

EVENING SESSION
SPECIAL MEETING

Council Chamber,
City Hall,
Halifax, N. S.,
March 2, 1954,
8:00 P. M.

A meeting of the City Council was held on the above date.

After the meeting was called to order by the Chairman and before considering the regular order of business, the members of Council attending, led by the City Clerk, joined in repeating the Lord's Prayer.

There were present His Worship the Mayor Chairman; Aldermen DeWolf, Moriarty, Dunlop, Lane, Macdonald, Adams, Lloyd, O'Malley, Ahern, Allen, Vaughan and Hatfield.

Also present were Messrs. A. A. DeBard, Jr., W. P. Publicover, R. H. Stoddard, G. F. West, L. M. Romkey, A. J. Yeadon, C. P. Bethune, Q. C., and Dr. A. R. Morton.

The meeting was called specially to consider legislation.

LEGISLATION 1954

Draft legislation was submitted by the City Solicitor and same is attached to the original copy of these minutes. The legislation was considered Paragraph by Paragraph.

Paragraph #1

Alderman Dunlop suggested that the salary to be paid to the Mayor be fixed at \$7,500.00 effective as from January 1, 1954 and moved that the paragraph be amended accordingly. The motion was seconded by Alderman Lloyd and passed.

Paragraph #2

Approved.

Paragraph #3

Approved.

Paragraph #4

Alderman Dunlop: "They should be members of a registered partnership. Then there would be no question as to who they are."

City Solicitor: "Each partner is personally liable for

OFFICE OF THE CITY SOLICITOR

City Hall
Halifax, N.S

February 12, 1954.

To: His Worship The Mayor and
Members of the City Council.

Your Worship and Aldermen:

The following pages contain proposals for legislation which I have drafted and which must be approved by the Council before being submitted to the Legislature.

Certain of these items have already been approved by Council and a memorandum to that effect will be found in the explanatory note at the end of each.

I particularly wish to call attention to the amendments to the following Sections of the Charter:

Paragraphs 1, 2 and 3, which provide for allocating a portion of the remuneration of the Mayor and aldermen as an expense allowance. Paragraph 1 also increases the maximum salary which may be paid to the Mayor from \$5500.00 to \$7500.00.

Paragraph 13, which enables the City Manager to authorize payment of hospital and medical bills up to \$200.00 for any employee who is injured. Any amounts in excess of that sum must be authorized by the Council.

Paragraph 14. This Section authorizes the City Manager and the Commissioner of Works to settle claims for damage to City property not exceeding \$1000.00 and to give an effective release on behalf of the City.

Paragraph 18 is to enable a purchaser of property at Tax Sale to be fully compensated in the event of the property being redeemed.

Paragraph 25 prohibits the abandonment of refrigerators, etc., without rendering them incapable of self-locking.

Paragraph 26 enables the City to control the method of solicitation of funds from the public.

Paragraph 28 enables the City to enact an ordinance to prevent the parking of any vehicle in a private parking area or on private property without the consent of the owner of such area or property.

Paragraph 29. This section will replace the legislation which we secured last year respecting the control of television installations. The present draft is a result of further study and is more comprehensive. It enables the City to regulate the installation of antennae and supporting structures, the licensing of persons installing the same,

including permits for individual installations, the regulation and control of a subscription system for the distribution of radio and television signals to the homes of the subscribers by means of coaxial cable or other system, and to charge a fee for a permit and an annual revenue charge.

Paragraph 30. This paragraph in subdivision (2) deals with the exemption or deferment of sewer charges where, due to difference in elevation, real property fronting on the sewer cannot be properly drained into the sewer. Subdivision (3) enables the City to assess a property for sewer charges even though the sewer does not extend completely across the frontage of such property. Subdivision (4) enables the Council to postpone the due date for payment of sewer charges where the sewer has been laid in advance of need. No deferment, however, can be made after the expiration of one year from the date of the filing of the plan.

Paragraph 31. These 4 matters deal with the re-arrangement proposed for the Department of Works insofar as the qualifications for the various officers of the Department are concerned. It will be noted that the Commissioner of Works, the person designated Deputy Commissioner of Works, the Inspector of Buildings and the Town Planning Engineer are all required to be registered professional engineers.

Yours very truly,

CARL P. BETHUNE
CITY SOLICITOR

CPB:EHJ
Encl.

1954 LEGISLATION

Items 49 and 27(a).

1. Subsection (3) of Section 8 is repealed and the following substituted therefor:

(3) There shall be paid annually to the Mayor a sum not less than three thousand dollars and not more than seven thousand five hundred dollars, to be determined by the Council in respect of each year; provided, however, that any increase in the said sum in excess of the amount of three thousand dollars shall only be approved and authorized by the Council if the Council is of the opinion that the special services rendered or to be rendered or the time to be devoted to carrying out the duties of the office of Mayor are such as to warrant the payment of such excess amount. ~~One-third~~ of the sum so paid to the Mayor, as above provided, in the year 1954 and in subsequent years shall be paid as an allowance to defray the expenses incurred by the Mayor in discharging the duties of his office and the remainder shall be paid as an indemnity or compensation for his services as Mayor.

(Explanatory note: The foregoing amendment increases the maximum amount to be paid to the Mayor from \$5500 to \$7500 and also provides that ~~one-third~~ of the sum so paid is paid as an expense allowance and the balance as remuneration. See also amendments to Sections 9 and 10A.)

- 2.

Item 27(c)

Subsection (1) of Section 9 is amended by striking out the period at the end thereof and substituting therefor a comma and by adding thereafter the following words:

and ~~one-third~~ of such amount in the year 1954 and in subsequent years shall be paid as an allowance to defray the expenses incurred by the Deputy Mayor in discharging the duties of his office and the remainder shall be paid as an indemnity or compensation for his services as Deputy Mayor.

(Explanatory note: This amendment provides that ~~one-third~~ of the Deputy Mayor's compensation is paid in lieu of an expense allowance and the balance is remuneration.)

3.

Items 34 and 27(b)

(1) Subsection (1) of Section 10A is amended by inserting between the subsection number "(1)" and the word "The" in the first line thereof the letter and symbols "(a)".

(2) Clause (a) of subsection (1) of said Section 10A is amended by adding thereto the following:

One-third of such indemnity or compensation so paid in 1954 and in subsequent years shall constitute an allowance to defray the expenses incurred by such alderman in discharging the duties of his office and the remainder shall be paid as compensation for his services as alderman.

(3) Clause (d) of said subsection (1) of Section 10A, as that clause is enacted by Section 2 of Chapter 69 of the Acts of 1947, is amended by striking out the word "Section" in the fourth line thereof and substituting therefor the word "subsection".

(Explanatory note: Subsections (1) and (3) are to correct typographical errors which occurred in the printing of the statute.

Subsection (2) provides that one-third of the indemnity or compensation paid to aldermen is paid as an expense allowance and the balance as compensation for his services.)

4.

Item 8.

Section 34 is amended by inserting therein between the Section number "34" and the word "Where" in the first line thereof the numeral and symbols "(1)" and by adding to the said Section the following subsection:

(2) Only those members of a firm or co-partnership whose names have been lodged with the Collector prior to the day on which the election is held, accompanied by proof satisfactory to the Collector, shall be entitled to vote at such election pursuant to such assessment of such firm or co-partnership.

(Explanatory note: This amendment has been requested by the City Collector in order that the presiding officers may have knowledge when the polls open of all persons entitled to vote as members of a firm or co-partnership. There is no time limit now provided before which this information must be supplied and if it is cleared up prior to the date of election some confusion may be avoided. The dead line provided is similar to that required in respect of the voting agent for incorporated companies.

5.

Item 17.

Clause (b) of Section 251 is amended by striking out the words "in case of illness the Commissioner of Public Health and Welfare certifies in" in the first line thereof and substituting therefor the words "in case of absence from duty due to illness where no leave of absence has been granted the Commissioner of Public Health and Welfare certifies in".

(Explanatory note: This amendment is submitted to clarify the meaning of Section 251. Clause (a) provides for leave of absence for policemen and for continuance of their pay during this time. The amendment to clause (b) will give them this concession if absence is without leave but is certified by the Commissioner of Public Health and Welfare to be due to illness. This was approved by the Council September 17, 1953.)

6.

Item 35.

Clause (c) of subsection (3) of Section 280 is repealed and the following substituted therefor:

(c) Such notice may be in the following form or to like effect:

Halifax, N. S. 19.....

You are hereby notified that you are rated and taxed for the civic year 19..... for the sum of \$..... This amount is due and payable on the 1st day of May next. On any portion of this amount paid on or before the 31st day of May next you are entitled to a discount of two and one-half per cent on the amount so paid. On any portion paid during the months of June, July and August next you are entitled to a discount of one and one-half per cent on the amount so paid. On all amounts remaining unpaid on the 1st day of September next interest will be charged at the rate of six percent per annum. Payment of any amount due may be enforced by warrant of distraint or action or both.

(Explanatory note: The above notice which appears on tax bills is revised to conform to the changes made by legislation last year respecting discounts on taxes.)

7.

Item 16.

Clause (a) of subsection (3) of Section 282 is repealed and the following substituted therefor:

(3)(a) All cheques issued by the City or by or for any board or committee of the City shall be signed by the Commissioner of Finance and Accounts and the Treasurer at the time the same are issued by each affixing his signature thereto either by his hand or by means of a mechanical device under his control.

(Explanatory note: This amendment is to

enable all cheques of the City to be signed by the Commissioner of Finance and the Treasurer either by hand or by machine. This was approved by Council June 11, 1953.)

8. Item 67.

Clause (qqC) of Section 309, as that clause is enacted by Section 8 of Chapter 86 of the Acts of 1952, is amended by striking out the words therein "The Halifax Memorial Library Board" and substituting therefor the words "The Halifax Regional Library Board".

(Explanatory note: This clause permitted the City to include in its estimates sums for the maintenance of the Halifax Memorial Library Board. This Board is now defunct, and this amendment is to enable the City to provide funds for the Halifax Regional Library Board.)

9. Item 36.

The clause added to subsection (1) of Section 310 by Section 8 of Chapter 67 of the Acts of 1933, enabling the City to pay an annual sum to the Halifax Supervised Playgrounds, is repealed.

(Explanatory note: This authority permitting the City to make an annual grant is no longer required, since the operations of the Halifax Supervised Playgrounds is now merged in the undertakings of the Halifax Recreation and Playgrounds Commission.)

10. Item 37.

The clause added to subsection (1) of Section 310 by Section 18 of Chapter 69 of the Acts of 1947, enabling the City to pay an annual sum to assist the operations of the Halifax Children's Library, is repealed

(Explanatory note: This clause is deleted because this operation is now conducted as part of the Halifax Memorial Library.)

11. Item 14.

The Charter is amended by inserting therein, immediately following Section 310F thereof, the following Section:

310G. The City shall pay annually, commencing in the year 1954, to The Theatre Arts Guild as a grant a sum equal to the taxes due by the said The Theatre Arts Guild to the City in each year pursuant to the assessment made for such year against the said Guild in respect of the Theatre Arts Guild Playhouse on College Street in the City of Halifax while the same is occupied for the purposes of the said Guild.

(Explanatory note: This section is to enable the City to make an annual grant to the Theatre Arts Guild equal to any taxes assessed in order to assist this organization.)

Item 14.

The City may write off and cancel the taxes assessed against the Theatre Arts Guild for the year 1953 in respect of the real property known as the Theatre Arts Guild Playhouse on College Street in the City of Halifax, occupied by such Guild for its purposes.

(Explanatory note: The effect of this section is to make the grant provided in Section 310G above effective for the year 1953.)

12.

Item 38.

Section 311 is amended by striking out the words "Municipality of Halifax" in the second line thereof and substituting therefor the words "Municipality of the County of Halifax".

(Explanatory note: This amendment is for the purpose of accuracy in the reference to the municipality mentioned.)

13.

Item 10.

Section 315D is repealed and the following substituted therefor:

315D. (1) In any case in which it shall appear to the City Manager that any officer or employee of the City, including any member of the Police Force and Fire Department, has suffered any injury arising out of the execution of his duty, the City Manager may after receipt by him from the Commissioner of Public Health and Welfare of a report upon such injury, authorize the payment to such officer, employee or member, or to his estate if such injury should prove fatal, if such officer, employee or member has already paid the same, all or any portion of the amount of any indebtedness, not in any case to exceed two hundred dollars (\$200.00), incurred with any medical practitioner or hospital by such officer, employee or member as a result of such injury, or to the said medical practitioner or to the said hospital if the same has not been so paid.

(2) If such indebtedness shall exceed the said sum of two hundred dollars (\$200.00) the City Manager shall submit a report to the Council respecting such matter, recommending whether in his opinion or not such indebtedness shall be paid by the City.

(3) Upon receipt of such report and recommendation from the City Manager, the Council may, if the same is approved, order that the whole or any

portion of the amount of such indebtedness shall be paid by the City.

(4) Any sums required for the purposes of this Section shall be shown as an expenditure made by the City in the civic year in which the same is expended.

