



CHAPTER 58.

An Act providing for the Incorporation of the City of Langley.

[Assented to 14th April, 1954.]

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 "Langley Incorporation Act."

Interpretation.

2. In this Act:—

"Old municipality" means The Corporation of the Township of Langley:

"Minister" means the Minister of Municipal Affairs:

"New municipality" means The Corporation of the City of Langley.

Plebiscite
authorized

3. (1) Notwithstanding the provisions of any other Act, the Lieutenant-Governor in Council may direct that a plebiscite be held in the area hereinafter set out to ascertain whether or not a majority of the persons entitled to vote in that area are in favour of the incorporation of a city municipality under the name of "The Corporation of the City of Langley," to include the area described as follows:—

Commencing at the intersection of the westerly boundary of the North-east Quarter of Section 10, Township 8, east of the Coast meridian, New Westminster Land District, with the southerly limit of the Trans-Canada Highway, as shown on Registered Plan Number 4500 on deposit in the Land Registry Office, New Westminster; thence southerly along the westerly boundaries of the North-east Quarter of Section 10, Township 8, Lot 310, Group 2, the East Half of Section 3, Township 8, and the North-east Quarter of Section 34, Township 7, east of the Coast meridian, to the westerly prolongation of the southerly

boundary of Lot 10, Block 2 of Section 34, Township 7, as shown on Registered Plan Number 1783; thence easterly to and along the southerly boundaries of Lots 10, 9, 8, 7, and 6 of said Block 2 of Section 34, Township 7, Plan 1783, to the south-east corner of said Lot 6, being a point on the westerly boundary of Lot 3 of said Block 2 of Section 34, Township 7, Plan 1783; thence southerly along the said westerly boundary of Lot 3, Block 2, to the south-west corner thereof; thence easterly along the southerly boundary of said Lot 3, Block 2, Plan 1783, and the easterly prolongation thereof to the westerly boundary of the North-west Quarter of Section 35, Township 7; thence southerly along the said westerly boundary of the North-west Quarter of Section 35, Township 7, to the south-west corner thereof; thence easterly along the southerly boundary of the North Half of said Section 35, Township 7, to the south-east corner thereof; thence northerly along the easterly boundary of the North-east Quarter of said Section 35, Township 7, to the westerly prolongation of the northerly boundary of that part of the North-west Quarter of Section 36, Township 7, as shown on Registered Sketch Number 7481; thence easterly to and along the said northerly boundary of that part of Section 36, Township 7, shown on Sketch 7481 to the north-east corner thereof, being a point on the easterly boundary of Lot 2 of the North-west Quarter of Section 36, Township 7, as shown on Registered Plan Number 2930; thence northerly along the easterly boundaries of Lot 2 of said Plan 2930 and that part of the North-west Quarter of Section 36, Township 7, as shown on Registered Plan Number 10590, to the north-east corner of said part of the North-west Quarter of Section 36, Township 7, shown on Plan 10590; thence northerly along the easterly limit of an unnamed lane and an unnamed road (as said lane and said road are shown on Plan 8722) adjoining the easterly boundaries of Lots 40, 39, 27, 26, 25, 24, 23, and 22 of the North-west Quarter of Section 36, Township 7, as shown on Registered Plan Number 8722, and the northerly prolongation thereof to the southerly boundary of Lot 312, Group 2; thence easterly along the said southerly boundary of Lot 312 to the southerly prolongation of the easterly boundary of that part of Lot 312 as shown on Registered Sketch Number 7106; thence northerly to and along the said easterly boundary of that part of Lot 312 as shown on Sketch 7106 to the north-east corner thereof, being the most easterly south-east corner of Block A of Lot 312, as shown on Registered Plan Number 12881; thence northerly, westerly, and northerly along the easterly, northerly, and easterly boundaries of said Block A of Lot 312, Plan 12881, to the southerly boundary of Lot 36, Group 2; thence easterly and northerly along the southerly and easterly boundaries of said Lot 36 to a point thirty-three feet distant northerly from the north-east corner of that part of Lot 36, as shown on Registered Sketch Number 4025; thence westerly thirty-three feet perpendicularly distant and parallel to the northerly boundary of said part of Lot 36, as shown

