

## CHAPTER 60

## An Act to Amend the Vancouver Charter

[Assented to 27th March, 1963.]

Preamble.

WHEREAS the City of Vancouver has presented a petition praying that the *Vancouver Charter* be amended:

And whereas it is expedient to grant the prayer of the said petition:

Therefore, 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 *Vancouver Charter Amendment Act, 1963*.

Amends s. 128.

2. Section 128 is amended by striking out all the words after "his seat shall be deemed to be vacated" in the eighteenth line and substituting the following: "and the Council, within one month following the date of such vacancy shall, by resolution, order either

"(a) that a warrant be issued by the Mayor and delivered to the Returning Officer who held the last election under this Act (or some other person named in the resolution) requiring him to call for nominations and, as Returning Officer, to hold a new election to replace such member; or

"(b) that no election be held to replace such member until the next annual election."

Enacts s. 161B.

3. The said Act is further amended by inserting immediately after section 161A the following:—

"161B. The Council may, by by-law, provide for the suspension, revocation, cancellation, or forfeiture, for cause, of any permit which may be granted in the exercise of its powers."

Amends s. 206.

4. Section 206 is amended by striking out clause (f) and substituting the following:—

"(f) the Vancouver General Hospital or any other hospital which in the opinion of Council provides similar services;"

Enacts s. 206B.

5. The said Act is further amended by inserting immediately after section 206A the following:—

"206B. (1) Notwithstanding anything contained in any other Statute or law of the Province, where a by-law passed under subsection (2) is in force and subject to its provisions, it shall be lawful for any person after half past one in the afternoon of the Lord's Day, commonly called Sunday, or during such period or periods of time after half past one in the afternoon of the Lord's Day as are specified in the by-law, to provide for, engage in, or be present at any exhibition of motion pictures or any

theatrical performance, concert, lecture, or any other exhibition or performance at which any fee is charged for admission to such exhibition, performance, concert, lecture, or other exhibition or performance and which, but for this section, would be unlawful under section 6 of the *Lord's Day Act* (Canada); or to do or engage any other person to do any work, business, or labour in connection with any such exhibition of motion pictures, theatrical performance, concert, lecture, or other exhibition or performance, as the case may be, which, but for this section, would be unlawful under section 4 of the *Lord's Day Act* (Canada).

"(2) The Council may pass a by-law declaring subsection (1) to be in force throughout the city or in such part or parts thereof as may be specified in the by-law, and upon such by-law coming into force, subsection (1) shall apply throughout the city or in such specified part or parts, as the case may be.

"(3) The by-law may specify and differentiate between different types of exhibitions of motion pictures, theatrical performances, concerts, lectures, or other exhibitions or performances, and may permit some and prohibit others."

Amends s. 245. **6.** Section 245 is amended by striking out the word "two" in the fifth line of subsection (4) and substituting the word "five". This section shall have a retrospective as well as a prospective effect.

Amends  
s. 291A.

**7.** Section 291A is amended by adding the following:—

"(8) Where the city is the owner of any real property abutting the street or portion thereof stopped up, diverted, or altered by the Council pursuant to this Act, the provisions of this section shall, mutatis mutandis, apply to the city as such owner or applicant, but in any such case it shall not be necessary for the city as the applicant to deposit in the Land Registry Office the conveyance referred to in subsection (7) hereof, and the Registrar aforesaid shall forthwith register the real property in the name of the city."

Amends s. 304 **8.** Section 304 is amended by striking out the word "maintenance" in the fifth line.

Amends s. 306. **9.** Section 306 is amended by adding the following clause:—

"(y) for providing for the disposal or storage of any goods or chattels situate in any building ordered by the City Building Inspector to be demolished and for the recovery of any costs or expenses incurred for such disposal or storage by sale of the goods or otherwise. The proceeds from the sale of such goods or chattels over and above any costs or expenses incurred shall be held in trust for the owner."

Amends s. 311. **10.** Section 311 is amended by adding the following to clause (a):  
"for conditions which may cause fire, or increase the danger of fire, or increase the danger to persons, and may order such precautions to be

taken as are deemed necessary to reduce the danger of fire or danger to persons; ”.

Further  
amends s. 311.

**11.** Section 311 is further amended by striking out clause (g) and substituting the following:—

“(g) for regulating the burning of any material in the open air; ”.

Further  
amends s. 311.

**12.** Section 311 is further amended by adding the following clauses (i) and (j):—

“(i) for requiring the owners or occupants of real property

“(i) to remove anything and everything from a building or yard which in the opinion of the Fire Chief or any person under his authority is a fire-hazard or increases the danger of fire;

“(ii) to clean chimneys and flues or other apparatus at fixed times or at any time when in the opinion of the Fire Chief or any person under his authority failure to so clean may cause a fire or increase the danger of fire;

“(j) for prohibiting persons from standing, loitering, or sitting in the aisles, passages, and stairways of churches, theatres, halls, skating-rinks, auditoriums, and other places of public resort.”

Amends s. 317.

**13.** Section 317 is amended by striking out in clause (n) the words “fifty cents” and substituting the words “one dollar”.

Further  
amends s. 317.

**14.** Section 317 is further amended by inserting in clause (w), immediately after “City Engineer,” the following words: “or such other person as shall be named for the purpose”.

Amends s. 504.

**15.** Section 504 is amended by striking out subsection (1) and substituting the following:—

“(1) Every parcel of real property which is exempt from real-property taxation under Part XX, except Crown lands and real property vested in the city or the Board of School Trustees of School District No. 39 (Vancouver), shall nevertheless be liable to be specially assessed and to be taxed under this Part.”

Enacts s. 560A.

**16.** The said Act is amended by inserting immediately after section 560 the following:—

“560A. The Director of Planning or anyone authorized by him shall have power to enter on to any land or into any building at any reasonable time for the purpose of inspecting such land or building in order to ascertain if the provisions of a zoning by-law are being or have been carried out.”

Re-enacts  
s. 578.

**17.** Section 578 is repealed and the following substituted:—

“578. None of the provisions of the *Municipal Act*, except sections 177, 458A to 458J, inclusive, and 765 to 798, inclusive, shall apply to the city, anything to the contrary contained in the *Municipal Act* notwithstanding.”

Commence-  
ment

18. Section 17 shall be deemed to have come into force on the thirty-first day of October, 1962.

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in right of the Province of British Columbia.  
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