

March 21st 1929

The same remarks are equally applicable in the case of sewers and sidewalks. If the principle of the justice of special betterment assessments is discarded, the improvement of our streets by the laying of pavements, curbs, gutters and sidewalks and the extension of sewers, will have to proceed at an even slower rate than at present and the tax rate will be largely increased.

It can hardly be denied that the construction of these improvements enhances the value of the property in front of which they are made and in fairness these properties should bear a proportion of the cost.

It may be noted that in a very large number of Cities on the Continent the whole cost of certain of these local improvements (so called) is borne by the abutting owners, in others the law is similar to our own and in very few of the Cities is the improvement paid for from the general tax rate.

There may be a few cases where the present law appears to work a hardship. If in such cases it can be shown that the improvement is solely, for the benefit of the general public and no benefit accrues to the property, there will be no departure from the general principle in exempting such property from the Assessment. Such cases however are so rare that a change in the law does not appear desirable. If a change were made a large number of property owners would consider that theirs was a special case and the Council would be subject to all kinds of influence to support the views of those affected.

As a matter of expediency the present law relieves the general taxpayer from a large expenditure with a consequent high rate. But expediency is a poor rod to lean on and it is suggested that the Council rely on the general principle as set out above, that where individuals reap a benefit from the expenditure of public funds they should be assessed in proportion to the benefits derived therefrom, and speaking generally it would appear that the division of the cost as fixed in the Charter is a fair one.

Respectfully submitted,
H.W. Johnston,
CITY ENGINEER.

City Works Office,
Halifax, N.S.,
Aug. 16th, 1928

PAVING ASSESSMENTS

His Worship the Mayor and
City Council,

Sirs:-

The Committee on Works at a meeting held on the 15th instant, had under consideration the attached report of the City Engineer on paving assessment and ordered same forwarded to the City Council for its information.

Respectfully submitted
M.A. Hunter
CLERK OF WORKS

March 21st 1929

City Engineer's Office,
Halifax, N.S.,
January 14th, 1929

PAVING ASSESSMENT

His Worship the Mayor,
and Members of City Council.

Sir:

Acting under instructions from the City Council I have been in correspondence with officials of several Canadian Cities regarding the practice obtaining in the apportionment of the cost of street pavements, replies have been received from fourteen cities which are tabulated in the attached statement.

Reference thereto will show that in seven the whole cost of the work, except in some cases, street intersections and a few minor charges is borne by the abutting property owners, in four a portion of the cost varying from one-fifth to one-half is borne by the City the balance being charged against the property, while in only three, the whole cost is borne by the City at large.

A few years ago similar information was obtained from American Cities with the result that in the case of 57% of the replies received the whole cost was assessed against the property owner, in 28% the City paid one-half to one-third the cost and in 15% only, was the whole cost borne by the City. At the same time answers to a questionnaire sent out to American Cities and tabulated by the Board of Estimates of New York showed practically the same proportion.

It will be seen that there are comparatively few cities on the Continent where either the whole or some proportion of the cost of paving is not charged against the abutting property.

Respectfully submitted
H.W. Johnston
CITY ENGINEER.

Read resolution submitted by Alderman Dickie at a meeting of this Council held on April 12th, 1928 as a notice of motion in reference to paving assessments as follows:-

WHEREAS it is advisable on account of the increased traffic on certain of our streets to provide for a more permanent surfacing,

AND WHEREAS heretofore the cost of paving has borne too heavily on the abutting properties,

March 21st 1929

AND WHEREAS it is anticipated that this Council will in the near future be approached to pave certain streets with a permanent materials,

BE IT THEREFORE RESOLVED that the City Solicitor be instructed to draft Legislation repealing Sub-Section (5) of Section 606 of the City Charter and substituting therefore the following.

"THE cost of such Pavement shall be borne by the City at large"

Moved by Alderman Dickie seconded by Alderman Robinson.

Moved in amendment by Alderman Ryan seconded by Alderman McCarthy that the paving of Quinpool Road be not chargeable to the abutters on that street but be chargeable to general taxation or to any monies received from the Provincial Government for such purpose

Amendment put and passed fifteen voting for the same and one against it as follows:

FOR THE AMENDMENT

AGAINST IT

Alderman Shannon
Dickie
Redden
Donovan
Cragg
McDuff
McCarthy
Rains
Ryan
Corbin
O'Toole
Mullane
Robertson
Smeltzer
Robinson.- 15

Alderman Drysdale

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✓
NOTICE OF MOTION
RE PAVEMENT RESOLUTIONS
BY ALDERMAN ROBINSON

Alderman Robinson gives notice that at the next meeting of Council he will submit a resolution that in future all permanent pavements to be laid, be laid only on such streets as are petitioned for by the majority of property owners.

✓
Solicitor

Council

OXFORD STREET PAVING

Read report of the Committee on Works and City Engineer re Oxford Street paving:

Moved by Alderman Ryan seconded by Alderman Cragg that the consideration of these reports be deferred until the next meeting of Council. Motion passed

INTEREST ON OVERDUE WATER RATES

Moved by Alderman O'Toole seconded by Alderman McCarthy that the consideration of these reports and Ordinance be deferred until the next meeting of Council. Motion passed

WATER RATES EXEMPTION
NOVA SCOTIA PUBLIC COLD STORAGE TERMINALS LTD.

