

A F T E R N O O N            S E S S I O N

4.40 o'clock,  
Council Chamber,  
City Hall,  
July 29th, 1929

A meeting of the City Council was held this afternoon. At the above named hour there were present His Worship the Mayor and Aldermen Mitchell, Dickie, Stech, Smith, Donovan, Redmond, McDuff, McInnis, Corbin, McDonald, O'Toole, Drysdale, Robertson, Smeltzer and Adams.

The meeting was called specially for the consideration of a by-law regulating parking in the City of Halifax and to proceed with business standing over and the transaction of other business.

By unanimous consent of Council it was decided to take up for consideration a report of the Committee on Works and City Engineer re Filling Station 610-612 Robie Street and a resolution to be introduced by Alderman Donovan Chairman of the Committee on Gardens, Parks and Common in re loan for repairs to the Memorial Tower Fleming Park.

✓  
FILLING STATION  
610-612 Robie Street

Read report Committee on Works and City Engineer re the application of the Canadian Oil Companies Limited to erect a service station on the premises 610-612 Robie Street;

City Engineer's Office,  
Halifax, N.S. July 28th, 1929

No. 610-612 Robie St.,  
FILLING STATION

His Worship the Mayor.

Sir:-

I beg to report on the application of

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the Canadian Oil Companies Limited for permission to erect a Service Station on the premises Nos. 610-612 Robie Street, that a permit was granted for the erection of such a Station at No. 631 Robie Street. The Company write that they have abandoned this location and ask for a permit in the new one.

It is proposed to erect it on the same design and plan as were originally submitted for the location at No. 631, which, as stated before, have already been approved. I would recommend that a permit be granted.

Respectfully submitted,

H.W. Johnston,  
CITY ENGINEER

City Works Office,  
Halifax, N.S.,  
July 29-1929

610-12 ROBIE STREET  
FILLING STATION

The City Council.

Gentlemen:-

The Committee on Works on the 17th instant, resolved to recommend to Council the adoption of the accompanying report of the City Engineer on application of the Canadian Oil Cos., Limited, for permission to erect a service station on the premises # 610-612 Robie Street.

Respectfully submitted

M.A. Hunter  
CLERK OF WORKS

Moved by Alderman Mitchell

seconded by Alderman Smeltzer that the reports be adopted. Motion passed.

*Engineer*

LOAN FOR REPAIRS MEMORIAL TOWER

Alderman Donovan, Chairman  
of the Committee on Gardens, Parks and Common  
submits the following resolution:

"RESOLVED that the City under the authority of Chapter 64 of the Acts of 1929 do borrow the sum of \$1,000, to pay the cost of repairing the Memorial Tower, Sir Sandford Fleming Park"

July 29th, 1929

Moved by Alderman Donovan seconded by Alderman McDuff and passed unanimously.

PARKING REGULATIONS

The City Solicitor here submits and reads the following letter addressed to His Worship the Mayor in re legislation passed at the last session of the Legislature to regulate parking in this City:

Halifax, N.S., July 29-1929

His Worship the Mayor,  
CITY.

RE: PARKING

Sir:-

In compliance with your request for a statement respecting the difficulties encountered by the City in the above, I beg to say as follows:

These difficulties have been solely caused by the extremely obscure and badly drawn provisions of the Motor Vehicle Act. There never has been the slightest obscurity or difficulty in any legislation of the City.

Our Traffic Ordinance No. 74 in which the parking regulations were originally contained was most carefully drafted. It was considered with care by our Committee on Laws & Privileges of which Alderman Russell was then Chairman. It was subsequently very thoroughly discussed by Mr. Mathers, the Deputy Attorney General and a member of his staff when submitted to the Governor in Council for approval. If it had been left undisturbed, no difficulty would have arisen.

