McLEAN, KING'S PRINTER
1932