



## CHAPTER 59.

## An Act to amend the "Vancouver Incorporation Act, 1900."

1900, c. 54; 1904, c. 62; 1906, c. 68; 1907, c. 61; 1909, c. 63, 1910 c. 79; 1911, c. 75

[27th February, 1912.]

**WHEREAS** a petition has been presented by the City of Vancouver praying that the "Vancouver Incorporation Act, 1900," 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:—

1. This Act may be cited as the "Vancouver Incorporation Act, short title 1900, Amendment Act, 1912."

2. Section 73 of the "Vancouver Incorporation Act, 1900" (hereinafter called "the principal Act"), is amended by striking out the words "either in his own right or in the right of his wife" in the fifth and sixth lines thereof.

Amends s. 73 of principal Act

3. Section 105 of the principal Act as amended is further amended by inserting at the commencement thereof the words and figures "Subject to the provisions of section 105A hereof."

Amends s. 105 of principal Act

4. The principal Act is amended by adding after section 105 thereof the following section 105A:—

Adds s. 105A to principal Act

"105A. From and during the years 1912 until and during the year 1919 the Council shall, save as hereinafter in this section set out, reserve and set aside its borrowing-powers provided by section 105 hereof as amended to the extent and in the manner following, that is to say: The Council shall not during any of the years 1912 to

Reservation of borrowing powers

1919, inclusive, contract debts by borrowing money, or otherwise, to any amount exceeding in the aggregate the amount hereunder set opposite such year, that is to say:—

“ In the year 1912. . \$ 500,000 less than the amount in the aggregate to which by section 105 hereof (as amended prior to the passing of this section) the Council is empowered to so contract debts in said year 1912:

“ In the year 1913. . \$1,000,000 less than the amount in the aggregate to which by section 105 hereof (as amended prior to the passing of this section) the Council is empowered to so contract debts in said year 1913:

“ In the year 1914. . \$1,500,000 less than the amount in the aggregate to which by section 105 hereof (as amended prior to the passing of this section) the Council is empowered to so contract debts in said year 1914:

“ In the year 1915. . \$2,000,000 less than the amount in the aggregate to which by section 105 hereof (as amended prior to the passing of this section) the Council is empowered to so contract debts in said year 1915:

“ In the year 1916. . \$2,500,000 less than the amount in the aggregate to which by section 105 hereof (as amended prior to the passing of this section) the Council is empowered to so contract debts in said year 1916:

“ In the year 1917. . \$3,000,000 less than the amount in the aggregate to which by section 105 hereof (as amended prior to the passing of this section) the Council is empowered to so contract debts in said year 1917:

“ In the year 1918. . \$3,500,000 less than the amount in the aggregate to which by section 105 hereof (as amended prior to the passing of this section) the Council is empowered to so contract debts in said year 1918:

“ In the year 1919. . \$4,000,000 less than the amount in the aggregate to which by section 105 hereof (as amended prior to the passing of this section) the Council is empowered to so contract debts in said year 1919:

“ Provided, however, that, in case the city shall not on or before the eleventh day of August, 1918, have given notice to the British Columbia Electric Railway Company, Limited (pursuant to clause numbered 34 of the agreement dated October fourteenth, 1901, made

by and between the city and the British Columbia Electric Railway Company, Limited), of the intention of the city to assume the ownership of the railway-lines and property of such company, and to exercise the rights and powers in such clause numbered 34 contained, then and in such case the Council shall, notwithstanding anything in this section contained, from and after the eleventh day of August, 1918, have the right to exercise all the borrowing-powers and powers of contracting debts in section 105 hereof (as amended prior to the passing of this section) contained."

5. Subsection (15) of section 125 of the principal Act is amended by adding at the end thereof the following words:—

Amends subsec  
(15), s 125

"Provided further that no by-law shall hereafter be finally passed granting or bestowing any right, privilege, franchise, or permission for any of the purposes in this subsection set forth, or extending the time for which any such right, privilege, franchise, or permission has heretofore been granted or bestowed, unless and until such by-law has first been submitted to and received the assent of the electors of the city entitled to vote on money by laws in manner provided by and under and in accordance with the provisions of section 103 of this Act as amended."

