



CHAPTER 93.

An Act relating to the Corporation of the City of
Victoria.

[Assented to 23rd March, 1935.]

WHEREAS the Corporation of the City of Victoria has by its Preamble
petition represented that the said city is a municipality
within the meaning of the "Municipal Act" and "Local Improve-
ment Act," and that it is necessary, in the interests of the inhabitants
and ratepayers of the said municipality, to enact the provisions
hereinafter contained, and has prayed that the same may be enacted
accordingly:

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:—

PART I.

TITLE AND INTERPRETATION.

1. This Act may be cited as the "Victoria City Act, 1935."

Short title

2 In this Act, unless the context otherwise requires, —

"Corporation" means the Corporation of the City of Victoria;

"Municipality" means the Municipality of the City of Victoria;

"Council" means the Municipal Council of the Corporation of
the City of Victoria.

Interpretation
of terms

In defining any word or expression used in this Act, not by this
Act expressly defined, reference may be had to the provisions of the
"Municipal Act," the "Municipal Elections Act," the "Local Im-
provement Act," and the private Acts of the Corporation heretofore
enacted.

PART II.

AMENDING VICTORIA CITY PRIVATE ACTS.

Reducing percentage additions on general taxes and interest on local improvement assessments to 6 per cent.

Allowing 25 per cent. of interest included in local improvement assessments due and unpaid on December 31st, 1934, and reducing interest rate there- after to 6 per cent

Retroactive.

Amends s. 5, "Victoria City Act, 1934."

Allowing 25 per cent. of percentage additions and interest included in general taxes due and unpaid on December 31st 1934

3. (1.) Section 38 of the "Victoria City Act, 1920," being chapter 114 of the Statutes of 1920, is amended by striking out the word "eight" where it appears in the thirteenth line of subsection (a) thereof and in the fourth line of subsection (b) thereof, and by substituting therefor the word "six."

(2.) Except as hereinafter provided, all local improvement assessments which were unpaid and in arrear or delinquent on the thirty-first day of December, 1934, shall be reduced by an amount equal to twenty-five per centum of the interest included therein on the said date, and said assessments shall bear interest from the said date at the rate of six per centum per annum on the amount of the assessments originally imposed, until paid, and the amount of such reduction shall cease to be a debt owing to the Corporation and shall cease to be a charge or lien on the land or lands and improvements on which the said local improvement assessments were imposed: Provided, however, that the foregoing provisions of this section shall not apply to or affect any principal sum referred to in Part IV, of the "Victoria City Act, 1922," or any interest charges due and remaining unpaid thereon.

(3.) This section shall relate back to and be deemed to have been in force from the thirty first day of December, 1934.

4. (1.) Section 5 of the "Victoria City Act, 1934," is amended by adding at the end of the first paragraph thereof the following: "or to apply the said proceeds so as to replace in the funds of the Corporation and to reimburse the Corporation for the whole or part of its expenditures during the year 1934 for the redemption of said serial debentures or any of them."

(2.) Subsection (1) of this section shall relate back to and be deemed to have been in force from the twenty ninth day of March, 1934.

PART III.

MISCELLANEOUS.

5. (1.) Except as hereinafter provided, all general taxes on lands or on lands and improvements which were in arrear or delinquent on the thirty first day of December, 1934, shall be reduced by an amount equal to twenty five per centum of all percentage additions and interest included therein on the said date, and the remainder of such general taxes shall continue to bear interest from the said date at the rate of six per centum per annum. The amount of such reduction shall cease to be a debt owing to the Corporation and shall cease to be a charge or lien on the said lands or lands and improve-

ments: Provided, however, that the foregoing provisions of this section shall not apply to or affect any principal sum referred to in Part IV. of the "Victoria City Act, 1922," or any interest charges due and remaining unpaid thereon: Provided further that in no case shall interest on said delinquent taxes or taxes in arrear be compounded.

(2.) This section shall relate back to and be deemed to have been in force from the thirty-first day of December, 1934. Retroactive.

6. (1.) Notwithstanding the provisions of the "Municipal Act" or of any other Statute or law to the contrary, the rates and taxes on land or on land and improvements, together with the percentage additions added pursuant to section 38 of the "Victoria City Act, 1920," as amended by this Act, which are unpaid on the thirty-first day of December in the year in which the said rates and taxes are imposed shall be deemed taxes in arrear and shall bear interest from said date at the rate of six per centum per annum until paid. Such interest and percentage additions shall be deemed to become part of the said arrears of taxes, and the total amount of arrears of taxes shall be deemed to be a charge upon the parcel of land or of land and improvements in all respects as if the said percentage additions and interest had originally formed part of the rates and taxes assessed thereon: Provided, however, that in no case shall interest on delinquent taxes or taxes in arrear be compounded.