Read report of the Committee on Works and City Engineer re Water exemption ,Nova Scotia Public Cold Storage Terminals ,Limited:

Halifax, N.S., Nov. 30, 1928

L.A. Gastonguay, Esq.,
Mayor,
City of Halifax, N.S.

Dear Mayor Gastonguay:

As explained to you verbally it is my desire to lay before the City Council a request of this Company for some concession in the matter of water rates. Our engineers estimate that we will use from sixteen million to twenty million gallons of water per annum in connection with our present facilities and as the business grows our consumption will exceed that amount.

On the basis of our using twenty million gallons of water per annum or that is ten million gallons each half year, the rates being made up half-yearly, our water account would amount to the following each half year:-

200,000 gallons per half year at 20¢ per Thousand				
	gals.			\$40.00
2,300,000 "	"	"	17 "	391.00
7,500,000 "	"	"	12 "	900.00
				<u>\$1331.00</u>

For one year our water rates would be two times \$1,331.00 - 4,662.00
Fire protection charge at present rate of 13¢ per hundred on assessed value of plant 650.00

March 21st 1929

On the fixed assessment of \$500,000 the Company will pay the City annually the sum of \$17,500 in the way of taxes at the present rate, a revenue which the City receives due to the fact that this important Port facility has been financed and erected by a private corporation whereas had the Cold Storage Plant been constructed by the Canadian National Railways or by some branch of the Federal Government or by the Harbour Commission, no taxes whatever would have been paid to the City in connection with that development.

As you understand, in a new business of this nature it is highly important to keep all operating expenses at the lowest possible figure and I am sure that you and the members of your Council and the City in general will be glad to support this industry and help us make it a success. We are therefore approaching you for a concession in the way of ten million gallons of free water, and for all quantities used above that amount we will pay the regular metered service rate.

To give you an idea of the public support which propositions of this nature receive in other parts of Canada I am attaching a memorandum showing the substantial aid given by the municipal and provincial authorities of British Columbia to the Pacific Coast Terminals Limited which will have cold Storage facilities and very much the same kind of a Company as our own. You will note that the City of New Westminster has done a great deal for the plant which is being erected at that point and I am sure you will agree that the request we are making for a concession in the matter of water rates is a reasonable and just one in view of the circumstances.

In connection with the plant and the services which it will give to the public a large number of men will receive steady employment. A further and very substantial increase in the fresh fish industry will follow without question upon the completion of our plant and altogether there will be a large number of men and women who will be receiving steady employment in the City of Halifax as a result of the construction of the plant.

Might I ask you to be good enough to give this proposition your very careful consideration and lay it before the proper bodies as promptly as possible. The plant will be ready for operation about April 1st, 1929, and if any special legislation is necessary to enable the City to make the concession, for which we are asking, we are anxious to have such legislation come before the Local House at the next Session.

The writer thanks you for the very courteous interview and attention shown to him

Yours truly,
Sgd. D.V. Moxon
VICE PRESIDENT

March 21st 1929.

City Engineer's Office
December 18th, 1928

Water Rates Exemption
Nova Scotia Public Cold Storage Terminals Limited.

His Worship the Mayor.

Sir:-

I beg to report on the attached letter from the Nova Scotia Public Cold Storage Terminals Limited asking for partial exemption from water rates, that the Company ask that legislation be obtained to allow the City to grant an exemption of 10,000,000 gallons annually it to pay regular rates for all water used in excess of this quantity

It is estimated that the Company will use from 16,000,000 to 20,000 000 gallons of water per year which would mean a sum varying from \$2,300 to \$2,700.

The claim is that had the plant not been financed and operated by a private Company but by the Government, the City would receive no taxes therefrom, this would not apply to the Water Department, as whether the water is supplied to the Government or any other person it has to be paid for.

It may be pointed out that in placing the assessment of the plant at \$500,000, a large exemption from taxation is practically given in addition to a reduction in the water bill of probably at least \$700. per annum, which would be the increased rate for fire protection provided the property was assessed for its full value.

Whatever arguments may be advanced to justify exemptions from taxation, I do not think they can have the same weight when used to advocate obtaining a discriminatory rate from a public utility. The Water Department has a commodity for sale and must obtain a reasonable price for it in order to pay expenses and keep the utility from being a burden on the tax payers. A "reasonable price" is determined under the law by the Board of Commissioners of Public Utilities who have approved of the rates at present in force, which rates are on a graduated scale giving what might be termed a wholesale price to large consumers.

I understand that a part of the Plant will be in competition with existing industries and for that reason, if for no other, there should be no discrimination. I do not think that a demand such as this would be made to the Telephone Company or the Electric Light Company, and I can see no reason why, because of the fact that the Water Department is managed by the City, special concessions should be given any more than if it were controlled by a private company. If further concessions are to be granted they should be taken care of through general taxation affecting all citizens rather than free water which is practically a tax against water takers only.

