

CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 1711

A BY-LAW to provide for the rebate of a certain amount of percentages and interest added to taxes (in arrear and delinquent) upon payment of said taxes prior to date of the 1941 Tax Sale.

WHEREAS by Section 261 of the "Municipal Act" Revised Statutes of B. C. 1936 it is provided that the Council of a Municipality may by By-law provide that the owner of any land, and improvements (if any) thereon, on which taxes are delinquent or in arrear shall be entitled, upon payment of the taxes prior to the date of the Tax Sale, to receive a rebate or allowance of an amount not exceeding one-half of the total of all percentages added under Section 257 and one-half of all interest added under Section 259.

AND WHEREAS the Commissioner of the Corporation of Burnaby is entitled to pass such By-laws as might be passed by a Council of the said Municipality.

AND WHEREAS the said Commissioner deems it advisable to pass a By-law under said Section 261 of the said "Municipal Act" in the manner and to the extent and effect hereinafter set forth.

THEREFORE the Commissioner of the Corporation of the District of Burnaby in exercise of all the powers him thereunto enabling ENACTS as follows:-

1. The owner of the land and improvements (if any) thereon, on which taxes are delinquent or in arrear shall be entitled upon payment of the taxes prior to the date of the Tax Sale in the year 1941 (as the said date may be fixed by Statute or by By-law or resolution) to receive a rebate or allowance of an amount, being one-half of the total of all percentages added

under Section 257 and one-half of all interest added under Section 259 of the "Municipal Act".

2. Nothing herein contained shall entitle the owner of any land and improvements (if any) thereon who has prior to the coming into force of this By-law and in terms of legislation then in force, paid taxes (delinquent or in arrear) without rebate or allowance in respect of penalties or interest included therein, to demand or receive repayment or refund of any portion of the penalties and/or interest so paid by such owner.

3. The owner upon whose land and improvements (if any) thereon, taxes are both delinquent and in arrear shall have the right, in accordance with existing law, to pay the delinquent taxes only or in the alternative, to pay the delinquent taxes and the taxes in arrear together, prior to the date of Tax Sale in the year 1941 and in either of these events he shall be entitled to receive the said rebate or allowance, but only to the extent of one-half of the percentages and interest added to the taxes so paid by him prior to the date of the said Tax Sale.

4. This By-law may be cited for all purposes as "BURNABY PERCENTAGE REBATE BY-LAW 1940/41."

5. This By-law shall not come into force and effect unless and until it is approved by the Lieutenant-Governor in Council as required by law.

DONE AND PASSED this Eighteenth (18th) day of September, A.D. 1940.

RECONSIDERED AND FINALLY PASSED this Twenty fifth (25th) day of September, A.D. 1940.




COMMISSIONER.


CLERK.



Certified Copy of a Minute of the Honourable the Executive
Council, approved by His Honour the Lieutenant-
Governor on the 1st day of October, A.D. 1940.
1292.

TO HIS HONOUR
THE LIEUTENANT-GOVERNOR IN COUNCIL:

The undersigned has the honour to recommend

THAT pursuant to the provisions of Section 508 of the "Municipal Act", being Chapter 199 of the "Revised Statutes of British Columbia, 1936", By-law No. 1711, of the Corporation of the District of Burnaby, cited for all purposes as "Burnaby Percentage Rebate By-law 1940/41", be approved in the form of By-law attached hereto:

AND THAT a certified copy of this Minute, if approved, be transmitted to Hugh M. Fraser, Commissioner of the said Corporation, at Edmonds, B.C.

DATED this 1st day of October, A.D. 1940.

"A. W. GRAY"

Minister of Municipal Affairs.

APPROVED this 1st day of October, A.D. 1940.

"JOHN HART"

Presiding Member of the Executive Council.