



CHAPTER 70.

An Act to amend the "Vancouver Charter."

1953, c. 55; 1953 (2nd
Sess.), c. 47; 1954, c. 65;
1955, c. 114

[Assented to 2nd March, 1956.]

Preamble

WHEREAS the City of Vancouver has presented a petition praying that the "Vancouver Charter" be amended:

And whereas it is expedient to grant the prayer of 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 "Vancouver Charter Amendment Act, 1956."

Amends s. 2.

2. Section 2 of the "Vancouver Charter," being chapter 55 of the Statutes of 1953, is amended by striking out the words "Park Commissioners" in the fourth line of the definition of "other administrative body," and substituting "Parks and Public Recreation."

Amends s. 179.

3. Section 179 is amended by striking out the words "Park Commissioners" in the third line, and substituting "Parks and Public Recreation."

Re enacts s. 181

4. Section 181 is repealed, and the following is substituted:—

"181. (1) Where a dispute, as defined by the 'Labour Relations Act,' arises:—

"(a) Between a trade-union acting for the members of the Fire Department and the city as represented by the Council; or

"(b) Between a trade-union acting for the members of the Police Force and the city as represented by the Board of Police Commissioners;

and where a Conciliation Board has been appointed to deal with such dispute, and where the constitution of the trade-union which is a party to the dispute contains a provision prohibiting a strike by its members,

the recommendation of the Conciliation Board with respect to the matters in dispute shall be deemed to be an award pursuant to a reference under the 'Arbitration Act.'

"(2) If there is any doubt as to whether any matter in dispute between the parties comes within the exclusive jurisdiction of the Board of Police Commissioners by virtue of the provisions of section 463 of this Act, either party may, at any time after such doubt has arisen, apply summarily to a Supreme Court Judge, whose opinion on any such matter shall be binding on the parties. No costs shall be awarded on any such application."

Amends s. 182

5. Section 182 is amended by striking out the words "'Industrial Conciliation and Arbitration Act'" in the third line, and substituting "'Labour Relations Act.'"

Enacts s. 204A.

6. The said Charter is amended by inserting the following as section 204A:—

"204A. The Council may provide for the appointment of a board or commission, and may delegate to such board or commission such powers as may be deemed reasonable and necessary for the efficient operation and management of any public auditorium established pursuant to the provisions of section 204."

Amends s. 245.

7. Section 245 is amended by striking out the words "by the issue of debentures, sums not in the aggregate to exceed the designated sum" in the fifth and sixth lines of subsection (2), and substituting "money, by the issue of debentures in an aggregate principal amount not exceeding the designated sum."

Re enacts s. 332.

8. Section 332 is repealed, and the following is substituted:—

"332. Notwithstanding that a person may have acquired the right to make use of a grave or a plot comprising a number of graves in such a cemetery for the interment of the dead, the Council may make application to the Provincial Secretary that such right be revoked. If upon such application the City furnishes proof to the Provincial Secretary:—

"(a) That no interment has been made in a grave, whether that grave forms part of a plot or otherwise; and

"(b) That, after reasonable search, such person or his personal representative cannot be found,—

the Provincial Secretary may direct that the right to such grave be revoked, and thereupon the city may deal with the same as if the said right had never been granted. The person or his personal representative shall be entitled to be reimbursed upon proof that he is entitled thereto."

Amends s. 396.

9. Section 396 is amended by striking out paragraph (iv) of clause (c), and substituting the following:—

"(iv) Of which a religious organization, either directly or through trustees therefor, is the registered owner, or owner under agreement, and which is set apart and in use for the

public worship of God: Provided, however, that the exemption by this clause conferred shall not be lost by reason of the use of the church property for any of the purposes hereinafter set out if it is so provided by by-law:—

“The use of the church property by a government, notwithstanding that a fee is paid for such use:

“The use of the church property for the free instruction of children under school age without charge or rental for such use:

“The use of the church property for the purpose of teaching organ or choral music, notwithstanding that a fee is charged therefor:

“The use of the church property for the holding of organ recitals, notwithstanding that the recitalist receives a fee therefor.”

Re-enacts s. 455.

10. Section 455 is repealed, and the following is substituted:—

“455. (1) There shall be a Police Department of the city administered by the Board of Police Commissioners.

“(2) The Board shall consist of the Mayor as Chairman and three others to be appointed by the Lieutenant-Governor in Council.

“(3) The appointed members of the Board shall be appointed for two-, three-, and four-year terms respectively in the first instance, and thereafter all appointments shall be for a term of four years.

“(4) The appointed members shall be eligible for reappointment.

“(5) During any period when there is an Acting-Mayor, he shall be Chairman of the Board in place of the Mayor, and when any other member of the Board is unable to act, the Lieutenant-Governor in Council may, if he thinks necessary, appoint some other person to act during such inability.

“(6) The Chairman and two other members of the Board shall form a quorum.

“(7) In case of a tie vote, the Chairman shall have a second or casting vote.”

Re-enacts s. 460.

11. Section 460 is repealed, and the following is substituted:—

“460. The Board may delegate to the Chief Constable such disciplinary powers (including the right to suspend any member of the force or special constable) as in the discretion of the Board seem reasonable, and the Chief Constable may in turn delegate any of such disciplinary powers as he thinks fit.”

Amends s. 465.

12. Section 465 is amended by striking out the words “six months” in the third line, and substituting “one year.”

Re-enacts s. 485.

13. Section 485 is repealed, and the following is substituted:—

“485. A board of commissioners, to be known as the ‘Board of Parks and Public Recreation’ or ‘Park Board,’ shall be elected as here-

inafter provided, and shall consist of seven members or such other number as the Council may by by-law prescribe."

Amends s 508.

14. Section 508 is amended by striking out the words "City Treasurer" in the tenth line of clause (r), and substituting "Collector of Taxes."

Amends s 562.

15. Section 562 is amended by striking out the word and figures "section 283" in the second line, and substituting "sections 174 and 283."

VICTORIA, B C

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