

BILL

No. 4 of 1937.

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

(Assented to _____, 1937.)

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 deleting all that part of subsection (g) of Section 25 thereof as the said subsection is enacted by Section 4 of Chapter 107 of the Statutes of Alberta, 1936, from the beginning of the said subsection up to and including the word "determine" in the eighth line thereof, and substituting therefor the following:

"(g) Lands exclusive of buildings, erections and improvements shall be assessed at their fair actual value. Buildings, erections and improvements thereon shall be assessed at not less than fifty per cent of their fair actual value and may be assessed at any higher percentage of such value up to but not exceeding one hundred per cent of their fair actual value as the Council may by by-law from time to time determine. Provided, however, that the Council may in and by any such by-law provide that all single family dwellings and two family dwellings as defined by section 2 of subsection (6) clauses (a) and (b) of By-law No. 2835 may be assessed at any lower percentage than the percentage fixed in any such by-law for other buildings, erections and improvements but in no case shall single family dwellings and two family dwellings as herein defined be assessed at less than fifty per cent of their fair actual value.

2. By adding the following as subsection (12) of section 38 thereto:

"(12) All repairs, alterations and renovations to existing buildings in the City of Calgary made and created during the years 1937 and 1938. Provided, however, that the exemption from taxation in this subsection referred to shall only become operative upon the passage of a by-law by the Council of the

City of Calgary authorizing it, and the Council may by any such by-law prescribe the period of time during which the said exemption shall be in force, and the maximum amount of the cost of the repairs, alterations and renovations so made or created to which such exemption shall extend."

3. By amending section 46 thereof by deleting the words "opposite the name of the person taxed" where they occur in the said section 46.

4. By adding the following to section 46 thereof:
 "Any omission or error in such notice or failure to mail the same within the time specified shall not invalidate any tax levy or relieve any person from the payment thereof."

5. By striking out section 56 thereof and substituting therefor the following:

"**56.** The Collector shall on demand give to any person requesting the same, a certificate showing whether or not there are any arrears of taxes and if so to what amount owing in respect of any land or any lot or parcel thereof, and he may charge twenty-five cents for the search in respect of each separate lot or parcel and the Assessor may for searches regarding any entry upon the Assessment Roll or Tax Roll, charge fees at a rate not exceeding twenty-five cents for the first entry and ten cents for each subsequent entry in respect whereof a search is made at the same time. The Collector shall be the Collector for all assessments imposed within the City."

6. By amending subsection (91b) of section 117 thereof as enacted by section 11 of chapter 107 of the Statutes of Alberta, 1936, by inserting the words "and section 60 of *The Public Service Vehicles Act*, being chapter 91 of the Statutes of Alberta, 1936, after the words and figures "*The Vehicles and Highway Traffic Act, 1924*" where they occur in the last paragraph of the said subsection (91b).

7. By adding the following as subsection (111b) to section 117 thereof:

"(111b) The power conferred by this Act upon the Council of the City of Calgary to license and regulate by by-law all persons engaged in the business of motor livery within the limits of the City of Calgary, whether as employees or otherwise, shall include the power to establish a maximum and minimum of rates or fares to be charged or taken for motor livery services, and shall include also the power to compel and enforce the installation, maintenance and use of a taxi meter in or upon any vehicle used for hire in the City of Calgary."

8. By amending subsection (1) of section 325 thereof by deleting the words "one-half of the" where they occur in the

twelfth line thereof, and by substituting therefor the words "the full".

9. By adding the following as section 326 thereto:

"326.—(1) For the purpose of capitalizing a part of the expenditure incurred or to be incurred by the City in the year 1937, on account of direct relief or unemployment relief, which part shall not exceed \$250,000.00, the Council may, without the assent of the ratepayers, by a by-law passed by a majority of all those who are for the time being members of the Council, provide for the issuance and sale of debentures, bills, notes or other securities of the city in such form, upon such terms as to the place of payment, rate of interest and redemption, and for such period not exceeding ten years from the date of issue thereof as may be specified in the by-law.