The difficulty began with the amendments to the Motor Vehicle Act in Sections 89 and 90. What these Sections mean I have never yet found any member of the legal profession able to say. The one purports to give the Council of a city power to make, subject to the approval of the Governor in Council, regulations or by-laws not inconsistent with the Act. The next Section purports to repeal all City by-laws, regulations or ordinances dealing with any matters covered by the Act including the use of the highways by motor vehicles. There is an apparent exception from this repeal which only made matters still more obscure.

As the parking problem had become acute the only alternative was for the city to go ahead and endeavour to make the best of the situation with the legislation at our disposal.

We first tried a prosecution under our Ordinance No. 74 to make sure that the courts would consider it no longer available by reason of the clauses of the Motor Vehicle Act referred to. As I rather

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anticipated the Stipendiary Magistrate took the view that it was no longer operative. We then tried a prosecution under Section 50 of the Act forbidding parking in any places where "No Parking" signs had been put up by the City. The objections taken were that the Council could not authorize the Police Committee to put up signs and also that the placing of the signs was a regulation requiring to be approved by the Governor in Council. The Stipendiary Magistrate decided against both these contentions and in so doing, in my humble opinion, he was right, and this view has met the approval of several of the members of the profession with whom I have discussed it. However, the County Court Judge differed and allowed an appeal from the Stipendiary's judgment.

It therefore became necessary to have the Motor Vehicle Act amended so as to make it workable, and I accordingly prepared legislation authorizing the delegation by the Council to the Police Committee to put up "No parking" signs. That legislation is contained in the first four sub-sections of Chapter 61 of the Acts of the present year, with the exception of the words "all signs shall be in accordance with the next following subsection" which were added in the legislature. I understand this was done in order to procure a uniformity of signs through-out the Province and to this we had no objection. I may add that I discussed this Act thoroughly with the Deputy Attorney General and it entirely met his approval.

After the Act was introduced, to my astonishment I was informed that an official of the Department, not a lawyer, had drawn a further amendment which now appears as sub-section (6) which he wished to be added to our Bill. That amendment reads as follows:

- (6) " The Council of any city or town may cause such signs to be erected and maintained as shall be appropriate to give reasonable notice of regulations or bylaws of such city or town, designating streets which shall be used as one way streets, or regulating or prohibiting the parking or leaving standing of vehicles upon sections of the highway. Such regulations or by-laws shall not be enforceable against an alleged violator if at the time of the alleged violation an appropriate sign, giving reasonable notice of such regulation or by-law, has not been erected and maintained in the section of the highway in which it is alleged the violation occurred"

It will be apparent to anyone that this Act is entirely at variance with the simple Act introduced by us. It throws the matter back into the Council and introduces qualifications and complications respecting the signs which are certain to make the Act almost unworkable.

July 29th, 1929

As soon as I became aware of the proposed amendment I protested against it as vigorously as I could and failing to convince the official in question, you and I discussed the matter at great length with Mr. Black, Minister of Highways. You and I then appeared before the Committee on Laws & Privileges and discussed the matter and as I recollect we left the Committee with the impression that the objectionable amendment would not be inserted in the Bill and that our legislation would be passed as originally introduced, and it was therefore a complete and great surprise to myself to discover that after all our efforts that amendment had been introduced completely nullifying the effect of the Act introduced by us.

If the Act introduced by us had been passed, there would not have been any difficulty whatever in regulating the matter through our Police Committee. As it is, the only thing we can do is to proceed under the amended Section 89, which authorizes the City to make by-laws regulating the matter. I need not point out that this is not nearly so satisfactory an amendment as that proposed by us. Every slight alteration will require a separate by-law, which not only requires to be read to two separate meetings, of the Council but also be approved by the Governor-in-Council, a proceeding which may involve considerable discussion and delay.

Yours respectfully,  
F.H. Bell,  
CITY SOLICITOR

FILED.

✓  
Read report Committee on Laws and Privileges covering a draft By-Law No.79 entitled "A By-Law Regulating the Parking of Vehicles on the S streets of the City of Halifax":

Halifax, N.S., July 29, 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 attached Ordinance prepared by the City Solicitor for the regulation of parking on S streets, was under consideration.