Respectfully submitted
H.W. Johnston,
CITY ENGINEER

March 21st 1929

The following report of the City Engineer's Office,
meeting of January 17th, 1929, was presented to the
Council for consideration, Halifax, N.S.,
Jan. 8th, 1929

WATER RATES
NOVA SCOTIA PUBLIC
COLD STORAGE TERMINALS LIMITED

His Worship the Mayor.

Sir:-

With further reference to the application of the Nova Scotia Public Cold Storage Terminals Limited for an exemption of water rates of 10,000,000 gallons of water, I am attaching another letter received from the Company stating that the City of Moncton had granted the new Plant in that City 24,000,000 gallons of free water. I wrote Moncton and it appears that the exemption granted there was 50% of the total consumption.

At the previous hearing before your Committee it was stated on behalf of the Company that if the matter had been brought up when the assessment was fixed, that probably the Council would have granted the concession.

I wish to draw your attention to the minutes of the meeting of the City Council held on the 16th of April, 1926, wherein it is stated that Mr. Cowie, addressed the Council and stated that the Company would be satisfied with a total assessment exclusive of betterment charges and water rates of \$500,000.00. After discussion a resolution fixing the valuation for assessment purposes was passed and included the words "other than betterment charges and water rates" From this it is evident that the matter was before the City Council at the time, as it is distinctly set forth in the resolution that no exemption of water rates was to be granted.

Respectfully submitted
H.W. Johnston
CITY ENGINEER.

City Works Office,
Halifax, N.S.,
Jan. 17th, 1929

Water Rates,
Nova Scotia Public Cold Storage Terminals Ltd.

His Worship the Mayor and City Council.

Gentlemen:-

The Committee on Works have had under consideration an application from the Nova Scotia Public Cold Storage Terminals Limited, for an exemption of water rates, also reports of the City Engineer thereon, which are attached hereto.

March 21st 1929

The following resolution was passed at a meeting of January 16th inst., and recommended to Council for adoption, Alderman Smeltzer dissenting

RESOLVED that this Committee recommend to the Council that Legislation be obtained at the next session of the Legislature granting to the Nova Scotia Cold Storage Terminals Limited an exemption from payment of consumption water rates on water used by it in excess of 10,000,000 gallons yearly at their plant at the Halifax Ocean Terminals, the Company to pay the customary rate on the said amount of 10,000,000 gallons and also on all water used by it in excess of a total consumption of 20,000,000 and further that in the calculation of the rate payable the said exempt amount of 10,000,000 gallons shall not be included in the amount of water used on which the rate is to be struck.

The exemption hereby granted to be for the period of ten years ending on the 1st day of May, 1939.

Respectfully submitted,
M.A. Hunter
CLERK OF WORKS

Moved by Alderman McCarthy

seconded by Alderman Corbin that the report of the Committee on Works be adopted. Motion put and passed twelve voting for the same and four against it as follows:

FOR THE MOTION

AGAINST IT

Alderman Shannon
Dickie
Redden
Donovan
Cragg
McDuff
McCarthy
Ryan
Corbin
O'Toole
Mullane
Robinson- 12

Alderman Rains
Drysdale
Robertson
Smeltzer

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*Solicitor
Engineer*

PARKING PROBLEM

Read report of the Special Committee re Parking Problem submitted to the City Council on February 14th last and deferred for consideration:

FILED.

March 21st 1929

TAG DAY FOR BOSTON MARATHON RACE

Read letter J.E.Ahern ,Chairman of the Boston Marathon Race Committee asking permission to hold a Tag Day on Saturday April 13th, 1929:

The Halifax Herald ,Limited
March 21st 1929

Mayor Louis A.Gastonguay,
City Hall.

Your Worship:

As you no doubt know, Nova Scotia runners are sent annually to compate in the Boston Marathon.

This year the Committee is in need of funds and it has been suggested that we hold a Tag Day April 13.

Last year I raised \$1300 to finance the trip of the runners, but this year I need only \$310.00

Would you kindly bring this request to the attention of the City Council? Should more than \$310.00 be realized we will turn over same to any charitable institution you may name. I would prefer however, to have any surplus given to the Playgrounds Commission or Boys 'Common School Baseball league.

I am yours,
J.E.Ahearn
CHAIRMAN RACE COMMITTEE

Moved by Alderman Mullane seconded by Alderman Robertson that the request be granted. Motion passed.

J.E.Ahern

AUCTIONEERS LICENSE MR. S. HOWARD LION

Read application of Mr. H.M.McLeod, Watchmaker and Jeweller , 533 Barrington Street for an auctioneers license for Mr. S.Howard Lion whom he has employed to conduct a sale of jewellery at his premises:

Halifax, N.S.March 21st 1929
Mayor and Members
of City Council.

Gentlemen:-

I wish to make application for an Auctioneers License for Mr. S.Howard Lion, whom I have employed to conduct a sale for me.

I enclose cheque for eighty dollars cost of license and trust the above will receive your favourable consideration.