Reducing interest on tax arrears from December 31st, 1934, to 6 per cent.

(2.) This section shall relate back to and be deemed to have been in force from the thirty-first day of December, 1934. Retroactive.

7. It is declared to have been lawful and to be lawful for the Council to borrow temporarily by resolution or by law without the assent of the electors a sum or sums of money not exceeding in the aggregate two hundred and thirty six thousand six hundred and one dollars and eighty one cents, and to apply the same toward the redemption of serial debentures of the Corporation which have become due and payable since the first day of January, 1935, and toward the redemption of serial debentures of the Corporation that shall hereafter become due and payable during the year 1935; and any obligation created by any such temporary borrowing shall be a general charge on the credit of the Corporation, and shall be in writing, signed by the Mayor and by the Municipal Clerk of the Corporation, shall bear the corporate seal, and shall be for a period not exceeding one year, but may be renewed from time to time

Power to borrow temporarily for redemption of serial debentures in 1935.

8. Notwithstanding the provisions of the "Municipal Act" or any other Statute or law to the contrary, the Corporation shall have power by law to borrow without the assent of the electors a sum or sums of money not exceeding in the aggregate two hundred and thirty-six thousand six hundred and one dollars and eighty one cents, and to issue debentures therefor on the credit of the Corporation,

Power to borrow on debentures for redemption of serial debentures payable in 1935 and to use proceeds to repay temporary loans or to reimburse Corporation for payments made for such redemptions.

and to apply the proceeds from the sale of the said debentures or any of them toward the redemption of serial debentures of the Corporation that have or shall become due and payable during the year 1935, or toward the repayment of moneys that have been borrowed and used or that may be borrowed and used by the Corporation at any time for the redemption of said serial debentures or any of them, or to apply the said proceeds so as to replace in the funds of the Corporation and to reimburse the Corporation for the whole or part of its expenditures during the year 1935 for the redemption of said serial debentures or any of them. It shall not be necessary for the Council in the year 1935 to levy, raise, or provide by rate the moneys required by by-laws of the Corporation to be levied, raised, or provided for the redemption of said serial debentures, but the payments required for the redemption of said serial debentures shall nevertheless be deemed current lawful expenditure within the meaning of section 135 of the "Municipal Act":

Provided that all debentures issued pursuant to this section shall be made payable not later than fifteen years from the date thereof, shall bear such rate or rates of interest, and shall be payable at such place or places as the Council may by resolution determine, and any by-law passed pursuant to this section shall comply with sections 97 and 98 of the "Municipal Act":

Provided further that the debentures and interest coupons issued or to be issued pursuant to this section shall be sufficiently signed if the said debentures bear the written signature, and the said interest coupons bear the written or lithographed signature, of the Mayor of the Corporation for the year 1935 or of the Mayor of the Corporation for the year in which the said debentures are issued and delivered.

**Hypothecation
of debentures**

9. Notwithstanding the provisions of the "Municipal Act" or of any Statute or law to the contrary, it shall be lawful for the Council, in respect of any of its debentures, bonds, or obligations authorized by any Act and which for the time being remain unsold, to hypothecate or pledge the same as security for the repayment of moneys that have been borrowed before the passing of this Act or that may be borrowed by the Corporation, whether pursuant to the powers conferred by section 135 of the "Municipal Act" or otherwise, for the purposes for which such debentures, bonds, or obligations were authorized.

**Cancellation of
unsold debentures**

10. Notwithstanding the provisions of any Statute or law to the contrary or of any by-law passed in pursuance of the powers contained in any Act, where any debentures have been authorized by the Council but remain unsold, it shall be lawful for the Council by resolution at any time or from time to time, and with the consent of the holder thereof if such debentures be then pledged or hypothecated, to cancel any such existing unsold debentures and to issue or

substitute in lieu thereof new debentures, not exceeding in the aggregate the amount of the debentures so cancelled; the said new debentures to be in such denominations and to bear such rate of interest and to be made payable as to both principal and interest either in currency or sterling money or in such other lawful money as may be designated in the said new debentures, at such place or places as the Council may by resolution determine, but such new debentures shall be dated not later than two years after the passing of the said resolution and shall be made payable at the same date or dates as the said unsold debentures.

VICTORIA, B.C.

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