(Explanatory note: It is suggested by the City Manager that instead of the Finance and Executive Committee recommending to the Council for approval the payment of medical and hospital expenses incurred by an employee of the City in the course of his duty that such payments up to \$200 be approved for payment by the Manager himself. \$200 is the present limit.

The suggestion is made also that if the amount of any such payment exceeds \$200, in such cases the final decision is to be made by the Council upon the recommendation of the Manager.)

14.

Item 52.

The Charter is amended by inserting therein, immediately following Section 315E thereof, the following Section:

315F. (1) Subject as hereinafter provided, in any case where property of the City has suffered damage the City Manager and the Commissioner of Works are hereby authorized and empowered on behalf of the City to adjust and settle any claim of the City against the person or persons causing the same and may execute on behalf of the City a full release to such person or persons of any claim of or by the City in respect of such damage; provided, however, that the amount at which such claim has been so adjusted and settled shall not exceed one thousand dollars.

(2) Any release executed by the City Manager and the Commissioner of Works under the authority of the preceding subsection shall be as effective and shall be binding upon the City in the same manner and to the same extent as if the same had been authorized by the City Council.

(Explanatory note: This section authorizes the City Manager and the Commissioner of Works to settle claims for damage to city property in amounts not exceeding \$1000.00 and to execute the necessary releases therefor. Such releases are stated to be as effective as if authorized by the City Council. Requested by the City Manager.)

15.

Item 39.

Section 322A, as that Section is enacted by Section 19 of Chapter 54 of the Acts of 1953, is amended by inserting therein between the words "standard" and "weight" in the sixth line thereof the word "of".

(Explanatory note: This is to correct a typographical error which occurred in the printing of the statute.)

16.

Item 45A.

Section 370 is amended by inserting therein between clauses (a) and (b) the following clause:

(aa) the property of the City of Halifax;

(Explanatory note: Section 370 lists real property that is exempt from civic real property taxes. It has always been assumed that the real property owned by the City is exempt and this amendment is to remove any possible doubts on this score. Submitted by the City Solicitor.)

17.

Item 60

Section 405 is amended by adding thereto the following clause:

(e) to correct any error made by the Assessor in determining the character or nature of any real property for purposes of assessment.

(Explanatory note: This clause gives to the Tax Appeal Court power to correct any error made by the Assessor in determining whether any particular parcel of real property should be assessed as residential real property or business real property. Section 405 gives the Court certain other powers to correct errors whether on appeal, on the application of the Assessor or upon its own motion. The present section, however, does not apply to the problem mentioned above, since the classification of real property for assessment purposes is a comparatively new requirement dating from the time when the City commenced to use two tax rates - i.e. in 1942. In many cases the persons assessed do not notice in time that a portion of the real property is assessed at the business tax rate when in fact at the date of assessment the property should only be assessed at the fixed rate. The Assessor has no authority to remedy this error and it is felt that this matter could well be dealt with by the Tax Appeal Court. This proposed amendment is submitted by the City Solicitor.)

18.

Item 56.

Subsection (1) of Section 458 is amended by striking out the period at the end thereof and substituting therefor a comma and by adding thereto the following:

any sums paid by such purchaser for fire insurance premiums to insure his interest in the said property, which interest shall for this purpose not exceed the sum paid by such purchaser at the sale of such property by the Collector, and any sums paid by such purchaser for necessary repairs made to such property by the purchaser which have been made after receiving the approval of the Collector therefor.

Item 56.

Subsection (1) of Section 459 is amended by striking out the period at the end thereof and substituting therefor a comma and by adding thereto the following:

provided, however, that if no rents or other income have been received by him from the said property or if such rents or other income have been insufficient to pay the insurance, repairs or charges above set out, the purchaser or his legal representatives shall nevertheless be entitled to be paid the sums paid by him for fire insurance and repairs as set out in subsection (1) of Section 458 together with the amount paid at the tax sale and the sum of ten per centum thereof.

(Explanatory note: Under the present provisions of the Charter a purchaser at tax sale upon redemption of the property purchased is entitled to receive a premium of ten per cent of the amount paid in addition to such amount. Where the property produces revenue he is required to account for such revenue and is entitled to deduct therefrom any sums paid by him for insurance and necessary repairs as well as his ten percent premium. This amendment is intended to provide for reimbursement for insurance and repairs where the property is not producing revenue or where it remained in the possession of the person entitled to redeem. In other words if the property has been unproductive the person redeeming must pay any insurance premiums and necessary repair bills approved by the Collector as well as the ten percent premium and the amount for which the property was sold.) (Requested by the City Collector.)

19.

Item 12.

(1) Subsection (1) of Section 477 is amended by inserting therein between the subsection numeral "(1)" and the word "No" in the first line thereof the letter and symbols "(a)".

(2) Said subsection (1) of Section 477 is further amended by adding thereto the following clause:

(b) The Council may by ordinance regulate the manner in which the business of auctioneers may be carried on and may prescribe thereby special conditions to be complied with by persons selling by auction certain types and kinds of goods, wares or merchandise.

(3) Subsection (3) of said Section 477 is amended by inserting therein between the subsection numeral "(3)" and the word "Every" in the first line thereof the letter and symbols "(a)".

(4) Said subsection (3) of Section 477 is further amended by adding thereto the following clause:

(b) The Council may refuse to grant a license

under this Section to any person applying therefor who, in the opinion of the Council, is not a fit and proper person to receive the same or for any other reason.

(Explanatory note: This amendment is submitted by the City Solicitor to enable the Council by ordinance to provide special regulations controlling certain types of auctions, particularly jewellery auctions, which are becoming prevalent in many cities. Due to the possibility of dishonest practises in this type of business it has been found necessary in order cities to impose very stringent regulations.

The amendment also enables the Council to refuse to grant an auctioneers license in any case it may consider it proper to do so.)

20.

Item 4.

Clause (c) of Section 509, as that Section is enacted by Section 78 of Chapter 56 of the Acts of 1940, is repealed and the following substituted therefor:

- (c) providing a penalty not exceeding fifty dollars or in default of payment of such penalty to imprisonment for a term not exceeding twenty days for any person who has used such vehicle and has refused to pay the tariff rates indicated by the taximeter in such vehicle, and providing that any Peace Officer may arrest any such person without a warrant;

(Explanatory note: It has been suggested by one of the Provincial Magistrates that the minimum penalty of \$20.00 at present provided for persons who fail to pay the amount shown on a taximeter could in some cases be out of proportion to the offence and it has been suggested that instead of fixing a minimum that a maximum penalty only be set, permitting the magistrates to use their discretion up to that amount. The foregoing amendment is for this purpose. (Note, this was approved by the Council on May 14, 1953.)

21.

Item 25.

Subsection (1) of Section 510D is amended by inserting therein between the words "pianos" and "nor" in the ninth line thereof the words "nor coin-operated radios when used in a hospital".

(Explanatory note: This legislation provides a further exception to the prohibition against automatic machines - i.e. machines operated by a coin or slug. At the present time automatic phonographs and pianos are exempt from the prohibition and this extends the exemption to coin-operated radios - but only in hospitals.)

22.

Item 41.

- (1) Subsection (1) of Section 511 is amended

by striking out the words "When any license has been issued, the official issuing the same shall forthwith, in writing, notify the Clerk, who shall enter in a register kept for that purpose such particulars of such license as the Council shall direct, and such register shall be open to inspection, in the office of the Clerk, by the public during regular office hours.", added to the said subsection by Section 80 of Chapter 56 of the Acts of 1940, and substituting therefor the following "When any license has been issued the official issuing the same shall forthwith enter in a register kept for that purpose such particulars of such license as the Council shall direct and such register shall be open to inspection in the office of such official by the public during regular office hours."

(2) Subsection (2) of said Section 511 is repealed and the following substituted therefor:

(2) Such official may upon the expiration of any license, upon receipt by him of the proper fee therefor, issue a renewal license to the holder of such expired license unless the Council or any Committee thereof having authority so to do otherwise directs.

(Explanatory note: Since the issuing of licenses is no longer under the direction of the City Clerk it is considered advisable to amend this Section to conform with the present system.)

23.

Item 42.

Subsection (2) of Section 519 is repealed.

(Explanatory note: This Section required a portion of the appropriation of the Department of Works relating to streets and internal health to be held until after January first of the year for which the same was appropriated. This, of course, related to the time when the City's year ran from May 1st to April 30th. Now that the City's year is the same as the calendar year this Section ceases to be of any significance.)

24.

Item 66.

Section 575 is repealed and the following substituted therefor:

575. (1) No trees on any street shall be cut down, trimmed or removed except under the supervision and directions of the Commissioner of Works.

(2) If, in the opinion of the Commissioner of Works, any tree in any street in the City interferes with the public use of such street or has become through growth or deterioration dangerous to persons using such street, the Commissioner of Works may cause such tree to be cut down or trimmed or removed; provided, however, if the cost of the removal of any such tree shall exceed the sum of two hundred dollars the approval of the Committee on Works shall first be obtained.

(3) Subject to the provisions of subsection (2) of this Section, no tree on any street shall be cut down, trimmed or removed by any person unless permission so to do has been first obtained from the Commissioner of Works, and then only under the supervision and directions of the said Commissioner.

(4) Every person who contravenes this Section by cutting down, trimming or removing any tree, without having obtained permission therefor from the Commissioner of Works, shall for each tree so cut down, trimmed or removed be liable to a penalty not exceeding one hundred dollars, and in default of payment to imprisonment for a period not exceeding sixty days.

(5) In addition to the remedies hereinbefore prescribed in this Section, the owner of the property in front of which any tree stands may maintain an action in his own name to restrain any contravention of this Section or to recover damage done to his property thereby.

(Explanatory note: At a meeting of the Committee on Works in June 1953 the opinion was expressed by a member that the Commissioner of Works should have power to remove trees in the streets without reference to any one. This Section has been revised by inserting subsection (2) to give that power but places a limit of \$200.00 upon the expenditure unless the Works Committee first approves. The revised section also enables the Commissioner of Works to grant permission to any person to cut down, trim or remove any tree in any street.)

25.

Item 22.

The Charter is amended by inserting therein, immediately following Section 578A thereof, the following Section:

578B. No person shall in the City of Halifax discard, throw away or abandon as refuse, whether for removal as such or otherwise, any box, refrigerator, case, trunk, strong-box or safe or any other container having a cover, door or lid, whether self-locking or otherwise, unless the covers, doors, lid, or other closing or locking device thereon have been previously removed. Every person who contravenes or fails to comply with the provisions of this Section shall, for each such offence, be liable to a penalty not exceeding five hundred dollars and in default of payment to imprisonment for a period not exceeding one month.

(Explanatory note: This legislation is intended to prevent ice boxes, refrigerators, safes and similar containers from being abandoned without being rendered incapable of self-locking. Many cases of suffocation of children have arisen through such articles and it is felt that such a prohibition as contained in this legislation might reduce the hazard.)

26.

Item 43.

Subsection (2) of Section 588A is repealed and the following substituted therefor:

(2) The City Council may in its discretion grant or refuse any application for such permission.

(3) The City Council may by ordinance regulate the manner in which such collection of money and solicitation of donations may be carried on and may therein require the applicant for such permission to submit to the officer of the City designated therein such information respecting the purpose to which such collection of money and donations are to be applied as may by such ordinance be required, together with the names of the persons having the general charge or supervision of such collection or solicitation and such other information as the City Council may by such ordinance or otherwise require. Such ordinance may also prohibit the participation in the collection or solicitation upon the street of money or donations by persons under such age as the City Council may therein prescribe, and may provide penalties for violation of the provisions of such ordinance.

(4) Every person who, or association, society, organization or other body of persons which, violates any of the provisions of this Section shall be liable to a penalty not exceeding fifty dollars and in default of payment to imprisonment for a period not exceeding one month.

(Explanatory note: This amendment enables the Council to refuse a request from any persons desiring to raise money by means of a "tag day". It also empowers the Council to regulate by ordinance the manner in which such collections are to be carried on and the ages of persons to be engaged in the same. It was brought to the attention of the Council by the City Manager. At the present time Section 588A merely requires the permission of the Council to be obtained in order to hold a tag day.)

27.

Item 33

Subclause (2) of clause (j) of Section 589, as that clause is enacted by Section 8 of Chapter 73 of the Acts of 1945, is amended by striking out the word "fourteen" in the third line thereof and substituting therefor the word "sixteen".

(Explanatory note: At the last session of the Legislature legislation was introduced raising the age under which children are not permitted to be on the streets after 9:30 in the evening from 14 years to 16 years. In enacting this legislation the reference to the 14 year age limit in the second part of the clause was omitted and the purpose of this section is to enact the correct amendment.)

Item 20

28. Section 589 is amended by adding thereto, immediately after clause (k) thereof, the following clause:

- (1) the prevention of parking of any vehicle in any private parking area or place or upon any private property by any person other than the owner, occupant, licensee or permittee of the parking area or place or private property except with the consent of such owner, occupant, licensee or permittee.

(Explanatory note: This amendment, proposed by the Chief of Police, enables the City by ordinance to prohibit unauthorized persons from parking in private parking places or areas or upon private property.)

