



CHAPTER 53.

An Act to amend the "Vancouver Incorporation
Act, 1921."

[Assented to 12th February, 1942.]

WHEREAS a petition has been presented by the City of Van- Preamble.
couver 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:—

1. This Act may be cited as the "Vancouver Incorporation Short title.
Act, 1921, Amendment Act, 1941-42."

2. Section 4 of the "Vancouver Incorporation Act, 1921," Amends s. 4.
being chapter 55 of the Statutes of British Columbia, 1921
(Second Session). as re-enacted by subsection (1) of section 2 of
the "Vancouver Incorporation Act, 1921, Amendment Act,
1928," is amended by striking out all the words after the word
"Indian" in the fifty-first line thereof, down to and including
the figures "(2027)" in the fifty-fifth line thereof, and substitut-
ing therefor the following: "Reserve to a point thirty-three
(33) feet perpendicularly distant westerly from the westerly
boundary of District Lot Three hundred and twenty (320);
thence northerly parallel to and thirty-three (33) feet perpen-
dicularly distant westerly from the said westerly boundary of
District Lot Three hundred and twenty (320), and continuing
northerly parallel to and thirty-three (33) feet perpendicularly

distant westerly from the westerly boundary of the adjoining District Lot Two thousand and twenty-seven (2027), to intersection with the production westerly of a line drawn parallel to and thirty-three (33) feet perpendicularly distant southerly from the southerly boundary of Block Seventy-eight (78) of the said District Lot Two thousand and twenty-seven (2027); thence northerly in a straight line."

Enacts s. 59 (3).

3. Section 59 of said chapter 55 is amended by adding at the end thereof the following as subsection (3) :—

"(3.) After the expiration of one year from the passing of the by-law referred to in section 57 of this Act, the rates and taxes in the said tax roll set out shall be deemed to have been duly and legally levied and imposed. The provisions of this subsection shall not apply to any parcel of land in the said roll set out in respect of which the owner has within the said period of one year brought an action questioning the legality of such rates or taxes."

Enacts s. 144A.

4. Said chapter 55 is further amended by inserting immediately after section 144 the following as section 144A :—

"144A. In any case of passing a by-law for contracting a debt by borrowing money for any purpose, or otherwise as provided by this Act, such by-law may authorize the issuance of debentures, the interest on which is to be paid annually or semi-annually and the principal of which is to be met by the payment of a certain specific sum in each year during the currency of the debentures. In such case the by-law shall settle a certain specific sum to be raised in each year during the currency of the debentures for the payment of the interest, and a certain specific sum to be raised in each such year for the payment of the instalment of the principal as it becomes due."

Enacts s. 163 (44a).

5. Section 163 of said chapter 55 is amended by inserting therein the following as subsection (44a) :—

"(44a.) For prohibiting owners and harbourers of dogs from permitting such dogs to enter any shop or store where foodstuffs are kept or offered for sale."

Amends s. 163 (131b).

6. Subsection (131b) of section 163 of said chapter 55, as enacted by section 6 of the "Vancouver Incorporation Act, 1921, Amendment Act, 1936 (Second Session)," and amended by section 18 of the "Vancouver Incorporation Act, 1921, Amendment Act, 1937," is amended by inserting the word "annually" after the word "same" in the second line thereof; and by striking out all the words following the word "bicycle" where it appears in the second last line thereof.

7. Section 286 of said chapter 55 is amended by striking out the words "once a day" in the third line thereof, and substituting therefor the words "daily or as frequently as possible"; and by striking out all the words in said section after the word "Comptroller" in the sixth line thereof, and substituting therefor the words "Every such officer and agent shall give proper receipts in all cases to the party paying." Amends s. 286.

8. (1.) Section 291 of said chapter 55 is amended by striking out all the words in subsection (1) thereof after the word "only" in the third line of said subsection (1), and substituting therefor the words "on warrant drawn by the Comptroller." Amends s. 291 (1).

(2.) Section 291 of said chapter 55 is further amended by striking out subsection (3), and the following is substituted therefor:—

"(3.) The Treasurer shall every lawful day deposit, or cause to be deposited, in some bank to be designated by the Council all moneys belonging to the city in his possession, as soon as receipt thereof has been duly entered in his records."

(3.) Section 291 of said chapter 55 is further amended by inserting before the word "Auditor," in the third line of subsection (4) thereof, the word "the." Amends 291 (4).

(4.) Section 291 of said chapter 55 is further amended by repealing subsection (8) thereof. Repeals s. 291 (8).

9. Section 295 of said chapter 55 is repealed, and the following is substituted therefor:—

"295. The Comptroller shall draw his warrant on the Treasurer specifying the fund from which payment is to be made of any money which shall be due and owing by the city, the payment of which has been duly authorized by the Council: Provided that no warrant shall be issued unless there be an unexpended balance standing to the credit of the specific fund. The Comptroller or some person authorized by him shall initial all warrants and they shall bear a facsimile of the signature of the Comptroller affixed by him or by some person authorized by him."

10. Section 310 of said chapter 55 is amended by striking out all the words in said section down to and including the word "and" where it occurs the second time in the third line thereof. Amends s. 310.

11. Section 311 of said chapter 55 is repealed, and the following is substituted therefor:—

"311. All accounts, before they are audited, shall be certified by the officer having knowledge of the facts, and audited accounts shall be filed and preserved for a period of not less than six years."

Amends s. 320.

12. (1.) Section 320 of said chapter 55, as enacted by section 26 of the "Vancouver Incorporation Act, 1921, Amendment Act, 1936," is amended by adding to subsection (2) the following: "Provided, however, that notwithstanding anything in this Act contained, in any case where a Court or Judge is satisfied that by reason of the injuries sustained, any person injured has reasonable excuse for not bringing action within the time limited by this subsection and that the city is not thereby prejudiced in its defence, the Court or Judge may make an order extending the time for bringing an action for such period as the Court or Judge may think proper under the circumstances."

(2.) The amendment enacted by subsection 1 is retroactive and shall be deemed to have been in force as and from the first day of April, 1936.

Amends s. 324.

13. Section 324 of said chapter 55 is amended by striking out all the words in said section after the word "signed" in the fifth line thereof, and substituting therefor the words "by such persons or otherwise authenticated in such manner as the Council shall by by-law direct."

VICTORIA, B.C.:

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