6. Section 125 of the principal Act as amended is further amended by adding after subsection (18) thereof the following subsection (18a):—

"(18a.) To regulate and inspect and authorize the regulation and inspection of freight and passenger elevators and gasoline plants and other plants and installations for lighting, otherwise than by electricity, the interiors of buildings, and to levy and collect charges for such inspection and regulation."

Elevators and  
lighting plants

7. Subsection (18) of section 125 of the principal Act is amended by inserting between the words "and" and "in," in the thirteenth line thereof, the words "the Council may by such by-law or resolution order that"; and by striking out the words "to order that" in the fifteenth line thereof.

Amends s 125  
subsec (18), of  
principal Act

8. Subsection (104) of section 125 of the principal Act is amended by inserting after the word "amusement," in the seventh line thereof, the words "and for regulating and licensing persons, firms, and corporations owning, keeping, or maintaining any such exhibitions of common showmen, waxworks, menageries, circus, hippodrome, boxing, sparring, theatrical exhibitions, exhibitions of any natural or artificial curiosities, and shows of any kind, and buildings, skating-rinks, and other places of like amusement."

Amends subsec  
(104), s 125

9. Section 125 of the principal Act is amended by adding after subsection (117) the following new subsection (117a) :—

Licensing baths,  
etc.

"(117a.) For the licensing and regulating of bath and massage parlours and establishments, and persons, firms, and corporations owning, maintaining, conducting, or carrying on same."

Amends s. 125,  
subsec. (118), of  
principal Act.

10. Subsection (118) of section 125 of the principal Act is amended by inserting after the word "shops," in the second line thereof, the words "and persons, firms, or corporations owning, keeping, or maintaining such stores or shops."

Repeals s. 125, sub-  
secs. (60) and (212),  
and enacts new  
subsection.

11. Section 125 of the principal Act as amended is further amended by striking out subsections (60) as amended and (212), and inserting in lieu thereof as subsection (212) the following:—

"(212.) For regulating the interment, exhumation, embalming, and cremating of the dead, and for prohibiting any such interment, exhumation, embalming, and cremating except in such places and under such conditions as the by-law or by-laws may authorize."

Amends s. 125, sub-  
sec. (224), of prin-  
cipal Act.

12. Subsection (224) of section 125 of the principal Act is amended by striking out therefrom the word "four," and substituting in lieu thereof the word "twelve."

Repeals s. 143 of  
principal Act.

13. Section 143 of the principal Act is hereby repealed.

Amends s. 11, sub-  
sec. (7), 1904.

14. Subsection (7) of section 11 of the "Vancouver Incorporation Act, 1900, Amendment Act, 1904," is amended by adding thereto the following:—

"Provided that the Board shall, on or before the first day of February in each year, prepare and lay before the Council a detailed estimate of the sums required by the Board for the purpose of such payment of such remuneration, and provisions of such clothing, accoutrements, and necessities for the accommodation and use of the force for the current year."

15. Subsection (f) enacted by section 3 of the "Vancouver Incorporation Act, 1900, Amendment Act, 1906," is hereby repealed, and the following enacted in lieu thereof, as section 70 of the principal Act:—

Council to provide  
by-law for sale of  
land for taxes.

"70. The Council may, by by-law, provide for, make regulations, and authorize the sale at public auction of any land, or improvements, or real property upon which there shall be at the time of passing of such by-law unpaid taxes in arrears for the period of two years prior to the passing of such by-law:

Treasurer selling to  
give purchaser a  
certificate of land  
sold.

"(a.) The Treasurer shall, subject to the provisions and regulations and conditions of sale of any by-law passed under

authority of this section, after selling any real property, give a certificate under his hand to the purchaser, stating distinctly what part or proportion have been so sold, or stating that the whole lot, section, or estate has been sold, and describing the same; and also stating the quantity of real property, the sum for which it has been sold, and the expenses of the sale; and further stating that a deed conveying the same to the purchaser or his assigns, according to the nature of the estate or interest sold, will be executed, on his or their demand, at any time after the expiration of one year from the day on which an order may be made by a Judge of the Supreme Court confirming the sale, if the real property be not previously redeemed, upon payment of a fee hereinafter provided; and such order shall be made upon petition of the Treasurer, on proof being made to the satisfaction of the Judge that notice of sale having been made, and of the consequences thereof, in writing or partly in print and partly in writing, signed by the Treasurer, has been served on the person, or if more than one, then on each of the persons, who at the time of the service thereof appeared on the register in the Land Registry Office of the district in which the real property is situated as owner or the holder of a registered charge on the real property, or that substituted service has been effected in such manner as any such Judge may have directed. The purchaser shall, on the receipt of the Treasurer's certificate of sale, become the owner of the real property so far as to have all necessary rights of action or powers for protecting the same from spoliation and waste, until the expiration of the term during which the property may be redeemed; but he shall not knowingly permit any person to cut timber growing upon the land:

- “(b.) The owner of any real property which may hereafter be sold for non-payment of arrears of taxes, or his heirs, executors, administrators, or assigns, or any other person in his or their behalf, may at any time within one year from the day on which the order referred to in the preceding subsection of this Act confirming the sale is made, exclusive of that day, or before the delivery of the conveyance to the purchaser at the tax sale, redeem the estate sold by paying or tendering to the Treasurer for the use and benefit of the purchaser or his legal representatives the sum paid by him, together with interest thereon at the rate of six per cent. per annum; and the Treasurer shall give the party paying such redemption money a receipt stating the sum paid and the object of such pay-

Owners of real property sold for taxes may redeem within one year by paying purchase money

ment, and such receipt shall be evidence of the redemption. From the time of a tender to the Treasurer of the full amount of redemption money required by this Act, the said purchaser shall cease to have any further right in or to the real property in question:

Deed of sale if not redeemed

"(c.) If the real property be not redeemed within the period so allowed, then on demand of the purchaser or his assigns or other legal representatives at any time afterwards, and on payment of one dollar, the Clerk shall prepare and execute with the Mayor, and deliver to such purchaser or his assigns or legal representatives, a deed of the said real property:

Effect of such deed.

"(d.) The deed to the purchaser of any real property sold under the provisions of any by-law passed under the authority of this Act shall have the effect of vesting such real property in the purchaser, his heirs and assigns, in fee-simple or otherwise, according to the nature of the estate or interest sold; and no such deed shall be invalid for any error or miscalculation in the amount of taxes or interest thereon in arrear, or on account of the property having been assessed as land. And the Registrar of Titles, upon production of the deed and application in the usual form, and upon payment of the usual fees, shall register or record the same in the usual manner:

Action to set aside conveyance of land sold to be for taxes commenced within one year from delivery of deed

"(e.) All actions to set aside, vary, or in anywise affect any deed of conveyance of land sold for taxes, delivered to the purchaser under subsection (c) hereof, shall be commenced within one year from the date of the said deed being so delivered; and in default of any action being commenced within the said period, such deed of conveyance shall not be set aside, varied, cancelled, or otherwise affected, but shall be and be deemed to be a valid and effectual deed for the purpose of vesting the title, and shall vest the title to the land so conveyed in the purchaser thereof, notwithstanding any default, irregularity, defect, or invalidity there may have been in carrying out the provisions of this Act, or any by-law passed thereunder, or any of the proceedings relating to the assessment, notices of assessment, or the sale of the land for overdue taxes."

Amends s 30, subsec (1), 1907

16. Subsection (1) of section 30 of the "Vancouver Incorporation Act, 1900, Amendment Act, 1907," is amended by inserting between the words "lighting" and "as," in the last line thereof, the words "or furnishing, installing, providing, constructing, or erecting ornamental street standards for electric or other lighting."

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17. Subsection (2) of section 30 of the "Vancouver Incorporation Act, 1900, Amendment Act, 1907," is amended by adding at the end thereof the words "or furnishing, installing, providing, constructing, or erecting ornamental street standards for electric or other lighting upon or along same." Amends s. 30, sub-sec. (2), 1907.

18. Section 18 of the "Vancouver Incorporation Act, 1900, Amendment Act, 1910" (as amended by section 19 of the "Vancouver Incorporation Act, 1900, Amendment Act, 1911"), is further amended by striking out the words and figures "section (8a):—" in the third line thereof, and substituting in lieu thereof the words and figures "subsection (c): '(c.) By adding thereto as a new subsection (12b)'"; and by striking out the figures "(8a)" in the fourth line thereof, and substituting in lieu thereof the figures "(12b)." Amends s. 18, 1910

19. Section 16 of the "Vancouver Incorporation Act, 1900, Amendment Act, 1911," is amended by inserting after the word "Act," in the second line thereof, the words and figures "1900, Amendment Act." Amends s. 16, 1911

VICTORIA, B.C.

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