



CHAPTER 93.

1951, c. 91.

**An Act to amend the "Township of Chilliwack
Drainage Act."***[Assented to 15th March, 1955.]*

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 "Township of Chilliwack Drainage Act Amendment Act, 1955."

Amends s 2

2. Section 2 of the "Township of Chilliwack Drainage Act," being chapter 91 of the Statutes of 1951, is amended by striking out the definition of "engineer," and substituting the following:—

"'Engineer' means civil engineer, British Columbia land surveyor, or such person as the Council may deem competent and appoint to carry out the provisions of this Act"

Amends s 16

3. Section 16 is amended by striking out subsection (2), and substituting the following as subsections (2) and (3):—

"(2) After having examined the locality, the engineer shall make a preliminary report to the Council, and shall state therein whether in his opinion a ditch is required and whether the cost of the proposed construction would be justified by the estimated benefit to the lands concerned. The Council shall consider such preliminary report within fourteen days after its delivery to the Clerk, and shall forthwith notify the engineer if he shall proceed to make a detailed survey of the work required and of the cost thereof leading to an award.

"(3) If the Council notifies the engineer to proceed as aforesaid, the engineer shall forthwith commence the necessary surveys and estimates, and shall within sixty days of receipt by him of such notification

from the Council make his award in writing, specifying clearly the location, description, and course of the ditch, its commencement or termination, and indicating the benefit to be derived by each parcel of land and each portion of road from the construction of the ditch, expressing such benefit derived in terms of acreage or as fractions of the total area benefited, and stating his estimate of the cost of the ditch, the amount of his fees and other charges."

Further amends s. 16 4. Section 16 is further amended by renumbering the present subsection (3) as subsection (4).

Enacts s. 18A. 5. Chapter 91 is further amended by inserting the following as section 18A:—

"18A. Construction of any ditch, the cost of which is estimated by the engineer to exceed five thousand dollars, shall not be undertaken until such construction has been approved by at least three-fifths in number of the persons shown by the last revised assessment roll of the municipality to be the owners of the lands to be benefited by the proposed ditch and by the owners of at least three-fifths of the assessed value of such lands, excluding improvements. Approval of such owners shall be in writing and signed by the owner or owners concerned, and each signature shall be dated and witnessed."

Amends s. 19. 6 Section 19 is amended by inserting after "shall," in the eighth line, the words "after termination of the period allowed for appeal by section 23."

Re-enacts s. 23. 7. Section 23 is struck out, and the following is substituted:—
"23. Any owner dissatisfied with the report or award of the engineer made under section 9 or section 16 and affected thereby may, within fifteen clear days from the date of the notification by the Clerk referred to in section 18, appeal therefrom to a Judge of the County Court, and the provisions of sections 26 to 37 of the 'Ditches and Watercourses Act' shall, mutatis mutandis, apply to such appeal."

VICTORIA, B.C.

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