Your Committee recommend that the Draft Ordinance as submitted be approved.

Respectfully submitted

Russell McInnes,  
CHAIRMAN

A BY-LAW REGULATING THE PARKING OF VEHICLES  
ON THE STREETS OF THE CITY OF HALIFAX

BE IT ENACTED by the Mayor and Council of the City of Halifax under the authority of Section 89 of the Motor Vehicle Act as amended by Section 2 of Chapter 61. of the Acts of 1929 as follows:

1. Except as is hereinafter provided a person having control or charge of a motor vehicle shall not allow such vehicle to remain standing on any of the streets or sections of streets hereinafter designated either for any period of time or for such period of time as is hereinafter specified

2. No vehicle shall be allowed to remain standing for any time on-

(a) BLOWERS STREET, either side from Granville Street to Grafton Street.

(b) PRINCE STREET, either side from Bedford Row to Hollis Street.

3. No vehicle shall be allowed to remain standing between the hours of 8.00 o'clock in the morning and 7 o'clock in the evening on-

(a) SACKVILLE STREET, either side from Water Street to Brunswick Street.

(b) GEORGE STREET, either side from Bedford Row to Barrington Street.

(c) SALTER STREET, either side from Water Street to Battington Street

(d) PRINCE STREET, either side from Hollis Street to Brunswick Street

(e) DUKE STREET, either side from Water Street to Brunswick Street;

(f) BUCKINGHAM STREET, either side from Water Street to Brunswick Street.

(g) HOLLIS STREET, either side from Bishop Street to Salter Street;

(h) BRUNSWICK STREET, west side from Sackville Street to Buckingham Street.

(i) BEDFORD ROW, West side from Prince Street to George Street.

4. On the following streets or sections of streets no vehicle shall, between the hours of 8.00 o'clock in the morning and 7.00 o'clock in the evening, be allowed to remain standing for more than THIRTY MINUTES.

July 29th, 1929

- (a) HOLLIS STREET, either side from Salter Street to Upper Water Street;
- (b) GRANVILLE STREET, either side from Salter Street to Buckingham Street;
- (c) BARRINGTON STREET, either side from Spring Garden Road to Jacob Street.
- (d) ARGYLE STREET either side from Blowers Street to Jacob Street;
- (e) SPRING GARDEN ROAD, either side from Barrington Street to South Park Street.
- (f) BRUNSWICK STREET east side from Sackville Street to Buckingham Street.
- (g) BEDFORD ROW, either side from Sackville Street to Prince Street;

5. No vehicle shall be allowed to remain standing on either side of Hollis Street from Salter Street to Sackville Street between the hours of 12 o'clock midnight and 7 o'clock in the following morning, provided that any motor vehicle shall be permitted to remain standing on the said section of the street during the said hours for the purpose of taking up or letting down a passenger for a period not longer than ten minutes.

6. The provisions of the foregoing sections shall not apply-

- (a) to a commercial motor vehicle as defined by the motor vehicle act while such vehicle is engaged in loading or unloading goods or other commodities, or
- (b) to a licensed hack, or truck, standing on a place designated as its stand by the Committee on Cabs for that purpose, or
- (c) to the vehicle of a medical practitioner while engaged in the practice of his profession.

7. For the purpose of giving reasonable notice of the foregoing provisions respectively, signs to be provided by the City shall be erected and maintained by the City of Halifax in accordance with the provisions of Sub-Sections 5 and 6 of Section 50 of the Motor Vehicle Act, as that Section is enacted by Chapter 61 of the Acts of 1929 and such signs shall have thereon the name of the Chief of Police of the City of Halifax and his official title, and also the following words "CITY BY-LAW NO. ...79".

8. Any person who violates, contravenes or fails to comply with any of the provisions of Sections 1 to 5 of this By-Law shall for each such offence be liable to a penalty of not more than twenty dollars and in default of payment to imprisonment for a term not more than ten days.

