



CHAPTER 87.

**An Act to provide for the Incorporation of
The Corporation of the City of White Rock.**

[Assented to 28th March, 1957.]

Preamble.

WHEREAS a referendum was held of the persons entitled to vote in the District of Surrey on the fifteenth day of December, 1956, to ascertain whether a majority of the persons voting on the said referendum were in favour of the incorporation of the City of White Rock, consisting of that area of the District of Surrey as referred to in the said referendum:

And whereas a majority of the persons voting on the said referendum voted in favour of the incorporation of the said area as the City of White Rock:

And whereas a petition has been presented to the Minister of Municipal Affairs praying for incorporation of the area referred to in the said petition, and which petition is signed by persons owning and representing real property greater than fifty per centum of the assessed value in the area referred to in the said petition:

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

Short title.

1. This Act may be cited as the "White Rock Incorporation Act."

Definitions.

2. In this Act:—

"Old municipality" means The Corporation of the District of Surrey;

"Minister" means the Minister of Municipal Affairs;

"New municipality" means The Corporation of the City of White Rock.

Power to incorporate.

3. The Lieutenant-Governor in Council, by Letters Patent under the Great Seal, may, in accordance with this Act, incorporate into a city

municipality, under the name of "The Corporation of the City of White Rock," the area described as follows: Commencing at the south-west corner of the South-east Quarter of Section 11, Township 1, west of the Coast meridian, New Westminster District; thence easterly and northerly along the southerly and easterly boundaries of said Section 11, Township 1, to the north-east corner thereof; thence westerly along the northerly boundaries of Sections 11, 10, and 9 of said Township 1 to the north-west corner of said Section 9; thence southerly along the westerly boundary of said Section 9, Township 1, to the south-west corner thereof, being a point on the northerly high-water mark of Semiahmoo Bay; thence due south to the 49th parallel of north latitude; thence easterly along the said 49th parallel of north latitude to a point due south of the aforesaid south-west corner of the South-east Quarter of Section 11, Township 1; thence north to the said south-west corner of the South-east Quarter of Section 11, Township 1, being the point of commencement.

Application to old
municipality

4. Concurrent with the issuance of Letters Patent for the incorporation of the new municipality, the Lieutenant-Governor in Council may issue amended Letters Patent redefining the boundaries of the old municipality.

Application to new
municipality

5. The Letters Patent for the new municipality shall specify all matters referred to in section 7 of the "Municipalities Incorporation Act"

Assessment roll

6 The Letters Patent may make provision for:—

- (a) Establishing or preparing an assessment roll for the then current year for the new municipality and also for the old municipality, and for such purpose dividing the current assessment roll of the old municipality:
- (b) Requiring the old municipality to pay over to the new municipality such portion of the applicable taxes collected, or to be collected in the then current year, as a Board of Arbitration may determine under section 7.

"Arbitration Act."

7. The old municipality and the new municipality shall, on or before a date to be fixed by the Minister, submit to arbitration, under the provisions of the "Arbitration Act," the matters to be settled by arbitration under this Act, and all other disputes between the old municipality and the new municipality arising out of the incorporation of the new municipality shall forthwith be referred to arbitration under the "Arbitration Act."

Method of
apportionment

8. The liabilities and assets of the old municipality shall be apportioned between the old municipality and the new municipality at the values and on the bases set by a Board of Arbitration to be appointed under the "Arbitration Act."

Payment.

9. The share or portion of the credits and assets of the old municipality determined pursuant to section 8 as being that share or portion belonging to the new municipality shall be paid or transferred to the new municipality, as follows:—

- (a) Fifty per centum of the said share or portion on or before a date to be fixed by the Minister:
- (b) Fifty per centum of the said share or portion within a period of twelve months from the date fixed pursuant to clause (a), with interest at the rate of four per centum per annum calculated from that date.

Superannuation.

10. Upon receipt of such share or portion of the total credits and assets, the new municipality shall pay to the Municipal Superannuation Commissioner such sum as shall be calculated as the liability of the new municipality under the "Municipal Superannuation Act." Payment shall be made to the Commissioner within thirty days of the date fixed pursuant to clause (a) of section 9.