29.

Item 72.

(1) The Charter is amended by inserting therein, immediately following Section 589C thereof, the following Section:

589D. (1) The Council may make ordinances:

- (a) for regulating, controlling and governing and for the registration, examination, licensing of and the issuance and revocation of licenses and certificates of competency to persons engaged in the City of Halifax in the business of installing, erecting, constructing, reconstructing, altering or repairing structures used to carry radio or television antennae. Any such ordinance may require that any person to be licensed thereunder shall, as a condition precedent to the granting of such license, provide a good and sufficient bond in such sum as the City may by ordinance prescribe, not exceeding ten thousand dollars, executed by a surety company licensed to do business in the Province of Nova Scotia and approved by the City Solicitor, which bond shall be conditioned upon the faithful observance of all laws and of the ordinances of the City and shall indemnify and keep harmless the City from any and all damages, judgments costs or expenses which the City may incur or suffer by reason of the granting of such license and said bond shall be for the use and benefit of the City and of any person who may suffer injuries or property damages by reason of the license granted hereunder. The bond shall be maintained in effect at all times during the currency of the said license;

- (b) establishing standards governing the quality of material to be used in radio or television antennae or in structures carrying radio or television antennae erected in the City of Halifax, and the quality of material and the method to be used in supporting such structures and making them safe and preventing the same from being a danger or hazard to persons and property; and for requiring that all such antennae or structures and material used therein shall conform to such standards; for requiring the instal-

lation of safety equipment on such antennae or structures, and for establishing standards governing the quality of such safety equipment; for requiring that before any such antenna, structure or equipment is installed, erected, constructed, reconstructed, altered or repaired, plans thereof shall be submitted to and approved by an official of the City of Halifax designated by ordinance and a permit for such work issued by such official, and for providing that without such approval and permit no such work shall be commenced; for charging a fee not exceeding two dollars for such approval and permit and for the issue by such designated official of a certificate of such approval and for providing that if the work in respect of which such approval has been given is not commenced within the time specified in such permit the approval and the certificate and permit shall be void; and for providing for the inspection and reinspection of radio and television antennae and structures carrying radio or television antennae and the safety equipment installed thereon and prescribing the fees to be charged therefor.

(2)(a) No person shall in the City of Halifax erect, maintain, instal, lay down or operate in, over, upon or under any street, road, lane, alley or public square, (hereinafter and in any ordinance made under the authority of this subsection referred to as "streets"), any underground pipe or conduit or upon or over any street erect any pole or stretch wires or cables thereon or attach thereto any antennae or other equipment for the purpose of transmitting or receiving radio or television programs or parts thereof or maintain or use the same for the purpose of operating a coaxial cable or other subscription system for the distribution of radio or television signals to the homes of subscribers thereto or to business or public establishments, unless and until such person has received from the City of Halifax a permit therefor.

(b) The City may by ordinance regulate and control the manner in which the system of distribution of radio or television signals hereinbefore referred to shall be carried on and may authorize the granting of the right, privilege, authority and franchise for such distribution by the issuance of a permit therefor and may by ordinance determine the period during which such permit shall be in effect and the fee to be paid to the City for such permit and may also fix a yearly charge to be paid by the person operating such distribution system for the right, privilege authority and franchise of operating such system in the City, which charge may be a definite yearly sum or a percentage of the gross revenue received by such person, the amount of which percentage shall be fixed by ordinance. The City may in addition, by ordinance, require any person to whom any such permit may be issued, as a condition precedent to the issue of the same, to deposit with the City Clerk a good and

sufficient bond, approved by the City Solicitor, in the penal sum of twenty-five thousand dollars, executed by a surety company licensed to do business in the Province of Nova Scotia, as a surety, conditioned upon the strict compliance with the provisions, conditions and covenants of the said ordinance and of all laws and ordinances in effect in the City relating thereto and to indemnify and save harmless the City of Halifax or any person from and against any and all claims, actions, suits, liabilities, loss, costs, expense or damage of every kind and description, which may accrue to or be suffered by the said City or by any person by reason of the erection, construction, reconstruction, relocation, replacing, readjustment, repair, maintenance, operation or use of poles, wires, cables, pipes, conduits, antennae or apparatus used, pursuant to the granting of such permit, in the said system of distribution of such signals, or appurtenant or accessory thereto.

(2) Section 23 of Chapter 54 of the Acts of 1953 is repealed.

(Explanatory notes: In 1953 the City secured legislation to enable it to control by ordinance the installation of certain facilities for receiving and transmitting radio and television signals. After further study in the matter it is recommended that the above legislation be enacted to replace that obtained last year, for the reason that certain other aspects should be dealt with in the legislation which were not dealt with in the previous enactment.

This legislation enables the City to regulate and license persons engaged in installing, erecting, etc., structures used to carry radio or television antennae and to prescribe the standards covering the quality of materials to be used in the antennae or in structures carrying the same and the installation of safety equipment. The legislation also will require the payment of a fee to cover inspection and approval of any installation.

The legislation also provides for the granting of a permit to any person erecting poles and running wires to provide a subscription system for the distribution of radio or television signals to the homes of subscribers to the system and for the payment of a yearly sum for the privilege of using the streets and conducting such business.)

30.

Item 1.

Subdivision (1).

(1) Subsection (1) of Section 598A, as that Section is enacted by Section 28 of Chapter 46 of the Acts of 1943, is amended by striking out the words "draining any building or structure situated at the time such sewer was laid upon any real property fronting upon

such sewer" in the sixth, seventh and eighth lines thereof and substituting therefor the words "drainage any real property fronting upon such sewer".

(2) Subsection (2) of said Section 598A is amended by striking out the words "any such building or structure" in the sixth and seventh lines thereof and substituting therefor the words "any such real property".

(3) Subsection (3) of said Section 598A is amended by striking out the words "building or other structure upon any" in the third and fourth lines thereof.

(Explanatory note: Section 598A, as now enacted, enables the City to exempt from sewer assessment in respect of any sewer laid after May 1st, 1945, any building or structure which cannot be drained by any sewer laid in a street. This amendment provides that any "real property" (which would include a vacant lot), which can not drain into the sewer may be exempted by the City. The procedure is set out in Section 598B which follows.)

Subdivision (2)

The Charter is amended by inserting therein, immediately following Section 598A thereof, the following Sections:

598B. (1) Upon the completion of any public sewer, or part of a sewer, the Commissioner of Works, before making the plan and list hereinafter referred to, shall report to the Committee on Works respecting any portion of such sewer which, because of the difference between the elevation of the said sewer and the real property fronting thereon, is unable to be used for the purpose of properly draining all or any portion of such real property.

(2) The Committee on Works, upon receipt of such report from the Commissioner of Works, may recommend to the Council that such real property or portion thereof shall be exempted from assessment for such sewer.

(3) The Council, upon receipt of such report from the Committee on Works, may exempt from assessment for such sewer such real property or portion thereof and such real property or portion thereof and the name of the owner thereof shall not be included in the list of persons liable to be assessed in respect of such sewer. Any sums required by the City for the purpose of paying such portion of the cost of such sewer for which such real property or portion thereof was exempted, as hereinbefore provided, may be borrowed by the City and repaid in the same manner as the other sums borrowed for the purpose of constructing such sewer.

(4) No recommendation to exempt any real property from assessment for the construction of a

sewer shall be made by the Committee on Works unless the same shall be also recommended by the Commissioner of Works in a report stating that such sewer cannot be used for the purpose of properly draining all or any portion of such real property for the reason set out in subsection (1) hereof.

(5) In the event of an application being made at any time to have any building or other structure upon any real property fronting on any sewer or any real property fronting on any sewer, which real property has been exempted from assessment for sewer charges as hereinbefore provided, connected with such sewer, the City may permit such connection to be made upon payment by the person then owning such real property, as a connection charge therefor, a sum equal to the amount of the assessment from which such real property was so exempted.

(Explanatory note: This section is submitted because of the decision of the Council of March 12, 1953, that "legislation be obtained to provide for the determination of exemption" (i.e. for sewer) before assessments are made. It will be noted that the only basis of exemption is the fact that the elevation of the sewer in relation to the adjoining land makes it impossible to be used. Recommendations from the Commissioner of Works and the Committee on Works to this effect are required.

If at a later date a property thus exempted from assessment connects with the sewer the full sewer assessment must then be paid.)

Subdivision (3)

598C. (1) In any case where a sewer has been laid which does not extend completely across the frontage of any parcel of real property, the owner of such real property shall be assessed in respect of such sewer at the rate set out in Section 597 in the following manner:

(a) If the entire frontage of such parcel of real property, fronting in part upon such sewer, is fifty feet or less, such assessment shall be made on the basis of the entire frontage of such parcel of real property.

(b) If the entire frontage of such parcel of real property, fronting in part upon such sewer, exceeds fifty feet, such assessment shall be made on the basis of fifty feet of frontage only, unless the length of the sewer so laid exceeds fifty feet, in which case such assessment shall be made on the basis of the length of the sewer so laid.

(2) In the event of the extension of a sewer laid in front of a parcel of real property in

respect of a portion of the frontage of which real property an assessment has been made under the authority of subsection (1) of this Section, no further assessment toward the cost of such extension shall be made in respect of that portion of frontage constituting the basis of the assessment so made, but the owner of the real property fronting on such extension shall be liable to pay in respect of the remaining portion of such extension in the manner and at the rate set out in Section 597.

(3) If a connection to the said sewer is required to serve the portion or portions of a parcel of real property to which the provisions of clause (a) of subsection (1) of this Section apply, in respect of which portion or portions no assessment for sewer charges has been made as provided by said clause (a), the person desiring such connection shall pay to the City for the privilege of draining into such sewer the sum of fifty dollars for each fifty feet or frontage (or fraction thereof) of such parcel of real property, in excess of the frontage in respect of which an assessment has been made under the authority of said clause (a), which will be served by such connection.

(4) In the event of the extension of the sewer, subsequent to the making of a connection thereto, as provided in subsection (3) hereof, every owner of real property fronting on such extension shall, subject to the provisions of subsection (2) hereof, be liable to be assessed in respect of such extension as set out in Section 597, provided, however, that there shall be deducted from the amount of such assessment any sums paid for the privilege of draining into such sewer such real property so assessed.

(5) In case of any dispute arising as to the amount to be charged to any person under the authority of subsection (4) of this Section, such amount shall be determined by the Council and the decision of the Council thereon shall be final and conclusive and binding upon the City and such person.

(Explanatory note: This section has been drafted to provide for the assessment for sewer charges of lots at the end of a sewer line where the sewer does not completely lie in front of the entire lot.

The City Council on March 12, 1953, decided that "In the case of end lots.....that the charge be for 50 foot frontages or less if the frontage is less than 50 feet and if a connection is made a charge be made for that connection."

Clause (a) of subsection (1) provides for the amount of the assessment when the lot in question is 50 feet or less in width. Clause (b) provides for the amount of the assessment when the lot in question is more than 50 feet in width. Subsection (2) provides for the assessment of additional frontage of a lot larger than 50 feet if the sewer is extended beyond the first 50 feet thereof. There is to be no duplicate assessment of the first 50

feet. Subsection (3) provides a charge for connecting with a sewer for which no assessment has been made - such as a portion of a large lot beyond the end of the sewer. I suggest \$50.00 for each 50 feet of property which will be drained by such connection. This is based on a theoretical 50 foot lot and ties in with the present charge for a sewer connection with a property which could not be assessed. The per foot basis is, I think, necessary in this case. However, the rate may not be satisfactory to the Council. Subsection (4) should be considered along with subsection (3). Subsection (4) provides for assessing in respect of the extension of such a sewer as is dealt with in this section and provides that if a sewer is extended across a frontage which paid \$1.00 per foot connection charge (minimum of \$50.00) that such connection charge will be rebated by having the assessment reduced by \$1.00 per foot.

This type of legislation is difficult to draw and should be carefully studied.)

Subdivision (4)

598D. (1) Notwithstanding the provisions of the City Charter respecting the same, in any case in which, in the opinion of the Council, after receipt of a recommendation to that effect from the Committee on Works, it is just and equitable so to do, the Council may postpone to a definite date the date upon which any amounts assessed in respect of the construction of sewers in respect of any real property shall become due; provided, however, that the Council shall not postpone any such date after the expiration of one year from the date of the filing of the plan and list referred to in Section 599.

(2) Notwithstanding the provisions of the said Charter, and subject to the provisions of subsection (3) of this Section, upon such postponement being granted by the Council, the lien of the City upon the said real property shall not attach to or bind such real property until the date fixed by the Council upon which the amounts assessed in respect of the construction of sewers in respect of such real property shall become due.

(3) If any part of the real property with respect to which the Council has postponed the date upon which amounts assessed in respect of the construction of sewers in respect of such real property shall become connected with the said sewer prior to the occurrence of such date, the Commissioner of Works shall file with the City Collector a certificate setting out the date of such connection, and the filing of such certificate shall have the same force and effect as the filing of the plan and list referred to in Section 599 and all the provisions of the Charter relating to the payment of assessments for sewers and the lien upon real property therefor shall apply.

