

Saskatoon: Confirming certain bylaws

being a Private Act

Chapter 55 of the *Statutes of Saskatchewan, 1910-11*
(effective February 23, 1911).

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NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

1910-11
CHAPTER 55

An Act to confirm certain Bylaws of the City of Saskatoon

(Assented to February 23, 1911)

Preamble

WHEREAS the city of Saskatoon has by its petition represented that bylaws numbers 287, 288 and 300 of the said city have been passed by the council of the corporation; and

Whereas bylaw number 300 was duly submitted to a vote of the ratepayers of the city qualified to vote on money bylaws and a majority of the ratepayers voting thereon assented thereto; and

Whereas doubts exist as to the validity of the said bylaws and of the assessments made under bylaws numbers 287 and 288 and it is expedient to validate and confirm the same; and

Whereas the bylaws referred to are as follows: Bylaw number 287 passed on the nineteenth day of May, A.D. 1910, to provide a systematic method of constructing house sewer connections from the public sewers laid by the city of Saskatoon to the buildings, lots or premises of private owners and to provide for the payment of the cost of the same; bylaw number 288 passed on the nineteenth day of May, A.D. 1910, to amend bylaw number 139 of 1907 by providing for the construction of water connections from the main water pipes laid by the city to the outer line of the street and by providing for the payment of the cost of the same; and bylaw number 300 to raise by way of loan sixty-two thousand dollars for the construction of house sewer and water connections; and

Whereas the said municipal corporation has by its petition prayed that an Act may be passed for the purposes aforesaid; and

Whereas it is expedient to grant the prayer of said petition:

Therefore His Majesty by and with the advice and consent of the Legislative Assembly of Saskatchewan enacts as follows:

Bylaws confirmed

1 Bylaws numbers 287, 288 and 300 of the corporation of the city of Saskatoon as set forth respectively in schedules A, B and C to this Act and each of said bylaws is hereby declared to be valid and binding and to have been valid and binding upon the said corporation and upon the ratepayers thereof and upon all persons and properties whom the said bylaws purport to affect as and from the date of the final passing of the said bylaws anything in any Act or law to the contrary notwithstanding.

Assessments confirmed

2 All assessments made or to be made in conformity with the provisions of bylaws numbers 287 and 288 or either of them are hereby ratified and confirmed; and the moneys payable thereunder are declared to form a preferential lien upon the land chargeable therewith and may be levied and collected in like manner as municipal rates and taxes are by law recoverable.

1910-11, c.55, s.2.

Landowners may commute special assessment

3 The owners of land specially assessed under either of said bylaws may at any time commute the amount or balance remaining unpaid in respect thereof by paying the amount of the original assessment charged against such land together with interest and penalties chargeable in respect thereof less any amounts previously paid on account thereof.

1910-11, c.55, s.3.

Authority to amend confirmed bylaws

4 The corporation of the city of Saskatoon may alter or amend either of said bylaws in such manner as may be deemed expedient without thereby impairing its validity or the validity of any act done or proceeding taken thereunder; and the said corporation may repeal either of said bylaws and substitute another or others with similar purposes; and all the provisions of this Act shall apply *mutatis mutandis* to the bylaw as altered or amended or to the substituted bylaw or bylaws.

1910-11, c.55, s.4.

Authority to issue debentures

5 Debentures may be issued pursuant to bylaw number 300 and such debentures shall be a charge upon the assets, credit and security of the corporation at large.

1910-11, c.55, s.5.

SCHEDULE A

CITY OF SASKATOON

BYLAW NO. 287 OF 1910, RESPECTING THE CONSTRUCTION OF
HOUSE SEWER CONNECTIONS

Whereas it is expedient to provide a systematic method of constructing house sewer connections from the public sewers laid by the city of Saskatoon to the buildings, lots or premises of private owners and to provide for the payment of the cost of same;

And whereas such connections have hitherto been constructed under the provisions of *The Municipal Public Works Act* and it is desirable to continue the system of constructing them under that Act;

Be it therefore enacted by the municipal council of the corporation of the city of Saskatoon as follows:

