



## CHAPTER 75.

An Act relating to the Corporation of the City of  
Victoria.

[Assented to 29th March, 1934.]

**W**HEREAS the Corporation of the City of Victoria has by its Preamble  
petition represented that the said city is a municipality  
within the meaning of the "Municipal Act" and "Local Im-  
provement Act," and that it is necessary, in the interests of the  
inhabitants and ratepayers of the said municipality, to enact the  
provisions hereinafter contained, and has prayed that the same may  
be enacted accordingly:

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:—

## PART I.

## TITLE AND INTERPRETATION.

1. This Act may be cited as the "Victoria City Act, 1934."

Short title.

2. In this Act, unless the context otherwise requires:—

Interpretation  
of terms

"Corporation" means the Corporation of the City of Victoria:

"Municipality" means the Municipality of the City of Victoria:

"Council" means the Municipal Council of the Corporation of  
the City of Victoria.

In defining any word or expression used in this Act, not by this  
Act expressly defined, reference may be had to the provisions of  
the "Municipal Act," the "Municipal Elections Act," the "Local  
Improvement Act," and the private Acts of the Corporation here-  
tofore enacted.

## PART II.

## AMENDING "VICTORIA CITY ACT, 1921."

Statutory meeting  
of Council

3. Section 13 of "Victoria City Act, 1921," is amended by adding to subsection (2) thereof the words "or if the said first Monday is a holiday, then on the next day thereafter that is not a holiday."

## PART III.

## MISCELLANEOUS.

Power to borrow  
temporarily for  
redemption of  
serial debentures  
payable in 1934.

4. It is declared to have been lawful and to be lawful for the Council to borrow temporarily without the assent of the electors a sum or sums of money not exceeding in the aggregate two hundred and thirty-one thousand one hundred dollars, and to apply the same toward the redemption of serial debentures of the Corporation which have become due and payable since the first day of January, 1934, and toward the redemption of serial debentures of the Corporation that shall hereafter become due and payable during the year 1934; and any obligation created by any such temporary borrowing shall be a general charge on the credit of the Corporation, and shall be evidenced by an undertaking in writing which shall be signed by the Mayor and by the Municipal Clerk of the Corporation, shall bear the corporate seal, and shall be for a period not exceeding one year, but may be renewed from time to time.

Power to borrow  
on debentures for  
redemption of  
serial debentures  
payable in 1934  
or to repay  
temporary loans  
for same.

5. Notwithstanding the provisions of the "Municipal Act" or any other Statute or law to the contrary, the Corporation shall have power by by-law to borrow without the assent of the electors a sum or sums of money not exceeding in the aggregate two hundred and thirty-one thousand one hundred dollars, and to issue debentures therefor on the credit of the Corporation, and to apply the proceeds from the sale of the said debentures or any of them toward the redemption of serial debentures of the Corporation that have or shall become due and payable during the year 1934, or toward the repayment of moneys that have been borrowed and used or that may be borrowed and used by the Corporation at any time for the redemption of said serial debentures or any of them:

Provided that all debentures issued pursuant to this section shall be made payable not later than fifteen years from the date thereof, shall bear such rate or rates of interest, and shall be payable at such place or places as the Council may by resolution determine, and any by-law passed pursuant to this section shall comply with sections 97 and 98 of the "Municipal Act":

Provided further that the debentures and interest coupons issued or to be issued pursuant to this section shall be sufficiently signed if the said debentures bear the written signature, and the said interest coupons bear the written or lithographed signature, of the

Mayor of the Corporation for the year 1934 or of the Mayor of the Corporation for the year in which the said debentures are issued and delivered.

6. It shall be lawful for the Council by resolution or by-law to borrow temporarily without the assent of the electors a sum or sums of money not exceeding in the aggregate four hundred thousand dollars, and to apply the same toward the payment of the balance to accrue due and payable by the Corporation pursuant to "The Esquimalt Water Works Winding-up Act, 1925," being chapter 69 of the Statutes of 1925, in respect of the following indentures:—

Power to borrow temporarily for payment of waterworks mortgages.

- (a.) Indenture of mortgage dated the twenty-third day of June, 1909, between The Esquimalt Water Works Company of the one part and James Dunsmuir of the other part, to secure the sum of five hundred and fifty thousand dollars and interest:
- (b.) Indenture by way of further charge dated the twenty-third day of August, 1910, between The Esquimalt Water Works Company of the one part and James Dunsmuir of the other part, to secure the sum of seventy five thousand dollars and interest.

