



CHAPTER 103.

An Act to amend the "Vancouver Incorporation
Act, 1921."*[Assented to 3rd April, 1947.]*

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

1. This Act may be cited as the "Vancouver Incorporation Short title.
Act, 1921, Amendment Act, 1947."

2. The "Vancouver Incorporation Act, 1921," being chapter Amends s. 22
55 of the Statutes of British Columbia, 1921 (Second Session),
is amended by adding the following as subsection (4) to section
22:—

"(4.) Provided, however, that in case such vacancy occurs
after the first day of July in any year with respect to a member
of Council who would have less than one year yet to serve, no
new election need be held to fill such vacancy if the surviving
members of Council pass a resolution to that effect. In case
such vacancy occurs after said first day of July in any year with
respect to a member of Council who would have a year or more
yet to serve, the new election may be postponed until the second
Wednesday in December next thereafter if the surviving mem-
bers of Council pass a resolution to that effect. This proviso
shall not apply if at the time the above-mentioned warrant is
issued more than one such vacancy exists."

Amends s. 39A.

3. (1.) Subsection (2) of section 39A, as enacted by section 3 of the "Vancouver Incorporation Act, 1921, Amendment Act, 1931," and amended by section 7 of the "Vancouver Incorporation Act, 1921, Amendment Act, 1936," is further amended by striking out the words "in the case of every street-railway company on the amount of fares annually received upon its street-cars within the city" in the ninth and tenth lines, and substituting therefor the following: "in the case of the British Columbia Electric Railway Company, Limited, on the basic fare revenue as defined in an agreement between the city and the said Company, dated the thirtieth day of December, 1946, in respect of its street-cars and trolley-coaches operated under such agreement."

(2.) Subsection (1) hereof shall not come into force and shall have no effect unless the agreement therein mentioned has been validated and confirmed by Statute of the Province, in which case it shall be deemed to have come into force and to have had effect on and from the first day of January, 1947.

Further amends
s. 39A.

4. (1.) Subsection (2) of section 39A, as enacted by section 3 of the "Vancouver Incorporation Act, 1921, Amendment Act, 1931," and amended by section 7 of the "Vancouver Incorporation Act, 1921, Amendment Act, 1936," is further amended by striking out the words "one and one-half" in the second line, and substituting therefor the words "two and one-half."

(2.) Subsection (4) of said section 39A is amended by striking out the words "one and one-half" in the eighth line, and substituting therefor the words "two and one-half."

Amends s. 58.

4A. Section 58, as re-enacted by section 6 of the "Vancouver Incorporation Act, 1921, Amendment Act, 1928," is amended by striking out "fifty" in the second line, and substituting "seventy-five."

Amends s. 84.

5. Section 84 is amended by adding the following at the end thereof: "Any agreement of sale or any conveyance of any such parcel of land may be sealed with the seal of the city and signed by the City Clerk and such officer or official of the city as may be specified by resolution of Council."

Amends s. 119.

6. Section 119 is amended by striking out the words "not exceeding twenty dollars per diem" in the second and third lines.

Amends s. 137.

7. Section 137 is amended by striking out all the words after the word "city" in the third line, and substituting therefor the following: "and shall bear the facsimile signature of the Mayor

and be signed by the Treasurer or such other person as may be designated by by-law. The coupons attached to such debentures shall bear the facsimile signatures of the Mayor and Treasurer or such other person so designated."

8. Section 162 is amended by inserting therein after subsection (78) the following as subsection (78a):—

"(78a.) Any agreement made with respect to any of the matters set out in the preceding subsection whereby payment of any money is to be made to the city by way of indemnity or otherwise, if it purports to charge the lands benefited or served by the permission so granted with the payment of such money, may be registered as a charge in the Land Registry Office against the interest in the said lands of the person making such agreement."

9. Section 163 is further amended by adding the following at the end of subsection (122): "and for providing that a separate tax of the same amount may be imposed for or in respect of each additional office or premises used or maintained by such person in connection with any such profession, calling, or business."

Further amends
s. 163.

10. Subsection (131) of section 163, as re-enacted by section 7 of the "Vancouver Incorporation Act, 1921, Amendment Act, 1933," is amended by inserting after the word "therewith," in the eighth line thereof, the following: "for prescribing the conditions upon which licences may be granted or refused to the owners of vehicles used for hire and the transfer of such licences; and for providing that the Council may delegate to a Board appointed from time to time by the Council any or all of the powers hereinbefore in this subsection bestowed, to the extent and in such manner and under such conditions as the Council may deem advisable: Provided that any decision of the said Board shall be subject to an appeal to the Council upon such terms as the Council may by by-law prescribe."

Further amends
s. 163.

