

By-law No. 113

A By-law to alter the mode of assessment under By-laws number 85 and 90.

WHEREAS the Municipal Council of the Corporation of the District of Burnaby did on the Third day of September 1910 pass a certain by-law to enable the Municipality to raise under the provisions of Section 259 of the "Municipal Clauses Act" the sum of Twenty-two Thousand Six Hundred and Fifty Dollars (\$22,650.00) for the purpose of constructing waterworks within a prescribed area in the Municipality of Burnaby being more particularly described as that Part of the Municipality of Burnaby situate lying and being in Group One (1) in the District of New Westminster and Province of British Columbia described as follows : District Lot Thirty (30) Blocks Eight (8) to Thirty-eight (38) both inclusive of District Lot Ninety-five (95) and Block "G" of District Lot Ninety-six (96), the said By-law being known as the "Burnaby Waterworks Construction By-law 1910" and being numbered 85.

AND WHEREAS under the said By-law it was enacted that during the term of twenty-five years the currency of the debentures to be issued under the authority of the said By-law there shall be assessed, levied and collected annually in the same manner as Municipal taxes are assessed, levied and collected from and upon the real property and from and upon fifty per centum of the assessed value of the improvements within the said described area the sum of Eleven Hundred and Thirty-two 50/100 Dollars (\$1132.50) for the payment of interest on the said debentures and a further sum of Six Hundred and Twenty-one 22/100 Dollars for the purpose of forming a sinking fund for the re-payment of the principal of the said debentures within the time specified therein making in all the sum of Seventeen Hundred and Fifty-three and 72/100 Dollars (\$1753.72) to be raised annually as aforesaid.

AND WHEREAS the Municipal Council aforesaid did on the 24th day of November 1910 pass a certain by-law to enable the Municipality to raise under the provisions of said Section 259 of the "Municipal Clauses Act" the sum of Forty-six Thousand Dollars (\$46,000.00) for the purpose of constructing a water works within the prescribed area in the Municipality being more particularly described as that part of the Municipality of Burnaby situate lying and being in Group One (1) in the District of New Westminster and Province of British Columbia described as follows : District Lot One Hundred and Eighty-six (186) excepting ten (10) acre portion more or less belonging to the City of Vancouver and in use by it as a reservoir site the said by-law being known as the "Burnaby Water Works Construction By-law No.2.1910" and being numbered 90.

AND WHEREAS under the said By-law it was enacted that during the term of forty years the currency of the debentures to be issued under the authority of the said By-law there shall be assessed, levied and collected annually in the same manner as municipal taxes are assessed levied and collected from and upon the real property and from and upon fifty per centum of the assessed value of the improvements within the said described area the sum of Twenty-three Hundred Dollars (\$2300.00) for the payment of interest on the said debentures and the further sum of Four Hundred and Eighty-five Dollars (\$485.00) for the purpose of forming a sinking fund for the re-payment of the principal of the said debentures within the time specified therein making in all the sum of Twenty-seven Hundred and Eighty-five Dollars (\$2785.00) to be raised annually as aforesaid.

AND WHEREAS the debentures authorised by said by-laws numbered 85 and 90 have been issued and disposed of and after payment of the works constructed under said by-laws there remains a certain unexpected unexpended sum standing to the credit of the said by-laws.

AND WHEREAS on the 15th day of April 1911 after having received the assent of the electors of the Municipality a by-law was duly passed to enable the said Municipality to raise under the provisions of the "Municipal Clauses Act" the sum of Three Hundred and Fifty Thousand Dollars (\$350,000.00) for the purpose of constructing a general system of water works throughout the Municipality which by-law is known as the "Burnaby Water Works Construction By-law 1911" and is numbered 100.

AND WHEREAS the special rate provided for by the said last mentioned by-law is to be levied on all rateable land in the Municipality including the land situate in the areas described in the said by-laws 85 and 90.

AND WHEREAS it is expedient to ~~util~~- utilize the water works constructed in pursuance to the said by-laws numbered 85 and 90 as part of the general system of water works to be constructed under the authority of said by-law numbered 100.

AND WHEREAS it would be inequitable to levy the amounts required under said by-laws 85 and 90 upon the lands in the described areas in said by-laws numbered 85 and 90 and at the same time to levy upon the said lands under the provisions of said by-law numbered 100. AND it is therefore deemed advisable to hereby provide that the said moneys required under said by-laws numbered 85 and 90 shall be levied on all rateable land in the Municipality of Burnaby.

NOW THEREFORE the Municipal Council of the Corporation of the District of Burnaby enacts as follows :

1. The amounts authorized by said by-laws numbered 85 and 90 being the "Burnaby Water Works Construction By-law 1910" and the "Burnaby Water Works Construction By-law No.2. 1910" respectively to be levied annually both for the payment of interest on the debentures issued under the authority of said by-laws and for the purpose of forming a sinking fund for the re-payment of the principal of the said debentures within the time specified therein

shall be assessed levied and collected annually during the currency of the said debentures by special rate sufficient therefor on all rateable land in the Municipality, the said special rate to be in addition to all other rates to be assessed levied and collected in the said Municipality during the currency of the said debentures or any of them.

2. The said amounts to be assessed levied and collected under Section 1 hereof shall be applied to the interest and sinking fund provided for in said by-laws numbered 85 and 90

3. Any and all moneys standing to the credit of the said by-laws numbered 85 and 90 or either of them may be used by the Municipality in connection with the said general water works system hereinbefore referred to.

4. This by-law shall before the final passing thereof receive the assent of the electors entitled to vote on money by-laws.

5. This by-law shall take effect on and after the 12th day of August, A.D.1911.

6. This by-law may be cited as the "Burnaby Water Works Assessment Merger By-law 1911"

DONE AND PASSED in open council the 28th day of June.
A.D.1911.

RECEIVED the assent of the electors at an election for the purpose on the Twelfth day of August 1911.

RECONSIDERED and finally passed the 14th day of August
A.D.1911.

W. Griffiths

C.M.C.

[Signature]

Reeve

Dominion of Canada,
Province of
British Columbia

To Wit:

In the Matter of
*Bylaw of the Corporation
of the District of Burnaby*

I, *Lewis E. Irish*
of *Vancouver*

of the *City*
in the Province of *British Columbia*

Do Solemnly Declare That

1. I am in the employ of the *Vancouver Province Newspaper* - and have knowledge of the matter herein deposed to.

2. The advertisement - a copy of which is hereto attached - appeared in ten successive issues of the daily edition of the said newspaper bearing the following dates *July 28th, 29th and 31st - Aug 1st, 2nd, 3rd, 4th, 5th, 7th and 8th - 1911*.

3. The said newspaper is published in the said *City of Vancouver*.

And I make this solemn Declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the "Canada Evidence Act."

Declared before me at *Vancouver*
in the Province of British Columbia,
this *Nineteenth* day of
August - A.D. 1911

Lewis E. Irish

A. Phillips

Dated *Aug 19* 1911

In the Matter of

*Burnaby
Municipality*

Statutory Declaration

The Clarke & Stuart Co., Ltd., Law Printers and Stationers,
Vancouver, B. C.