



CHAPTER 62.

An Act to amend the "Vancouver Incorporation Act, 1886," and amendments thereto. U. A., 1888, No. 71;
1887, c. 37; 1889, c. 40; 1891, c. 72

[23rd April, 1892.]

WHEREAS a petition has been presented praying for the amendment of the "Vancouver Incorporation Act, 1886," and amendments thereto: Preamble.

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

Therefore, Her Majesty, by and with the advice of the Legislative Assembly of the Province of British Columbia in Parliament assembled, enacts as follows:—

1. Section 4 of the "Vancouver Incorporation Act, 1886," section 2 of the "Vancouver Incorporation Act (1886) Amendment Act, 1887," sections 2 and 3 of the "Vancouver Incorporation Amendment Act, 1889," and section 1 of the Act passed on the 20th day of April, 1891, intituled "An Act to amend the 'Vancouver Incorporation Act, 1886,' and amendments thereto," are hereby repealed, and in lieu thereof the following sections shall apply as to the qualification for and tenure of office of the Mayor and Aldermen:— Ss repealed.

(a.) There shall be elected from time to time, in manner hereinafter mentioned, fit and proper persons, who shall be and be called the Mayor of the City of Vancouver, and shall hold office until his successor is appointed, as herein provided: Election of Mayor.

(b.) There shall be elected from time to time, as hereinafter mentioned, fit and proper persons, duly qualified as hereinafter appearing, who shall be and shall be called Aldermen of the City of Vancouver, and shall be designated as such, and shall represent for all purposes Election of Aldermen.

whatsoever the Corporation of the City of Vancouver, and shall hold office as follows:—

For year 1893.

(c.) There shall be elected for the year 1893 two persons for each ward; of these two persons, the one receiving the highest number of votes shall hold office for two years; the one receiving the next lowest number for one year:

For subsequent years.

(d.) There shall, subsequently to the year 1893, be elected one person for each ward, who shall hold office for two years, or until their successors are appointed, as hereinafter provided; and in the event of there being only two candidates for any one ward for the year 1893, there shall, notwithstanding, be an election held in the same manner and time as that for the election of Aldermen to decide which of the two shall hold office for the two years, and the one not being elected so to do shall only hold office for the one year:

Disqualification of Mayor and Aldermen.

(e.) Any person being in holy orders, or the minister of any religious denomination whatever, or any Judge of any Court of Record of this Province, sheriffs or officers of the said Courts, or officers of Her Majesty's army or navy on full pay, or provincial, county, or city license commissioners or inspectors, or the holders of hotel, saloon, or shop licenses within the city, or salaried officers of the city, or any person having any unsettled disputed account against or due by the city, or any person accountable for the revenues of the city, or any officer or person presiding at the election of Mayor or Aldermen while so employed, or any person who shall have been convicted of treason or felony in any Court of Law within Her Majesty's dominions or elsewhere, or any person having, by himself or through his partner, or as a director in any incorporated company, any contract whatever, or interest in any contract, with or for the city, either directly or indirectly, shall not be capable of being elected or serving as Mayor or Alderman; but no person shall be held to be disqualified from being elected Mayor or Alderman of the city by reason of his being a shareholder in any incorporated company having dealings or contracts with the City Council of the city, but no such shareholder shall vote in the Council on any question affecting such company:

Qualification of Mayor and Aldermen.

(f.) No person shall be qualified to be elected Mayor or Alderman unless such person resides within the city, or within two miles thereof, and is a natural born or naturalized subject of Her Majesty, and a male of the full age of twenty-one years, and is not disqualified under this Act, and has been for one month next preceding the day of nomination the registered owner in fee simple in the Land Registry Office of real property within the city limits of the assessed value, over and above all charges, liens, and encumbrances affecting the same, in the case of the Mayor to the value of one thousand dollars, and in the case of Aldermen to the value of five hundred dollars (\$500.00), all of which shall, in the case of Alderman, be in the ward for which

he is nominated, or the registered owner for three months preceding the day of nomination of leasehold property for a term of three years to the assessed value of three thousand dollars, and the whole of which must be situate in the ward for which such Alderman is a candidate, and which lease must extend over the whole term of his office.

2. Sub-section (3) of section 17 of the "Vancouver Incorporation Act, 1886," is hereby amended by striking out the words "a clerk," in the second line thereof, and inserting in lieu thereof the words "one or more clerks."

Amends sub-s. 3 of s. 17 of U. A. 1888, No. 71.

3. Sub-section (15) of section 17 of the "Vancouver Incorporation Act, 1886," is hereby amended by inserting after the word "officer," in the first line thereof, the words "or clerk to be appointed by him."

Amends sub-sec. 15 of said section.

4. Sub-section (16) of section 17 of the "Vancouver Incorporation Act, 1886," is hereby amended by inserting after the word "vote," in the fourth line thereof, the following words: "and in the year 1893, in the event of there being only two candidates—the candidate whom he wishes to hold office for two years."

Amends sub-sec. 16 of said section.

5. Sub-section (3) of section 128 of the "Vancouver Incorporation Act, 1886," is hereby amended by striking out all the words after the figure "(2)," in the third line thereof, and the word "interest," in the fifth line thereof, inclusive; and section 13 of "Vancouver Incorporation Amendment Act, 1889," is hereby repealed and the following substituted therefor:—"The by-law shall provide that an annual sum shall be raised and levied in each year by a special rate on all the rateable property in the city sufficient to pay interest on the debt during the currency of the debentures, and also a sum to be raised annually for the payment of the debt when due."

Amends sub-sec. 3 of s. 128 of U. A. 1888, No. 71.

