



### CHAPTER 38.

## An Act to Divide South Vancouver Municipality.

[25th April, 1907.]

**H**IS 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 “South Vancouver Division Act, Short title. 1907.”

**2.** It shall be lawful for the Lieutenant-Governor in Council, by Letters Patent under the Public Seal, to incorporate into a District Municipality, from and after the first day of January next following the date of such Letters Patent, under the name of the “Corporation of Point Grey,” hereinafter called the “Municipality of Point Grey,” all that locality at present forming a portion of the Corporation of the District of South Vancouver, hereinafter called the “present Municipality of South Vancouver,” and being all of such municipality lying west of the line of division described in section 4 hereof.

**3.** The Letters Patent shall provide for the matters mentioned in section 4 of the “Municipal Incorporation Act,” and from its incorporation the said Municipality of Point Grey shall be subject to the provisions of the “Municipal Clauses Act” and amendments, and to the provisions of all other statutes relating to municipalities.

**4.** The line of division between the Municipality of South Vancouver so reduced in area, hereinafter called the “future Municipality of South Vancouver,” and the Municipality of Point Grey, shall be a line commencing at the point on the present northerly boundary of the present Municipality of South Vancouver (being also the southern boundary of the City of Vancouver), where it is intersected by the

centre line of Bridge Street, in said City of Vancouver, produced southerly; thence southerly on a line running parallel with Ontario Street to the north boundary line of the District Lot 323; thence westerly along said north boundary to the north-east corner of Lot 323D; thence south along the east boundary of Lot 323D to the north boundary of District Lot 311; thence west along said north boundary of Lot 311 to the north-west corner thereof; thence south along the west boundary of said Lot 311 to the southerly boundary of the present Municipality of South Vancouver.

Reduction of limits of Municipality of South Vancouver.

5. The limits of the present Municipality of South Vancouver, as defined by Letters Patent, shall be reduced by the exclusion from said limits of all that portion of the said present Municipality of South Vancouver lying west of the line of division hereinbefore described, but, save as herein specially provided, the constitution, powers and charter of said municipality shall, notwithstanding the reduction of its limits, remain the same as heretofore.

#### PROVISIONS RESPECTING BOTH MUNICIPALITIES.

##### *Liabilities.*

Debts, so far as creditors concerned.

6. Notwithstanding anything herein contained, after the division provided for by this Act, each of the said municipalities shall remain subject to the debts and liabilities of the present Municipality of South Vancouver.

#### GENERAL PROVISIONS.

Disposition of proceeds of debentures.

7. Any unused portion of the proceeds of the last issue of debentures made by the present Municipality of South Vancouver, and which, by the terms of the by-laws under which such debentures were issued, were to be devoted to improvements in certain specified portions of the said municipality, shall be divided as follows: Each municipality shall have the amount appropriated for work yet to be done within its boundaries, and the unappropriated portion shall be divided between the two municipalities so that the Municipality of Point Grey shall have two-thirds and the future Municipality of South Vancouver shall have one-third thereof.

Uncollected taxes.

8. All taxes uncollected at the date of the incorporation of the Municipality of Point Grey, in either portion of the present Municipality of South Vancouver, shall be payable to the future Municipality of South Vancouver, whose rights and remedies as to the collection and recovery thereof, whether by sale of lands or otherwise, shall be the same in all respects as the rights and remedies therefor of the present Municipality of South Vancouver would have been had this Act not been passed.

Real property.

9. Any real property of the present Municipality of South Vancouver, situate within its reduced limits, shall belong to the future

Municipality of South Vancouver, and any real property belonging to the present Municipality of South Vancouver and situate within the limits of the Municipality of Point Grey shall belong to said last-mentioned municipality.

**10.** All debts and liabilities owing by the present Municipality of South Vancouver shall be assumed and borne by and between the two municipalities in the following proportions, that is to say :—The future Municipality of South Vancouver shall assume and pay one-third of the said debts and liabilities ; the Municipality of Point Grey shall assume and pay two-thirds of the said debts and liabilities, and in the event of either of such municipalities paying due or overdue debts or liabilities aforesaid, exceeding the proportion so assumed by it, and as often as such event shall happen, the amount of such excess shall be a debt owing and payable forthwith by the other of said municipalities to the municipality by whom the excess shall have been paid.

Debts as between  
Municipalities.

**11.** It shall be the duty of each municipality to comply with all the provisions of any by-law of the present Municipality of South Vancouver creating a debt or authorising the issue of debentures, so far as the said by-law provides for the creation of a sinking fund and the payment of interest on such debt, and to levy and collect upon and from the ratable property of the municipality an amount of the said sinking fund and interest in proportion to the amount of the debt assumed by each of them respectively, and in the case of the Municipality of Point Grey, from time to time when and so soon as it shall have collected such amounts, it shall pay the same to the future Municipality of South Vancouver, and all amounts so paid, together with all amounts heretofore paid into any sinking fund created by the present Municipality of South Vancouver, shall be held and invested by such municipality for the purposes for which the sinking fund was created.

Sinking funds.

**12.** Out of the taxes and rates collected by the present Municipality of South Vancouver from the date of the passing of this Act, after providing for the payment therefrom of the current expenses for the charges for debt and sinking fund and interest and the appropriations for schools, the pro rata balance of the taxes in Ward 5 of the present Municipality of South Vancouver, and of one-fifth of the taxes on all the lands of the Canadian Pacific Railway Company in the present Municipality of South Vancouver, shall be spent in said Ward 5 ; and if any portion or portions of such pro rata balance shall be unspent or not required to meet payments on account of contracts for work within said Ward 5, the same shall from time to time, as collected, be at once paid over by the future Municipality of South Vancouver to the Municipality of Point Grey, and if unpaid shall become a debt due and owing by the future Municipality of South Vancouver to the Municipality of Point Grey.

Appropriation of  
taxes and rates.

Existing rights, how appropriated.

**13.** The existing rights and interests of the present Municipality of South Vancouver in and to a water record for water in Seymour Creek, and in and to the lands lately acquired jointly by the present Municipality of South Vancouver and the Municipalities of Burnaby and Richmond, at or near said Seymour Creek, for use in connection with their water records, shall be apportioned between the future Municipality of South Vancouver and the Municipality of Point Grey, as may hereafter be mutually agreed upon by such municipalities.

Application.

**14.** Section 4 and all subsequent sections of this Act, excepting section 12, shall only take effect from and be applicable as of the date of the incorporation of the Municipality of Point Grey.

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VICTORIA, B. C.:

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