Yours truly,
H.M.McLeod

March 21st 1929

*✓
J.M. McLeod*

In reference to the appointment of meter readers, the City Engineer's opinion the Committee is of the opinion that the City Engineer's report should be adopted. Moved by Alderman Robinson seconded by Alderman O'Toole that the application be granted. Motion passed.

APPOINTMENT WATER METER READERS

Read report of the Committee on Works covering applications for the position of Water Meter Readers; also opinion of the City Solicitor on the law relating to the appointment of water meter readers; Also application of Harold Manuel for the position of Water Meter Reader

City Works Office,
Halifax, N.S.,
March 21st 1929

Meter Reader- Appointment

To the City Council.

Gentlemen:-

Following an extract from minutes of meetings of Committee on Works held March 6th and 21st inst.

March 6th, 1929

Applications for the position of Meter Reader were received from the following named:

- | | | |
|-------------------|------------------|---------------------|
| H.C. Boudrean | Gerald Covey | D.J. Gerrior |
| Lionel E. Gusdale | Walter E. Hanlon | John Mahor |
| W.F. Meehan | M.J. O'Toole | Cyril T. McFatridge |
| A.R. Richards | Wm. J. Shea | Rich. F. Shepeard |
| R.L. Vaughan | W.E. Westhaver | Kenneth White |

The City Engineer reported that he had appointed M.J.O'Toole Temporarily to act as water meter reader, at the rate of \$100.00 per month, and on the distinct understanding that the appointment is temporary and will cease at any time at one week's notice in writing. He also recommended that this salary should be fixed for all new appointments to the position of meter reader.

It was moved by Alderman McCarthy, seconded by Alderman Smeltzer, that the City Engineer's report be adopted. Moved in amendment by Alderman Corbin, seconded by Alderman Smith that Mr. John Mahar be appointed meter reader.

On the vote being taken there appeared for the amendment- Alderman Corbin and Smith, Against- Aldermen McCarthy, Smeltzer and O'Toole. The amendment was declared lost. The motion was then put and carried, aldermen McCarthy, Smeltzer and O'Toole in favor and Aldermen Corbin and Smith against

March 21st 1929

In reference to the appointment of meter readers, the City Solicitor was asked if in his opinion the Committee has the power to make such appointments.

The Solicitor stated that wherever a salary is voted by the City Council for continuous employment the appointment should be made by Council.

Applications for the position of meter reader were received from Robert F. Foley and Wm. E. White, and were ordered forwarded to Council, together with applications previously received.

M.A. Hunter
CLERK OF WORKS

Office of City Solicitor
Halifax, N.S. March 20th,
1929

His Worship the Mayor,

Sir:-

RE WATER METER READERS

In response to the request of the Council for my opinion as to the power of appointment in respect to the above officials, I beg to say as follows:

It has always been difficult to draw the dividing line between the officials which require to be appointed annually by the Council at the regular May meeting, under Section 137, and such employees as must necessarily from time to time be required for more or less temporary purposes by the different City Departments, particularly the Works. The appointment of these has for years been left to the Works Committee, or to the Engineer. The length of time in which employees of the class last mentioned have been connected with the City cannot be the determining factor, because many of them have been in the City employ for years, as ordinary labourers or in similar capacities. Their names appear on the payrolls, but never in the estimates

After a good deal of thought, I have come to the conclusion that the correct principle is that any official whose work is necessarily continuous and whose remuneration for the whole year is specifically provided for in the general estimates, or those of the Water Department, must be considered as an annual appointment to be dealt with by the Council at the May meeting. There may be cases in which this attempt to lay down a principle will not serve, and if so I must deal with them as best I can as they arise. It will however, be sufficient to dispose of the present question, and settle that the meter readers will require to be appointed at the meeting in next May along with all the other yearly appointments.

There still remains the difficulty which will arise in the event of a casual vacancy by

March 21st 1929

resignation or death. That, it would appear to me, can be met by a simple resolution of Council authorizing the Committee or official in charge of the particular department to make a temporary appointment until the next meeting of the Council

Respectfully submitted
F H. Bell,
CITY SOLICITOR

Read letter International Brotherhood of Teamsters, Chauffeurs, Stablemen and Helpers of America re the appointment of a meter reader.

The following applicants were duly nominated:

Mr. Robert Daw nominated by Alderman Shannon.

Mr. M. J. O'Toole nominated by Alderman McCarthy.

Mr. John Mahar nominated by Alderman Corbin.

On the ballot being taken there appeared for O'Toole nine, Mahar 6, and Daw 1.

His Worship the Mayor declares M. J. O'Toole duly appointed to the position of Water Meter Reader for the Civic Year ending April 30th, 1929

SUPERANNUATION -RONALD MCCARTHY

Read letter City Auditor in reference to obtaining legislation to authorize the superannuation of Ronald McCarthy:

City Auditor's Office,
Halifax, N.S.,
March 21st 1929

His Worship the Mayor,
and Members of City Council.

