

CHAPTER 60

1956, c. 59;
1959, c. 101;
1960, c. 71;
1963, c. 42.

**An Act to Amend the Greater Vancouver Sewerage
and Drainage District Act**

[Assented to 26th March, 1965.]

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 *Greater Vancouver Sewerage and Drainage District Act Amendment Act, 1965*.

Amends s. 7.

2. (1) Subsection (1) of section 7 of the *Greater Vancouver Sewerage and Drainage District Act*, being chapter 59 of the Statutes of 1956, as amended by chapter 101 of the Statutes of 1959, is repealed and the following substituted:—

"7. (1) The Corporation has all the rights and is subject to all the liabilities of a corporation and

"(a) may sue and be sued;

"(b) may acquire, hold, and use any property of any nature whatsoever within or without its area for any of the purposes of its objects;

"(c) may from time to time alienate any of its assets that in the opinion of the Corporation are no longer necessary or advantageous for its purposes; but before alienating for reasons aforesaid any asset comprising land, the Corporation shall first obtain the approval of the Minister of Municipal Affairs;

"(d) may enter into agreements or contracts with any person;

"(e) may exercise, carry out, fulfil, and give effect to all the powers, rights, duties, and obligations in and conferred by this Act expressly or by necessary implication or intendment; and

"(f) may generally, in nowise limited by the foregoing, do all things necessary to attain the objects of the Corporation."

(2) Section 7 is further amended by inserting the following as subsection (1a):—

"(a) Section 48 does not apply with respect to assets alienated under subsection (1)."

(3) Subsection (3) of section 7 is amended by inserting after the words "*Municipal Act*" in the seventh line the words "or the *Vancouver Charter*, as the case may be", so that the subsection shall read as follows:—

"(3) Each member municipality shall, in addition to its other powers, have the power to request the Corporation to finance, design, and construct sewerage and drainage facilities in the whole or any specified area of the municipality for the municipality at the sole and exclusive cost of the municipality, and the Council of such municipality may by by-law, with the assent of the owner-electors of the municipality obtained in accordance with the procedures set forth in the *Municipal Act* or the *Vancouver Charter*, as the case may be, cause such municipality to enter into an agreement with the Corporation for such purpose, providing, inter alia, that the financial obligation which the Corporation shall incur, whether for principal, interest, or otherwise, by reason of its financing, designing, and constructing any such facility shall be a liability of such municipality, and shall be money due and payable by such municipality to the Corporation under or pursuant to this Act during a period not exceeding thirty years, and the municipality shall raise the moneys to pay the said liability by levying rates upon the lands or lands and improvements within the municipality or the specified area thereof or in some other manner authorized by law. 'Owner-electors' as used in this subsection shall have the same meaning as the word is given by the *Municipal Act* or the *Vancouver Charter*, as the case may be."

Amends s 8.

3. Section 8 is amended by striking out subsection (4) and substituting the following:—

"(4) If, because of illness, absence, or any other reason, any such representative is unable to attend a meeting of the Board, the Council of a member municipality may, by resolution, a certified copy of which shall be delivered to the Secretary, appoint another representative, or, failing such appointment, the Mayor, Acting Mayor, Reeve, or Acting Reeve may, by notice in writing to the Secretary, appoint another representative, who, upon demand of the chairman of the meeting, shall present appropriate credentials."

Amends s 12

4 Section 12 is amended

(a) by inserting after the words "consent of" in the first line the words "not less than two-thirds of"; and

(b) by striking out the word "all" from the first line,

so that the section shall read as follows:—

"12. With the consent of not less than two-thirds of its members, an emergency meeting of the Board may be called in the manner prescribed by section 11 on less than two days' notice."

Amends s 20

5 Section 20 is amended by inserting after the word "Commissioner" in the fourth line the words ", or, during the absence or disability of the Commissioner, some other servant of the Corporation appointed by the Board for that purpose," so that the section shall read as follows:—

"20. Except as herein otherwise particularly provided, all funds belonging to or received by the Corporation shall be deposited to its credit in a chartered bank of Canada, and may be drawn upon by cheque of the Corporation signed by the Commissioner, or, during the absence or disability of the Commissioner, some other servant of the Corporation appointed by the Board for that purpose, or the Secretary or Assistant Secretary and the Treasurer or Assistant Treasurer."

Amends s. 24. **6.** Section 24 is amended by adding thereto the words "or the exercise of its powers", so that the section shall read as follows:—

"24. The Corporation shall have power, within or without its area, at any time to enter upon any lands, streets, waters, or watercourses, without the consent of the owner thereof, for the purpose of making surveys and other examinations to determine whether or not the same are required in the carrying-out of its objects or the exercise of its powers."

Re-enacts s. 37. **7.** Section 37 is repealed and the following substituted:—

"37. All debentures and other securities duly authorized to be issued by the Corporation shall, unless otherwise specially authorized or provided, be sealed with the seal of the Corporation and signed by the Chairman of the Board or a Commissioner. The signature of the Chairman or Commissioner may be engraved, lithographed, or otherwise mechanically reproduced on all the debentures and other securities, and the engraved, lithographed, or otherwise mechanically reproduced signature shall be deemed for all purposes the signature of the Chairman or Commissioner, as the case may be, and is binding upon the Corporation. Each debenture and other security shall be signed also by the Treasurer, Assistant Treasurer, Acting Treasurer, or some other person authorized by by-law to sign the same. Each coupon attached to a debenture or other security shall bear the signatures of the Chairman or a Commissioner and the Treasurer, Assistant Treasurer, Acting Treasurer, or some other person authorized by by-law to sign the same, and the signature of any such officer or other person, whether or not he has signed the debenture or other security to which the coupon is attached, may be engraved, lithographed, or otherwise mechanically reproduced on the coupons, and the engraved, lithographed, or otherwise mechanically reproduced signature shall be deemed for all purposes to be the signature of the officer or other person and is binding upon the Corporation."

Enacts s. 62A. **8.** The Act is further amended by inserting the following as section 62A:—

"62A. Unless the context otherwise requires, words directing or empowering any officer or functionary of the Corporation to do any

act or thing or otherwise applying to him by his name of office include his successors in such office."

Enacts s. 68A. 9. The Act is further amended by inserting the following as section 68A:—

"68A. When the Corporation acquires any estate or interest in land less than the fee-simple, including rights-of-way, that were or are granted or created by Her Majesty the Queen in right of the Province or of Canada, or by any public officer or public corporate body or department of government of the Province or Canada under any Statute or regulation, the documents effecting the acquisition shall be transmitted to the proper Land Registry Office; and when the documents are received, the Registrar of Titles

"(a) shall enter Her Majesty the Queen in right of the Province or in right of Canada, as the case may be, in the register as the owner of the land described in the documents; and,

"(b) upon application being made by the Corporation for the registration of the Corporation's title to the estate or interest in land, and upon compliance with the *Land Registry Act* and this section, shall register the title by endorsing a memorandum thereof on the register."

Retroactive effect.

10. Section 2 is retroactive to the extent necessary to give full force and effect to the provisions of section 7 of the *Greater Vancouver Sewerage and Drainage District Act*, as re-enacted by this Act, with respect to alienation of assets before the coming into force of this Act.