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Moved by Alderman McInnes seconded by Alderman Dickie that the draft By-Law as submitted be considered clause by clause. Motion passed.

By unanimous consent of Council Mr. C.S Smith, Solicitor for the Three Ess Taxi Service, Sackville Street was permitted to address the Council and asked that provision be made so that any regulation adopted would not interfere or hamper the business of his clients.

The several clauses of the By-Law are now read by the Solicitor and several minor changes made in the draft as submitted by the Committee.

Moved by Alderman McInnes seconded by Alderman Dickie that the By-Law as submitted and amended be read a first time. Motion passed.

Read By-Law No.79- First Reading.

Moved by Alderman McInnes seconded by Alderman Dickie that the By-Law as submitted and amended be read a second time and engrossed. Motion passed.

Read By-Law No.79- Second Reading.

✓  
AN ORDINANCE TO AMEND ORDINANCE  
NO 74 OF THE REGULATION OF TRAFFIC ON STREETS

Be it enacted by the Mayor and Council of the City of Halifax as follows:-

Ordinance Number 74 of the City of Halifax of the Regulations of Traffic on Streets is amended by adding thereto the following Section to follow Section

(1) 32A Except as is hereinafter specified a vehicle shall not be placed at right angles to the curb, but for the purpose of loading shall be placed parallel to the curb and as close to it as possible.



July 29th, 1929

Moved by Alderman McInnes

seconded by Alderman Dickie that said Ordinance be amended by adding thereto the following sub-section:-

(2) The provisions of the foregoing sub-section shall not apply to

- (a) St. Paul's Hill
- (b) Cheapside
- (c) George Street south side from Bedford Row to Water Street
- (d) South Park Street, west side from Spring Garden Road to Sackville Street,

and that said ordinance having been read a first and second time at a meeting of the City Council held on the 11th day of July 1929 be now read a third time and adopted and forwarded to Governor-in-Council for approval. Motion passed.

*John E. Rhodes*

NOTICE OF MOTION  
RE TELEPHONE RATES

Alderman Dickie submits the following notice of motion:-

BE IT RESOLVED that the City Council cause an enquiry into the whole question of telephone rates in the City of Halifax and that a sum not exceeding One Thousand Dollars be spent to defray the cost of obtaining expert data and presenting the case before the Public Utilities Board of Nova Scotia at the earliest possible date, also that the City Council request the Public Utilities Board to defer the hearing called by that body regarding increase in capitalization until such time as the City is prepared to present its case.

*Council*

Moved by Alderman Smith seconded by Alderman Dickie that this meeting do now adjourn. Motion passed.

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*H. S. Rhind*  
H. S. RHIND  
CITY CLERK

Meeting adjourned  
L. K. Gastonguay  
MAYOR

A F T E R N O O N   S E S S I O N

4.40 o'clock,  
Council Chamber,  
City Hall,  
July 31st 1929

A meeting of the City Council was held this afternoon. At the above named hour there were present, Aldermen Mitchell, Dickie, Smith, Donovan, Redmond, Cragg, McInnis, Rains, Corbin, McDonald, O'Toole, Mullane, Drysdale, Robertson and Smeltzer.

In the absence of His Worship the Mayor the Chair was taken by Deputy Mayor Alderman Mitchell.

The meeting was called specially for the consideration and third reading of a by-law regulating Parking in the City of Halifax.

✓  
BY-LAW NO. 79

A BY-LAW REGULATING THE PARKING OF VEHICLES  
ON THE STREETS OF THE CITY OF HALIFAX

The City Solicitor reads the By-Law as it passed the first and second reading.

Moved by Alderman Cragg seconded by Alderman Smith that the draft By-Law be amended as follows:

1. That the word "motor" be deleted from second line of Section No.1 and from the fifth line of Section No.5
2. That the words "commercial motor vehicle as defined by the Motor Vehicle Act" be deleted from Sub-Section A of Section No.6
3. That the word "inclusive" be added after 5 in the third line of Section No.8.