(4) Notwithstanding the postponement of the

date upon which the amounts assessed in respect of the construction of sewers shall become due, such amounts shall from the date of the first filing of the plan and list by the Commissioner of Works bear interest until the same are paid at the rate of six percent per annum.

(Explanatory note: This is submitted because of the decision of the Council on March 12, 1953 - "that instead of having to get special legislation for each deferment" (of sewer charges) that legislation be obtained which would permit the City Council to make deferments without reference to the Legislature.

The draft provides for postponement to a definite date.

Any such postponement must be made within one year of filing of plan and list.

The lien for the rates does not attach until the postponed date.

If a connection is made prior to the postponed date the charge and lien become immediately effective.

Interest is paid from the date of original filing of plan and list.)

31.

Item 46.

Subsection (1) of Section 726 is repealed and the following substituted therefor:

- (1) The person appointed inspector of buildings, in this Part of the Act referred to as the inspector, shall be a Registered Professional Engineer or an architect holding a degree in engineering from a recognized university or college.

Section 727D is repealed and the following substituted therefor:

727D. The person appointed Town Planning Engineer shall be a Registered Professional Engineer or an architect holding a degree in engineering or architecture from a recognized university or college.

Section 517 is repealed and the following substituted therefor:

517. The Commissioner of Works may designate in writing any employee in the Department of Works to discharge the duties of the Commissioner of Works during his absence from the city or while upon vacation or while absent from duty because of illness. No employee shall be so designated by the Commissioner of Works unless at the time of such designation such employee is a Registered Professional Engineer. Such employee while acting pursuant to such designation shall be known as the Deputy Commissioner of Works.

Section 515 is repealed and the following substituted therefor:

515. The person appointed as Commissioner of Works shall, at the time of his appointment as such, be a Registered Professional Engineer and shall have had at least seven years experience as a practising engineer, and shall perform such duties as are specified by this Act or by any ordinance made under the authority thereof or by the Council.

32.

Item 3.

The Charter is amended by inserting therein, immediately following Section 727D thereof, the following Section:

727E. (1) In any case in which the Council has determined to appoint a time and place for the consideration of an application by any person for the amendment or repeal of a zoning by-law or part thereof, such person shall forthwith, upon a request being made therefor by the Clerk, deposit with the Clerk such sum as may be necessary to defray the cost of giving the notice of hearing required by Section 16 of The Nova Scotia Town Planning Act.

(2) Such notice may be in such form as the Council may from time to time approve.

(3) The Council shall, after such hearing has been held, determine at the meeting at which the final decision upon the application has been made whether such sum so deposited to defray the cost of giving the notice of the hearing shall be refunded to the person who deposited the same or retained by the City and applied to such purpose. In the event of the Council determining to refund such sum the City shall itself assume such cost and may pay the same from any appropriation available for such purpose.

(Note: This was approved by the Council on July 16, 1953.)

33.

Item 53.

(1) Subsection (5) of Section 758A is amended by striking out the words "accountant-general of the Supreme Court" in the ninth and tenth lines thereof and substituting therefor the words "City Treasurer".

(2) Subsection (6) of said Section 758A is amended by striking out the words "accountant-general" in the second line thereof and substituting therefor the words "City Treasurer".

(3) Said subsection (6) of Section 758A is further amended by striking out the words "such accountant-general" in the seventh line thereof and substituting

therefor the words "the accountant-general of the Supreme Court".

(Explanatory note: The Section amended above provides for the disposal of surplus money arising from the sale of a property for failure to pay City liens thereon. Previously such surplus funds were paid to the accountant-general but a few years ago, at the request of the Government, legislation was obtained requiring such surplus funds to be paid to the City Treasurer and to be dispensed by him in the same manner as funds in the hands of the accountant-general.)

34.

Item 44.

Subsection (2) of Section 818 is amended by striking out the word "who" in the fifth line thereof and substituting therefor the word "which".

(Explanatory note: This is to correct a typographical error.)

35.

Item 69.

Section 881 is repealed and the following substituted therefor:

881. (1) A copy of every regulation of the Committee shall within ten days after the same has been made by the Committee be sent by the Clerk to the Clerk of the Executive Council.

(2) Every regulation made by the Committee shall be published in the Royal Gazette and also by one insertion each week for two weeks in at least two newspapers published in the City; provided, however, that in any case in which the Committee may so decide a notice to the effect that such regulation has been made and may be inspected at the office of the City Clerk may be given by publication of such notice in the Royal Gazette and also by one insertion of such notice each week for not less than two weeks in at least two newspapers published in the City, and such notice may be given in the place of the publication of the regulation in the Royal Gazette and the two insertions of the regulation in at least two newspapers published in the City hereinbefore referred to, and such regulation shall be deemed in force from the first publication of the regulation in the Royal Gazette or the first publication of the notice of the regulation in the Royal Gazette.

(Explanatory note: This section as presently in force requires the full context of any regulation made by the Committee on Public Health and Welfare to be advertised in the Royal Gazette. Some of these regulations are extremely long and it is felt that by this advertising very little actual notice is given to the persons concerned and considerable expense is incurred by the City.

The redraft of this section enables the City to have a notice published to the effect that the regulations have been made and that they may be inspected in the office of the City Clerk.

In order that the Governor-in-Council, which has the authority to disallow any such regulations, may be informed of the content of such regulations, subsection (1) requires the Committee to forward a copy to the Clerk of the Executive Council within ten days after the regulations are made.)

36. Item 45.

Section 952 is amended by striking out the words "municipality of Halifax" in the third line thereof and substituting therefor the words "Municipality of the County of Halifax".

(Explanatory note: This amendment is for the purpose of accuracy in the reference to the municipality mentioned.)

37. Item 23.

Section 958 is repealed and the following substituted therefor:

958. The Natal Day of the City shall be observed in each year on such day as the Council may from time to time by resolution appoint. The day so appointed shall continue to be the day on which such Natal Day shall be observed until such time as the Council shall pass a resolution appointing another day therefor.

(Explanatory note: This amendment will enable the Council to fix the day for celebrating the City's Natal Day instead of having it fixed by statute. Approved by Council October 15, 1953.)

38. Item 70.

(1) Subsection (1) of Section 60 of Chapter 54 of the Acts of 1953 is amended by striking out the words "The Halifax Memorial Library Board" in the tenth and eleventh lines thereof and substituting therefor the words "The Halifax Regional Library Board".

(2) Subsection (2) of said Section 60 is amended by striking out the words "The Halifax Memorial Library Board" in the first line thereof and substituting therefor the words "The Halifax Regional Library Board".

(Explanatory note: This amendment is necessary if it is desired to enable the employees of the present Regional Library Board to contribute to the City's pension plan. At the present time employees of the Memorial Library Board, which is now defunct, were permitted to contribute to the City's plan. This legislation carries that privilege to the new Board.)

39.

Item 28.

Notwithstanding the provisions of Section 535, the encroachments placed upon the south side of Ogilvie Street by Fairey Aviation Company Limited and H. E. Spencer by the construction of walls upon such street may be continued by the owners from time to time of the real property abutting upon the same until such time as the Council, by resolution, shall order the same to be removed; provided, however, that if the portion of either or both of the said walls extending above the level of the street shall be removed the same shall not be rebuilt or replaced so as to constitute an encroachment on such street.

(Explanatory note: Under the provisions of the City Charter the placing of encroachments over the official line of a street is forbidden. Existing encroachments may be continued at the pleasure of the Council. The encroachments in question were placed on Ogilvie Street but in view of the nature of the encroachment and the limited extent of the same, the Council has expressed its willingness for the same to remain at the pleasure of the Council. If removed they cannot be replaced.)

40.

Items 31 and 32.

(1) The City may pay to Russell-Hipwell Engines Limited the sum of sixty-eight dollars and sixty-nine cents, being the portion of the cost of the construction of the sidewalk laid by the said Russell-Hipwell Engines Limited in front of the premises known as civic number 1298 Barrington Street which is in excess of the assessment provided by the City Charter to be borne by the owner of real property fronting upon such sidewalk if the same had been laid by the City under the authority of the said City Charter.

(2) The City may pay to Canadian Fairbanks-Morse Company, Limited the sum of one hundred and sixty-three dollars and seventy-four cents, being the portion of the cost of the construction of the sidewalk laid by the said Canadian Fairbanks-Morse Company, Limited in front of the premises known as civic number 1248 Barrington Street which is in excess of the assessment provided by the City Charter to be borne by the owner of real property fronting upon such sidewalk if the same had been laid by the City under the authority of the said City Charter.

(Explanatory note: The two companies above named constructed new buildings in a portion of the City where no sidewalk had been laid and in order to improve conditions laid at their own expense the sidewalks in front of these buildings. The City desires to pay to these companies the amount paid by them in excess of the amounts they would have paid had the sidewalks been laid by the City and the cost assessed against the companies as provided by the City Charter.)

41.

Items 6, 30, 57, 58, 59, 61 and 62.

(1) The City shall pay to John R. Merrick, retired employee of the Department of Finance and Accounts of the City, as and from the first day of July, A. D. 1953, for the remainder of his life, an annual allowance of five hundred and sixty-seven dollars and thirty-four cents, the said allowance to be in addition to the allowance of seven hundred and eighty-two dollars and sixty-six cents which he is entitled to receive from the Superannuation Plan for the employees of the City, and which shall be paid to him in monthly instalments in advance.

(2) The City shall pay to William E. Conrad, retired employee of the Department of Works of the City, as and from the first day of September, A. D. 1953, for the remainder of his life, an annual allowance of eight hundred and two dollars and fifty-three cents, the said allowance to be in addition to the allowance of three hundred and ninety-seven dollars and forty-seven cents which he is entitled to receive from the Superannuation Plan for the employees of the City, and which shall be paid to him in monthly instalments in advance.

(3) The City shall pay to James J. Carmichael, retired employee of the Department of Works of the City, as and from the first day of January, A. D. 1954, for the remainder of his life, an annual allowance of two hundred and eighty-three dollars and thirty-two cents, the said allowance to be in addition to the allowance of four hundred and seventy-six dollars and sixty-eight cents which he is entitled to receive from the Superannuation Plan for the employees of the City, and which shall be paid to him in monthly instalments in advance.

(4) The City shall pay to Stanley Baldwin, retired Sergeant of the Police Department of the City, as and from the first day of January, A. D. 1954, for the remainder of his life, an annual allowance of seven hundred and fifteen dollars and seventy-two cents, the said allowance to be in addition to the allowance of seven hundred and eleven dollars and sixty-two cents which he is entitled to receive from the Superannuation Plan for the employees of the City, including the officers and members of the Police Department and the Fire Department, and which shall be paid to him in monthly instalments, in advance, on the first day of each month.

(5) The City shall pay to Richard J. Young, retired Deputy Chief of the Fire Department of the City, as and from the first day of January, A. D. 1954, for the remainder of his life, an annual allowance of three hundred and two dollars and eleven cents, the said allowance to be in addition to the allowance of one thousand one hundred and ninety-seven dollars and ninety-eight cents which he is entitled to receive from the Superannuation Plan for the employees of the City, including the officers and members of the Police Department and Fire Department, and which shall be paid to him in monthly instalments, in advance, on the first day of each month.

(6) The City shall pay to Ronald J. MacDonald,

retired employee of the Department of Works of the City, as and from the first day of January, A. D. 1954, for the remainder of his life, an annual allowance of seven hundred and twenty dollars, which shall be paid to him in monthly instalments, in advance, on the first day of each month.

(7) The City shall pay to Miss Theresa MacEachern, a retired nurse at the City Home, as and from the 31st day of January, A. D. 1954, for the remainder of her life, an annual allowance of three hundred and eighty-two dollars and forty-eight cents, the said allowance to be in addition to the allowance of three hundred and seventy-seven dollars and fifty-two cents which she is entitled to receive from the superannuation plan for the employees of the City, and which shall be paid to her in monthly instalments in advance.

(8) The City shall pay to John Griffin, retired employee at the City Home, as and from the 31st day of January, A. D. 1954, for the remainder of his life, an annual allowance of seven hundred and twenty dollars, which shall be paid to him in monthly instalments in advance on the first day of each month.

(9) The payment of the supplementary allowances set out in subsections (1) and (2) of this Section respectively to the said John R. Merrick and William E. Conrad during the civic year 1953 from the appropriation for salaries for such year is hereby ratified and confirmed and declared to have been within the authority of the City.

(10) Any sums required to pay such allowances, in this Section hereinbefore set forth, in the civic year 1954 shall be shown as an expenditure by the City in the civic year 1954, and all sums necessary to pay such allowance in subsequent years shall be included in the estimates for the civic year in which such allowance is to be paid.

(11) The payment of any of the allowances, hereinbefore set out, to the persons herein named during the civic year 1954 from the appropriation for salaries for such year is hereby ratified and confirmed and declared to have been within the authority of the City.