And any obligation created by any such temporary borrowing shall be a general charge on the credit of the Corporation, and shall be evidenced by an undertaking in writing which shall be signed by the Mayor and by the Municipal Clerk of the Corporation, shall bear the corporate seal, and shall be for a period not exceeding one year, but may be renewed from time to time.

7. Notwithstanding the provisions of the "Municipal Act" or any other Statute or law to the contrary, the Corporation shall have power by by-law without the assent of the electors:—

Power to borrow on debentures for payment of waterworks mortgages, to renew or extend existing mortgages, or to borrow on new mortgages.

- (1.) To borrow a sum or sums of money not exceeding in the aggregate four hundred thousand dollars, and to issue debentures therefor on the credit of the Corporation, and to apply the proceeds from the sale of the said debentures or any of them toward the payment of the balances to accrue due and payable by the Corporation pursuant to "The Esquimalt Water Works Company Winding-up Act, 1925," being chapter 69 of the "Statutes of 1925," in respect of the following indentures:—

(a.) Indenture of mortgage dated the twenty-third day of June, 1909, between The Esquimalt Water Works Company of the one part and James Dunsmuir of the other part, to secure the sum of five hundred and fifty thousand dollars and interest:

(b.) Indenture by way of further charge dated the twenty-third day of August, 1910, between The Esqui-

malt Water Works Company of the one part and James Dunsmuir of the other part, to secure the sum of seventy-five thousand dollars and interest;

or toward the repayment of moneys that may be borrowed temporarily and used by the Corporation at any time for the payment of said balances or portions thereof:

(2.) To enter into any agreement or agreements with The Royal Trust Company for renewal or extension of the said indentures or either of them referred to in clause (1) of this section for such period or periods of time, not exceeding twenty-five years, and at such rate or rates of interest and upon such terms and conditions as may be mutually agreed upon: and for such purpose or purposes the Corporation shall have power to execute every such renewal or extension:

(3.) To borrow on mortgage or mortgages on the security of the Corporation's interest in The Esquimalt Water Works Company's property and undertaking for such period or periods of time, not exceeding twenty-five years, and at such rate or rates of interest and upon such terms and conditions as may be mutually agreed upon, a sum or sums of money not exceeding four hundred thousand dollars, and to apply said money toward the repayment of the balances to accrue due and payable by the Corporation in respect of said indentures referred to in clause (1) of this section, or toward the repayment of moneys that may be borrowed temporarily and used by the Corporation for the payment of the said balances or portions thereof, and for such purpose or purposes the Corporation shall have power to execute every such mortgage:

Provided that all debentures issued pursuant to this section shall be made payable not later than thirty years from the date thereof, shall bear such rate or rates of interest, and shall be payable at such place or places as the Council may by resolution determine, and any by-law passed pursuant to clause (1) of this section shall comply with sections 97 and 98 of the "Municipal Act": Provided further that the debentures and interest coupons issued or to be issued pursuant to this section shall be sufficiently signed if the said debentures bear the written signature, and the said interest coupons bear the written or lithographed signature, of the Mayor of the Corporation for the year 1934 or of the Mayor of the Corporation for the year in which the said debentures are issued and delivered.

Power to purchase  
shares of The  
Esquimalt Water  
Works Company  
as sinking fund  
investment.

8. (1.) The Corporation shall have power from time to time by resolution of the Council to purchase and acquire the shares or part of the shares in the share capital of The Esquimalt Water Works

Company at such price and upon such terms as may be agreed upon and as may from time to time be fixed in and by any such resolution; and

(2.) Purchase of all or any of the said shares in manner aforesaid shall be a lawful investment for any sinking fund of the Corporation; and

(3.) Payments to be made by the Corporation to The Esquimalt Water Works Company under "The Esquimalt Water Works Company Winding-up Act, 1925," being chapter 69 of the Statutes of 1925, may from time to time be proportionately reduced as such shares in the share capital of The Esquimalt Water Works Company are purchased by the Corporation, and shares purchased by the Corporation shall be non-participating as regards any further distribution of funds among shareholders, but an amount equal to such proportionate reduction shall be paid into each sinking fund affected and proportionately as to each sinking fund affected.

9. Notwithstanding the provisions of the "Municipal Act" or of any other Statute or law to the contrary, the Council shall have power from time to time to make, alter, and repeal by-laws for any of the following purposes, namely:—

Powers relating  
to conveyances  
or vehicles for  
hire and owners  
and drivers thereof.

