



CHAPTER 80.

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

[Assented to 25th March, 1930.]

WHEREAS a petition has been presented by the City of Vancouver Preamble.
 ver 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 Act, Short title.
 1921, Amendment Act, 1930."

2. The "Vancouver Incorporation Act, 1921," being chapter 55 Enacts s. 35A.
 of the Statutes of British Columbia, 1921 (Second Session), is
 amended by inserting therein the following as section 35A:—

"35A. (1.) Notwithstanding anything contained in this Act, the Council may, by resolution or by-law, constitute, set up, and appoint a Board of Assessment Commissioners for the purpose of making and preparing a valuation and assessment of all rateable property in the city as hereinafter set out. The said Board shall be composed of not less than three nor more than five members, one of whom shall be the Assessment Commissioner for the time being of the city, who shall be Chairman of the said Board. In case the members of said Board do not agree, the opinion of the majority of them shall prevail. The members of said Board shall hold office during the pleasure of the Council. The Council may fill any vacancy occurring in the said Board from time to time.

"(2.) The said Board, if and when constituted and appointed, shall act in substitution for and shall assume all the powers and

duties heretofore discharged by the Assessment Commissioner in respect of making a valuation and assessment of all rateable property in the city and preparing annually the assessment roll; and the said Board shall annually make a valuation of all the rateable property in the city, and shall make and complete the assessment roll pursuant to the provisions of this Act as herein provided in the case of the Assessment Commissioner; and all the provisions of this Act in respect to annually making such valuation and assessment of all rateable property and the preparation of such assessment roll shall, mutatis mutandis, apply to such Board: Provided, however, that in all other respects, save as aforesaid, the Assessment Commissioner shall continue to act and function as in this Act provided.

“(3.) Notwithstanding anything contained in the preceding subsections hereof or in this Act, the members of said Board shall attach to the said assessment roll a certificate signed by them, and each of them, and verified under oath or affirmation by them, and each of them, in the form provided and set out in Form XXVIII. in the Schedule to this Act.

“(4.) If on account of illness, or absence, or death, or if for any other reason, any member of said Board is unable or fails to carry out or perform any of the duties herein set out in respect of such Board, a majority of the members thereof may do and perform all requisite acts and things necessary and material to be done or performed in respect of making such valuation and assessment and certifying and completing the said assessment roll as herein provided.”

Enacts Schedule
A, Form XXVIII.

3. Said chapter 55 is amended by adding to the Schedule thereof, as Form XXVIII., the form set out in Schedule A of this Act.

Enacts s. 44A.

4. Said chapter 55 is amended by inserting therein the following as section 44A:—

“44A. The assessment roll and the tax roll may be recorded by such system of written records, or book-keeping, or set of books as shall be approved by the Council, and such system may include or consist of a card-index or loose-leaf ledger system, or such other system as, in the opinion of the Council, will provide a convenient and permanent assessment roll and tax roll.”

Amends s. 84.

5. Section 84 of said chapter 55 is amended by inserting at the end thereof the following words: “or the Council may, by resolution similarly passed, exchange any such parcel of tax-sale land, or any portion thereof, for any other parcel of land on such terms and conditions as shall be deemed expedient, and such property so acquired by such exchange may be sold by the Council in like manner as hereinbefore provided.”

Enacts s. 96A.

6. Said chapter 55 is amended by inserting after section 96 the following as section 96A:—

" 96A. Where lands become the property of the city as the result of a tax sale, and are subsequently sold by the city to any purchaser under agreement for sale, upon default being made in the payment to the city of any instalment of principal or interest, taxes or other charges, due thereunder, the city may serve notice upon such purchaser named in such agreement of sale at the address given therein to the effect that if the amount so in default be not paid within ninety days from the date of such notice, all right, title, and interest of the said purchaser, his heirs, executors, administrators, or assigns, in and under the said agreement for sale, the amounts paid thereunder, and lands referred to therein shall cease and determine, and the said amounts paid thereunder shall be forfeited to the city. If the purchaser shall fail to pay within the said period of ninety days the amount so in default, all right, title, and interest of the said purchaser, his heirs, executors, administrators, or assigns, in and under the said agreement for sale, the amounts paid thereunder, and the lands referred to therein shall absolutely cease and determine, and the said lands shall thereupon immediately become revested in the city, free from all claims of the purchaser therein, or his heirs, executors, administrators, or assigns, in respect of said agreement for sale; and all payments made by the purchaser thereunder shall be forfeited to the city, the provisions of any Statute, rule of law, or equity to the contrary notwithstanding. The Registrar of Titles, upon the filing with him of a statutory declaration, proving that the provisions herein have been complied with, and a certified copy of such notice and resolution of Council authorizing the same, shall cancel any charge or encumbrance (if any) registered in the Land Registry Office against the said lands in respect of said agreement of sale."