Gentlemen:-

There is some doubt in my mind

✓
M. J. O'Toole

March 21st 1929

whether the City should obtain Legislation to authorize the payment of the difference between the amount R. McCarthy, Meter Reader, is entitled to receive from the pension fund, and the amount of \$1,200.00 voted him by Council, and in view of this doubt I would suggest that Legislation be obtained to legalize the payment.

Yours truly,
A.M. Butler
CITY AUDITOR

Moved by Alderman McCarthy seconded by Alderman Donovan that the recommendation of the City Auditor be approved and that the legislation required be prepared and submitted to the legislation by the City Solicitor. Motion passed.

*✓
Solicitor*

Alderman Shannon gives notice of reconsideration of the amendment passed at this meeting to superannuate Ronald McCarthy at the rate of \$1200 per annum

Council

WATER METER BILL 40 ARTZ STREET, 710 BARRINGTON STREET and 6 CREIGHTON STREET

Read report of the Committee on Works and City Engineer re water meter bill 40 Artz Street; 710 Barrington Street and 6 Creighton Street

City Engineer's office,
Halifax, N.S.,
March 18th, 1929

40 Artz Street Water Consumption

His Worship the Mayor

Sir:-

I beg to report on the request of the owner of the premises No. 40 Artz Street for a reduction in the meter readings, that the consumption at these premises for the past few months has been as follows:

Nov. 10	1,800	
Dec. 10	1,500	
Jan. 9	3,500	
Feb. 8	31,700	Tap & W.C. Wasting
Mar. 8	15,300	(W) 28-2-29
		" " " " " "

March 21st 1929

It is claimed in the letter that the tap and closet were allowed to run to prevent freezing. The water was wasting on the premises and I cannot recommend any reduction in the bill.

Respectfully submitted
H.W. Johnston
CITY ENGINEER.

City Engineer's Office,
Halifax, N.S.,
March 20th, 1929

No. 710 Barrington St.-Water Bill

His Worship the Mayor.

Sir:-

I beg to report on the application of the owner of the premises No. 710 Barrington Street for a reduction in his water rates, that the consumption at these premises for the past few months has been as follows:

Oct. 6	3,800
Nov.	
Dec. 10	4,000
Jan. 10	5,000
Feb. 12	48,100 W.C.W. No. 9-3-29
Mar. 19	13,000

The period complained of is the consumption for the month of February. The owner states that there was a leak and on receipt of the notice from the Works Department it was attended to and repairs made. The record seems to bear this out, and I would recommend that the consumption for February be reduced by 25,000 gallons and the bill made up accordingly.

Respectfully submitted
H.W. Johnston
CITY ENGINEER

CITY ENGINEER'S OFFICE,
Halifax, N.S.
March 20th, 1929

No. 6 Creighton Street-
Water Bill

His Worship the Mayor.

Sir:

I beg to report on the application of the owner of the premises No. 6 Creighton Street for a reduction in the water bill for these premises that the monthly consumption since October has been as follows:-

Oct. 10	4,100
Nov.	
Dec. 17	5,000
Jan. 18	No key
Feb. 22	43,400 W.C.W. N-13-3-29
Mar. 19	7,400

March 21st 1929

The owner's application asks for a reduction as the bill "seems over estimated by errors, mistakes etc" I do not know exactly what this means, but the fact remains that there was a large consumption during January and February due to the water being allowed to run. I cannot recommend any reduction in the bill.

Respectfully submitted
H.W. Johnston,
CITY ENGINEER

City Works Office
Halifax, N.S.,
March 21st 1929

WATER ACCOUNTS

The City Council.

Gentlemen:-

Attached hereto are reports of the City Engineer on applications for reductions in water accounts. The Committee recommends that the following reductions be made:

40 Artz St. Consumption shown Feb. and March to be reduced to 10,000 gallons for each month

710 Barrington St- Consumption for February to be reduced by 25,000 gallons

6 Creighton St-Consumption shown February to be reduced by 20,000 gallons

Respectfully submitted

M.A. Hunter
CLERK OF WORKS

Moved by Alderman Shannon seconded by Alderman Dickie that the report of the Committee on Works be adopted. Motion passed

*Collection
Clerk of Works*

OILING CEDAR STREET

Read reports of the Committee on Works and City Engineer re oiling Cedar Street between Vernon and Preston Streets:

City Engineer's Office,
Halifax, N.S.
March 20th, 1929

CEDAR STREET OILING

His Worship the Mayor

Sir:-

I have a petition from the owners of property on Cedar Street asking to have this

March 21st 1929

street between Vernon and Preston Street oiled during the coming season. This portion of the street is closely built up. The proposed work would be a big improvement and would also tend to preserve the surface of the street.

I would recommend that the prayer of the petition be granted and that the City Council order the oiling of the street.

Respectfully submitted
H.W. Johnston
CITY ENGINEER

City Works Office,
Halifax, N.S.

Cedar Street Oiling

The City Council.

Gentlemen:-

The Committee on Works recommend that the accompanying report of the City Engineer on Cedar Street oiling be adopted, and that the City Council order the oiling of said Street, between Vernon and Preston, during the coming season.

