

CHAPTER 63

An Act to Amend the Vancouver Charter

[Assented to 23rd March, 1967.]

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, 1967*.

Amends s. 38.

2. Section 38 of the *Vancouver Charter* is amended by striking out clause (e) and substituting the following:—

“(e) Any person holding a judicial office:”,
and by striking out clause (i) and substituting the following:—

“(i) After election as a member of Council, being absent from the meetings of the Council for four consecutive weeks without leave of the Council.”

Amends s. 128.

3. Section 128 is amended by numbering the present section as subsection (1) and by striking out all of the words after the word “Judge” in clause (g) and substituting the following:—

“his seat shall be deemed to be vacated.

“(2) If a vacancy occurs, Council shall, by resolution, direct the Returning Officer who held the last election under this Act (or some other person named in the resolution) to call for nominations and, as Returning Officer, to hold an election to replace such member; provided, however, that if the vacancy occurs less than six months prior to nomination-day as determined under section 40, Council shall not be required to direct the Returning Officer to call for such nominations, or to hold an election.

“(3) In the event that the nomination is for the office of Mayor, no Alderman may file a nomination-paper for that office unless notice of his resignation has been filed with the City Clerk at least twenty-one days prior to the day fixed for nominations, and such resignation shall take effect upon the declaration of the election of the candidate for the office of Mayor or upon such earlier date as may be specified in the notice, and in the event notice of such resignation is given, the election to fill the vacancy thus created shall be held at the same time as the election for the office of Mayor.”

Re-enacts
s. 129.

4. Section 129 is repealed and the following is substituted:—

"129. The person directed to call for nominations under section 128 shall appoint a day as nomination-day (being not more than thirty days after he receives the direction referred to in the said section), and the provisions of this Act with respect to nominations, contested elections, recount, and proceedings to unseat shall, *mutatis mutandis*, apply."

Re-enacts
s. 342.

5. Section 342 is repealed and the following substituted:—

"342. (1) Subject to subsection (3), each parcel entered in the real-property assessment roll shall be estimated at its actual value, the value of improvements being estimated separately from the value of the land to which they are affixed.

"(2) In determining the actual value, the Assessment Commissioner may give consideration to present use, location, original cost, cost of replacement, revenue or rental value, and the price that such land and improvements might reasonably be expected to bring if offered for sale in the open market by a solvent owner, and any other circumstances affecting the value; and without limiting the application of the foregoing considerations, where any industry, commercial undertaking, public utility enterprise, or other operation is carried on, the land and improvements so used shall be valued as the property of a going concern.

"(3) Prior to the first day of May in any year, the Council may by by-law provide that for the purposes of this Part the words 'actual value' shall be deemed to mean the assessed values of land and improvements determined pursuant to the *Assessment Equalization Act, 1953*."

Amends s. 397

6. Subsection (2) of section 397 is amended by inserting "clause (c) of " immediately after the words "taxation under " in the second line.

Amends s. 465

7. Section 465 is amended by striking out the words "not exceeding one year " in the second and third lines.

Enacts s. 497A.

8. The said Act is further amended by inserting the following as section 497A under Part XXIII:—

"497A. Notwithstanding anything contained in any other Act, the jurisdiction and powers of the Board of Parks and Public Recreation and of every warden, lifeguard, patrolman, or watchman employed by the Park Board shall extend to and be as valid and effectual within the boundaries of the public parks of the city and such other areas as are in the custody, care, and management of the Board, situate outside the boundaries of the city, as if such parks and other areas were situate within the city; provided that nothing herein contained shall be deemed to affect the exercise within the boundary of any such parks and other areas by any other authority, officer, or constable of any jurisdiction or power under any other Act."

Amends s. 504. **9.** Section 504 of the said Act is amended by striking out subsection (2) and substituting the following:—

“(2) Notwithstanding the provisions of subsection (1), the following lands shall also be liable to be specially assessed and taxed under this Part:—

“(a) The right or interest of an occupier of Crown lands:

“(b) Any parcel of real property vested in the city which Council by resolution has declared to be liable to be specially assessed and taxed under this Part with respect to the project specified in the resolution.”

Amends s. 506. **10.** Section 506 is amended by striking out clause (b) of subsection (3) and relettering clauses (c) and (d) as clauses (b) and (c) respectively.

Further amends s. 506. **11.** Section 506 is further amended by striking out relettered clause (c) of subsection (3) and substituting the following:—

“(c) Upon a street designated in the resolution,

“(i) a series of light standards should be installed, constructed, and equipped for the better lighting of such street which the Council deems will specially benefit the real property in the area; or

“(ii) a sidewalk of such materials and width as may be specified in the resolution should be constructed which the Council deems will specially benefit the real property in the area; or

“(iii) paving, repaving, or resurfacing of a street or the widening of the pavement on a street which Council deems will specially benefit the real property in the area.

The taxes to be levied against any parcel pursuant to this clause (c) shall not exceed twenty-five per centum of the assessed value of such parcel (exclusive of improvements).”

Amends s. 508. **12.** Section 508 is amended by striking out clause (c) and substituting the following:—

“(c) prescribing the basis of assessment with respect to any particular project, and whether it shall be based on the frontage or on the assessed value of the parcels specially benefited, or on any other basis, and with respect to any such project the Council may by resolution establish flat rates per foot frontage for the property-owners' share based on the cost as estimated by Council. For the purpose of this clause, 'frontage' shall include 'flankage';”.

Printed by A. SUTTON, Printer to the Queen's Most Excellent Majesty
in right of the Province of British Columbia.
1967