on Sketch 4025 to the south-westerly prolongation of the south-easterly boundary of Lot 37, Group 2; thence north-easterly to and along the said south-easterly boundary of Lot 37 to the north-easterly boundary of Lot 1 of Lot 37, as shown on Registered Plan Number 12870; thence north-westerly along the north-easterly boundaries of Lots 1 and 2 of Lot 37 of said Plan 12870 and crossing all intersecting thoroughfares to the north-west corner of said Lot 2; thence north-westerly along the north-westerly prolongation of the north-easterly boundary of said Lot 2, Plan 12870, to the south-easterly boundary of Lot 308, Group 2; thence north-easterly, north-westerly, and westerly along the south-easterly, north-easterly, and northerly boundaries of said Lot 308 to the north-west corner thereof; thence westerly in a straight line to the north-east corner of Lot 5 of the North-east Quarter of Section 10, Township 8, east of the Coast meridian, as shown on Registered Plan Number 2605; thence westerly and southerly along the northerly and westerly boundaries of said Lot 5, Plan 2605, to the north-east corner of Lot 16 of the North-east Quarter of Section 10, Township 8, as shown on Registered Plan Number 1079, thence westerly along the northerly boundary of said Lot 16, Plan 1079, and the westerly prolongation thereof to the centre line of Kerr Road, as shown on said Plan 1079; thence southerly along the said centre line of Kerr Road and the southerly prolongation thereof to the aforesaid southerly limit of the Trans-Canada Highway, as shown on Plan 4500; thence north-westerly along said southerly limit of the Trans-Canada Highway, Plan 4500, to the westerly boundary of aforesaid Lot 310, Group 2, being the point of commencement.

(2) The persons entitled to vote on a plebiscite held under this section shall be such persons, being British subjects, of the full age of twenty-one years and such corporations as have for one month immediately preceding the day of voting been registered owners of land within the said area.

(3) A corporation shall vote by its duly authorized agent, whose authority shall be filed with the returning officer, and who shall be a resident of the Province and a British subject of the full age of twenty-one years.

(4) The Lieutenant-Governor in Council shall appoint a returning officer and other officials for the purpose of the poll, and may prescribe regulations for the holding of the plebiscite.

(5) If, upon the taking of the vote under subsection (1), a majority of the persons voting on the question vote in favour of the incorporation of the City of Langley, the Lieutenant-Governor in Council, by Letters Patent under the Great Seal, may, in accordance with this Act, incorporate into a city municipality, under the name of "The Corporation of the City of Langley," the area described in subsection (1).

Application to
old municipality.

4. Concurrent with the issuance of Letters Patent for the incorporation of the new municipality, it shall be lawful for the Lieutenant-Governor in Council to issue amended Letters Patent redefining the boundaries of the old municipality.

Application to
new municipality

5. The Letters Patent for the new municipality shall specify all matters referred to in section 7 of the "Municipalities Incorporation Act."

Assessment roll.

6. The Letters Patent may make provision for:—

(a) Establishing or preparing an assessment roll for the then current year for the new municipality and also for the old municipality.

Apportionment.

(b) Requiring the old municipality to pay over to the new municipality such portion of the applicable taxes collected, or to be collected in the then current year, as the Board of Arbitration referred to in section 7 may determine.

"Arbitration Act."

7. The old municipality and the new municipality shall, on or before a date to be fixed by the Minister, submit to arbitration, under the provisions of the "Arbitration Act," the matters to be settled by arbitration under this Act, and all other disputes between the old municipality and the new municipality arising out of the incorporation of the new municipality shall forthwith be referred to arbitration under the "Arbitration Act."

Method of
apportionment

8. The liabilities and assets of the old municipality shall be apportioned between the old municipality and the new municipality at the values and on the bases set by a Board of Arbitration to be appointed under the "Arbitration Act."

Payment

9. The share or portion of the credits and assets of the old municipality determined pursuant to section 8 as being that share or portion belonging to the new municipality shall be paid to the new municipality as follows:—

(a) Fifty per centum of the said share or portion, on or before a date to be fixed by the Minister:

(b) Fifty per centum of the said share or portion within a period of twelve months from the date fixed pursuant to clause (a), with interest at the rate of four per centum per annum calculated from that date.

