



CHAPTER 52.

An Act for the Relief of the Municipal Corporation of the City of Fernie.

[27th February, 1912.]

WHEREAS the City of Fernie did, by notice dated the twenty-Preamble.
ninth day of April, 1910, and published in the "Ferne Free
Press," give notice of its intention to proceed with the construction
of sidewalks on the following streets and avenues as local improve-
ments, at a cost of some fifteen thousand dollars or thereabouts:
On McKenzie Avenue, opposite Lots 1-5, B. 35; McKenzie Avenue,
opposite Lots 1-10, B. 39; McKenzie Avenue, opposite Lots 1-10,
B. 100; Victoria Avenue, opposite Lots 1-10, B. 32; Victoria Avenue,
opposite Lots 1-10, B. 86; Victoria Avenue, opposite Lots 1-10, B. 40;
Pellatt Avenue, opposite Lots 6-10, B. 6; Pellatt Avenue, opposite
Lots 13-15, B. 10; Pellatt Avenue, opposite Lots 1-5, B. 15; Pellatt
Avenue, opposite Lots 11-15, B. 22; Pellatt Avenue, opposite Lots
11-15, B. 32; Pellatt Avenue, opposite Lots 11-15, B. 36; Pellatt
Avenue, opposite Lots 11-15, B. 40; Pellatt Avenue, opposite Lots
1-5, B. 37; Pellatt Avenue, opposite Lots 1-5, B. 41; Howland
Avenue, opposite Lots 6-10, B. 7; Howland Avenue, opposite Lots
1-5, B. 8; Howland Avenue, opposite Lots 6-10, B. 15; Howland
Avenue, opposite Lots 1-5, B. 34; Howland Avenue, opposite Lots
1-5, B. 38; Howland Avenue, opposite Lots 1-3, B. 42; Howland
Avenue, opposite Lots 7-10, B. 41; McPherson Avenue, opposite
Lots 1-5, B. 52; McPherson Avenue, opposite Lots 1-5, B. 46;
McPherson Avenue, opposite Lots 6-10, B. 38; McPherson Avenue,
opposite Lots 1-5, B. 41; Dalton Avenue, opposite Lots 6-10, B. 52;
Dalton Avenue, opposite Lots 5-8, B. 54; Dalton Avenue, opposite
Lots 1-5, B. 51; Dalton Avenue, opposite Lots 6-15, B. 47; Bethune
Avenue, opposite Lots 6-10, B. 53; Bethune Avenue, opposite Lots
4-6, B. 55; Lindsay Avenue, opposite Lots 1-4, B. 65; Lindsay
Avenue, opposite Lots 1-5, B. 70; Lindsay Avenue, opposite Lots