Respectfully submitted
M.A. Hunter
CLERK OF WORKS

Moved by Alderman Shannon seconded by Alderman McCarthy that the reports be adopted. Motion passed.

✓

EXPROPRIATION OF LAND-LEGISLATION

Read report Committee on Works and City Engineer re Legislation effecting the expropriation of lands:

City Engineer's Office,
Halifax, N.S.,
March 20th, 1929

EXPROPRIATION LEGISLATION

His Worship the Mayor.

Sir:-

Some months ago when discussing the means of acquiring land for the purposes of an Air Port I suggested that we could expropriate any property required for this purpose if a satisfactory arrangement could not be made with the owner. My opinion was based on Section 678 of the City Charter which provides that the City Council may expropriate property among other things "for any other public work or service of the City"

I understand that the City Solicitor disagrees and is of the opinion that under the existing law the City cannot expropriate for the purpose of an Air Port

March 21st 1929

I would recommend that legislation be obtained giving the City the necessary powers to expropriate for this purpose in case it should be decided to go ahead with the Air Port during the ensuing year.

Respectfully submitted,
H.W. Johnston
CITY ENGINEER.

CITY WORKS OFFICE,
Halifax, N.S.,
March 21st 1929

EXPROPRIATION-LEGISLATION

The City Council.

Gentlemen:-

The attached report of the City Engineer recommending that legislation be obtained giving the City the necessary powers to expropriate land for the purpose of an air-port was approved by the Committee on Works at a meeting on the 20th instant, and was recommended to Council for adoption.

Respectfully submitted
M.A. Hunter
CLERK OF WORKS

Moved by Alderman McCarthy seconded by Alderman O'Toole that the reports be adopted.
Motion passed.

Solicitor

LEGISLATION

Read report of the Laws & Privileges Committee covering a letter of the City Auditor suggesting that Sections 308, 309, 311 of the City Charter be amended:

The Chairman
Laws and Privileges Committee,
City Hall

City Auditor's Office,
Halifax, N.S.,
Feb. 29th, 1929

Dear Sir:-

I wish to draw your attention to section 308 of the City Charter which specifies the control to be exercised over payments by the City Treasurer.

I wish to advise you that this method of dealing with these payments is now obsolete, and that the Section should be changed to the effect that no money should be paid out without a written order for payment signed by the Auditor, and countersigned by the Clerk in such cases when it is necessary for the City Council to first approve the payment

Section 309 is also an obsolete section and should be cancelled.

Section 311 should be changed to require in addition to the counter-signature of the Mayor the counter signature of the Auditor or Assistant City Treasurer.

Yours truly,

A.M. Butler,
CITY AUDITOR

Committee Room, City Hall
March 18th, 1929

To His Worship the Mayor
and Members of City Council.

Gentlemen:-

At a meeting of the Committee of Laws and Privileges held this day, the attached letter of the City Auditor, suggesting amendments to Section 308, 309 and 311 of the City Charter, was submitted.

Your Committee recommend that the City Solicitor be instructed to prepare draft legislation in accordance with the recommendations set out in the Auditor's letter.

Respectfully submitted
J.L. MacDuff
CHAIRMAN

Moved by Alderman McDuff seconded by Alderman Cragg that the report be adopted. Motion passed. ✓

VOTERS LISTS -NOVA SCOTIA FRANCHISE ACT

Read report of the Committee on Laws and Privileges covering a resolution submitted to Council by Alderman Corbin in reference to list of voters prepared under the provisions of the Nova Scotia Franchise Act

(See page 440 Minutes of Council)

Committee Room, City Hall
Halifax, N.S. March 18-29

His Worship the Mayor,
and Members of the City Council.

Gentlemen:

At a meeting of the Committee of Laws & Privileges held this day the attached extract from Minutes of the City Council meeting held on the 14th day of March 1929, re Voters Lists Nova Scotia Franchise Act, was read

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Your Committee recommend that the Resolution as submitted be approved and sent to the Governor -in-Council for enactment.

Respectfully submitted
J.L. MacDuff,
CHAIRMAN

*Am Ed Rhoads
as B... ..*

Moved by Alderman Corbin seconded by Alderman Cragg that the report be adopted. Motion passed. ✓

LEGISLATION RE TAX SALES AND SCHOOL BOARD ESTIMATES

Read report Laws and Privileges Committee re Legislation in re sale of land for non-payment of taxes after one year, and also changes proposed affecting school estimates:

Committee Room, City Hall,
March 18th, 1929

His Worship the Mayor,
and Members of City Council.

Gentlemen:

At a meeting of the Committee of Laws and Privileges held this day the City Solicitor submitted Draft Legislation as follows:
Tax Sales,
Veters Lists, prepared by Collector,
School Board Estimates.

Your Committee recommend that the Drafts as submitted by the City Solicitor be approved.

Respectfully submitted,

J.L. McDuff
CHAIRMAN

March 21st 1929

SALE OF LAND FOR TAXES

Every property in respect to which the real property tax is unpaid for one year or more may be sold for payment of taxes as hereinafter provided.