7. Section 135 of said chapter 55 is amended by inserting at the end of subsection (2b) the following words: " said sum to be such as will be sufficient, with the estimated interest on the investment thereof, to discharge the debt at maturity; such estimated interest not to exceed four per centum per annum capitalized yearly." Amends s. 135, subsec. (2b).

8. Section 163 of said chapter 55 is amended by inserting after subsection (63) the following as subsection (63a):— Enacts s. 163, subsec. (63).

"(63a.) For constructing, sodding, planting, maintaining, caring for, and keeping any portion of any boulevard on any street where, in the opinion of the Council, such work is advisable or necessary to improve or to beautify such portion of boulevard in keeping with the remainder of such boulevard, or any portion thereof in the same block, or along the same street, and for assessing and charging the land fronting or adjacent thereto with the payment of any and all sums necessary to meet the cost and expense thereof, and for recovering the cost or

expense thereof from the owner of any such land by action in any Court of competent jurisdiction, or in the manner provided herein for the recovery of overdue taxes."

Amends s. 163,
subsec. (78).

9. Subsection (78) of section 163 of said chapter 55 is amended by inserting after the word "areas," in the second, fifth, twelfth, and sixteenth lines thereof respectively, the words "footings, foundations."

Re-enacts s. 163,
subsec. (127).

10. Subsection (127) of section 163 of said chapter 55 is repealed, and the following is substituted therefor:—

"(127.) For licensing or taxing persons carrying on the business of manufacturing intoxicating spirits, wines, or liquors, or operating a distillery, or engaged in the business of exporting intoxicating spirits, wines, or liquors; and for imposing a licence fee or tax on such persons not to exceed one thousand dollars per annum. Where any licence to operate any such business has been cancelled by any Statute or otherwise, such licence fee or tax herein imposed shall be refunded for the unexpired portion of the year in which such licence fee or tax has been so imposed."

Re-enacts s. 163,
subsec. (134).

11. Subsection (134) of section 163 of said chapter 55 is amended by adding at the end thereof the following words: "and for defining and classifying the various kinds or classes of vehicles or traffic using, or which may use, any such road, street, lane, public place, or public bridge in the city, and for differentiating and discriminating between such kinds or classes of vehicle or traffic in respect of the use or the time or hours of using the same."

Amends s. 163,
subsec. (137).

12. Subsection (137) of section 163 of said chapter 55 is amended by adding at the end thereof the following words: "and for erecting, constructing, or placing on such safety-zones such platforms, structures, standards, or markers as may be deemed necessary or expedient."

Amends s. 163,
subsec. (138).

13. Subsection (138) of section 163 of said chapter 55 is amended by inserting after the word "vehicles," in the third line thereof, the following words: "including vehicles for hire."

Amends s. 163,
subsec. (139a).

14. Section 163 of said chapter 55 is amended by inserting after subsection (139) the following as subsection (139a):—

"(139a.) For empowering and authorizing the removal and detention or impounding of any vehicle or other chattel or any obstruction unlawfully occupying any portion of any street contrary to any law or by-law of the city; and for charging the owner thereof with the costs and

expense of such removal, detention, or impounding, and for levying, imposing, and collecting impounding fees or charges therefor, and also charges for storage or garage accommodation or any other expense incident thereto; and for providing for the recovery of same from such owner in any Court of competent jurisdiction, or for the sale and disposal of such vehicle or other chattel or obstruction by public auction or private sale on default or failure of such owner to pay the city any and all costs, fees, charges, and expenses so levied or incurred within the time specified in such by-law."