APPLICATIONS

1. That any owner desiring to connect his lot or premises with any common sewer shall file a written application on the blank form prescribed by the corporation for a permit to make such connection at the office of the city engineer or of such other officials as may be appointed for the purpose which application shall describe the work proposed to be done and the premises to be drained and shall specify the plumbing fixtures that are now installed or are to be connected and he shall also sign the form of agreement prescribed by the corporation.
2. That the entire cost of constructing each house sewer connection from the street sewer to the street line shall be borne by the owner.
3. That the owner shall state in his application whether he desires to pay the cost of constructing his house sewer connection in advance or to pay for it in instalments as hereinafter provided.
4. That in case the owner desires to pay in advance he shall deposit the cost as estimated by the engineer with the treasurer. If upon completion of the work it be found that the deposit made for the purpose be less than the actual cost the owner shall forthwith pay the balance of the cost; if more the unused portion of said deposit will be refunded to the owner.
5. That if the owner decides to pay for his connection in instalments he shall pay for same in thirty equal annual payments together with interest thereon at the rate of five per cent per annum such amount to be levied against the premises at the same time and in the same manner as the frontage tax for the street sewer.
6. The cost of each connection shall include a fee of \$3 to be paid by the owner for each single connection for laying out and supervising the work and making the necessary measurements and records of the completed work:

Provided that where a waterworks connection is made at the same time as the sewer connection one such charge of \$3 shall be made for both services.
7. If the application be approved by the engineer after inspecting the premises a permit will be granted by the engineer to the owner to connect his premises with the sewer system and the construction of the house sewer connection will be proceeded with as soon as convenient thereafter but only between May 1 and November 15 during any year except by permission of the engineer.
8. Should application be made for such permission after the fifteenth day of November in any year the engineer shall only grant his permit on the applicant signing a written undertaking or agreement releasing the city from all liability for loss or damage caused directly or indirectly by the making of such connection.

Introduced and read in council the first time this sixteenth day of May, A.D. 1910.

Read a second time this nineteenth day of May, A.D. 1910.

Read and passed this nineteenth day of May, A.D. 1910.

(L.S.) WILLIAM HOPKINS, *Mayor*.

J.H. TRUSDALE, *City Clerk*.

SCHEDULE B

CITY OF SASKATOON

BYLAW NO. 288 OF 1910, TO AMEND BYLAW NO. 139 OF 1907

The council of the corporation of the city of Saskatoon enacts as follows:

1. Bylaw No. 139 of 1907 is hereby amended by striking out clause 12 of the said bylaw and substituting the following therefor:
12. That any person desiring a water supply from the waterworks system shall apply at the city engineer's office and request that water shall be introduced into the lands, premises or buildings of the applicant. The owner or his authorised agent shall sign the application prescribed by the corporation for that purpose and shall also sign the form of agreement prescribed for that purpose. The application mentioned shall describe the premises to be supplied, shall enumerate the plumbing fixtures and shall give all necessary data for estimating the water rates to be charged:
 - (a) The entire cost of making the connection from the main pipe to the street line shall be borne by the owner.
 - (b) The owner shall state in his application whether he desires to pay the cost of such connection in advance or to pay for it in instalments as hereinafter provided.
 - (c) In case the owner decides to pay in advance he shall deposit the cost as estimated by the engineer with the treasurer. If upon completion of the work it be found that the deposit made for the purpose is less than the actual cost the owner shall forthwith pay the balance of said cost. If more the unused portion of said deposit will be refunded to the owner.
 - (d) If the owner decides to pay for his connection in instalments he shall pay for same in thirty equal annual payments together with interest thereon at the rate of five per cent per annum such amount to be levied against the premises at the same time and in the same manner as the frontage tax for the street sewer.
 - (e) The cost of each such connection shall include a fee of \$3 to be paid by the owner for each single connection for laying out and supervising the work and making the necessary measurements and records of the completed work:

Provided that where a sewer connection is made at the same time as the water connection one such charge of \$3 shall be made for both services.
 - (f) If the application be approved by the engineer after inspecting the premises a permit will be granted by the engineer to the owner to connect his premises with the waterworks system and the connection will be proceeded with as soon as convenient thereafter but only between May 1 and November 15 during any year except by permission of the engineer.
 - (g) Should application be made for such permission after the fifteenth day of November in any year the engineer shall only grant his permit on the applicant signing a written undertaking or agreement releasing the city from all liability for loss or damage caused by frost, bursting of the water pipe, flooding or any other thing directly or indirectly resulting from the making of such connection.

Introduced and read in council the first time this sixteenth day of May, A.D. 1910.

Read a second time this nineteenth day of May, A.D. 1910.

Read and passed this nineteenth day of May, A.D. 1910.

WILLIAM HOPKINS, *Mayor*.

J.H. TRUSDALE, *City Clerk*.