At any time after the first day of May in the Civic Year next ensuing the year for which such unpaid taxes are due the Collector may send to the person to whom such property is assessed for the Civic Year then current a notice informing such person that such property is liable to be sold for taxes with a statement of the amounts for which it is liable to be sold, including therein all unpaid taxes (other than those for the current year) water rates, betterment charges and all other charges constituting a lien on the said property, (such charges being hereinafter designated as lien charges)

If the amount of such lien charges is not paid within three months from date of such a notice the Collector may give the person so assessed a further notice that if the amount of such lien charges is not paid within one month from the date of such second notice, or arrangements for the payment thereof made within that time to the satisfaction of the Collector, the said property will be sold by the Collector to realize the amount of such lien charges.

(1) Service of any of such notices may be made-

(a) by delivering the same to the person notified at his office, place of business or residence or to a clerk or other agent or member of his family , or in case of a company by delivering the same to a clerk or agent at its place of business.

(b) by registered letter postage prepaid, or

(c) if such person is a non-resident whose address is unknown to the Collector by publication in a newspaper published in the City of Halifax.

If within the said month the said lien charges are not paid, or arrangements for the payment thereof made to the satisfaction of the Collector, the Collector may proceed to sell the said real property for the realization of such charges in the manner hereinafter provided.

If the Collector determines to sell the said property he shall at or after the expiry of the said month publish an advertisement of such sale, giving the street and number of such property or such description thereof as is sufficient to identify the same (but not necessarily by metes and bounds) also a statement that a more complete description may be seen at the office of

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the Collector, and the amount due for all lien charges with interest thereon to the date of the sale and the charge for advertising the sale and the cost of obtaining a proper description of the property if the same is required, at least thirty days previous to the day of sale, by one insertion each week in two daily papers published in the City.

The amount of rates, taxes or charges, interest and expenses, stated in the Collector's advertisement, shall in all cases and in any action or other proceeding touching the assessment, rating or taxing of the real property therein mentioned, be conclusive evidence of the legality of the assessment, rating or taxation, or the imposition of any charge, and that the said rates, taxes and charges were due and unpaid, and that the real property mentioned in such statement was legally liable for the amount of rates, taxes or charges, interest or expenses specified, and that the said amount of rates, taxes or charges was a lien upon such property.

Moved by Alderman McDuff seconded by Alderman Dickie that the amendment in reference to Tax Sales be adopted. Motion put and lost six voting for the same and eight against it as follows:-

FOR

Alderman Shannon
Redden
Cragg
McDuff
McCarthy
Mullane -6

AGAINST

Alderman Donovan
Rains
Ryan
Corbin
O'Toole
Robertson
Smeltzer
Robinson-
-8 -

-2-

An Act to Amend the law relating to the qualification of voters in the City of Halifax.

Be it enacted by the Governor and Assembly as follows:

The Clause marked (c) which was added to Section 31 of the Halifax City Charter by section 4 of Chapter 50 of the Acts of 1924 is hereby repealed and the following clause substituted therefor.

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(c) If he is not indebted to the City for any real property tax other than one for the civic year in which the election is held, and has paid any business tax, household tax, special tax or poll tax due by him to the City on or before the 31st day of December next preceding such election;- provided that in the case of an election to fill a casual vacancy held previous to the 31st day of December, no person shall be disqualified to vote for non-payment of a business tax, a household tax, or a poll tax for the civic year in which such election is held.

Moved by Alderman MacDuff

seconded by Alderman Dickie that the amendment in reference to voters lists be adopted. Motion passed.

-3-

Sections 897 and 898 are hereby repealed and the following section substituted therefor:

(1) The Board shall on or before the 15 day of January submit to the Council an estimate of the amount required in addition to the sum provided from the provincial treasury for the support and maintenance during the ensuing year of the Schools under its charge, such estimate shall specify in detail the manner in which the same is proposed to be expended.

(2) The amount so specified by the Board shall not include any expenditure:

(a) For repairs or improvements of an unusual or extraordinary nature, or

(b) for the construction of any new building; or

(c) for the purchase of any land.

(3) The estimate so submitted shall be considered by the Council and the Council may vary such estimate or any item therein either by adding thereto or by

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subtracting therefrom or by deleting therefrom any item, and shall return the estimates with such variations as the Council determines to the Board not later than the 28th day of January. The amount of the estimates so determined by the Council shall be placed in the yearly estimates of the City and paid to the Board as hereinafter provided.

Moved by Alderman McDuff seconded by Alderman Cragg that the amendment to Section 897, and 898 in reference to School Board Estimates be adopted. Motion passed. Alderman Donovan dissenting.

Solicitor

TENURE OF OFFICE-PERMANENT OFFICIALS

Moved by Alderman Dickie seconded by Alderman McDuff that the City Solicitor be instructed to prepare and submit to the Legislation an Act fixing the tenure of office for permanent officials on the same basis as the permanent officials under the Towns Incorporation Act. Motion passed.