(Explanatory note: This section enables the City to pay to certain retired employees of the City an annual allowance. Those set out in subsections (1) to (5) inclusive and subsection (7) are to supplement the sums which they are entitled to receive from the Superannuation Fund. The allowance provided in subsections (6) and (8) is to be paid to retired employees who did not come within the Superannuation Fund. It was necessary, due to need, to pay some of the allowance immediately upon retirement and prior to the obtaining of this legislation. This was paid from the salaries account and could be regarded as reduced pay while the employee was absent on sick leave. However, these payments should be ratified, as well as any payments made between January 1st, 1954, and the date of the enactment of this section.)

42.

Item 15.

The City may pay as a grant the sum of four hundred and sixty-nine dollars and forty-eight cents to Mrs. Margaret Florence Bowser, widow of John W. Bowser, hoseman in the Halifax Fire Department, or, if she shall be deceased at the date of the coming into effect of this Section, then such sum shall be paid instead to the estate of the said John W. Bowser, and the sums required to pay such grant shall be deemed to be and shall be shown as an expenditure of the City for the civic year 1954.

(Explanatory note: This section authorizes the grant of \$469.48 to the widow of a deceased hoseman and is made up of two items - \$296.41, being a grant of financial assistance, and \$173.07, being compensation for vacation earned but not used by the deceased.)

43.

Item 74.

The City may pay as a grant the sum of sixty-seven dollars and eighty cents to Mrs. Helen Brown, widow of Ross Brown, formerly a police officer of the City, and the sums required to pay such grant shall be deemed to be and shall be shown as an expenditure of the City for the civic year 1954.

(Explanatory note: This section authorizes a compassionate grant of \$67.80 to the widow of a deceased police officer.)

44.

Item 7.

(1) Notwithstanding the provisions of The Halifax Teachers' Pension System, Herbert F. Bezanson, secretary-treasurer of the Board of School Commissioners for the City of Halifax, shall, upon his retirement from employment with such Board, be entitled to receive from The Halifax Teachers' Pension System an annual pension based upon thirty-fiftieths of the average of the annual salary paid to him during the three years immediately preceding the date of his retirement from such employment, provided, however, that the maximum amount of such pension shall not in any year exceed three thousand three hundred dollars.

(2) Notwithstanding the provisions of The Halifax Teachers' Pension System, Thomas Archer, attendance officer of the Board of School Commissioners for the City of Halifax, shall, upon his retirement from employment with such Board, be entitled to receive from The Halifax Teachers' Pension System an annual pension based upon thirty-fiftieths of the average of the annual salary paid to him during the three years immediately preceding the date of his retirement from such employment.

(3) The said Herbert F. Bezanson and Thomas Archer shall, as and from the first day of January, A. D. 1950, each contribute to the said The Halifax Teachers' Pension System five percent of the salary respectively received by them from the said Board in order to qualify them for the pensions hereinbefore provided.

(4) The said pensions hereinbefore provided shall be paid in the same manner provided for the payment of pensions by the said The Halifax Teachers' Pension System and all the provisions and regulations of the said System not inconsistent with or repugnant to this Section shall apply to the said pensions.

(Explanatory note: This section authorizes the amount of pension to be paid to the secretary-treasurer and the attendance officer of the Board of School Commissioners upon their retirement. The amount is at a higher rate than is generally provided by the Halifax Teachers' Pension System but there are certain reasons which make the strict application of the regulations of the Pension System to these persons inequitable.)

45.

Item 65.

(1) Section 76 of Chapter 66 of the Acts of 1950 is amended by striking out the words "of such sum as will, together with any sums received by him as an old age pension, amount to a total monthly sum" in the fourth, fifth and sixth lines thereof.

(2) Section 81 of Chapter 66 of the Acts of 1950 is amended by striking out the words "of such sum as will, together with any sums received by her as an old age pension, amount to a total monthly sum" in the fourth, fifth and sixth lines thereof.

(3) Section 82 of Chapter 66 of the Acts of 1950 is amended by striking out the words "of such sum as will, together with any sums received by her as an old age pension, amount to a total monthly sum" in the fourth, fifth and sixth lines thereof.

(4) Section 13 of Chapter 68 of the Acts of 1951 is amended by striking out the words "provided however, that upon old age pensions becoming payable without an income eligibility test, the foregoing allowance shall be reduced by the amount which the said Reginald Brushett shall be entitled to receive as such old age pension." in the last six lines thereof.

(5)(a) Section 43 of Chapter 86 of the Acts of 1952 is amended by striking out the words "Subject to the provision of subsection (6) of this Section," where the said words occur in the first and second lines respectively of subsections (1), (2), (3), (4) and (5) thereof.

(b) Subsection (6) of said Section 43 is repealed.

(6) Section 44 of Chapter 86 of the Acts of 1952 is amended by striking out the words "twenty dollars" in the fifth and sixth lines thereof and substituting therefor the words "sixty dollars".

(7) Section 71 of Chapter 54 of the Acts of 1953 is amended by striking out the last sentence therein in the thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth and nineteenth lines thereof.

(8) (a) Subsection (1) of Section 72 of Chapter 54 of the Acts of 1953 is amended by striking out the last sentence therein in the thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth and nineteenth lines thereof.

(b) Subsection (2) of said Section 72 is amended by striking out the words "twenty dollars" in the fourth line thereof and substituting therefor the words "sixty dollars".

(9) Section 73 of Chapter 54 of the Acts of 1953 is amended by striking out the words "two hundred and forty dollars per annum" in the fifth and sixth lines thereof and substituting therefor the words "seven hundred and twenty dollars per annum".

(10) Nothing in this Section shall be read, construed or given effect to so as to increase the amount of pension or allowance of any person for any period of time before the first day of May, A. D. 1954.

(Explanatory note: In the legislation secured by the City in the years 1950, 1951, 1952 and 1953 a provision was contained which resulted in the pension granted by the City being reduced by the amount of any old age pension to which the recipient of the allowance might become entitled. The City wishes to change this provision so that hereafter any pension paid will not be subject to this deduction.)

46.

Item 64.

(1) The City may convey to the Canadian Broadcasting Corporation or to Her Majesty the Queen in the right of Canada certain lands owned by the City situated on Camp Hill in the City more particularly described as follows:

(Description)

(2) A deed signed by the Mayor and Clerk and bearing the Corporate Seal of the City shall be deemed a good and sufficient conveyance of the said lands.

(Explanatory note: This section is to enable the City to sell a portion of the land owned by the City on Camp Hill to the Crown for the use of the Canadian Broadcasting Corporation.)

47.

Item 21

The Charter is amended by inserting therein, immediately following Section 589D thereof, the following Section:

589E. (1) No person shall in the City of Halifax, without the permission of the Council therefor, establish, operate or conduct or permit to be established, operated or conducted upon any real property owned by or under the control of such person any camp, park, or parcel, tract or area of land or

any facilities for the parking or camping of any vehicle or structure, not owned by such person, designed and constructed in such manner as to permit occupancy thereof for sleeping or living quarters for one or more persons or for the conduct of any business, profession, occupation or trade or which is used as a selling or advertising device and which is also so designed that it is or may be mounted on wheels and used as a vehicle on highways or streets, propelled or drawn by its own or other motive power, in this Section and in any ordinance made under the authority hereof referred to as a "trailer", but not including such vehicles when unoccupied and not used for sleeping or living quarters or for any business, profession, occupation or trade or as a selling or advertising device and situated on premises upon which vehicles are offered for purposes of inspection and sale, nor any device used exclusively upon stationary rails or tracks.

(2) The Council may by ordinance regulate, license and control such vehicles as defined in subsection (1) of this Section and any camp, park or parcel, tract or area of land and any facilities maintained, offered or used for the parking or camping of trailers, including all buildings used or intended to be used as part of the equipment thereof, in this Section and in any such ordinance referred to as "trailer camps".

(3) The Council in any such ordinance may also define the terms used therein and may prohibit the establishment of trailer camps in the City of Halifax.

(Explanatory note: This Section is intended to give the City some authority to regulate trailers and trailer camps by ordinance. At the present time there is little or no authority to control such matters and it is considered that some definite authority should exist in order to provide some control for health, safety and preservation of the peace.)

48.

Item 76.

(1) The Council may by resolution close to public use that portion of Forrester Street in the City of Halifax lying to the west of MacKintosh Street, as shown on Plan No. _____, dated _____, 1954, and filed in the office of the Commissioner of Works of the City of Halifax, and upon the passage of such resolution the right of the public to use the said portion of the said street shall be terminated and extinguished.

(2) Upon the passage of the said resolution the legal title to the lands comprising such portion of Forrester Street, as shown on the said plan, shall vest in the City and the City may sell and convey such land for such sum as it may determine and give a good and sufficient deed thereof.

(Explanatory note: This section enables the

City to close off the end of Forrester Street. The portion closed off does not connect the remaining portion of Forrester Street with any street but rather dead-ends on private property. It was felt by the City that closing this street will permit more adequate development of the area.)

49.

Item 26.

1954

B I L L N O .

1954

An Act to Amend Chapter 68 of the Acts of 1950, "An Act Respecting The Halifax Teachers' Pension System".

BE IT ENACTED by the Governor and Assembly as follows:

1. Section 3 of Chapter 68 of the Acts of 1950, An Act Respecting The Halifax Teachers' Pension System, is amended by adding thereto the following subsection:

(4) Any teacher in the employ of the said Board of School Commissioners on or subsequent to the first day of August, A. D. 1950, who has made any contribution to The Halifax Teachers' Pension System at any time shall upon request be entitled to receive from the said Pension Fund the sum paid into such Fund by such teacher, whether or not such teacher was, at the time of making such request, in the employ of the said Board.

(Explanatory note: This section will enable any teacher who contributed to the Teachers' Pension System who was in the employ of the Board on or subsequent to August 1st, 1950, to receive back any payments made, even though such teacher had retired from such employment at the time such request was made. As the law stands now, any teacher can ask for repayment of such money but there was a period between August 1st, 1950, and March 21st, 1953, during which this right was not available and several teachers retired from employment during this period. This section will enable such teachers to receive back their contributions as if the amendment of 1953 had been retroactive to August 1st, 1950.)

50.

Item 63.

1954.

B I L L N O

1954

An Act to Repeal Chapter 88 of the Acts of 1952, An Act to Provide for the Establishment of a Board of Management for the Halifax Memorial Library.

BE IT ENACTED by the Governor and Assembly as follows:

1. Chapter 88 of the Acts of 1952, An Act to Provide for the Establishment of a Board of Management for the Halifax Memorial Library, is repealed.

51.

Item 77.

(1) Clause (a) of subsection (1) of Section 164, as that Section is enacted by Section 1 of Chapter 52 of the Acts of 1942, is amended by striking out the words "one hundred dollars" in the ninth line thereof and substituting therefor the words "five hundred dollars".

(2) Subclause (iii) of clause (b) of said subsection (1) of Section 164 is amended by striking out the words "one hundred dollars" in the second line thereof and substituting therefor the words "five hundred dollars".

(3) Clause (c) of said subsection (1) of Section 164, as that clause is enacted by Section 30 of Chapter 46 of the Acts of 1944, is repealed.

(Explanatory note: The foregoing section increases the jurisdiction of the City Civil Court in actions for contract, debt and tort from \$100.00 to \$500.00. In view of this increase in jurisdiction the clause granting the Court jurisdiction for debt up to \$300.00 where the City of Halifax is plaintiff is no longer necessary and should be repealed if the amendment is approved.)

52.

Item 77.

(1) Clause (c) of subsection of Section 220 is repealed and the following substituted therefor:

(c) Solicitor's Costs:

In cases where the judgment is by default and the amount involved is not less than twenty dollars but does not exceed one hundred dollars and a solicitor has acted for the judgment creditor a solicitor's fee of ten dollars.

In cases where the judgment is by default and the amount involved exceeds one hundred dollars and a solicitor has acted for the judgment creditor a solicitor's fee of fifteen dollars.

In contested actions (and in those only), whether of contract, debt or tort, a counsel fee not exceeding fifty dollars and not less than ten dollars shall be allowed by the Court to the solicitor of the successful party to the action, exclusive of disbursements.

Witness fees for each day in actual attendance at the trial, three dollars, and for travel, to be computed from the residence of the witness to the place of trial, per mile one way, twenty cents.

(2) Subsection (2) of said Section 220 is amended by striking out the word "certified" in the first line thereof and substituting therefor the word "taxed".

(3) Subsection (3) of said Section 220 is

amended by striking out the words "fees for writ and entering judgment only" in the second line thereof and substituting therefor the words "fees for writ, solicitor's fees and entering judgment only,".

(Explanatory note: The foregoing amendment provides two things - (1) providing solicitor's fees in default judgments, where the amount involved is not less than \$20.00 and not more than \$100.00, at \$10.00, and where the amount exceeds \$100.00 at \$15.00. At the present time, with the jurisdiction of the Court limited to \$100.00, the maximum solicitor's fee is fixed at \$5.00.

The above draft also increases the counsel fee provided for contested actions from the present maximum of \$40.00 and minimum of \$5.00 to a new maximum of \$50.00 and a new minimum of \$10.00.