SCHEDULE C

BYLAW NO. 300 OF THE CITY OF SASKATOON

A bylaw to raise by way of loan sixty-two thousand dollars for the construction of house sewer and waterworks connections:

Whereas it is deemed expedient to raise by way of loan on debentures the sum of sixty-two thousand dollars to be expended as follows, that is to say: thirty-one thousand five hundred dollars for house sewer connections and thirty thousand five hundred dollars for waterworks service connections including water meters in the city of Saskatoon;

And whereas the said works are to be constructed under *The Municipal Public Works Act* and to be paid for by the owners of properties with which the connections are made in accordance with the bylaws in that behalf made and provided but the cost is to be guaranteed by the city at large;

And whereas it is deemed advisable that the indebtedness thus to be created should be spread over a period of thirty years;

And whereas the total amount of the rateable property of the city according to the last revised assessment roll is eight millions one hundred and fifty-six thousand three hundred and fifty-seven dollars;

And whereas the total amount of the existing debenture debt exclusive of local improvement debts secured by special assessment is seven hundred and thirty-seven thousand one hundred and thirteen dollars and thirty-seven cents of which no part is in arrears;

And whereas it is expedient that this bylaw shall take effect on the day of the final passing thereof:

Now therefore the council of the city of Saskatoon enacts as follows:

1. The sum of sixty-two thousand shall be expended in the construction of house sewer and waterworks connections.
2. The mayor and treasurer are hereby authorised to borrow for the purpose aforesaid in the name and on behalf of the city a sum or sums not exceeding in the aggregate sixty-two thousand dollars and to issue one or more debentures therefor.
3. Such debentures shall be repayable in thirty years from the date of their issue, a sum by way of a sinking fund being raised annually sufficient to meet the principal at maturity and shall bear interest at the rate of four and one-half per cent per annum payable half yearly.

4. Each debenture shall have attached to it coupons for payment of the interest and each of the coupons shall be signed by the mayor and treasurer. The coupons shall be deemed to be properly executed by each one having printed or lithographed thereon the names of the mayor and treasurer and each shall be numbered with the number of the debenture to which it is attached.
5. During the currency of the said debentures there shall be raised annually by special rate upon the real properties to be benefited in accordance with the provisions of the said Act and the bylaws of the city over and above all other rates and taxes such sum as shall be sufficient to meet the coupons as they mature and also such sums as shall be sufficient with the accumulated interest thereon to meet the principal of the debentures at maturity.
6. Every debenture to be issued hereunder shall contain a provision in the following words: "This debenture or any interest therein shall not after a certificate of ownership has been indorsed thereon by the treasurer of the city be transferable except by entry by the treasurer or his deputy in the debenture register of the city."
7. The money raised upon the debentures shall be expended in discharging any temporary loans obtained on account of the work for which they are issued and in carrying out the said work and in no other way.
8. The debentures to be issued under this bylaw shall be of the denomination of one thousand dollars each.
9. There shall be raised each year during the currency of the said debentures:
 - (a) The sum of two thousand seven hundred and ninety dollars for the payment of the interest; and
 - (b) The sum of one thousand one hundred and five dollars and forty-six cents by way of a sinking fund to retire the principal at maturity and both said sums shall be raised by special rate imposed upon the properties affected as hereinbefore provided but shall be guaranteed by the city at large.
10. This bylaw shall take effect on the final passing thereof.
11. The votes of the burgesses for and against this bylaw shall be taken at the following places, namely:

For ward 1 at or near the Nutana Real Estate office in ward 1.

For ward 2 at or near the corner of Avenue A and Twentieth street in ward 2.

For wards 3 and 4 at or near the police station on Third avenue in ward 4.

For ward 5 at or near the corner of Avenue B and Twenty-third street in ward 5, on the seventeenth day of June, A.D. 1910, between the hours of nine o'clock a.m. and five o'clock p.m.
12. J. H. Trusdale is hereby appointed returning officer; R. B. Irvine, deputy returning officer for ward 1; John Jackson, deputy returning officer for ward 2; Adam Turner, deputy returning officer for wards 3 and 4; Chas. Garton, deputy returning officer for ward 5 to take the votes at the time and places aforesaid.

13. The mayor shall attend at his office in the city of Saskatoon on the sixteenth day of June, 1910, at the hour of ten o'clock in the forenoon for the purpose if requested of appointing by writing signed by him two persons to attend at the final summing up of votes and one person to attend at each polling place on behalf of the persons interested in promoting the passing of his bylaw and a like number of the persons interested in opposing the passing of this bylaw.
14. The returning officer shall sum up the number of votes for an against this bylaw at twelve o'clock noon on the eighteenth day of June, 1910, at the city hall.

Introduced and read in council the first time this twenty-fifth day of May, 1910.

Read a second time this twenty-fifth day of May, 1910.

Read and passed this twenty-third day of June, 1910.

WILLIAM HOPKINS, *Mayor*.

A.LESLIE, *Deputy City Clerk*.