



CHAPTER 113.

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

[Assented to 28th April, 1948.]

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, 1948."

2. Subsection (8) of section 8 of the "Vancouver Incorporation Amends subsec. (8),
s. 8.
Act, 1921," being chapter 55 of the Statutes of British
Columbia, 1921 (Second Session), is amended by striking out the
word "Hindu" in the first line thereof.

3. Section 39A is amended by adding the following to subsec- Amends s. 39A.
tion (2): "None of the several Companies aforesaid shall be
assessed for business tax in respect of any premises occupied or
used by it solely for the purposes of the generation, transforma-
tion, or distribution of electric light, electric power, or gas, or
for the purposes of the said agreement dated the thirtieth day of
December, 1946, or for the purposes of telephonic communication.
Subject to the said agreement, nothing herein shall relieve the
said Companies, or any of them, from liability to assessment for
business tax in respect of the offices and premises other than
those aforesaid occupied or used by them."

Re-enacts subsec.
(12), s. 56

4. Subsection (12) of section 56, as re-enacted by section 8 of the "Vancouver Incorporation Act, 1921, Amendment Act, 1931," is repealed, and the following substituted therefor:—

"(12.) Either the appellant or the City may have the evidence and proceedings at the hearing and determination of any appeal before such Board taken down and reported by a stenographer who shall take the following oath before the Chairman of the Board:—

You shall faithfully and accurately and to the best of your skill and ability report in shorthand the evidence and proceedings in this appeal. So help you God.

The expense of any attendance of such stenographer and any transcript of evidence and proceedings ordered by the Board shall be deemed to be costs in the cause of any such appeal."

Amends subsec (14),
s. 56

5. Subsection (14) of said section 56, as re-enacted by section 8 of the "Vancouver Incorporation Act, 1921, Amendment Act, 1931," is amended by striking out the word "official" in the fifth line thereof.

Amends s 57.

6. (1.) Section 57, as amended by section 5 of the "Vancouver Incorporation Act, 1921, Amendment Act, 1928," is further amended by inserting in the eleventh line thereof the words "and for any instalments of principal in respect thereof" immediately after the words "a sinking fund therefor."

(2.) The amendment of section 57 made by subsection (1) hereof shall relate back to and shall be deemed to have had effect and to have been in force on and after the third day of December, 1921.

Amends s 163.

7. Section 163 is amended by inserting therein the following as subsection (36a):—

"(36a.) (1.) For providing that when a new sewer is laid in any street, a connection from the main to the street-lines shall then be installed opposite each rateable parcel of land abutting on such street and having thereon any building, and for providing that the fee for such installation as provided by the 'Plumbing By-law' shall be charged against the parcel so served, by adding the same to the tax roll in such annual instalments as the by-law may provide, and that thereupon the said cost shall be deemed in all respects to be taxes duly levied in respect of the said parcel and shall be recoverable as such:

"(2.) For providing that the registered owner of any parcel of land abutting on any street

wherein is already laid any sewer, who may desire to have such connection installed to serve such parcel, may by writing charge the said parcel with the cost of such installation in such annual instalments as the by-law may provide, and that thereupon the said installation shall be made and the cost shall be added to the tax roll and the same shall in all respects be deemed to be taxes levied in respect of said parcel and recoverable as such."

8. Section 163 is further amended by inserting therein the following as subsection (126c):— Further amends s. 163.

"(1c)) Provided that with respect to licence fees imposed under subsections (124), (126), (126a), and (126b) of this section, such licence fees may exceed the maximum amounts mentioned respectively therein if such licence fee is based upon the number of persons employed in and about the business with respect to which such licence is granted."

9. Subsection (141d) of section 163, as enacted by section 10A of the "Vancouver Incorporation Act, 1921, Amendment Act, 1947," is amended as follows:— Further amends s. 163.

(a.) By adding to clause (1) thereof the following as paragraph (f):—

"(f.) For exempting from the tax such persons as the Council may by by-law prescribe."

(b.) By striking out clause (2) thereof and substituting therefor the following:—

"(2.) Every person subject to the business tax shall, if the business tax is the greater, have his business tax abated to the extent of any trade-licence fee or tax otherwise imposed under this section and payable by him to the municipality in respect of the same business, trade, profession, or other occupation; provided, however, that there shall be no such abatement with respect to any trade-licence fee payable under subsections (130) and (131) of this section; and every person required to pay a trade-licence fee or tax imposed under this section shall, if the trade-licence fee or tax is the greater, have the same abated to the extent of any business tax payable in respect of the same business, trade, profession, or other occupation."

(c.) By adding thereto the following as clauses (9) and (10):—

"(9.) Annual rental value for the purposes of this Act shall be deemed to include the cost of pro-

viding heat and other services necessary for comfortable use or occupancy, whether the same be provided by the occupant or owner:

"(10.) In assessing annual rental value, the assessment commissioner shall take all factors into account so that as far as possible premises similar in size, suitability, advantage of location, and the like shall be equally assessed. The intent and purpose of this clause is that all persons subject to business tax shall be assessed at a fair rental value of the premises occupied or used, based in general upon rents being actually paid for similar premises."

Further amends
s. 163.

10. Section 163 is further amended by inserting therein the following as subsection (269a) :—

"(269a.) For defining mill-waste and for regulating and controlling the disposal of the same, and for compelling the owners or operators of mills of all kinds to dispose of mill-waste in such manner as may by by-law be prescribed."

Amends s. 253.

11. Section 253, as re-enacted by section 13 of the "Vancouver Incorporation Act, 1921, Amendment Act, 1933," is amended by adding the following to subsection (8): "Provided that the Board may delegate authority to the Chief Constable to suspend any member of the force who in his opinion is guilty of any misconduct."

Further amends
s. 253.

12. Said section 253 is further amended by inserting therein the following as subsection (8b) :—

"(8b.) A member of the police force who is dismissed or demoted may appeal to a Judge of the Supreme Court.

"(1.) The person so appealing shall within thirty days after the dismissal or demotion complained of serve upon a member of the Board a written notice of his intention to appeal setting forth the grounds of the appeal.

"(2.) The Judge shall appoint a day for hearing the appeal, notice of which shall be given by the appellant to a member of the Board.

"(3.) The Judge shall decide the appeal on the evidence adduced upon oath before him at the time and place appointed, in a summary manner, and may adjourn the hearing from time to time and defer judgment thereon at pleasure.

"(4.) No costs of the appeal shall be awarded either for or against the appellant."

VICTORIA, B.C.:

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