Motion passed.

July 31st 1929

Read By- Law No. 79-

Third reading.

BY-LAW NO. 79

A BY-LAW REGULATING THE PARKING OF VEHICLES  
ON THE STREETS OF THE CITY OF HALIFAX

BE IT ENACTED by the Mayor and Council of the City of Halifax under the authority of Section 89 of the Motor Vehicle Act as amended by Section 2 of Chapter 61 of the Acts of 1929 as follows:

1. Except as is hereinafter provided a person having control or charge of a vehicle shall not allow such vehicle to remain standing on any of the streets or sections of streets hereinafter designated either for any period of time or for such period of time as is hereinafter specified.

2. No vehicle shall be allowed to remain standing for any time on-

(a) BLOWERS STREET, either side from Granville Street to Grafton Street.

(b) PRINCE STREET, either side from Bedford Row to Hollis Street.

3. No vehicle shall be allowed to remain standing between the hours of 8.00 o'clock in the morning and 7 o'clock in the evening on-

(a) SACKVILLE STREET, either side from Water Street to Brunswick Street.

(b) GEORGE STREET, either side from Bedford Row to Barrington Street.

(c) SALTER STREET, either side from Water Street to Barrington Street.

(d) PRINCE STREET, either side from Hollis Street to Brunswick Street.

(e) DUKE STREET, either side from Water Street to Brunswick Street.

(f) BUCKINGHAM STREET, either side from Water Street to Brunswick Street.

(g) HOLLIS STREET, either side from Bishop Street to Salter Street.

(h) BRUNSWICK STREET, west side from Sackville Street to Buckingham Street.

(i) BEDFORD ROW, west side from Prince Street to George Street.

4. On the following streets or sections of Streets no vehicle shall, between the hours of 8.00 o'clock in the morning and 7.00 o'clock in the evening, be allowed to remain standing for more than THIRTY MINUTES.

- (a) HOLLIS STREET, either side from Salter Street to Upper Water Street;
- (b) GRANVILLE STREET, either side from Salter Street to Buckingham Street.
- (c) BARRINGTON STREET, either side from Spring Garden Road to Jacob Street.
- (d) ARGYLE STREET either side from Blowers Street to Jacob Street.
- (e) SPRING GARDEN ROAD, either side from Barrington Street to South Park Street.
- (f) BRUNSWICK STREET east side from Sackville Street to Buckingham Street.
- (g) BEDFORD ROW, either side from Sackville Street to Prince Street.

5. No vehicle shall be allowed to remain standing on either side of Hollis Street from Salter Street to Sackville Street between the hours of 12 o'clock mid-night and 7 o'clock in the following morning, provided that any vehicle shall be permitted to remain standing on the said section of the street during the said hours for the purpose of taking up or letting down a passenger for a period not longer than ten minutes.

6. The provisions of the foregoing sections shall not apply-

- (a) to a vehicle while such vehicle is engaged in loading or unloading goods or other commodities, or
- (b) to a licensed hack, or truck, standing on a place designated as its stand by the Committee on Cabs for that purpose, or
- (c) to the vehicle of a medical practitioner while engaged in the practice of his profession.

7. For the purpose of giving reasonable notice of the foregoing provisions respectively, signs to be provided by the City shall be erected and maintained by the City of Halifax in accordance with the provisions of Sub-Sections 5 and 6 of Section 50 of the Motor Vehicle Act, as that Section is enacted by Chapter 61 of the Acts of 1929, and such signs shall have thereon the name of the Chief of Police of the City of Halifax and his official title, and also the following words "CITY BY-LAW NO...79"

8. Any person who violates, contravenes or fails to comply with any of the provisions of Sections 1 to 5 inclusive of this By-Law shall for each such offence be liable to a penalty of not more than twenty dollars and in default of payment to imprisonment for a term not more than ten days.