"(2) A recital in any by-law that any expenditures specified therein have been incurred or are to be incurred for direct relief or unemployment relief shall be conclusive evidence of the fact.

"(3) All loans made hereunder are hereby declared to be temporary loans only and shall form no part of the general debt of the City within the meaning of the sections of The Calgary Charter limiting the borrowing powers of the City.

"(4) Any debentures, bills, notes or other securities issued pursuant to this Act 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 on any ground whatsoever."

10. By adding the following as section 327 thereto:

"327. The years served with the Board of Trustees of Calgary School District No. 19 of the Province of Alberta by those employees of the said Board who were taken over by the Health Department of the City of Calgary from the said Board on the first day of May, A.D. 1935, shall be deemed to be years of service with the City of Calgary for the purposes of the City Employees Pension Scheme as provided for in by-law No. 3016 of the said City of Calgary."

11. By adding the following as section 328 thereto:

"328. Notwithstanding anything in this Act contained the City of Calgary is hereby empowered:—

"(a) To tax all the lands, buildings, erections and improvements of the Province of Alberta used by and for the purposes of the Alberta Government Telephone System within the City of Calgary in the same manner as land and buildings are taxed under the provisions of this Act.

"(b) To assess and levy business tax as provided for in this Act and amendments thereto on the business carried on by the Alberta Government Telephone System and the Alberta Liquor Control Board within the City of Calgary."

12. By adding the following to subsection (1) of section 38 thereof:

“other than properties the taxation of which is specifically provided for by this Act.”

13. By adding the following as section 329 thereto:

“**329.**—(1) Notwithstanding anything in this or any other Statute contained to the contrary, the Council is hereby authorized and empowered in the year 1937 to deduct from the total amount required to be levied in the year 1937 for interest and sinking fund purposes on the total debenture indebtedness of the City an amount not exceeding \$600,000.00.

“(2) No member of the Council shall be liable or subject to any penalty, disqualification or personal liability by reason of the exercise of the powers by this section conferred.”

14. By adding the following as section 330 thereto:

“**330.** Notwithstanding the provisions of any Act to the contrary it is hereby declared that section 107 of *The Public Utilities Act, 1923*, being chapter 53 of the Statutes of Alberta, 1923, shall not apply to any arrangement regarding the extension, consolidation or refunding of the existing debenture indebtedness of the City of Calgary which may be the subject of an application for approval by the Board of Public Utility Commissioners of the Province of Alberta, pursuant to the provisions of the said Act, and the words or expression ‘surplus capital moneys of the local authority’ contained in paragraph (f) of section 103 of the said Act shall in so far as the said arrangement is concerned, include all moneys and securities in the possession and control of the Sinking Fund Trustees of the said City of Calgary.”

15. By adding the following as section 331 thereto:

“**331.** Notwithstanding anything contained in any other Act to the contrary the City of Calgary shall not be legally liable nor responsible to make provision for the relief, maintenance, care, hospitalization, medical aid or assistance of any person within the limits of the City of Calgary unless such person immediately prior to the date of application to the City for such relief, maintenance, care, hospitalization, medical aid or assistance, has been continuously residing within the City of Calgary for a period of two years with the intention of making his or her permanent home in Calgary, and has been self supporting entirely out of his or her own earnings, means or resources during such period. Provided, however, that if the City should for any reason furnish relief, maintenance, care, hospitalization, medical aid or assistance to any such person, then the cost thereof shall be chargeable to and collectable from the Municipality in which the person concerned was residing for a period of two years next prior to the date when such person last arrived in Calgary, and in cases where any such person had

not such required residence in any other municipality in Alberta, then the said costs will be chargeable to and paid by the Government of the Province of Alberta.”

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

THIRD SESSION
EIGHTH LEGISLATURE
1 GEORGE VI
1937

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.....

MR. BOWLEN.

EDMONTON:
A. Shnitka, King's Printer
1937