Superannuation

10. Upon receipt of the first instalment of their share or portion of the total credits and assets, the new municipality shall pay to the Municipal Superannuation Commissioner such sum as shall be calculated as its liability. Payment shall be made to the Commissioner within thirty days of the date fixed pursuant to clause (a) of section 9.

Vesting of lands.

11. All taxes due and unpaid on the thirty-first day of December of the year in which the new municipality is incorporated, in respect of lands heretofore in the old municipality but now included by this Act in the new municipality, are hereby vested in the new municipality, and the new municipality shall have all rights, powers, and privileges formerly vested in the old municipality to collect the said taxes by sale of the lands liable therefor or otherwise.

Debenture indebtedness

12. In respect of the outstanding debenture indebtedness, exclusive of debentures issued for school purposes, of The Corporation of the Township of Langley, the new municipality shall undertake and be responsible for the payment of such portion or percentage as shall be determined by the Board of Arbitration. The amount so determined shall be set out in the Letters Patent of the new municipality. Payments of the principal so determined, together with the interest thereon, shall, not less than thirty days prior to the due date, be paid by the new municipality to the old municipality.

School debentures

13. In respect of the outstanding debenture indebtedness of The Corporation of the Township of Langley in respect of debentures heretofore issued for school purposes, the new municipality shall assume and be responsible to the extent of the portion as determined by the Board of Arbitration for any non-recoverable amount which the old municipality may be required to pay. The amount so determined shall be set out in the Letters Patent of the new municipality.

Joint and several liability

14. Notwithstanding anything herein contained, each of the said municipalities shall remain jointly and severally liable for the debts and liabilities of the old municipality incurred on or before the date when the Letters Patent shall be issued; said liability shall continue until the aforementioned debts and liabilities have been fully paid and satisfied.

Not affect existing agreement

15. Notwithstanding any provision in any other Act contained, neither the passing of this Act nor any matter contained herein shall enlarge, impair, or in any way affect the provisions of any contract or agreement heretofore entered into by The Corporation of the Township of Langley with any persons or body corporate; and so far as such contract or agreement affects The Corporation of the City of Langley, the new municipality shall have all the rights, remedies, and powers, and be subject to the same liabilities and obligations, as The Corporation of the Township of Langley could have had or be subject to had this Act not been passed.

Borrowing powers

16. The Council of the new municipality may by by-law, at any time prior to the first annual election, incur liabilities by borrowing such sum or sums of money, not exceeding in the whole twenty thousand dollars, as may be required for the purpose of carrying on the business of the new municipality until the revenues for the year are available for that

purpose, and any liability so incurred shall be repaid out of the revenues for that year.

Old by-laws valid.

17. All the by-laws of The Corporation of the Township of Langley which are valid and subsisting at the date of the issuance of Letters Patent shall be deemed to be the by-laws of the new municipality, and shall continue in full force and effect until repealed or amended by the new municipality.

Access to documents.

18. The new municipality, by its Mayor, Aldermen, officers, or agents, shall have access at all reasonable hours to all books, maps, plans, deeds, by-laws, and documents in possession of the old municipality relating to or concerning the area of the new municipality, together with the right to take copies of or extracts from any of them.

Date when powers of old municipality cease

19. Except as otherwise provided in this Act, all the rights, powers, and privileges of the old municipality over the new municipality shall cease as at the date Letters Patent are issued, and said rights, powers, and privileges shall vest in the new municipality thereafter.

Costs of apportionment and Act.

20. The Council of the new municipality shall pay out of the ordinary revenues of the new municipality all costs, charges, and expenses incurred in and about the incorporation of the new municipality, including the expenses of obtaining this Act, the holding of the plebiscite referred to in section 3, and the expenses of the Board of Arbitration.

Application of Municipal Acts

21. All the provisions of the "Municipal Act," the "Municipal Elections Act," and the "Municipalities Incorporation Act," and of all other Statutes and laws applicable to city municipalities, shall apply to The Corporation of the City of Langley, except as otherwise provided by this Act.

VICTORIA, B C

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