Vesting of lands

11. All taxes due and unpaid on the thirty-first day of December of the year in which the new municipality is incorporated in respect of lands heretofore in the old municipality but to be included by this Act and Letters Patent in the new municipality are hereby vested in the new municipality, and the new municipality shall have all rights, powers, and privileges formerly vested in the old municipality to collect the said taxes by sale of the lands liable therefor or otherwise.

Debenture indebtedness.

12. In respect of the outstanding debenture indebtedness of The Corporation of the District of Surrey, the new municipality shall undertake and be responsible for the payment of such portion or percentage as shall be determined by the Board of Arbitration. Payments of the principal so determined, together with the interest thereon, shall, not later than thirty days prior to the due date, be paid by the new municipality to the old municipality.

School debentures.

13. In respect of the outstanding debenture indebtedness of The Corporation of the District of Surrey in respect of debentures heretofore issued for school purposes, the new and old municipalities shall bear the annual charges for principal and interest of the said debentures for which the old municipality is liable and for any non-recoverable amount which the old municipality may be required to pay till the said debentures are retired in proportion and in the same proportion as their future annual respective requisitions for ordinary school purposes.

Joint and several liability.

14. Notwithstanding anything herein contained, each of the said municipalities shall remain jointly and severally liable for the debts and liabilities of the old municipality incurred on or before the date when the Letters Patent shall be issued; said liability shall continue until the aforementioned debts and liabilities have been fully paid and satisfied.

Not affecting existing agreement.

15. Notwithstanding any provision in any other Act contained, neither the passing of this Act nor any matter contained herein shall enlarge, impair, or in any way affect the provisions of any contract or agreement heretofore entered into by The Corporation of the District of Surrey with any persons or body corporate; and so far as such contract or agreement affects The Corporation of the City of White Rock, the new municipality shall have all the rights, remedies, and powers, and be subject to the same liabilities and obligations, as The Corporation of the District of Surrey could have had or be subject to had this Act not been passed.

Borrowing in anticipation of revenues.

16. The Council of the new municipality may, by by-law not requiring consent of the electors, at any time in the year in which it is incorporated, incur liabilities by borrowing such sum or sums of money, not exceeding in the whole two hundred thousand dollars, as may be required for the purpose of carrying on the business of the new municipality for the current year until the revenues for the year are available for that purpose, and any liability so incurred shall be repaid out of the revenues for that year.

Borrowing power.

17. For the purposes of computing borrowing power, it shall be deemed to be full compliance with the requirements of the "Municipal Act" in respect of the assessed value for municipal purposes of the taxable real property if the said value for the three years immediately preceding the year of incorporation of the new municipality is:—

- (a) For the new municipality, the value appearing upon the real-property assessment rolls of the old municipality in respect of such real property contained within the area of the new municipality; and
- (b) For the old municipality, the value appearing upon the said rolls less the amounts so apportioned to the new municipality,—

as certified by the Assessor of the old municipality for the respective years.

Old by-laws valid

18. All the by-laws of The Corporation of the District of Surrey which are valid and subsisting at the date of the issuance of Letters Patent shall be deemed to be the by-laws of the new municipality, and shall continue in full force and effect if not inconsistent with the "Municipal Act" until repealed or amended by the new municipality.

Access to documents.

19. The new municipality, by its Mayor, Aldermen, officers, or agents, shall have access at all reasonable hours to all books, maps, plans, deeds, by-laws, and documents in possession of the old municipality relating to or concerning the new municipality, together with the right to take copies of or extracts from any of them.

Date when powers
of old municipality
cease.

20. Except as otherwise provided in this Act, all the rights, powers, and privileges of the old municipality over the new municipality and the area thereof shall cease as at the date Letters Patent are issued, and said rights, powers, and privileges shall vest in the new municipality thereafter.

Cost of apportion-
ment and Act.

21. The Council of the new municipality shall pay out of its revenues for general purposes all costs, charges, and expenses incurred in and about the incorporation of the new municipality, including the expenses of preparing this Act and the expenses of the Board of Arbitration.

Application of Acts
relating to city
municipalities.

22. All the provisions of the "Municipal Act" and any other Statutes and laws applicable to city municipalities shall apply to The Corporation of the City of White Rock, except as otherwise provided by this Act.

23. The Lieutenant-Governor in Council shall have power to issue such supplementary Letters Patent and such regulations and Orders in Council, not inconsistent with the provisions of this Act, as may be deemed necessary to carry out its true intent and purpose.

VICTORIA, B.C.

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