

1913

(SECOND SESSION)

CHAPTER 39.

An Act to provide for the severance from the Village of Wabamun, and establishing as a separate Village, all of blocks numbered twelve (12), thirteen (13), fourteen (14), seventeen (17), eighteen (18), nineteen (19), twenty (20), twenty-one (21), twenty-two (22), twenty-three (23), twenty-four (24), twenty-five (25), twenty-six (26), twenty-seven (27), twenty-eight (28), twenty-nine (29), twenty-nine A (29a) and Block P, registered as Plan 3682AJ.

(Assented to October 25, 1913.)

WHEREAS at the time of the incorporation of the—
Village of Wabamun, Blocks numbered 12, 13, 14, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 29A and Block P were included in the limits of the said village;

And whereas the said lands have been converted into a summer resort by their owners who only occupy them for a short portion of each year;

And whereas the owners of the said lands have different requirements and needs from the permanent residents of the Village of Wabamun;

And whereas, owing to the fact that none of the owners of the said lands reside thereon during the winter months they are not in a position to exercise their right to vote at the annual election for councillors, nor to offer themselves for election as councillors, and consequently have no voice or representation in the government of the village and no practical means of in any way supervising the expenditure of the revenue derived from taxes paid in respect of the said lands;

And whereas they desire that the said lands be separated from the said Village of Wabamun and incorporated as a separate village;

And whereas the said lands contain not less than twenty-five occupied dwelling houses;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. Subject to the provisions of section 16 of this Act, that the said lands, namely: Blocks numbered

twelve (12), thirteen (13), fourteen (14), seventeen (17), eighteen (18), nineteen (19), twenty (20), twenty-one (21), twenty-two (22), twenty-three (23), twenty-four (24), twenty-five (25), twenty-six (26), twenty-seven (27), twenty-eight (28), twenty-nine (29), twenty-nine A (29A) and block P shall be and the same are hereby severed from and taken out of the limits of the municipality of the Village of Wabamun, and are hereby declared to be a municipal corporation within the meaning of *The Village Act* under the name of "The Village of Lake View."

2. Subject to the provisions of section 16 of this Act, that for the purposes of municipal assessment and taxation by the said Village of Wabamun the said lands shall be deemed to have been severed from the said municipality on the 31st day of December, 1913.

3. The provisions of *The Village Act* and all amendments thereto, or hereafter made, or any Act in substitution therefor, shall, in so far as the same are applicable and except as hereby varied or excluded, be incorporated herewith.

4. "Elector" means—

(a) For the purpose of any election held prior to the completion of the first revised assessment roll of the village, any person, male or female, who is at the date of the election of the full age of twenty-one years, and the owner of the land within the village assessable under the provisions of *The Village Act*;

(b) For the purpose of any election held after the completion of the first revised assessment roll of the village, any person, male or female, of the full age of twenty-one years, whose name appears on the last revised assessment roll of the village.

(2) "Year" means a period of twelve months beginning with the first day of August in each year.

5. Until a council shall be elected as herein provided, the following persons, namely: Lyman Delmar Parney, William T. Henry and Sidney Warner Eakin shall constitute the council of the village, with all powers and duties of councillors elected under the provisions of this Act; and a majority of them shall form a quorum.

6. A meeting of the electors of the village shall be held in each year for the nomination of candidates for the office of councillors, on the second Saturday in July, at

eight o'clock p.m.; provided that if such a day is a holiday the nomination shall take place on the next subsequent day not being a holiday.

7. Every council shall meet at least twice in every year at such times and at such places within the Province of Alberta as may be fixed by resolution, and every meeting shall be open to the public.

8. The secretary-treasurer shall report to the Minister the names and addresses of the councillors elected for the current year and the chairman of the council not later than the fifteenth day of August following.

9. The assessment provided for in *The Village Act* shall be completed not later than the 1st day of December in each year and the provisional council shall have power to make an assessment, fix the rate and levy taxes for the year 1913.

10. The council in addition to the powers vested in it by *The Village Act* may pass by-laws and expend money for all or any of the following purposes:

- (a) Improving the beach and adjacent waters of Wabamun Lake adjoining the lands of the village by clearing or grading, or by removing reeds, rushes or other vegetable matter or other obstruction therefrom;
- (b) Acquiring land for road, street or other municipal purposes by expropriation; and for such purposes sections 227 to 241 inclusive of *The Town Act* shall *mutatis mutandis* be incorporated herewith.

11. The books of the village shall be audited not later than the fifteenth day of August in each year by an auditor appointed by the council or named for the purpose by the Minister. The auditor shall make a full written report of his examination and audit of the books, accounts, records, lists, vouchers and moneys of the village to the Minister and the council of the village.

12. The secretary-treasurer shall not later than the first mail after the ninth day of August in each year, render the Minister a return in writing of those matters required by *The Village Act* to be included in such return.

13. The secretary-treasurer shall in the first fifteen days of August in each year make to the Minister the return of unpaid taxes required by *The Village Act*.

14. The said municipality is hereby empowered to pay the costs in connection with its incorporation.

15. The nomination for councillors for the first council shall be held on the eleventh day of July, 1914, and the first election of councillors shall be held on the eighteenth day of July, 1914, and the first returning officer shall be appointed by the Minister.

16. This Act shall not in any way relieve the said lands or any portion thereof, or the owners or those who may become beneficially interested therein, from the payment of any taxes that may be assessed against such owners, persons beneficially interested in or the said lands, under any law that is now or may hereafter be in force in this province from the payment of any debentures heretofore issued by the said Village of Wabamun or that have been authorized under section seventy-seven (77) of *The Village Act*; nor shall this Act affect in any way any right or remedy of the said Village of Wabamun with reference to any taxes against any such lands remaining unpaid on the 31st of December, 1913.