



CHAPTER 83.

An Act to amend the "Vancouver
Incorporation Act, 1921."

[Assented to 28th March, 1945.]

WHEREAS a petition has been presented by the City of Van- Preamble.
couver, praying that the "Vancouver Incorporation Act,
1921," be amended:

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:—

1. This Act may be cited as the "Vancouver Incorporation Short title
Act, 1921, Amendment Act, 1945."

2. The "Vancouver Incorporation Act, 1921," being chapter Enacts s. 136A
55 of the Statutes of British Columbia, 1921 (Second Session),
is amended by inserting immediately after section 136 the fol-
lowing as section 136A:—

" 136A. In case the expenditure of any money borrowed under
any of the provisions of this Act should, in the opinion of the
Council, be delayed for any reason, it shall be lawful for the
Council temporarily to invest such money or any part thereof in
securities of the Dominion of Canada and thereafter to dispose
of the said securities as and when the Council deems advisable "

3. Subsection (88) of section 163 of said chapter 55, as Re-enacts s. 163
enacted by section 6 of the "Vancouver Incorporation Act, 1921,
Amendment Act, 1933," is repealed, and the following substituted
therefor:—

"(88.) For prohibiting, licensing, and regulating the owning, keeping, operating, or maintaining of slot-machines and devices operated by, or requiring for the operation thereof, the insertion therein of any slug or coin, and for prohibiting, licensing, and regulating the owning, keeping, operating, or maintaining of vending-machines and machines and devices operated mechanically or otherwise for the purpose of selling or disposing of any goods, wares, merchandise, or articles, or for the purpose of providing any music, game, or amusement, or services of any kind, and for defining and classifying all machines and devices in this subsection referred to, and empowering and authorizing the Council to differentiate and discriminate according to such classification or classifications as may be designated in any by-law in that behalf between any such machines and devices, or any such class or classes of machines or devices with respect to the prohibiting, licensing, or regulating thereof as aforesaid."

Enacts subsecs.
(134b), (134c),
(134d) and (134e),
s 163

4. Section 163 of said chapter 55 is further amended by inserting therein the following as subsections (134b), (134c), (134d), and (134e):—

"(134b.) (1.) For designating streets or portions of streets on which a distinguishing single line or double line shall be marked, which lines may or may not be in the middle of the travelled portion of the street, and, notwithstanding anything contained in the 'Highway Act,' for prescribing that all vehicles shall be kept to the right of such double line at all times, and to the right of such single line except when passing an overtaken vehicle elsewhere than at a curve in the street:

"(2.) For marking traffic lanes on streets and, notwithstanding anything contained in the 'Highway Act,' for regulating the driving of vehicles within such lanes:

"(134c.) For authorizing the Chief Constable, or such official as may be named by by-law or resolution, to designate by traffic signs and markings such portions of streets as in the discretion of the Chief Constable, or such other official, should be designated as school crossings, and, notwithstanding anything contained in the 'Motor-vehicle Act,' for regulating traffic at such crossings, and for inflict-

ing a minimum fine of fifteen dollars for any breach of such regulations:

"(134d.) For classifying all vehicles and, notwithstanding anything contained in the 'Motor-vehicle Act,' for regulating the rate of speed of all vehicles, or of any class of vehicles, in any zone, place, or area designated by by-law within the city, not exceeding the maximum rate of speed prescribed by the 'Motor-vehicle Act':

"(134e.) For providing that every pedestrian shall stop and state correctly his name and address when requested by any police officer, and for authorizing such police officer to arrest without warrant any person whom such police officer finds committing a breach of any provision of a by-law passed pursuant to the provisions of this Act respecting traffic, if such person shall fail to stop and state correctly his name and address when so requested by a police officer."

5. Section 163 of said chapter 55 is further amended by inserting immediately after subsection (228a), the following as subsection (228b):—

Enacts subsec
(228b), s. 163

"(228b.) For granting money in aid of the Vancouver Traffic and Safety Council."

6. (1.) Section 163 of said chapter 55 is further amended by inserting therein immediately after subsection (239), the following as subsection (239a):—

Enacts subsec
(239a), s. 163

"(239a.) For providing a portion of the funds for the establishment in the city of any plan of tuberculosis control which may be set up by the Government of the Province of British Columbia."

(2.) The amendment to said section 163 made by this subsection shall relate back to and shall be deemed to have had effect and to have been in force on and after the first day of July, 1941.

7. Section 163 of said chapter 55 is further amended by adding to subsection (264) thereof the following: "and for requiring that the proprietors of such works, plants, yards, or businesses shall keep the premises used for such purposes in a reasonably tidy and sightly condition to the satisfaction of the Advisory Architectural Control Board provided for under subsection (189b) of this section."

Amends subsec
(264), s. 163

8. Section 163 of said chapter 55 is further amended by inserting therein, immediately after subsection (289a), the following as subsection (289b):—

Enacts subsec
(289b), s. 163

"(289b.) Notwithstanding that the city may have granted a licence to any lot for burial purposes in any cemetery owned by the city, the Council may make application to the Provincial Secretary that such licence be revoked. If upon such application the city furnishes proof to the Provincial Secretary,—

(a.) That no interment has been made in the said lot:

(b.) That after reasonable search the licensee of such lot or his personal representative cannot be found,—

the Provincial Secretary may direct that the licence of such lot be revoked, and thereupon the city may deal with the same as if the said licence had never been granted. The city shall thereupon credit to a separate account the sum paid by such licensee to the city in respect of such lot. The licensee or his personal representative shall be entitled to be paid such sum out of such account upon proof that he is entitled to same."

