

BILL

No. 4 of 1942.

An Act to amend the Acts constituting the Edmonton Charter.

(Assented to _____, 1942.)

WHEREAS a petition has been prepared by the Council of the City of Edmonton for an amendment to the Acts constituting *The Edmonton Charter*;

And whereas, it is reasonable that the prayer of the said petition shall be granted.

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

The Edmonton Charter, being chapter 23 of the Statutes of Alberta, 1913 (First Session), as amended from time to time, is hereby further amended as follows:

1. As to section 70 thereof, by adding at the end thereof the following words, namely,—

“and the Council may by by-law provide that the said auditor or auditors shall during the course of each year examine, audit and report upon all books and accounts of: The Board of Directors of the Edmonton Exhibition Association Limited; The Edmonton Hospital Board; The Edmonton Library Board; The Local Board of Health of the City of Edmonton; The Town Planning Commission; The Stadium Commission; The Boxing Commission; and of every board, body, association, commission or organization to which the Council of the City of Edmonton has power to appoint representatives or members.”

2. As to section 89 thereof, by adding at the end thereof the words “or any duly qualified barrister or solicitor of the Supreme Court of Alberta.”

3. By adding thereto the following new section, namely:

“**124a.** Every elector shall for the purpose of voting be entitled to absent himself from any service or employment in which he is engaged or employed from the hour of four until the hour of six o'clock next thereafter on the day of polling, and such elector by reason of such absence for such purpose shall not be liable to any penalty or suffer or incur any reduction from the wages or compensation to which he would have been entitled but for such absence:

“Provided that this section shall not apply where an elector is permitted or allowed by his employer reasonable and sufficient opportunity to vote at any other period during the hours of polling.”

4. As to section 221, by adding thereto the following subsection:

“(19) The Council of the City is hereby authorized and empowered by by-law to prescribe and regulate the hours of the day during which milk and cream may be delivered by vendors to consumers within the city and/or the hours of the day during which the highways of the City may be used by any person for the retail delivery of milk and cream, or of any goods, wares, merchandise and effects of any kind.”

5. As to section 417a, as enacted by paragraph (1) of section 1 of chapter 69 of the Statutes of Alberta, 1929,—

- (a) By deleting paragraph (b) of section 5 of chapter 102 of the Statutes of Alberta, 1939.
- (b) By adding at the end thereof the words “and none of the provisions of *The Vehicles and Highway Traffic Act, 1941*, or any Act passed in amendment thereof or in substitution therefor shall apply to street railway cars or electric trolley buses used in connection with or forming part of the municipal railway system of the City.”

6. By adding thereto the following new section, namely:

“**359a.**—(1) The Council may by by-law provide that every person of the age of 21 years or over who resides in the City for a period of three months or more shall in the year 1942 and/or in each year thereafter pay to the city an annual tax (hereinafter sometimes referred to as the “Inhabitants Tax”) not exceeding the sum of \$10.00.

“(2) In any such by-law the Council shall have power,—

- “(a) to fix the date when the said tax shall become due and payable in each year;
- “(b) to require any employer to deduct the amount of such tax from the wages or salary of any employee liable for the payment of said tax and pay to the City the amount of such deduction;
- “(c) to exempt any class or classes of persons from liability for the payment of said tax;
- “(d) to determine the method of keeping the assessment rolls of the persons liable for payment of said tax and the giving of notices to such persons with regard to the said tax;
- “(e) to impose a penalty not exceeding \$100.00 exclusive of costs for breach of any provision of such by-law;

“(f) generally to include such other provisions as the Council may deem necessary to carry out the powers by this section granted.

“(3) The following persons are hereby exempted from liability for the payment of said tax:

“(a) any person whose income for the current year of the tax does not exceed \$500.00;

“(b) any person who is assessed for real property, business or householder's tax, except in any case where the Inhabitants Tax for the current year is in excess of the real property, business or householder's tax for that year, in which case the person concerned shall pay to the City the amount of such excess.

“(4) For the purpose of this section residence within the City shall mean residence therein for the said period of three months or more, (as the case may be), irrespective of whether the person concerned intends to reside in the city permanently or whether or not the said period of residence is wholly or in part only within the year in which the said tax becomes due.

“(5) The inhabitants tax may be recovered with costs by suit in the name of the City as an ordinary debt from any person liable to pay the same or may be recovered together with costs by distress and sale of any personal property belonging to such persons at any time after such tax becomes due and payable.

“(6) Section 9 of chapter 24 of the Statutes of Alberta, 1924, is hereby repealed.”

7. By adding thereto the following new section, namely:

“**417b.** Notwithstanding anything to the contrary contained in the said Charter or in any other Act, the Council is hereby authorized and empowered to enter into agreements with any person for the operation by such person of a passenger transportation service along any of the highways of the City, upon such terms and conditions as the Council may deem reasonable, including power to make payments or allowances to any such person in connection with such operation, (which payments or allowances shall not constitute the payment of a bonus within the meaning of the said Charter); and to prescribe that such passenger transportation service shall not form any part of the street railway system of the City; that no transfer privileges shall be permitted from any such passenger transportation service so established to the street railway system of the City; and that the City shall not be responsible for any negligence of any such person in the operation of the said passenger transportation service. Provided that any such agreement shall not be for a longer period than five years.”

8. By adding thereto the following new section, namely:

"422a. Whereas a serious transportation problem has been caused by the erection, establishment and operation of an aircraft repair depot and by the use of the Edmonton Airport as a training centre under the Commonwealth Air Training Plan; and

"Whereas it is desirable and expedient that special powers be granted to enable the Council to provide a special transportation service for said Aircraft Depot and Edmonton Airport to and from all parts of the City and to charge special fares for such service.

"Now therefore the Council of the City is hereby authorized and empowered to extend its existing street car system or to establish and operate a separate bus or other transportation system to and from said Aircraft Repair Depot and the Edmonton Airport to or from any part of the City and to charge such special passenger fares separate or different from and higher than the passenger fares charged in respect of the existing tramway or bus transportation system of the City as the Council may deem reasonable and proper and the charging of such special passenger fares shall not constitute a violation of the principle of 'the uniformity of passenger fares throughout the whole City' referred to in section 39 of chapter 52 of the Statutes of Alberta, 1918, or a violation of any of the provisions of the Edmonton-Strathcona Amalgamation Agreement."

9. As to section 522, by adding thereto the following subsection:

"(5) Enact that in case any person is convicted of an offence relating to any provision of any by-law of the City with respect to the use of a bicycle within the City, the Magistrate or Justice of the Peace so convicting may in addition to any penalty imposed in respect of any such offence order and direct the impounding by the police of the bicycle concerned in the commission of such offence for a period of time not exceeding 30 days."

10. As to subsection (d) of section 8 of chapter 65 of the Statutes of Alberta, 1930, by inserting the words "or business" between the words "residential" and "streets" wherever the said words "residential streets" occur therein.

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

SECOND SESSION
NINTH LEGISLATURE
6 GEORGE VI
1942

BILL

An Act to amend the Acts constituting the Edmonton Charter.

Received and read the

First time

Second time.....

Third time.....

MR. DUGGAN.

EDMONTON:
A. Shnitka, King's Printer
1942