Repeals s. 13 of 1889, c. 40, and substitutes—

6. Sub-section (4) of section 142 of the "Vancouver Incorporation Act, 1886," is hereby amended by inserting after the word "constructing," in the first line thereof, the words "or purchasing gas works; and for constructing or purchasing any street railway, tramway, electric light plant, and materials used in connection with the same, and for operating, leasing, maintaining, and extending the same;" and by striking out the word "gas" in the first line of said sub-section.

Amends sub-sec. 4 of s. 142 of U. A. 1888, No. 71.

7. Sub-section (5) of section 142 of the "Vancouver Incorporation Act, 1886," is hereby repealed.

Repeals sub-sec. 5 of ditto.

8. The "Vancouver Incorporation Act, 1886," is hereby amended by inserting a section to be known as sub-section (5a) of section 142:—"For the recovery of moneys due for water rates, or for the supply of water to consumers, and the enforcing of the payment of such moneys

Adds to s. 142 as sub-sec. (5a).

Recovery of water rates, etc.

or rates by making the same a charge on the lands of the owners or tenants using the water, and enabling the same to be recovered in the same manner as overdue taxes."

Amends sub-sec. 6 of s. 142. **9.** Sub-section (6) of section 142 of the "Vancouver Incorporation Act, 1886," is hereby amended by adding thereto the following words: "and for enforcing the closing of hotels, saloons and stores between the hours of eleven on every Saturday night and one on every Monday morning."

Amends sub-sec. 11 of s. 142. **10.** Sub-section (11) of section 142 of the "Vancouver Incorporation Act, 1886," is hereby amended by adding thereto the words "and gambling."

Amends s. 19 of 1889, c. 40. **11.** Section 19 of the "Vancouver Incorporation (1886) Amendment Act, 1889," is hereby amended by inserting after the word "manufactures," in the fourth line thereof, the words "and undertakings or enterprises that may be considered of benefit to the city," and by inserting after the word "industry," in the sixth line thereof, the words "or undertaking," and by adding a sub-section to be known as sub-section (3), as follows:—

Repeal of by-law. **"(3.)** Provided that if the terms or conditions on which a by-law is passed, under the preceding sub-sections, are not complied with by the person or body corporate to whom the bonus may be granted in the terms thereof, the Council may repeal the said by-law."

Amends s. 25 of 1889, c. 40. **12.** Section 25 of the "Vancouver Incorporation Amendment Act, 1889," is hereby amended by striking out the words from the word "that," in the third line thereof, to the word "property," in the fifth line thereof, inclusive.

Amends sub-sec. (47) of s. 142 of U. A. 1888, No. 71. **13.** Sub-section (47) of section 142 of the "Vancouver Incorporation Act, 1886," is hereby amended by inserting after the word "imprisonment," in the first line thereof, the words "with or without hard labour."

Adds sub-sec. (94a) to s. 142. **14.** The "Vancouver Incorporation Act, 1886," is hereby amended by adding a new sub-section, after sub-section (94), section 142, to be known as sub-section (94a), as follows: "For regulating the size of dwelling rooms and the number of persons who may dwell therein."

Adds sub-sec. (105a) to s. 142. **15.** The "Vancouver Incorporation Act, 1886," is hereby amended by adding after sub-section (106) of section 142 thereof a new sub-section, to be known as sub-section (105a), as follows: "For licensing and regulating milk-vendors."

Repeals sub-sec (71) of s. 142 and substitutes— **16.** Sub-section (71) of section 142 of the "Vancouver Incorporation Act, 1886," is hereby repealed, and the following inserted in lieu

thereof: "For licensing, regulating and governing transient traders and their agents who occupy premises or trade in the city for temporary periods, and whose names have not been duly entered on the assessment roll for property of the assessed value of two thousand dollars for the then current year, and for licensing and regulating all traders or their agents who solicit or take orders for the sale and delivery of goods by retail that are not manufactured or made up in the city."

17. Section 154 of the "Vancouver Incorporation Act, 1886," is hereby amended by inserting after the word "behaviour," in the second line thereof, the words "and efficiency." Amends s. 154 of U. A. 1888, No. 71.

18. Section 199 of the "Vancouver Incorporation Act, 1886," is hereby amended by inserting after the word "wharves," in the fourth line thereof, the following words: "Reservoir or Reservoirs." Amends s. 199 of ditto.

19. Section 201 of the "Vancouver Incorporation Act, 1886," is hereby repealed. Repeals s. 201 of ditto.

20. Section 202 of the "Vancouver Incorporation Act 1886," is hereby amended by striking out the word "half," in the second line thereof, and inserting in lieu thereof the word "third," and by striking out the word "two" in the third line thereof. Amends s. 202.

21. Section 142 of the "Vancouver Incorporation Act, 1886," is hereby amended by adding thereto the following sub-section, to be known as sub-section (128): "For regulating the supply of water and delivery thereof to the citizens." Adds sub-sec. (128) to s. 142. Water supply.

22. Section 9 of the "Vancouver Incorporation Act (1886) Amendment Act, 1890," is hereby amended by striking out all the words in the said section after the word "license" in the ninth line thereof. Amends s. 9 of 1890, c. 40.

23. Section 33 of an Act passed in the fifty-fourth year of Her Majesty's reign, intituled "An Act to amend the 'Vancouver Incorporation Act, 1886,'" and amendments thereto, is hereby amended by adding at the end thereof the following words: "any three of whom shall form a quorum." Amends s. 33 of 1891, c. 72.

24. This Act may be cited as the "Vancouver Incorporation Act Amendment Act, 1892." Short title.