1-10, B. 75; Lindsay Avenue, opposite Lots 1-10, B. 80; Lindsay Avenue, opposite Lots 1-10, B. 83; Mason Avenue, opposite Lots 1-4, B. 57; Mason Avenue, opposite Lots 1-5, B. 61; Mason Avenue, opposite Lots 5-9, B. 65; Mason Avenue, opposite Lots 6-10, B. 70; Mason Avenue, opposite Lots 11-15, B. 75; Mason Avenue, opposite Lots 11-15, B. 80; Mason Avenue, opposite Lots 1-5, B. 58; Mason Avenue, opposite Lots 1-5, B. 62; Mason Avenue, opposite Lots 1-5, B. 66; Mason Avenue, opposite Lots 1-5, B. 71; Mason Avenue, opposite Lots 1-5, B. 76; Mason Avenue, opposite Lots 1-5, B. 81; Chipman Avenue, opposite Lots 6-10, B. 58; Chipman Avenue, opposite Lots 1-5, B. 63; Chipman Avenue, opposite Lots 1-5, B. 67; Chipman Avenue, opposite Lots 1-5, B. 72; Chipman Avenue, opposite Lots 1-5, B. 77; Chipman Avenue, opposite Lots 1-2, B. 82; Nicholls, opposite Lots 6-10, B. 63; Nicholls, opposite Lots 6-10, B. 63; Nicholls, opposite Lots 6-10, B. 67; Nicholls, opposite Lots 6-10, B. 72; Nicholls, opposite Lots 1-5, B. 64; Nicholls, opposite Lots 1-5, B. 68; Nicholls, opposite Lots 1-5, B. 73; Nicholls, opposite Lots 1-5, B. 78; Morrice, opposite Lots 6-10, B. 73; Morrice, opposite Lots 1-5, B. 74; Walmsley Street, opposite Lot 8, B. 2; Gemmill Street, opposite Lots 1 and 10, B. 7; Wood Street, opposite Lots 5 and 6, B. 7; Cox Street, opposite Lot 1, B. 51; Cox Street, opposite Lot 5, B. 58; Cox Street, opposite Lots 1 and 10, B. 63; Hanson Street, opposite Lots 1 and 10, B. 49; Hanson Street, opposite Lots 1 and 9, B. 65; Hanson Street, opposite Lots 1 and 10, B. 66; Hanson Street, opposite Lots 1 and 10, B. 67; McEvoy Street, opposite Lots 1 and 10, B. 25; McEvoy Street, opposite Lots 5 and 6, B. 23; McEvoy Street, opposite Lots 5 and 6, B. 24; McEvoy Street, opposite Lots 5 and 6, B. 48; McEvoy Street, opposite Lot 15, B. 47; McEvoy Street, opposite Lots 5 and 6, B. 77; McEvoy Street, opposite Lots 5 and 6, B. 78; McEvoy Street, opposite Lot 5, B. 79; Thompson Street, opposite Lots 5 and 6, B. 25; Thompson Street, opposite Lots 5 and 6, B. 27; Thompson Street, opposite Lot 6, B. 47; Rogers Street, opposite Lots 1 and 15, B. 32; Drinnan Street, opposite Lots 10 and 11, B. 32; Drinnan Street, opposite Lots 5 and 6, B. 33; Drinnan Street, opposite Lots 5 and 6, B. 34; Davies Street, opposite Lots 5 and 6, B. 35; Davies Street, opposite Lots 10 and 11, B. 36; Davies Street, opposite Lots 5 and 6, B. 37; Davies Street, opposite Lots 5 and 6, B. 38:

And whereas no petitions were received in answer to said notice against the construction of said works:

And whereas the said Corporation did proceed with the construction of said works and expended some five thousand dollars thereupon:

And whereas, owing to destruction of all municipal records in the fire which occurred in Fernie in 1908, the Corporation cannot prove that prior to the time of commencing said works it had passed any by-law, under and pursuant to subsection (1) of section 256 of

the "Municipal Clauses Act" and amendments thereto, for providing the means of ascertaining and determining what land or real property would be immediately benefited by the said works, and of ascertaining and determining the cost and the proportions in which the assessment was to be made on the various portions of land or real property so benefited for such cost, nor can it prove any special by-law for the same purpose has been passed by the said Corporation:

And whereas it was proposed to issue debentures of the said Corporation to defray the cost of said works when completed, but it is found that the same would not be saleable by reason of the circumstances hereinbefore recited:

And whereas a resolution has been passed by the Municipal Council of the said Corporation asking for legislation validating the proceedings in connection with the said local improvements:

And whereas it is expedient that under the circumstances relief should be granted to the said Corporation of the City of Fernie:

Now, therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

1. It shall be lawful for the said the Municipal Corporation of the City of Fernie to pass a by-law nunc pro tunc under subsection (1) of section 256 of the "Municipal Clauses Act" and amendments thereto hereinabove referred to, and to proceed with the said works hereinbefore recited, and to prosecute the same to completion as though such by-law had been passed by the said Corporation in accordance with the provisions of the said the "Municipal Clauses Act" and amendments thereto, and to contract temporary loans to defray the cost thereof until completion in accordance with the provisions of the said Act and amendments in that behalf; and upon completion of the said works it shall be lawful for the said Corporation to assess and levy the costs thereof against and upon the property benefited thereby in accordance with such by-law so to be passed as aforesaid, and in accordance with the provisions of the local improvements in city municipalities of the "Municipal Clauses Act" and amendments thereto, to issue debentures under the provisions of the said "Municipal Clauses Act" and amendments thereto and in accordance therewith to pay for the cost of such works, and to dispose of such debentures as by the said Act and amendments permitted and directed, and such debentures when so issued as aforesaid shall be valid and binding on the said Corporation of the City of Fernie to all intents and purposes whatsoever.

Corporation may
pass by-law nunc
pro tunc

2. This Act may be cited as the "Ferne Local Improvement Short title Relief Act, No. 2, 1912."

VICTORIA, B.C.

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1912