This draft also increases witness fees from 50¢ a day and 5¢ a mile each way for travel to \$3.00 a day and 20¢ per mile for travel one way.

The amendments to subsections (2) and (3) of Section 220 are minor. The amendment to subsection (2) provides that the costs and disbursements shall be taxed by the Magistrate rather than certified, as at the present time, and subsection (3) is amended by inserting the words "solicitor's fees" in a section which states that where the judgment is by default it is not necessary to have the costs taxed by the Magistrate.)

53.

Item 79.

Subsection (1) of Section 310 is amended by striking out the period at the end of the forty-sixth line thereof and by adding at the end of the said forty-sixth line, (being the last line of the paragraph authorizing the appropriation of sums for the maintenance of Camp Hill Cemetery), the words "and for Fairview Cemetery".

(Explanatory note: This section is amended to remove any doubt as to the right of the City to expend funds on the maintenance of Fairview Cemetery).

54.

The clause added to subsection (1) of Section 310 by subsection (7) of Section 40 of Chapter 46 of the Acts of 1944, (being the paragraph authorizing a grant to the Children's Aid Society), is repealed and the following substituted therefor:

A sum for the Children's Aid Society not exceeding five cents per person for each person residing within the City of Halifax as determined at the last decennial census.

55.

SCHEDULE "A".

To pay as a grant to the Children's Aid Society in respect of the year 1954 the sum of	\$3,279.45
To pay as a grant to the Salvation Army (Red Shield Campaign) the sum of	\$2,000.00
To pay as a grant to the Canadian Cancer Society the sum of	\$1,000.00
To pay as a grant to the Halifax Community Chest the sum of	\$6,000.00
To pay as a grant to the Canadian Red Cross (Nova Scotia Division) the sum of	\$2,500.00
To pay as a grant to the Canadian Red Cross (Homemakers' Service) the sum of	\$2,000.00
To pay as a grant to the St. John Ambulance Association the sum of	\$ 750.00
To pay as a grant to the Children's Hospital (Halifax) the sum of	\$30,000.00
To pay as a grant to the Halifax Riding and Driving Club (Bengal Lancers) the sum of ...	\$1,000.00
To pay as a grant to the Halifax Musical Festival Association the sum of	\$ 500.00
To pay as a grant to the Walter Callow Wheel Chair Coach Fund the sum of	\$ 500.00
To pay as a grant to the Board of the Maritime Museum (Citadel Hill) the sum of ..	\$3,500.00
To pay as a grant to the Board of the Army Museum (Citadel Hill) the sum of	\$3,500.00
To pay as a grant to the Nova Scotia Opera Association the sum of	\$ 500.00
To pay as a grant to the Halifax Symphony Society the sum of	\$ 500.00
To pay as a grant to the Canadian Arthritis and Rheumatism Society the sum of	\$1,000.00
To pay as a grant to the Maritime School of Social Work the sum of	\$ 500.00
To pay as a grant to the John Howard Society the sum of	\$1,500.00
To pay as a grant to the Canadian Paraplegic Association the sum of	\$ 500.00

56.

Item 78.

(1) Subsection (1) of Section 522 is amended by striking out the words "shall form part of the street appropriation for the year in which they are received" in the sixth and seventh lines thereof and substituting therefor the words "shall be applied to defray the cost of acquisition of land for the purpose of widening, straightening, extending or otherwise altering any existing street or for laying out any new street or for any other purpose for which the City is authorized to borrow money and to issue its debentures therefor".

(2) Subsection (2) of said Section 522, as that subsection is enacted by Section 23 of Chapter 46 of the Acts of 1943, is amended by striking out the words "shall form part of the street appropriation for the year in which they are received" in the ninth and tenth lines thereof and substituting therefor the words "shall be applied to defray the cost of acquisition of land for the purpose of widening, straightening, extending or otherwise altering any existing street or for laying out any new street or for any other purpose for which the City is authorized to borrow money and to issue its debentures therefor".

(Explanatory note: These amendments provide for the application of money received from the sale of City land either acquired through the relocation of a street (ss.1) or from the sale of surplus land acquired for but not entirely used for street purposes (ss.2). At present any such money is required to be placed in the street appropriation for current expenses. It is considered that such money, arising from the sale of a capital asset, should be applied to a capital purpose. This amendment requires such money to be so used.)

57.

Item 80

Section 594 is repealed and the following substituted therefor:

594. (1) No person shall:

- (a) injure or remove any portion of any catchpit, receiving basin, grating, covering flag-stone or other cover of any catchpit or of any manhole, vent-shaft or any other part of any sewer or drain, or
- (b) obstruct the flow of water into any sewer or drain or permit to flow into or enter any sewer any gasoline, oil or any other explosive or inflammable substance or any other substance which may form a deposit therein, or any offal, dead animals or liquids containing silt, hair or other material which would have a tendency to obstruct the same, or any water or vapour or steam at a higher temperature than 200 degrees fahrenheit, or any other substance that may injure any part of the sewer.

(2) Every person who contravenes or fails to comply with this Section shall for each such offence be liable to a penalty not exceeding forty dollars and in default of payment to imprisonment for a period not exceeding twenty days.

58.

Item 47.

1954

B I L L NO.

1954

An Act Relating to the City of Halifax.

BE IT ENACTED by the Governor and Assembly as follows:

1. Notwithstanding the provisions of Section 1 of Chapter 49 of the Acts of 1944, "An Act Relating to the Acquisition and Operation of Fairview Cemetery by the City of Halifax", the City may set apart and use for the purpose of providing a site for a public school a portion of the land more fully hereinafter described, being part of the land conveyed to the City under the authority of the said hereinbefore recited enactment, and may by resolution of the City Council from time to time sell and convey or dispose of the remainder of such land hereinafter more fully described for such sum or sums as the Council may from time to time determine.

2. The land referred to in the preceding subsection is described more fully as follows:

(Description)

3. Any sums received from the sale of the remainder of such land shall be invested from time to time as the same are received and the interest received therefrom applied to the upkeep and maintenance of the Cemetery.

March 2, 1954.

the debts. It is considered that since they have that responsibility they should have the right to exercise a vote. Two people operating a business are assessed a tax and they are each liable for the tax. That is why every partner has a vote. This is to clear it before Election Day so there will be no dispute at the polls."

Alderman DeWolf: "I think Alderman Dunlop is correct. You can form a partnership to last one month for a certain venture."

The City Solicitor then read the Sections of the Charter pertaining to this matter.

Alderman Dunlop: "Perhaps we should leave it as it is."

Alderman O'Malley: "Should they not lodge that name when the list is prepared and if not lodged that they be disenfranchised?"

City Solicitor: "Properties are assessed in the name of the partnership in the Province. The rolls do not carry the names of the individuals who make up that partnership. It would seem to me that under the City Charter it is not inconceivable that it is the responsibility of the Assessor to ascertain who are the necessary partners at the date of the assessment."

The Paragraph as submitted was then approved.

Paragraph #5

Approved.

Paragraph #6

Alderman Dunlop: "Are we going to do anything about the Manager's suggestion that discount be abolished. My own thought is that the discount should be abolished. The taxes should become due and payable on a fixed date and with no discount."

Alderman Lloyd stated that most people feel that the discount allowed is really a reduction in the business tax. He also felt that the discount matter should be considered when the Assessment Notices are under discussion.

Alderman O'Malley stated that the discount must make considerable difference to the tax payers as the discount period was changed to allow $2\frac{1}{2}\%$ in May and $1\frac{1}{2}\%$ in August and there must

March 2, 1954.

have been some good reason why that took place.

Alderman Lloyd: "As to the discount I think the Manager had some other recommendations to make which involved the date. I think anything you do along those lines should be related to the whole tax picture and you may be sorry you did it."

Alderman Hatfield felt that the City should plan a long way ahead to reduce the \$700,000.00 needed for next year's estimates but that the final action not be taken on the discount at this meeting as the City already had 3 bills before the Legislature.

The City Solicitor advised that there would be about 4 bills and that a week from the date of this meeting a penalty would be provided for late submissions.

Alderman Vaughan stated that Council had asked that the legislation be submitted to Council throughout the year rather than consider it at once. He felt that Council would be better off if it were considered throughout the year and also that it appeared to him that some items were being discussed for the first time.

Alderman Dunlop: "I think Item #6 is unnecessary. It could be amended to read 'the notice shall be in such form as the Collector approves.' I hope before the House rises consideration will be given to some other tax matters. We should be given power to make some changes at least. I have things in mind in relation to the fixed tax rate on residential property. It should be done away with but with some safeguards giving the Council permission to increase or decrease it. That should not be left to next year. I would like to see that section at least, changed."

Alderman Dunlop moved, but without a seconder that the Item #6 be deferred and that a consultation be held between the City Solicitor and City Collector, so that a simpler section be devised.

March 2, 1954.

City Solicitor: "This is something that should go on the tax bill and it has not been there. If you take this out you are leaving something in that is contrary to the law at present."

Alderman Lloyd: "As to the question of tax rates the Taxation Committee has made a recommendation to the Finance and Executive Committee which they hope to bring to Council on March 11, 1954. If Council proceeds with re-assessment at that time they will have to consider obtaining legislation enabling them to adjust rates as contemplated by Alderman Dunlop. The assessments are bound to increase and the rates are bound to go down on an equivalent basis. It is this Council that will decide rates."

Moved by Alderman Lloyd, seconded by Alderman Ahern that this Paragraph be approved. Motion passed.

Paragraph #58

Alderman Vaughan: "The School Board asked that the City treat this as a separate Bill. The Board is going to accept tenders on Friday afternoon. The Committee has recommended the lowest tender. There is some urgency in this matter. I understand there is some dispute over the description of the land."

City Solicitor: "The intention is to describe a parcel of land running from Bayers Road back to the line of the sewer. It is almost at the brook. There will be a straight line across excluding two areas on Bayers Road which will be reserved as burial plots."

Mr. West: "It was going back about 420 feet. In checking with the architect he had been figuring on coming a little closer to Bayers Road."

City Manager: "This Council was informed that there would be a piece of land 400 x 500 feet assigned for school purposes. It would start 432 feet north of Bayers Road and extend in a northward direction."

Alderman Vaughan: "That is incorrect."

March 2, 1954.

City Manager: "That is what was submitted in a diagram with a provision for a road from the Potter's Field. I find they brought the school right up onto the road and they put the school in an entirely different place. We submitted plans which showed a lot 400 x 500 feet in back of the grave lots."

Alderman Vaughan: "It is 190 feet from Bayers Road."

City Manager: "That was not given to the Council."

Mr. West: "I agree with the Manager on that. It went back 420 feet from Bayers Road according to our first description."

City Manager: "Alderman Dunlop felt in his opinion it should be on Bayers Road and we were to investigate the cost of moving the graves. It doesn't matter to me as long as Council is satisfied that this is where they want the school."

Alderman Vaughan: "I had a sketch submitted to the Finance and Executive Committee. Mr. Harris and Mr. Dumaresq visited the site and the site selected was the one closest to Bayers Road. It is now 290 feet for an extension of the school. We got a good price on this school. I am fearful if we stop again and go back and make another tender call, it will put us back two months and you will be in a period when work is a little more plentiful and you might find that they will not be so ready to sharpen their pencils as much."

City Manager: "The Council minutes do not show where the school is being built. I would not like to see the school in one place while the Council minutes show something else."

Alderman Lloyd: "At the time I said let us proceed with caution as to how much more land you need. I think we tried to define a general area."

City Solicitor: "The legislation here is to remove a particular area to be used as a school site and any part remaining to be disposed of as the City sees fit. The suggestion was made that two blocks be retained as cemetery in from Bayers Road. The rest of it back to the brook would be for the school and any-

March 2, 1954.

thing left over would be available for sale. Where you put the school within these limits has nothing to do with the legislation. The Council could approve of a full description. We will submit that to Council at the next regular meeting."

Moved by Alderman Vaughan, seconded by Alderman Lloyd that this Paragraph be approved in principle and that it be submitted with a description to the Legislature and that a description of the land intended to be used be submitted to Council on March 11/54.

Alderman Dunlop: "I would like to see the graves removed."

Alderman Vaughan: "Something will be done along that line without too much fanfare."

The motion was put and passed.

Paragraph #7 Approved.

Paragraph #8 Approved.

Paragraph #9 Approved.

Paragraph #10 Approved.

Paragraph #11

Alderman Vaughan: "What is the purpose of this group? Are they professional people? They should not be getting any concessions from the City. We should have a limit on it say 5 years. Again we are contributing to the cultural life of the City. We are giving grants to classes rather than the masses."

Moved by Alderman Vaughan, seconded by Alderman Hatfield that the grant apply as long as they occupy the premises but not beyond 5 years from 1953.

Alderman Lane: "The building is the property of the Religious of the Good Shepherd. It is leased by the Theatre Arts Guild. There are about 1200 members all citizens of the City of Halifax. The whole building is occupied by non-profit organizations."

Alderman DeWolf: "Has the motion any validity? They only have a lease for one year. If they owned the property I would suggest it would be different. I am positive they have no lease

March 2, 1954.

for that term of years."