Solicitor

LEGISLATION RE AMUSEMENT TAX

The City Solicitor was instructed to draft Legislation enabling the City to collect a license from shows, Exhibitions and circuses, giving a performance in the City.

Solicitor

COMMITTEE ON LEGISLATION

His Worship the Mayor nominates the following named Aldermen as a Special Committee to watch the progress of the City's bills through the Legislature:

March 21st 1929

Alderman Shannon, Donovan, McDuff,
Rains, O'Toole, Robinson and His Worship the Mayor.

Approved.

✓
SALE OF LOT QUEEN STREET

Read extract from Minutes of a
meeting of the Committee on Works March 21st 1929
in reference to the sale of lot on the west side
of Queen Street to Mr. Roy Conrad:

City Works office,
Halifax, N.S.,
March 21st 1929

SALE OF LOT
QUEEN STREET

THE CITY COUNCIL

Gentlemen:-

The following is an extract from
the Minutes of the Committee on Works February
20th 1929.

(3) Mr. L.A. Lovett, K.C., appeared
on behalf of Mr. Roy Conrad with reference to
the latter's offer to purchase a lot of land
belonging to the City on the west side of Queen
Street at the dump, and offered \$525.00 for it.
This is the same lot of land reported on by the
City Engineer at a meeting of the Committee held
on the 6th of February, 1929. Mr. Lovett agreed
that if the Committee would recommend the sale of
the lot to Mr. Conrad at the price mentioned, his
client would assume the risk of the necessary
legislation being obtained and also of a permit
being granted for a building to be used for
purposes other than a dwelling, the location being
in the residential district. The City Engineer
stated that in his opinion the amount offered was
too small and \$700.00 would be a fair price
to ask for the lot.

The Committee decided to recommend
to the Council that when the necessary legislation
is obtained the lot be sold to Mr. Roy Conrad for
the sum of \$525.00

Respectfully submitted

M.A. Hunter
CLERK OF WORKS

Moved by Alderman Corbin, seconded
by Alderman Smeltzer that the recommendation of the
Committee on Works be adopted. Motion passed.

*Eng...
2.24.29*

✓
March 21st 1929

FIRE DEPARTMENT-TENDERS FOR PAINTING

Moved by Alderman Robinson

seconded by Alderman Smeltzer that the Committee of Firewards be authorized to accept the lowest tender when received for painting at the various fire stations. Motion passed

*Change to FD
and Robinson*

11.45 o'clock

Moved by Alderman Dickie

seconded by Alderman McCarthy that this meeting do now adjourn. Motion passed.

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J. Rhind Meeting adjourned
HLS. RHIND
CITY CLERK

L. A. Gastonguay
L. A. Gastonguay,
MAYOR

✓
EVENING SESSION

8.10 o'clock,
Council Chamber,
City Hall,
April 11th, 1929

A meeting of the City Council was held this evening. At the above named hour there were present His Worship the Mayor, Aldermen Dickie Redden, Smith, Donovan, McCarthy, McDuff, Ryan, Corbin, Rains, Drysdale, Mullane, O'Toole, Robinson, Smith and Robertson.

The meeting was called to proceed with business standing over and the transaction of other business.

✓
LEGISLATION

Before taking up the agenda, Alderman McDuff, stated that he wished to bring to the attention of Council the drafting of the City Bill now before the Legislature with reference to the tenure of office of Officials. He stated that the bill as printed did not conform with instructions given to the City Solicitor by the Laws & Privileges Committee.

The City Solicitor being present explained to the Council that the bill was drawn in line with the Towns Incorporations Act which he understood from the Committee was what they wanted.

After discussion being taken part in by several of the Aldermen and an explanation from the City Solicitor it was decided that the

April 11th, 1929

Laws & Privileges Committee appear before the Committee on Private and Local Bills when the Bill was to be considered by it.

✓
FILLING STATION SOUTH EAST CORNER SOUTH PARK
AND SACKVILLE STREET

Moved by Alderman Dickie seconded by Alderman Smith that Item No. 16 on the Agenda viz., Report of the Committee on Works and City Engineer re Filling Station South East Corner South Park and Sackville Streets, be now taken up and considered there being a delegation present of parties for and against the application who wanted an opportunity of addressing the Council. Motion passed.

Read report of the Committee on Works and City Engineer re Filling Station South East Corner South Park Street and Sackville Street:

City Engineer's Office,
Halifax, N.S., Apr. 3-1929

FILLING STATION

His Worship the Mayor.

Sir:-

In accordance with the resolution of your Committee passed at a meeting held on the 20th ultimo, the applicant for permission to erect a filling station at the south-east corner of South Park Street and Sackville Street and a garage on Sackville Street and Briar Lane, published notice that this application had been made

In reply to the advertisement a letter has been received from Messrs. Burchell, Smith Parker & Fogo on behalf of the residents of South Park Street protesting against the permit being given and asking to be heard in the matter. Notice has been sent them that the matter will be taken up by your Committee at a meeting to be held on Thursday, the 4th instant, at 11 o'clock A.M.

Respectfully submitted
H. W. Johnston
CITY ENGINEER