

BILL

No. 5 of 1933.

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

(Assented to , 1933.)

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 subsection (1) of section 4 thereof:

By deleting the words "or any person who shall have been convicted of treason or felony in any Court of law within Her Majesty's Dominions or elsewhere" where they appear in the 11th and 12th lines of subsection (1) and substituting therefor: "or any persons who have or shall have been convicted of an offence punishable with death or imprisonment for five years or over."

2. By amending subsection (2) of section 4 thereof by adding the following at the end of the said subsection (2): "and whose names appear on the last revised voters' list of the City of Calgary or if their names have been omitted from the last revised voters' list, who can prove to the satisfaction of the Returning Officer according to the records of the Returning Officer of the City of Calgary, that as duly qualified electors their names appeared on the preceding voters' list or that they voted at the last Municipal Election immediately preceding their nomination and candidature."

3. By repealing section 41 thereof and substituting the following therefor:

"**41.** The resolution passed by the Council of the City of Calgary on the 19th day of December, A.D. 1932, pursuant to section 33 of *The Alberta Assessment Commission Act*, being chapter 47 of the Statutes of Alberta, 1929, is hereby declared to be valid and binding and not open to question on any ground whatsoever provided that the Council may at any time by by-law revoke and repeal such reso-

lution and upon the coming into force of any such by-law all power and authority of the Alberta Assessment Commission shall cease and thereafter no longer be possessed by it and the powers and authority vested in the District Court Judge of the Judicial District of Calgary pursuant to section 41 of the Charter of the City of Calgary shall be revived and the said section 41 of the Charter of the City of Calgary shall be deemed to be re-enacted."

4. By adding the following as a proviso to subsection (8) of section 108 thereto:

"Provided that no money by-law that is required to be submitted and is submitted to the ratepayers of the City of Calgary and no plebiscite or question so submitted and required to be submitted to the ratepayers of the City of Calgary requiring the assent of at least two-thirds of the ratepayers voting thereon shall be deemed to be passed or carried in the affirmative unless in addition to an affirmative vote of two-thirds of the ratepayers voting thereon there shall have been cast an affirmative vote in favour of the said by-law, plebiscite or question, of ratepayers numbering at least ten per cent. in number of the total number of ratepayers qualified to vote thereon according to the last revised voters' list of the City of Calgary.

5. By repealing subsection (1) of section 196 thereof:

Provided that the provisions as to the signatures, verification, authentication, inspection, amendment and certificate of the city clerk set out in the said subsection (1) shall apply *mutatis mutandis* to subsections (2) and (3) of said section 196.

By repealing section 14 of chapter 32 of the Statutes of Alberta, 1916.

6. By amending section 249A thereof as amended by section 7 of chapter 70, Statutes of Alberta, 1932, by deleting the words "five hundred thousand dollars" where they appear in the fifth and sixth lines thereof and substituting therefor the words "seven hundred and fifty thousand dollars."

7. Section 7 of chapter 70 of the Statutes of Alberta, 1932, is hereby amended by deleting the words and figures "section 294(a)" where they occur in the first line thereof and substituting therefor the words and figures "section 249(a)."

8. By adding the following as subsection 290(b) thereto:

"290b. No such affidavit shall be accepted and qualify the applicant to vote unless there shall be taken in addition thereto a further affidavit by a person whose name appears on the last revised voters' list of the City of Calgary stating that the said applicant is known to the said elector and that to the certain knowledge of the said elector the state-

ments made in the affidavit of the said applicant with reference to his age, his qualification and his residence are true and correct. Such further affidavit of the said elector shall be taken in the presence of the applicant before the returning officer, the acting city clerk or any person nominated by the returning officer as his deputy for this special purpose."

9. By adding the following as section 302 thereto:

"302. The land known as Lot 39, Block 4, according to a plan of part of the City of Calgary of record in the Land Titles Office for the South Alberta Land Registration District as Plan B-1 Calgary in respect of which no title under *The Land Titles Act* has heretofore been issued and all interest and title therein and thereto are hereby declared to be vested in the City of Calgary in fee simple free of all encumbrances and the City of Calgary shall be entitled to receive and have issued to it a title therefor, and all right or title or interest of any person or persons whatsoever in the said land or any part thereof is hereby declared to be wholly terminated and extinguished."

10. By adding the following as section 303 thereto:

"303. By-laws Numbered 2838 and 2839, being by-laws of the City of Calgary to authorize the borrowing of certain monies from His Majesty King George V in the right of the Province of Alberta and for the issue and deposit with His Majesty the King in the right of the Province of Alberta of certain treasury bills are hereby declared to be valid and binding upon the City of Calgary and the ratepayers thereof notwithstanding any defect or informality in the said by-laws or either of them or in the passage thereof."

11. By adding the following as section 304 thereto:

"304.—(1) That the Council of the City of Calgary is hereby authorized without a vote of the ratepayers but subject to the approval of the Board of Public Utility Commissioners of the Province of Alberta to capitalize and to issue debentures for a maximum amount of three hundred and fifty thousand dollars representing the over expenditure and borrowing carrying charges on the waterworks system of the City of Calgary known as the Glenmore Dam and the works appurtenant and incidental thereto and the acquisition of land therefor as authorized by section 287 of the Charter of the City of Calgary.

(2) Such debentures when issued shall be a valid and binding charge upon the City of Calgary and the ratepayers thereof and shall not be open to question in any Court whatsoever."

12. By adding the following as section 305 thereto:

"305.—(1) The Council of the City of Calgary is hereby empowered to appoint by by-law any board or boards as may be deemed desirable for the purpose of advising in the management and operation of any branch or depart-

ment of the city's service and in the extension and improvement thereof, provided that there shall not be delegated to any such board or boards the right to appropriate or expend any public monies other than such monies duly voted by the council of the City of Calgary as may be necessary for the carrying on of the secretarial and other administrative functions of the said board or boards as such.

"(2) The constitution of the said board or boards, duties, powers and functions and all necessary provisions with reference to administration may be prescribed in the said by-law or by-laws appointing the said board or boards.

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

No. 5.

THIRD SESSION
SEVENTH LEGISLATURE
23 GEORGE V
1933

B I L L

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

MR. WEBSTER

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