July 31st 1929

Moved by Alderman McInnes seconded by Alderman Dickie that By-Law No.79 entitled "A By-Law Regulating the Parking of Vehicles on the Streets of the City of Halifax " having been read a first and second time on the 29th day of July 1929, and now read a third time, be adopted and forwarded to the Governor-in-Council for approval. Motion passed

*Iron & N  
R. Hooper P.C.*

✓  
OILING WINDSOR STREET

Read report Committee on Works and City Engineer re oiling of Windsor Street from North Street to Almon Street:

City Engineer's Office,  
Halifax, N.S.,  
July 31st 1929

WINDSOR STREET OILING

His Worship the Mayor.

Sir:-

I beg to report on a petition of the owners of property on Windsor Street asking that this street be oiled from North Street to Almon Street ~~that~~ Windsor Street from Quinpool Road to North Street has been oiled and the continuation of the work on Almon Street would be a big improvement.

During Exhibition Week and at other times there is a very large traffic on this street and the oil would tend not only to keep the dust down, but to help maintain the street.

I would recommend that the work be ordered to be done.

Respectfully submitted

H.W. Johnston,  
CITY ENGINEER.

City Works Office,  
Halifax, N.S.,  
July 31st 1929

WINDSOR STREET OILING

The City Council.

Gentlemen:-

The Committee on Works at the meeting held this day, resolved to recommend to Council

July 31st 1929

that the accompanying report of the City Engineer on Windsor Street Oiling be adopted.

Respectfully submitted

M. A. Hunter  
CLERK OF WORKS

Moved by Alderman Donovan

seconded by Alderman Robertson that the reports be adopted. Motion passed

*Engineer*

NOTICE OF MOTION  
RE  
TELEPHONE RATES

Alderman Dickie submits the following motion amending the motion of which he gave notice at the last meeting of Council.

BE IT RESOLVED that the City Council under Section 72 of the Public Utilities Act of Nova Scotia do lodge a complaint with the Board of Public Utilities against the Maritime Telegraph and Telephone Company complaining that the rates at present charged in the City of Halifax are unreasonable, excessive and unjustly discriminatory; and that the City Solicitor be instructed to appear at the hearing before said Board on August 1st, 1929, and request an adjournment of the Company's present application for authority to increase capitalization until such time as the proposed rate investigation can be heard and also that the applications be consolidated and heard together.

BE IT FURTHER RESOLVED that an amount not exceeding one thousand dollars be approved by the City to cover the cost of such enquiry.

Moved by Alderman Dickie seconded by Alderman Mullane.

Moved in amendment by Alderman Cragg seconded by Alderman Rains that the City Solicitor be instructed to attend the Public Utilities hearing to be held August 1st, and take notes of the proceedings and report same to this Council at its next meeting.

July 31st 1929

Amendment put and lost six voting for the same and eight against it as follows:-

FOR THE AMENDMENT

Aldermen Donovan  
Cragg  
McInnes  
Rains  
Drysdale  
Robertson

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AGAINST IT

Aldermen Dickie  
Smith  
Redmond  
McDonald  
Corbin  
O'Toole  
Mullane  
Smeltzer

-8-

Alderman Dickie with the consent of the seconder amends his motion by adding the following words-

"subject to the approval of the Governor-in-Council"

The motion as amended is put and passed eleven voting for the same and three against it as follows:

FOR THE MOTION

Alderman Dickie  
Smith  
Redmond  
Cragg  
McInnes  
McDonald  
Corbin  
O'Toole  
Mullane  
**Robertson**  
Smeltzer.- 11

AGAINST IT

Aldermen Donovan  
Rains  
Drysdale- 3

5.35 o'clock

Moved by Alderman Robertson seconded by Alderman Dickie that this meeting adjourn. Motion passed.

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Meeting adjourned

*H. S. Rhind*  
H. S. RHIND  
CITY CLERK

WALTER MITCHELL  
DEPUTY MAYOR  
CHAIRMAN

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