15. Subsection (151) of section 163 of said chapter 55 is repealed, and the following substituted therefor:— Re-enacts s. 163, subsec. (151).

"(151.) For prohibiting or regulating, restricting, limiting, and controlling the construction, erection, posting, displaying, and maintenance of posters, handbills, advertising-cards, signs, signboards, billboards, and hoardings of any kind, and any erection or construction connected therewith, whether erected, posted, displayed, constructed, or maintained in any street, public place, or on fences or poles situate therein."

16. Subsection (166) of section 163 of said chapter 55 is amended by striking out all the words after the word "give" in the ninth line down to and including the word "charge" in the tenth line of said subsection, and substituting therefor the words "thirty days' notice as prescribed by by-law to the owner, agent, or person in charge, and also to the mortgagee and occupier"; and by striking out all the words after the word "such" in the thirteenth line down to and including the word "charge" in the fourteenth line of said subsection, and substituting therefor the words "owner, agent, person in charge, mortgagee, and occupier." Amends s. 163, subsec. (166).

17. Section 163 of said chapter 55 is amended by adding at the end of subsection (170) the following words: "and for requiring and compelling the occupants of any building which has been ordered by the Building Inspector to be pulled down and demolished to vacate such building within the time specified in any notice served on such occupants, pursuant to the provisions of any by-law or resolution in that behalf; and, on non-compliance with the said notice, for authorizing and empowering any police officer to forcibly remove such occupants from any such building, and for further empowering and authorizing the Building Inspector to remove the contents of such building at the expense of the owner or occupant thereof as herein provided." Amends s. 163, subsec. (170).

Enacts s. 163,
subsec. (228a).

18. Section 163 of said chapter 55 is amended by adding thereto the following as subsection (228a) :—

“(228a.) For granting money in aid of the British Columbia Safety League for carrying out the purposes for which it was organized.”

Enacts s. 163,
subsec. (233a).

19. Section 163 of said chapter 55 is amended by inserting therein the following as subsection (233a) :—

“(233a.) For the purpose of bestowing honour upon any person distinguished for national or local service, it shall be lawful for the Council of the city to confer, by resolution passed by unanimous vote of all the members of the Council, the freedom of the city on such person, and, notwithstanding any Statute or law to the contrary, any person so receiving the freedom of the city, by resolution of the Council as aforesaid, shall, during the pleasure of the Council, be a freeman of the city, and shall, if a British subject, be deemed to possess all the qualifications required by this Act by persons to be nominated and elected to hold the office of Mayor of the city; and, further, the name of such freeman shall be placed first on the list of electors of the city, and he shall be eligible to vote at any election within the city for Mayor or Aldermen.”

Amends s. 163,
subsec. (264).

20. Subsection (264) of section 163 of said chapter 55 is amended by inserting after the words “junk shops,” in the fourth line thereof, the following words: “or junk-yards, wrecking or reassembling plants or yards where used, wrecked, or reassembled parts or materials, machinery, vehicles, or wood are stored, mixed, wrecked, or reassembled.”

Enacts s. 163,
subsec. (264a).

21. Section 163 of said chapter 55 is amended by inserting therein the following as subsection (264a) :—

“(264a.) For regulating, controlling, restricting, and limiting junk-shops or junk-yards, wrecking or reassembling plants or yards where used, wrecked, or reassembled parts or materials, machinery, vehicles, or wood are stored, mixed, wrecked, or reassembled, and the premises used in connection therewith.”

Enacts s. 163,
subsec. (272a).

22. Section 163 of said chapter 55 is amended by adding thereto the following as subsection (272a) :—

“(272a.) For preventing the growth and spreading of codling-moths and any or all other insects, pests, or fungus-growths injurious to fruit and fruit-trees, or other trees, shrubs, or plants, and for compelling the destruction of such codling-moths and other insects or pests,

or of the trees, shrubs, or plants infected thereby; and further:—

“(a.) The Council may from time to time, by by-law, make, vary, or cancel regulations prescribing what measures shall be applied or used for such prevention and destruction, and at what times, and in what manner, and within what areas within the city the same shall be applied or used:

“(b.) The Council shall, by such by-law, provide for the manner of publication of such regulations: Provided, however, that no regulations made herein shall come into force or have effect until the expiration of forty-eight hours from the time of the last publication thereof:

“(c.) The Council may, by by-law, provide for the application by the city of the measures provided in such regulations at the expense of the general funds of the city or at the expense of the owner of any lands affected, and that the expenses connected therewith shall be a charge on such lands, and for the collection of such expenses in any Court of competent jurisdiction in like manner as is provided for the collection of overdue taxes:

“(d.) Such by-law may provide for the entry upon any private or other property for the purpose of spraying, baiting, or otherwise dealing with the prevention or destruction of such codling-moths or other insects or pests, and may provide for the carrying-out of such work in such manner as, in the opinion of the Council, may be necessary or advisable.”

23. Subsection (290) of section 163 of said chapter 55 is amended by adding thereto the following as clause (d) thereof:—

Enacts s. 163,
subsec. (290d).

“(d.) Provided, however, that the Council may, by resolution passed by a two-thirds vote of the members of the Council, dispose of any real property where the value of such property, in the written opinion of the Assessor, does not exceed one hundred thousand dollars.”

24. Subsection (290a) of section 163 of said chapter 55, as enacted by section 11 of the “Vancouver Incorporation Act, 1921, Amendment Act, 1928,” is amended by adding at the end thereof the following words: “and for leasing the same or any part thereof to any person or persons for such time and upon such terms or conditions as the Council may deem expedient.”

Amends s. 163,
subsec. (290a).

25. Subsection (302) of section 163 of said chapter 55 is amended by striking out the words “twelve hundred” in the second and third lines thereof, and substituting therefor the words “two thousand.”

Amends s. 163,
subsec. (302).

Enacts s. 172,
subsec. (24a).

26. Section 172 of said chapter 55 is amended by inserting therein the following as subsection (24a) :—

“(24a.) Where the city has made an offer to the owners or occupiers of or other persons interested in such real property as herein provided, and if after one year from the date of making such offer such owner, occupier, or other person fails, refuses, or neglects to notify the city of his or their acceptance and to execute a proper conveyance thereof, and where no arbitration proceedings have been commenced, the city may pay into the District Registry of the Supreme Court the amount so offered, and deliver to the Registrar of Titles of the Vancouver Land Registration District proof of such payment, together with a certified copy of the resolution of the Council authorizing the offer to be made, and a true copy of such notice making such offer and the proof of service thereof, and the Registrar shall thereupon register the title to such real property in the name of the city accordingly: Provided, however, that where any charge or lien is registered in respect of any such real property, notice of the time and amount of such payment shall be forwarded the holder thereof by registered mail directed to such holder’s last-known place of address at least fifteen days prior to the date of such payment.”

Amends s. 176,
subsec. (2).

27. Section 176 of said chapter 55 is amended by striking out the word “concrete” in the twelfth line of subsection (2) thereof.

Enacts s. 176,
subsec. (9).

28. Section 176 of said chapter 55 is amended by inserting therein the following as subsection (9) :—

“(9.) For carrying out on one side of any street any of the work herein provided, and for assessing the cost thereof on the real property benefited thereby, situate on either or both sides of such street, or upon the real property abutting on that side of the street only upon which the work is constructed as a special assessment; and the determining of what real property will be or is benefited by any such work shall be exclusively within the opinion of the Council to determine, and the opinion of the Council thereon shall be final and conclusive.”

Amends s. 252A.

29. Section 252A of chapter 55, as amended by section 9 of the “Vancouver Incorporation Act, 1921, Amendment Act, 1926–27,” is amended by inserting after the word “upwards,” in the fifth line thereof, the following words: “or any Police Magistrate or Deputy Police Magistrate who has retired after twenty years’ service.”

30. Said chapter 55 is amended by inserting therein the following Enacts s. 262A.
as section 262A:—

“262A. The Council may pay any sum required for the protection, defence, or indemnification of any member of the police force when an action or prosecution is brought against him and costs or other expenses are necessarily incurred, or where damages are claimed or recovered, if the Board of Police Commissioners recommend that the case is a proper one for settlement or for such payment or indemnity.”

31. Section 287 of said chapter 55 is amended by striking out the Amends s. 287.
word “five” in the last line thereof, and substituting therefor the word “ten.”