Alderman Dunlop: "We may do away with all these next year. We are saying for the next 5 years 'we are not going to charge you any taxes.'" "

Alderman O'Malley: "I feel there is a lot of merit in Alderman Dunlop's statements. We should make it 'the City may.' I would be happy to support Alderman Dunlop if he will make the motion."

Moved in amendment by Alderman Dunlop, seconded by Alderman O'Malley that the section be amended by substituting the word "may" for "shall" in the first line thereof and also those sections under 310 D, E, and F.

Alderman Vaughan with the consent of Council withdrew his motion, the amendment then became the motion.

The City Solicitor read a list of straight exemptions.

Alderman Lloyd: "They should all be treated on the same basis."

City Solicitor: "These others are occupancies too. Is it to make those others permissive?"

Alderman Lloyd: "If you are going to make grants in lieu of taxes you will have to do it with all of them."

Alderman Dunlop: "That is right. To use the word 'may' would give us some power."

The motion was then put and passed.

Paragraph #12

Approved.

Paragraph #13

Alderman Dunlop: "What about our employees who are under the Workmen's Compensation Board? We should give some thought to the employees who are under Compensation. We may find Compensation is not paying the proper share of the bills and we would be left with it."

March 2, 1954.

City Solicitor: "The only thing I considered was to give the City Manager authority to pay the amounts under \$200.00."

Alderman Dunlop: "I am in favor of the principle that the Manager should have the power to pay the amount. The Workmen's Compensation has a scale. They only pay certain amounts. If he is not satisfied with the Workmen's Compensation Doctor he will go to another Doctor where he will be charged a little more."

Alderman Ahern: "What right of appeal has an employee against the Manager?"

City Solicitor: "It is not provided for in this legislation."

Alderman Ahern: "It should be."

City Solicitor: "We have nothing at the present time."

Alderman Lloyd: "There was a specific case where this question came up and I thought the Manager took a view different than the Committee."

The City Manager outlined the case referred to by Alderman Lloyd for the benefit of the Council.

Alderman Lloyd: "I thought it came around another way; that the Manager took the stand that Blue Cross should pay it and we should not pay the man. I feel that the employee should receive the benefit of the doubt and the Blue Cross benefit should not be prejudiced by the City taking advantage of it. This legislation is not intended to affect that type."

Alderman Ahern: "It has been felt that a policeman and fireman is always on duty."

Alderman Dunlop: "I think that is a dangerous policy. It might lead us into difficulties."

His Worship the Mayor: "They are always on call."

Alderman O'Malley: "I think if an employee is not satisfied with the Manager's opinion, it should be in the legislation that they can appeal to the Finance and Executive Committee."

March 2, 1954.

Alderman Dunlop: "If the Manager says he will not pay it the man can come to the Committee."

Moved by Alderman Ahern, seconded by Alderman O'Malley that if the City Manager refuses to recommend a payment or fails to recommend payment, he shall report his action to the Finance and Executive Committee who in turn will report to the City Council for its action. Motion passed.

<u>Paragraph #14</u>	Approved.
<u>Paragraph #15</u>	Approved.
<u>Paragraph #16</u>	Approved.
<u>Paragraph #17</u>	Approved.
<u>Paragraph #18</u>	

Alderman Dunlop: "I would suggest that the repairs be not made unless the Collector approves. If the property is producing and if he wants to spend money for repairs, he must get approval from the Collector. When the property is not productive, I would suggest that he should get the permission also."

Moved by Alderman Dunlop, seconded by Alderman Lloyd that the section be amended to include "that the City Collector must be notified of the extent and nature of the repairs to be made by the owner in any event." Motion passed.

<u>Paragraph #19</u>	Approved.
<u>Paragraph #20</u>	Approved.
<u>Paragraph #21</u>	Approved.
<u>Paragraph #22</u>	Approved.
<u>Paragraph #23</u>	Approved.
<u>Paragraph #24</u>	Approved.
<u>Paragraph #25</u>	Approved.
<u>Paragraph #26</u>	Approved.

LEGISLATION RESPECTING BRIDGE ACROSS
BARRINGTON ST.

Alderman DeWolf suggested securing the necessary legislation for an easement so the bridge could cross Barrington St.

March 2, 1954.

Moved by Alderman Lloyd, seconded by Alderman Vaughan that the City Solicitor be authorized to draft the necessary legislation and present same for approval.

Alderman Dunlop: "I would think that would be in the Bridge Commission legislation. I think it would apply to Halifax as well as Dartmouth."

Alderman DeWolf: "Dartmouth has already provided such legislation."

The motion was then put and passed.

Paragraph #27 Approved.

Paragraph #28 Approved.

Paragraph #29

Alderman Dunlop: "It was my intention that we control the erection of antenna and beyond that I don't think we should go. I don't think we should require people to put up a bond of \$10,000.00. How many people can get that bond? It is going a long way to control. I would like to know from the Solicitor what risk the City is running before we pass the legislation?"

Alderman Lloyd: "The Solicitor has undoubtedly studied legislation in other municipalities. He takes the necessary precaution asking for general powers and if we impose regulations under the legislation at that time we will consider how far it will go in the application. By the time it emerges through the House it will not be too dangerous."

The Paragraph was then approved with Aldermen Vaughan, Dunlop and Hatfield wishing to be recorded against.

Paragraph #30

Subdivision #1 Approved.

Subdivision #2 Approved.

Subdivision #3 Approved.

Subdivision #4

Alderman Dunlop moved, but with no seconder, that the words "it is just and equitable so to do" be deleted.

March 2, 1954.

The Subdivision was then approved as drafted.

Paragraph #31

Alderman Dunlop suggested that the word "registered" be inserted in Section 727D in the second line between the words "an" and "architect."

Alderman Lloyd: "I see no harm in putting it in but I would rather see it left out."

The Paragraph was then approved as drafted.

Paragraph #32

Approved.

Paragraph #33

Approved.

Paragraph #34

Approved.

Paragraph #35

Approved.

Paragraph #36

Approved.

Paragraph #37

Approved.

Paragraph #38

Approved.

Paragraph #39

Approved with Alderman

Dunlop willing to be recorded against.

Paragraph #40

Approved with Alderman

Dunlop willing to be recorded against.

Paragraph #41

Alderman Ahern: "I would like to see the widow of Captain Spruin receive treatment similar to those whose names appear here. Had he lived he could have taken his pension at \$1,400.00 a year. I think she should get a pension of \$1,000.00 a year and if she remarries it would cease. There is \$800.00 held by the City and she would forego any claim on that if this goes through."

Motion by Alderman Ahern that a grant of \$1,000.00 per annum be paid to the widow of the late Captain Spruin of the Fire Department.

There was no seconder to this motion.

March 2, 1954.

Alderman Vaughan: "We agreed that the City could set up a fund to cover all these cases with respect to survivor benefits. It would require a contribution of 18% of the payroll and it was out of the question at the time. It was agreed by Council to add by way of grants. We have done that and we are doing so. I submit by reason of the fact we are doing that we are departing from the principle of the Superannuation Plan. It is equally fair to do something in the case of this widow and her family."

Moved by Alderman Vaughan, seconded by Alderman Ahern that legislation be sought to pay to the widow of the late Captain John Spruin a sum equal to 50% of what the said John Spruin would have received by way of pension had he retired at this period of his service, plus an additional amount of \$150.00 for each child under the age of 16, such grants to cease when these children attain the age of 16.

Alderman Lloyd: "Where do you draw the line where a person who left the City and only enjoys the pension for 6 months. I would be happy to see a fund set up to tide over."

City Solicitor: "Under the Superannuation Plan the remaining 4 years would go to his estate."

Alderman Lloyd: "That is under the new plan. If you made a suggestion under that you would not be opening up the door."

City Manager: "I am getting information for you which is in process of tabulation. There will be a long list of employees submitted to you. I don't know whether we will have it for this Finance and Executive Committee. I am guessing there was 75 names with all different conditions. It is rather complicated."

Alderman Dunlop: "Let it go to the Finance and Executive Committee for a recommendation. I think we are establishing a precedent where it would cover every person who works in the City Hall."

Alderman Ahern: "This man was on his way to his duty and he died that he was on duty as a fire captain."

March 2, 1954.

Alderman Lloyd: "I am not against the principle of a short term benefit to a survivor, but I would like to see calculations made."

Moved in amendment by Alderman Lloyd, seconded by Alderman Macdonald that the question of a grant to Mrs. John Spruin be studied by the Finance and Executive Committee and that the result of its findings be reported to City Council at the next regular meeting.

Alderman Lloyd: "In every case where we have had grants, I have been most happy to find that everyone of them has been diligently examined and great care has been taken to make sure we are not creating a precedent. It is not a matter of sympathy for those who have been left behind. I have the utmost sympathy for the case, but I have sympathy for the other cases which have not enjoyed those benefits. Why should we single one out and not the others. In any case, they would have to wait until the Legislature passes the City's bill. The policy must be made a general policy. It must be capable of interpretation in all similar cases."

Alderman Vaughan: "I agree with Alderman Lloyd. We should cut it off back to the date when we set up the Pension Plan. We provide \$131,000.00 per year as the City's contribution to the Plan. In order to provide these survivor benefits, it would cost an additional \$43,000.00. In the period when the fund is building up we should take action by way of grants to provide for these. Our information on the fund is that the earnings of the fund are even better than when we set it up in 1950. We may be able to approach the problem of survivor benefits. It seems unfair that these people should suffer. We should lay down some kind of a formula."

Alderman Lloyd: "If you would stick to the 5 year provision in the Pension Plan I would support it."

Alderman Macdonald stated he would like to have more information on the matter before he voted on it and agreed that it

March 2, 1954.

should go to the Finance and Executive Committee.

Alderman Moriarty felt that something should be done for the widow to release the tension she was under. He felt the City should give some assurance that it would do something for her as soon as possible."

Alderman Vaughan: "If the Finance Department were to consider the cases back to the establishment of the Plan and project them on the formula I have outlined tonight, then we can discuss that report in the Committee and report to Council."

Alderman Vaughan with the consent of Council withdrew his motion.

The amendment then became the motion and on being put was passed.

The Paragraph was deferred pending the report of the Finance and Executive Committee to the City Council and action thereon.

Paragraph #42 and Paragraph #43 were also deferred for the same reason as Paragraph #41.

<u>Paragraph #44</u>	Approved.
<u>Paragraph #45</u>	Approved.
<u>Paragraph #46</u>	Approved.
<u>Paragraph #47</u>	Approved.
<u>Paragraph #48</u>	Approved.
<u>Paragraph #49</u>	Approved.
<u>Paragraph #50</u>	Approved.
<u>Paragraph #51</u>	Approved.
<u>Paragraph #52</u>	Approved.
<u>Paragraph #53</u>	Approved.
<u>Paragraph #54</u>	Approved.

Alderman Vaughan: "I read where the Community Chest reduced payments to some of the organizations because they had received some bequests during the year. I suggest that the matter of grants be given consideration in November or December."

March 2, 1954.

Moved by Alderman Vaughan, seconded by Alderman Lloyd that the City Manager place before the November meeting of the City Council 1954 the matter of grants to be paid to organizations funds for which will come from the 1955 budget. Motion passed.

Paragraph #55

Approved.

Alderman O'Malley asked where the Building Inspector had the authority to issue permits and was advised by the City Solicitor that it was under the City Charter.

Alderman O'Malley: "I have no objection to him having authority to grant permits for repairs, but I don't think he should have the sole authority to grant new building permits. Had certain applications come before a Committee I doubt if we would have granted such applications. Permits for new construction should come before a Committee. It is too much power to be vested in one man. It is not him personally."

Alderman Vaughan: "That is a matter of administration."

Alderman O'Malley: "There was a case on North Street to move a building to another lot where the frontage was not large enough, but he was granted permission to put an extension on it and basement apartments. We should have some change made in the legislation."

Alderman Hatfield: "In any case I don't want to see him curbed too much. If each and every building came up, it would be delaying our citizens. As far as the North Street property is concerned Alderman O'Malley is correct. There should be a regulation in it to the effect, that the Building Inspector cannot grant a permit unless the lot conforms to the regulations."

Alderman O'Malley: "I am a little skeptical about homes being built on lots that don't conform to the area."

Paragraph #56

Approved.

Paragraph #57

The Paragraph was approved after providing a penalty of

March 2, 1954.

\$200.00 or 3 months in prison.

Alderman Dunlop: "I would suggest that the whole matter of Assessment Appeal should be considered and it should be considered before a revised assessment comes into effect. The most of the taxpayers must have been satisfied that the assessments are pretty well in line. In the Royal Print and Litho Case, the Judge suggested that the Act be amended to bring it in line with what is happening in the rest of the Province. (Read letter from Judge Doull) I would suggest some consideration be given to bringing the sections of the Charter in line so that people will be able to go in that court and carry on their tax appeals and have a trial before a County Court Judge."

Alderman Lloyd: "The Judges know that a great deal of study would have to be given to assessments. Our assessment machinery and basis of assessment is ready for an overhauling and it reflects the observations I have made. You can't come to an intelligent answer until you bring it out in the light of day."

