

CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 1248.

A BY-LAW to authorize the installation of ornamental street lights on both sides of Hastings Street between Gilmore Avenue and Carleton Avenue according to the provisions of Section 56 of the Municipal Act.

WHEREAS by Section 56 of the Municipal Act it is provided that, "In case it is deemed expedient to undertake any work or service for the special benefit of some portion or portions of the municipality, the Council of a district municipality may in addition to all other powers conferred by this act, in the by-law authorizing the undertaking of the said work or service, define the portion or portions of the municipality that will be benefitted, and the entire cost, or such part of the cost as the Council deems just, shall be raised by a special rate upon the lands or lands and improvements within such defined portion or portions of the municipality, and the Council shall not be required to impose any rate upon improvements under this section by reason of the fact that improvements are taxed under any other by-law of the municipality; Provided, however, that the said by-law shall require the assent of the electors of the portion or portions of the municipality set out in the said by-law, and only the electors qualifying pursuant to the requirements of sub-section (2) of section 171 on property situate in such portion or portions of the municipality shall be entitled to vote thereon. The said by-law shall be voted upon in the manner provided for voting upon ordinary money by-laws: Provided also

also that if the by-law authorizes the issuing of debentures, the whole of the cost of the work or service shall be borne by the portion or portions of the municipality defined."

AND WHEREAS it is deemed expedient to undertake the works hereinafter mentioned for the special benefit of the portion of the Municipality hereinafter defined.

AND WHEREAS the said works consist of the installation of ornamental street lights on both sides of Hastings Street between Gilmore Avenue and Carleton Avenue:

AND WHEREAS in estimating the said cost of labour and materials the Council has taken into consideration the fact that the same Electrical Transformer now used by the Council in connection with the ornamental street lights on both sides of Hastings Street from Boundary Road to Gilmore Avenue pursuant to the "District Improvement By-law (Ornamental Lighting) 1929" will also be used for the lighting system proposed to be established by this By-law and the Council therefore deems it expedient that a proportionate amount of the sinking fund and interest in respect of the cost of such Transformer amounting to \$300.00 shall be charged against the Lighting system hereby established and that such proportionate amount of Three hundred (\$300.00) dollars shall be credited to the lighting system established pursuant to the District Improvement By-law (Ornamental Lighting) 1929."

AND WHEREAS the cost of the said works has been estimated by the Council as follows:-

|  |             |
|--|-------------|
| Labour and Materials   | \$2,350.00  |
| Estimated costs incidental to this By-law and discount on Debentures | 150.00      |
|  | <hr/>       |
|  | \$2,500.00  |
|  | <hr/> <hr/> |

AND WHEREAS it is necessary to raise the sum required to defray the above expenditures by the issuing of debentures.

AND WHEREAS the value of the whole rateable lands and improvements of the said Municipality according to the last revised assessment roll thereof is Twenty two million, two hundred and seventy eight thousand, eight hundred and fifty two (\$22,278,852.00) dollars.

AND WHEREAS the existing total debt of the Municipality exclusive of the debt to be created by this by-law is Three million, Twenty-eight thousand, eight hundred and thirty five dollars and fifty cents (\$3,028,835.50) exclusive of local improvement debts secured by special rates or assessments of which none of the principal or interest is in arrears:

AND WHEREAS the amount of the debt which this by-law is intended to create is Two thousand five hundred (\$2,500.00) dollars.

AND WHEREAS the estimated amount to be raised annually for Ten (10) years for payment of the debt is Two hundred and (\$209.00) nine dollars and for paying the interest One hundred and twenty five (\$125.00) dollars.

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

1. The portion of the said Municipality that will be benefited by the said works shall be and is hereby defined as that portion of the Municipality of Burnaby described as follows:-

Commencing at the intersection of the lane north of Hastings Street and Gilmore Avenue, thence easterly along the centre line of the lane to its intersection with Carleton Avenue, thence south following the centre line of Carleton Avenue to the intersection of lane south of Hastings Street; thence westerly along the centre line of lane south of Hastings Street, to Gilmore Avenue; thence north along the centre line of Gilmore Avenue to point of commencement.

2. It shall be lawful for the Council of the said Municipality to cause the works hereinbefore recited to be executed at a total approximate cost of Two thousand five hundred (\$2,500.00) dollars and the whole of the cost of the said works shall be borne by the portion of the Municipality hereinbefore defined.

3. It shall be lawful for the Reeve and Clerk of the Municipality to raise by way of loan from any person or persons, body or bodies corporate who may be willing to advance the same on the credit of the Corporation any sum or sums of money not exceeding in the whole the sum of Three thousand five hundred (\$3,500.00) dollars and to issue debentures therefor in such sums as may be required being not less than One hundred (\$100.00) dollars each and all such debentures shall be sealed with the seal of the corporation signed by the Reeve and countersigned by the Clerk thereof, or by such other person or persons as the Council may by resolution direct.

4. The said debentures shall be payable on the Thirty-first (31st) day of March, 1941 at any office of the Royal Bank of Canada in the Province of British Columbia or at the principal office of the said bank in the cities of Edmonton or Calgary in the Province of Alberta, or in the city of Winnipeg, in the Province of Manitoba, or in the city of Toronto in the Province of Ontario, and the Cities of Montreal or Quebec in the Province of Quebec, and shall bear interest at the rate of Five (5%) per centum, per annum payable half-yearly on the Thirty first (31st) day of March and the Thirtieth (30th) day of September in each and every year and the debentures shall have attached to them coupons for the payment of interest which said coupons shall be payable at any office of the Royal Bank of Canada in the Province of British Columbia, or at the

principal office of the said bank in the Cities of Edmonton or Calgary in the province of Alberta, the City of Winnipeg, in the Province of Manitoba, or in the City of Toronto in the Province of Ontario, or in the Cities of Montreal or Quebec, in the Province of Quebec, and the signatures to the interest coupons may be either written, stamped, printed or lithographed.

6. A special rate on the dollar shall be levied and raised in each year in addition to all other rates on all the rateable lands or lands and improvements within the portion of the Municipality defined in section One (1) of this by-law sufficient to pay the interest upon the debentures and to create a sinking fund for the payment of the principal thereof when due, subject to any act or enactment respecting the same.

7. Subject as aforesaid there shall be raised annually by special rate as aforesaid during the currency of the said debentures the sum of One hundred and twenty-five (\$125.00) dollars for the payment of the interest thereon and the sum of Two hundred and nine (\$209.00) dollars to provide a sinking fund for the payment of the principal.

8. This By-law shall take effect on registration thereof as provided in section 178 of the Municipal Act.

9. This by-law before the final passage thereof shall receive the assent of the electors of the portion of the Municipality set out in this by-law in the manner required by law.

10. This By-law may be cited as "DISTRICT IMPROVEMENT BY-LAW (ORNAMENTAL LIGHTING) 1931."

DONE AND PASSED in Open Council this Sixteenth (16th) day of February, A.D. 1931.

RECEIVED THE ASSENT of the Electors this Fourth  
(4th) day of March, A.D. 1931.

RECONSIDERED AND FINALLY PASSED this Ninth (9th)  
day of March, A.D. 1931.



*W. A. Pritchard*  
REEVE.

*Arthur G. Moore.*  
CLERK.

I, Arthur G. Moore, Clerk to the  
Municipal Council of the Corporation  
of the District of Burnaby do hereby  
certify that the foregoing is a true  
copy of a By-law passed by the  
Municipal Council on the Ninth (9th)  
day of March, A.D. 1931.

*Arthur G. Moore.*  
CLERK.