32. Said chapter 55 is amended by inserting therein the following Enacts s. 314A.
as section 314A:—

“314A. The Council of the city may provide by by-law or by-laws for borrowing money by the issue of debentures such sums as may be required to pay the share, or any portion, ordered to be paid by the city as the cost of any work or thing ordered to be done under any order of the Board of Railway Commissioners of Canada, or of any work of improvement which has been rendered necessary or expedient owing to the construction of any work ordered as aforesaid; and such by-law or by-laws may be passed by the Council without the assent of the electors. Pending the completion of any such work, the city may from time to time borrow from any person, firm, or corporation any sum or sums necessary for meeting its share or portion of the cost of any such work until the work has been completed, and may then pass the necessary by-law authorizing the issue of debentures.”

33. Said chapter 55 is amended by inserting therein the following Enacts s. 328A.
as section 328A:—

“328A. Where the Council has by this or any other Act authority to direct or require, by by-law or resolution, that any matter or thing be done, the Council may, by the same or any other by-law or resolution, direct that, in default of such matter or thing being done by the person or persons directed or required to do the same, such matter or thing shall be done at his or her expense, and the city may recover the expense thereby incurred by action in any Court of competent jurisdiction; or where such matter or thing is done in respect of real property, such expense may be charged as a lien on such property and recovered in like manner as herein provided for the collection of overdue taxes.”

34. (1.) The Council of the City of Vancouver is authorized to Power to pass
by-laws for
hospital debt.
pass a by-law or by-laws, without submitting such by-law or by-laws to the electors of the city, for the borrowing of any sum or sums, not exceeding in the aggregate three hundred and fifty thousand dollars,

for payment of debts heretofore incurred by the Vancouver General Hospital for additions, general purposes, construction, and maintenance; and for such purposes the Council is authorized to borrow such amount or any portion thereof from any bank or from any person or body corporate on such terms as may be deemed expedient, such sums so borrowed to be repayable over a period not exceeding four years; such repayment and interest thereon to be payable out of the current revenues of the city for the year in which such repayments shall respectively become payable.

(2.) The Council is authorized and empowered to issue debentures or treasury bills or notes, or such other undertakings as may be provided for in such by-law for the securing of the repayment of the moneys so borrowed; and upon the passing of such by-law the liability incurred thereunder shall be effectual and binding on the city and a charge upon the credit and taxing-powers of the city at large.

FORM XXVIII.

(Section 4, "Vancouver Incorporation Act, 1921, Amendment Act, 1930.")

FORM OF CERTIFICATE FOR MEMBERS OF BOARD OF ASSESSMENT COMMISSIONERS.

I do solemnly certify and swear [*or affirm*] that I, as a member of the Board of Assessment Commissioners constituted under the provisions of the "Vancouver Incorporation Act, 1921, Amendment Act, 1930," did take part in the preparation of the above assessment roll, and did faithfully discharge and carry out, to the best of my judgment, information, and belief, the duties of a member of said Board in accordance with the provisions of said Act, and that, in conjunction with the other members of said Board, I have caused to be set down in the above assessment roll all the rateable property liable to taxation in and for the year _____ under the provisions of the said Act, situate within the City of Vancouver, and the true and lawful value thereof according to the best of my information and judgment, or the information and combined judgment of a majority of the members of said Board of Assessment Commissioners; and I certify that, in conjunction with the other members of said Board, I have caused to be entered thereon the names of all registered owners and tenants and of all other persons entitled to be entered thereon, with addresses, and with a true description of the property occupied or owned by each assessed owner; and I further certify and swear [*or affirm*] that I have not entered the name of any person whom I do not believe to be entitled to be entered thereon according to the provisions of the said Act; and that I have not entered the name of any person in order to wrongfully give such person a vote, or at too low a rate in order to deprive such person of a vote, or for any other reason whatsoever. So help me God.

, *Chairman of Board.*
 , *Assessment Commissioner.*
 , *Assessment Commissioner.*
 , *Assessment Commissioner.*
 , *Assessment Commissioner.*

VICTORIA, B C

Printed by CHARLES F. BANFIELD, Printer to the King's Most Excellent Majesty
 1930