Amends subsec.
(305b), s. 163.

9. Subsection (305b) of section 163 of said chapter 55, as enacted by section 13 of the "Vancouver Incorporation Act, 1921. Amendment Act, 1938." is amended by striking out the figures "1938" in the third line.

Enacts subsec.
(310a), s. 163.

10. Section 163 of said chapter 55 is further amended by inserting, immediately after subsection (310), the following as subsection (310a):—

"(310a.) For establishing and appointing annually a Board of not more than five members to be known as the Vancouver Athletic Commission, who shall serve without remuneration and for providing that such Board shall have power within the city:—

"(a.) To regulate, control, and supervise, or to prohibit, professional boxing and wrestling contests and exhibitions:

"(b.) For the purpose of providing funds for the Board's proper expenses, to require persons conducting such contests or exhibitions to pay to the Board a fee, to be fixed by the Council, in respect of each such contest or exhibition, which fee shall not exceed two cents for each seat provided for the public:

"(c.) To prescribe equipment and rules for the conduct of professional boxing and wrestling,

and any other professional contests within the jurisdiction of the Board:

"(d.) To issue permits to persons conducting professional contests or exhibitions as a condition of their being held:

"(e.) To issue permits to boxers, wrestlers, and other participants in professional contests or exhibitions as a condition of their participating therein:

"(f.) To pass upon and approve contracts for such contests or exhibitions as a condition of their being held:

"(g.) To investigate the conduct of any participants in such contests or exhibitions or of persons conducting the same, and particularly with respect to any alleged breach of the by-law or rules made thereunder with power by way of punishment to impose reasonable fines for misconduct, or to prevent such participants or persons from taking part in any contests or exhibitions in the city for reasonable periods:

"(h.) To provide that the decision of the Board with respect to the granting or refusal of any permit or any other matters within its jurisdiction shall be final, subject to an appeal to the Council:

"(i.) To prevent any person from participating in or conducting any such contest or exhibition, or from advertising the same, unless he has been granted a permit for the purpose:

"(j.) Whether or not any penalty has been imposed, to restrain any person conducting any such contest or exhibition or participating therein without the prescribed permit, by action in the Supreme Court brought by the Board in its name without the Crown or the Attorney-General or any other officer of the Crown being made a party to such action."

11. Section 172 of said chapter 55 is amended by inserting after the word "city," in the fourteenth line, the words "or as may be required for the furtherance of any plan for the improvement or rehabilitation of areas which in the opinion of the Council have become or are tending to become slum areas." Amends s 172

12. Section 216 of said chapter 55, as enacted by section 18 of the "Vancouver Incorporation Act, 1921, Amendment Act," Amends subsec
(1), s. 216.

1928," is amended by inserting in subsection (1), after the word "against" in the seventh line, the words "such of"; and by inserting therein after the word "subdivided," in the eighth line, the words "as are benefited by such work or local improvement."

Authority given to
dispose of property
coming into posses-
sion of police.

13. Said chapter 55 is further amended by inserting immediately after section 263 the following as section 263A:—

"263A. (1.) The Board may make regulations for the disposal of property which has come into possession of the police of the city in cases where the owner of the property has not been ascertained and no order of a competent Court has been made with respect thereto.

"(2.) The regulations may authorize the sale of any such property and the application of the proceeds of any such sale, and the application of any money of which the owner cannot be ascertained, to all or any of the following purposes:—

"(a.) The expense of executing the regulation

"(b.) The payment of reasonable compensation to any person by whom the property has been delivered into possession of the police:

"(c.) Payment into the general revenue of the city.

"(3.) Where the property is a perishable article or its custody involves unreasonable expense or inconvenience it may be sold at any time, but the proceeds of sale shall not be disposed of until they have remained in the possession of the police for a year. In any other case the property shall not be sold until it has remained in the possession of the police for a year.

"(4.) The regulations shall apply whether the property to which they relate has come into the possession of the police before or after the making of the regulations."

Amends s. 303.

14. Section 303 of said chapter 55 is amended by striking out all the words down to and including the word "original" in the fifth line, and substituting therefor the following:—

"A copy of any document or record being the property of, or in the possession of the city, certified as such under the hand of the City Clerk and bearing the corporate seal of the city, may be filed in any Court in lieu of such document or record."

Re enacts s. 326.

15. (1.) Section 326 of said chapter 55, as enacted by section 29 of the "Vancouver Incorporation Act, 1921, Amendment Act, 1937," and amended by section 11 of the "Vancouver Incorporation Act, 1921, Amendment Act, 1940," is hereby repealed, and the following substituted therefor:—

"326. Notwithstanding anything contained in the 'Municipal Act,' or the 'Municipalities Incorporation Act,' or the 'Municipal

Elections Act,' none of the provisions of those Acts, except section 264, sections 426 to 430, and sections 494 and 495 of the 'Municipal Act,' shall apply to the City of Vancouver."

(2.) The enactment of said section 326 made by this section shall relate back to and shall be deemed to have had effect and to have been in force on and after the third day of December, 1921

VICTORIA, B.C.

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