10A. Section 163 is further amended by inserting therein the following as subsection (141d):—

"(141d.) (1.) (a.) For providing for an annual tax on every person occupying or using real property or any building or structure or any part thereof for the purpose of carrying on within the municipality any business, trade, profession, or other occupation, the tax to be based on the annual rental value of the real property occupied or used for the pur-

pose of such business or businesses, and to be known as a 'business tax':

"(b.) For classifying the businesses, trades, professions, or other occupations for the purpose of the tax:

"(c.) For fixing the rates applicable to each class of business, trade, profession, or other occupation:

"(d.) For making such regulations pertaining to assessment, appeal from assessment, collection, and all other matters as may be necessary for the proper administration of the tax:

"(e.) For fixing dates for payment and imposing penalties, not exceeding ten per centum of the amount of the business tax remaining unpaid after the date fixed for payment:

"(2.) Every person subject to the business tax shall have his business tax abated to the extent of any trade-licence fee paid by him to the municipality in respect of the same business:

"(3.) An occupant of property shall not be freed from taxation under this section by reason only of the fact that he is the owner of such property:

"(4.) Every person assessed for business assessment shall be liable for the payment of the tax thereon, and the same shall not constitute a charge upon the real property occupied or used:

"(5.) The liability imposed by this section shall be a debt recoverable by action brought by the corporation in any Court of competent jurisdiction:

"(6.) Every person liable to the business tax who violates any of the provisions of any by-law made under this section shall, on summary conviction, be liable to a penalty not exceeding two hundred and fifty dollars for every such violation:

"(7.) The Council may by by-law require and thereupon it shall be the duty of every owner or agent renting or leasing premises to any person to notify the assessor within seven days of the commencement of all occupancies and changes in occupancy:

"(8.) Any person who fails to comply with any of the provisions of this section or of any by-law made thereunder shall be liable, on summary

conviction, to a penalty not exceeding ten dollars for every day on which such failure continues."

11. Section 163 is further amended by inserting therein the following as subsections (156a) and (156b):— Further amends s. 163.

"(156a.) For requiring and compelling that in the construction or reconstruction of any apartment building suitable provision shall be made and provided to accommodate such number of motor-vehicles as the Council may by by-law prescribe, provided that such number shall not exceed one-half the number of suites contained in such apartment building; and for defining and classifying apartment buildings and for differentiating and discriminating according to such classification in respect of the accommodation to be made and provided as aforesaid:

"(156b.) For requiring and compelling that in the construction or reconstruction of any building used for commercial purposes, suitable provision shall be made for off-street loading and unloading of articles, materials, or merchandise delivered to or taken from such building, and for defining and classifying such buildings and for differentiating and discriminating according to such classification in respect of the provision to be made as hereinbefore provided; and, in the discretion of the Council, for designating the areas or places in the city where such provision shall be made as aforesaid."

12. Subsection (302) of section 163, as amended by section 25 of the "Vancouver Incorporation Act, 1921, Amendment Act, 1930," is further amended by striking out the words "two thousand" in the second and third lines, and substituting therefor the words "three thousand." Further amends s. 163.

13. Section 172 is amended by inserting in the sixth line, after the word "schools," the following: "sites for the purpose of affording accommodation to the public, with or without charge, for the parking of vehicles, whether such sites be operated by the city or by other persons under agreement with the city." Amends s. 172.

14. Section 200 is amended by inserting in the fourth line, after the word "streets," the following: "or elsewhere." Amends s. 200.

15. Said chapter 55 is further amended by inserting the following after section 212 as section 212A:— Enacts s. 212A.

" 212A. Notwithstanding anything contained in this Act or in any by-law of the city, the Council may repave or resurface any street upon which a wood-block, asphalt, or concrete pavement has been constructed which in the opinion of the Council is in need of repaving or resurfacing; and may repave or resurface such street of such materials as it may deem expedient, and may assess the cost of such repaving or resurfacing against the properties fronting or abutting thereon or benefited thereby as a local improvement: Provided that a resolution shall have first been passed by at least two-thirds of the members of the Council present at any regular meeting, and voting, stating that such work is desirable in the public interest; and provided further that in the event of the council exercising the powers hereinbefore contained, the city may assume such proportion of the total cost of such local improvement as the Council may by by-law or resolution provide, and the Council may also by by-law or resolution provide for the payment of such proportion out of funds raised by general debentures or out of the general revenue of the city: Provided further, however, that the proportion of cost of such local improvement chargeable against any parcel of land shall not exceed an amount equal to twenty-five per centum of the assessed value of such parcel of land (exclusive of improvements) appearing on the last revised assessment roll of the city, and if such cost would otherwise exceed such amount as aforesaid, then the city shall assume the excess irrespective of whether it has already assumed a portion of the cost of such improvement under this section or not."

Amends s. 253.

16. Section 253 is amended by inserting therein after subsection (8) the following as subsection (8a):—

"(8a.) All members of such police force shall be British subjects and shall take and subscribe the following oath before a Justice of the Peace:—

I, _____, do swear that I will well and truly serve our Sovereign Lord the King, in the office of Police Constable for the City of Vancouver, without favour or affection, malice, or ill-will; and that I will, to the best of my power, cause the peace to be kept and preserved; and will prevent all offences against the persons and properties of His Majesty's subjects; and that, while I continue to hold the said office I will, to the best of my skill and knowledge, discharge all the duties thereof faithfully according to law. So help me God."

VICTORIA, B.C.:

Printed by DON McDIARMID, Printer to the King's Most Excellent Majesty.
1947.