For regulating, prohibiting, defining, restricting, limiting, and licensing the owners and drivers of horses, drays, express wagons, carts, cabs, carriages, omnibuses, automobiles, motor-vehicles, taxicabs, motor-trucks, and other conveyances and vehicles in the keeping and using of same for the carriage of passengers or freight for hire, and every person engaged in or carrying on, either directly or indirectly, any business, occupation, or calling in connection therewith; and

In connection with the matters above mentioned, for fixing rates or fares and for establishing maximum and minimum rates or fares to be charged or taken for the carriage of passengers or freight, and for prohibiting overcharging and undercharging in excess of or below said rates or fares so fixed or established throughout the limits of the municipality or within any zone, area, or district forming part of the municipality:

For authorizing and assigning places or stands for conveyances or vehicles kept and used for hire on any street or other public place, and for specifying the kind or class of conveyance or vehicle which may stand in any particular place or stand so assigned, and for prohibiting conveyances or vehicles belonging to any kind or class thereof so specified, when kept and used for hire, from standing on any street or public place except in the place or stand assigned for same, and for prohibiting any other class or kind of con-

veyance or vehicle from occupying any such particular place or stand, and for defining and classifying all such conveyances or vehicles and the persons carrying on any business hereinbefore enumerated, and authorizing the Council and the Council of the municipality is hereby authorized and empowered in and by any such by-law to differentiate and discriminate according to such classification or classifications as may be designated in any such by-law in that behalf between such persons or classes of persons, and between such businesses or classes of business, or between such conveyances or vehicles used for hire or any classes thereof and generally as the Council in and by any such by-law may see fit to provide:

For providing for and requiring the production and proof of the obtaining and maintaining in force of insurance for the protection of passengers using conveyances or vehicles for hire, and for refusing to grant a licence and for cancelling or suspending any licence granted by the Council unless and until such insurance is duly produced, proved, and maintained in compliance with the terms of the by-law, and for prohibiting the operation and driving of any such conveyance or vehicle for hire by any such owner or driver who shall fail to maintain such insurance, and for requiring insurers to give to the municipality reasonable notice of cancellation of any such insurance:

For regulating, prohibiting, and limiting the methods and places of canvassing for vehicles for hire, and in relation to the above matters for preventing noise, confusion, and disturbance of the peace in such manner as to the Council as enacted in and by any such by-law may seem expedient:

For requiring the use of meters as a means of determining rates or fares to be paid by passengers using conveyances or vehicles for hire, and for inspecting and regulating the use of such meters:

For providing for and regulating the suspension of any licence and the cancellation of any licence granted hereunder in such manner and for such reasons, and with or without any notice or hearing, as to the Council may seem expedient:

For defining what shall constitute an offence against any by-law passed hereunder, and for imposing penalties, not exceeding two hundred dollars, for each such offence or other failure to comply with any of the requirements of any such by-law, and for providing for the enforcement and recovery of all such penalties in manner provided by the "Summary Convictions Act":

All the powers in and by the foregoing provisions created and conferred shall be in addition to and not in substitution for or derogation from any of the powers now vested in the said Council.

10. The Council may by by-law provide that the owner of any land, and improvements (if any) thereon, on which taxes are delinquent or in arrear shall during the year 1934 be entitled, upon payment of the whole or any part of said taxes prior to the date of the tax sale, to receive a rebate or allowance of an amount not exceeding one-half of the total of all percentages added under section 38 of "Victoria City Act, 1920," in respect of the taxes so paid. Any by-law passed hereunder shall have force and effect as from the first day of January, 1934.

Power to rebate half percentage additions.

11. The Corporation shall have power to enter into, carry out, and fulfil the provisions of any agreement approved by resolution of the Council of the Corporation or by by-law of the Council of the Corporation (which the Corporation is hereby empowered to pass without any submission or authority except this section) for the purpose of adjusting, ascertaining, compromising, and meeting, either by cash payment or issuance and delivery of debentures of the Corporation, or partly in one way and partly in the other, every engagement, obligation, or liability whatsoever of the Corporation under its By-law Number 2394, intituled the "Terminal Warehouse Agreement By-law, 1927": Provided that no new obligation or agreement shall be undertaken increasing any liability originally purporting to be created by the said by-law; and provided that debentures issued under the seal of the Corporation for the purposes aforesaid shall be valid and effectual according to the tenor thereof for all purposes whatsoever, and any money paid or to be paid by the Corporation in the premises shall be deemed to be a current expenditure and may be budgeted and levied for as a current expenditure in any year or years.

Powers relating to By-law 2394. "Terminal Warehouse Agreement By-law, 1927."

VICTORIA, B.C.

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