



CHAPTER 95.

An Act to amend the "Vancouver Incorporation
Act, 1921."*[Assented to 30th March, 1950.]*

Preamble.

WHEREAS a petition has been presented by the City of Vancouver praying that the "Vancouver Incorporation Act, 1921," be amended:

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 British Columbia, enacts as follows:—

Short title.

1. This Act may be cited as the "Vancouver Incorporation Act, 1921, Amendment Act, 1950."

Amends s. 4.

2. Section 4 of the "Vancouver Incorporation Act, 1921," being chapter 55 of the Statutes of British Columbia, 1921 (Second Session), as enacted by section 2 of the "Vancouver Incorporation Act, 1921, Amendment Act, 1928," and as amended by section 2 of the "Vancouver Incorporation Act, 1921, Amendment Act, 1941-42," is amended by inserting the following after the figures "(2027)" in the sixteenth line of said last-mentioned section 2: "to intersection with the line perpendicular to the westerly boundary of the said District Lot Two thousand and twenty-seven (2027) from the south-west corner of Block Eighteen (18) therein; thence westerly, at right angles to the said westerly boundary of District Lot Two thousand and twenty-seven (2027), a distance of four hundred and ten (410) feet; thence northerly, parallel to the said westerly boundary of District Lot two thousand and twenty-seven (2027), a distance of

six hundred and sixty-seven and seven-tenths (667.7) feet, more or less; thence easterly along the arc of a circular curve to the right, having a radius of one thousand four hundred and fifty (1,450) feet, a distance of three hundred and eighty-one and four-tenths (381.4) feet, more or less, to a point of tangency to and on the production westerly of the line perpendicular to the aforesaid westerly boundary of District Lot Two thousand and twenty-seven (2027) from the north-west corner of Block Nineteen (19) therein, which point is situate sixty-six (66) feet westerly along the said perpendicular line from the said corner of Block Nineteen (19); thence easterly along the aforesaid line to intersection of the same with a line drawn parallel to and thirty-three (33) feet perpendicularly distant westerly from the westerly boundary of District Lot Two thousand and twenty-seven (2027); thence northerly and parallel to the said westerly boundary of District Lot Two thousand and twenty-seven (2027)."

Re-enacts subsec.
(306), s. 163.

3. Subsection (306) of said section 163 is repealed, and the following substituted therefor:—

"(306) For imposing as a penalty a percentage charge or charges not exceeding ten per centum on the amount of the current year's taxes remaining unpaid on each parcel of rateable property upon the Collector's roll after a certain time or times to be named in the by-law in an amount or amounts to be fixed therein. The percentage charge or charges so imposed, together with the said unpaid taxes, shall be deemed to be taxes of the then current year with respect to each such parcel of rateable property."

Amends s. 225.

4. Section 225, as re-enacted by section 21 of the "Vancouver Incorporation Act, 1921, Amendment Act, 1928," is amended by adding thereto the following as subsections (4), (5), and (6):—

"(4) The special rate provided for in this section may be levied according to the frontage of the rateable property or according to the assessed value thereof as the Council may decide, and notwithstanding that a special rate has been levied according to the assessed value for any work or service undertaken pursuant to this section, a special rate may be levied according to the frontage for the remaining yearly levies, and the Council may amend any by-law authorizing such work or service accordingly.

"(5) In any by-law passed pursuant to this section levying a special rate according to the frontage, allowance may be made in any assessment for corner lots, triangular or irregularly

shaped parcels of land, and parcels comprising a railway right-of-way, having due regard to the situation, value, and superficial area of such lots or parcels as compared with adjoining lots and parcels of land assessable for such works or services, and the Council may charge the amount of any allowance made on any such lot or parcel of land on the other rateable property in the defined portion or portions, or may assume the same and provide for payment thereof out of funds raised by general debentures or out of the general revenue of the city.

"(6) From any such assessment referred to in subsection (5) there shall be the right of appeal to the Council and from the Council to a Judge of the Supreme Court: Provided that the appeal to the Council shall be brought within one year of the final passing of such by-law, and the appeal to the said Judge shall be brought within fourteen days of the decision of the Council. Service of written notice of appeal on the City Clerk shall be deemed to be the bringing of an appeal. The said Judge may make such order in respect of such assessment and as to costs as he may deem advisable and equitable."

Amends s. 326.

5. Section 326, as re-enacted by section 15 of the "Vancouver Incorporation Act, 1921, Amendment Act, 1945," is amended by striking out the words and figures "except section 264, sections 426 to 430, and sections 494 and 495" in the third and fourth lines, and substituting therefor "except section 283, sections 450 to 453, and sections 524 and 525."

Enacts s. 328s.

6. Said chapter 55 is further amended by inserting therein the following as section 328s:—

"328s. (1) Notwithstanding the provisions of the 'Summary Convictions Act' or any other Act, it shall be lawful for any police constable who believes that any person has, within the city, offended against:—

"(a) Any provision of any by-law dealing with street traffic; or

"(b) Any motor-traffic regulation contained in the 'Motor-vehicle Act,' or the regulations made thereunder,—

without immediately swearing to an information charging such person with the offence, to sign and deliver to him or leave in or on the motor-vehicle in respect of which the offence is alleged a written notice describing the offence in general terms and:—

"(i) Requiring him to appear before the Police Magistrate or any Deputy Police Magistrate in and for the City of Vancouver with respect to the alleged offence at the time and place set out in the notice; and

"(ii) Notifying him that if he is guilty of such offence he may alternatively attend voluntarily before the Justice of the Peace as directed in the notice and plead guilty and pay any fine that may be imposed.

"(2) The delivery of the notice to such person by the police constable shall be deemed to be the service of a summons, charging such person with the offence described in the notice, returnable before the Police Magistrate or any Deputy Police Magistrate in and for the City of Vancouver at the time and place set out in the notice.

"(3) If a person to whom such notice is delivered, or in or on whose motor-vehicle such notice has been left, attends voluntarily before the Justice of the Peace as directed in the notice and having pleaded guilty to the offence described in the notice, pays any fine that may be imposed, the Justice of the Peace shall cause a record thereof to be kept, and such person shall be deemed to be convicted of the said offence, although no conviction need be drawn up or entered by the Justice of the Peace. Upon such a conviction, no further proceedings shall be taken in respect of the same offence."

VICTORIA, B. C. :

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