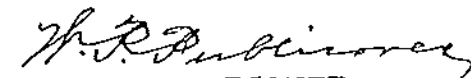
Moved by Alderman Allen, seconded by Alderman Vaughan that this meeting do now adjourn. Motion passed.

Meeting adjourned.

11:35 P. M.



R. A. Donahoe, Q. C.,
MAYOR AND CHAIRMAN.



W. P. PUBLICOVER,
CITY CLERK.

CITY COUNCIL MEETING

Thursday,
MARCH 11, 1954

A G E N D A

Prayer.

Minutes.

Public Hearing re Abattoir Site.

" " Official Street Lines Sec. 6D Official City Plan.

" " " " " " 11A " " "

" " Rezoning Strawberry Hill.

" " " Windsor St.

" " " McLean St.

Motion by Alderman Kitz re Grandstands.

" " Ahern re Memorial Drive.

Fire Alarm Connection Public Service Commission.

City Home Accounts Write-Offs, \$980.06.

Recommendation for Appointment City Assessor.

Borrowing Resolution Current Operations \$1,000,000.00.

Accounts over \$500.00.

Tax Write-Offs \$673.88.

Works Department Account Write-Offs \$6,674.28.

Betterment Charges 562 Connaught Avenue Write-Off \$103.20.

Account Hospitalization Victor Shipley \$134.00.

Operation of Tourist Bureau.

Tag Days (3).

Natal Day Selection of Date.

" " Committee.

Commutation of Lease #354 Spring Garden Road.

Legislation re Sale of Soft Drinks by Vending Machines.

" Fairview Cemetery.

" Hospital Accounts Civic Employees.

" Superannuation Hoseman G. P. Hoganson.

" Assessment Halifax Shipyard's Limited.

" Thelma Martin Agreement of Sale.

" Assessment for Improvements.

" Pensions to Dependents.

Halifax-Dartmouth Bridge Approaches.

Amusement Tax.

Re-assessment.

Damage Claims Police Car \$49.55; Tree \$5.00; Truck \$63.50.

Claims Garth E. Dooks \$20.00; Mr. Verge \$62.85; National Research Council Bldg. \$47.67.

Overhanging Signs.

Purchase of Land - Douglas Valentine Vaughan Avenue.

Sewer Extension E. T. Marriott, Lot London Street.

Truck Tenders.

Resubdivision Gillis & McKenna Property Newton Ave.

" Lots #6 & 7 Corkum Property Basinview Drive.

" #11, 12 & 13 Inglewood Drive.

" Lot #43 Inglewood "B".

Subdivision Collishaw Property Victoria Road & Thompson Court.

Modification of Lot Area, Dublin Street.

Rezoning rear of 315 Dutch Village Road.

Extension of Zoning #166 Windsor Street.

Application to Rezone Cook Ave. (To T. P. Board).

" " Columbus St. " "

Affiliated Nursing Course.

Report Special Committee re City Hall Union Agreement.

Consideration of deletion of Sec. 86 of City Charter "Alderman Adams."

Questions.

Consideration of Establishment of Professional Offices in R3 Residential Zone.

Parking on City Property Corner Sackville St. & Bell Rd.

City Field Agreement 40 Hour Week.

Boirs Ltd. Application for Extension of Fixed Assessment.

DEFERRED ITEM

Rezoning Charles, Maynard, Creighton & West Streets Area.

INFORMATION ONLY

City Manager's Administrative Report.
Report Deputy Commissioner of Finance re Tax Rate.
Approvals by Minister of Municipal Affairs.
Prefab Housing - Report for the Month of February 1954.

EVENING SESSION

Council Chamber,
City Hall,
Halifax, N. S.,
March 11, 1954,
8:00 P. M.

A meeting of the City Council was held on the above date.

After the meeting was called to order by the Chairman and before considering the regular order of business, the members of Council attending, led by the City Clerk, joined in repeating the Lord's Prayer.

There were present His Worship the Mayor Chairman; Aldermen DeWolf, Moriarty, Dunlop, Lane, Macdonald, Adams, Lloyd, Kitz, Ahern, Allen, Vaughan, Hatfield and MacMillan.

Also present were Messrs. A. A. DeBard, Jr., W. P. Publi-cover, R. H. Stoddard, A. J. Yeadon, C. P. Bethune, Q. C., George F. West, L. M. Romkey and Dr. A. R. Morton.

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

The following named papers were submitted.

MINUTES

Moved by Alderman Lloyd, seconded by Alderman Allen that the minutes of the previous meeting be approved. Motion passed.

Moved by Alderman Vaughan, seconded by Alderman Ahern that Council adjourn to the Police Gymnasium for all hearings. Motion passed.

8:05 P. M. Council adjourned to the Police Gymnasium.

PUBLIC HEARING ABATTOIR SITE

A Public Hearing into the matter of the City selling a parcel of land on Forrester Street to Atlantic Packers Limited for the establishment of an Abattoir was held at this time.

His Worship the Mayor: "Is there anyone present wishing to be heard in opposition to this proposal?"

Mr. W. N. Wickwire, Q. C. submitted and read a brief in opposition to the proposal, as well as a petition requesting that

March 11, 1954.

the application be rejected.

The following persons appeared and expressed objection to the proposal: Messrs. E. F. Cragg, D. M. McInnes, Q.C., D. L. Hanneberry, H. L. McIntosh, A. Mathews and Mr. Baxter.

Mr. H. P. MacKeen, Q. C. appeared on behalf of the Atlantic Packers Limited in support of the application and reviewed the events that had transpired since July 1953.

A letter was submitted from the Halifax and District Trades and Labour Council suggesting that the abattoir should be erected outside the City of Halifax.

A resolution was submitted from the Board of Trade supporting the establishment of an abattoir in Halifax.

Alderman Vaughan: "We have heard representations on behalf of the property owners in the area. These people have had this fear over them for almost a year now. They are striving to build up one of the best residential sections of the City of Halifax. The north end was the slaughter house area of the City for years and years. We had the bone-meal plant on Barrington Street and nobody would build in the area. The owners of the Hartlin Subdivision could not sell the land because the slaughter house was in the area. When it was removed all the lots were sold. A lot of people who had built houses since then would not have done so if they had known another slaughter house would be erected in the same locality. We have a scale map submitted by the residents of the area. They have been fair and honest. They have drawn on the map almost all the houses in the area. I have two photographs here which I want to pass around. I want to say something on behalf of two colored residents who have built fine homes on Forrester St. These people were forced to build there and they are without sewerage services. These are not homes you will find in a shack town. These people were forced to buy and build in that area. If the sewer were extended to the killing plant the only charge to the plant would be the abutters charges. The people wanted to make

March 11, 1954.

known to the Council their views on this matter. They have a real fear that if this plant is erected, their homes will be adversely affected. If this is erected it will be known as a slaughter house area and properties will depreciate. They expect fair consideration in this matter from Council."

Alderman Dunlop: "With the last words of the speaker I heartily agree that the citizens of Halifax have a right to expect a fair consideration by the members of the City Council and the Council has a right and duty not only to the people who signed this petition but they have a duty to the 85,000 citizens of Halifax and the effect on them of this proposal. This is a serious matter. What do we need in Halifax first? Homes first but to keep these homes we must have industries."

Alderman Lloyd: "On a point of order the address should be directed to the members of this Council and not to the audience."

His Worship the Mayor: "I asked those people making addresses to turn so the audience could hear what is said."

Alderman Dunlop: "We have Counsel for the home owners and the applicants. We have also heard the affect of selling uninspected meat in Halifax. Some years ago it was suggested that the City embark to build one but the cost was too great. It will give a substantial amount of assessment to the City. It will give employment to 100 or 150 people. Its benefits will spread throughout the Province of Nova Scotia. It will encourage the farmers to bring their cattle to Halifax instead of Moncton."

Moved by Alderman Dunlop, seconded by Alderman Macdonald that the parcel of land requested by the Atlantic Packers Limited as a site for an abattoir be sold to them at a price to be recommended to this Council by an appraiser appointed by His Worship the Mayor and that he will report to the Mayor the price which this land should be sold for and that the other conditions as to the location of the buildings be deferred until we have the report.

March 11, 1954.

Alderman Macdonald: "There is a lot of beef coming into the City that is not inspected. I was in New Brunswick as a member of a Committee to inspect the abattoir with the thought in mind of building one in Halifax but the cost was prohibitive. I saw about 40 hogs go through the abattoir and the Inspector standing there inspecting the carcasses. Out of the 40 hogs there was one completely condemned and another one about 40% was also condemned. The odors outside the buildings in St. John were very small and inside the building it was very small. The health of the people of Halifax is very important."

Moved in amendment by Alderman Lane, seconded by Alderman Allen that if this land is to be sold that it be advertised and public tenders submitted for it.

Alderman Hatfield: "I was surprised at Alderman Dunalop's stand in asking that the land be sold without being advertised by tender. It is now a case where it seems to be a reversal."

Alderman Ahern: "I think we should vote against the application tonight for the sale of this site for an abattoir."

Alderman Vaughan to Dr. Morton: "Would you say that the death rate is higher here than in cities like St. John and Whitepeg?"

Dr. Morton: "It compares very favorable."

Alderman Vaughan: "Would you say that we have a higher room occupancy in the hospital?"

Dr. Morton: "I have never seen any figures on that. I can't answer that right off."

Alderman Lloyd: "In view of the hazards to public health that exist, if the statistics presented to us are correct, what other remedy do you suggest might appear other than a killing plant?"

Dr. Morton: "Any meats are subject to becoming affected by bacteria which can produce disease in the human. It is because of the modern abattoir, proper refrigeration and proper care in the processing of meats, that the disease is lessened."

March 11, 1954.

Alderman Lloyd: "As I see this matter I think it is quite clear that fears are certainly extended. On the other side of the picture those promoting the construction of the plant might be allaying the fears too much. Where you can draw the line I don't know. In as much as there are a large number of taxpayers who have expressed themselves strongly against the matter that they are opposed, it is the democratic duty of the elected body to support their wishes. It would seem to me that a practical solution is to construct the Memorial Drive. Establish the kind of zoning barrier you have there then determine the industrial purposes for what is left. Take no action on this particular application. Make a distinct division between the industrial and residential areas and then you can determine the best type of construction that can take place."

Moved by Alderman Vaughan, seconded by Alderman Hatfield that Council adjourn to the City Council Chamber in City Hall. Motion passed.

10:10 P. M. Council reconvened in the Council Chamber, City Hall, the following members being present: His Worship the Mayor Chairman; Aldermen DeWolf, Moriarty, Dunlop, Lane, Macdonald, Adams, Lloyd, Kitz, Ahern, Allen, Vaughan, Hatfield and MacMillan.

Alderman Dunlop: "I submit that the amendment is out of order as it says 'if the land is sold'."

His Worship the Mayor: "The amendment is ruled out of order if the word 'if' is included in it. The motion says that the land be sold to a particular company. The amendment says at some date to be ascertained the sale shall be by tender."

His Worship the Mayor then ruled the amendment out of order.

Moved in amendment by Alderman Lane, seconded by Alderman Allen that public tenders be called for the parcel of land under discussion in the motion.

Moved by Alderman Lloyd, seconded by Alderman Ahern that the question of the sale of the land under discussion tonight be

March 11, 1954.

considered at the first regular meeting of the City Council to be held after March 1, 1955.

Alderman Lane: "May I withdraw my amendment with the permission of the seconder?"

His Worship the Mayor: "Council agree?"

It was agreed to by Council that Alderman Lane's amendment be withdrawn.

Alderman Dunlop: "The Company should be told whether they will get the land or not. Clean it up."

Alderman Vaughan: "I would normally support the motion to defer, but I am thinking of the Kelly Co-Operative Group who have an application to erect their homes. I am sure the Committee would defer the granting of the loan until Council decides this matter."

Alderman Moriarty: "I concur in the remarks of Alderman Vaughan. We should dispose of this matter tonight and relieve the pressure on the minds of the people who live in this area."

Alderman Lloyd: "The purpose of my original motion is covered by the withdrawal of the second amendment. I am opposed to the sale of the land for these reasons. The Master Plan left this area unzoned. It was subsequently zoned to Industrial. I was talking to Mr. George Bates and in his opinion it was at variance with the present plan of zoning. I am happy to withdraw the motion to defer and it will give me the opportunity to say 'no' to the abattoir."

Council agreed to the withdrawal of Alderman Lloyd's motion to defer.

The motion was then put and lost 2 voting for the same and 11 against it as follows:

FOR THE MOTION
Alderman Macdonald
Dunlop

AGAINST IT
Alderman Adams
Lloyd
Kitz
Ahern
Allen
Vaughan
Hartfield
MacMillan
DeWolf
Moriarty
Lane

March 11, 1954.

REZONING CHARLES, MAYNARD, GREGHTON AND WEST STS. AREA

Moved by Alderman Vaughn, seconded by Alderman Hatfield that this matter be deferred until the next regular meeting of the City Council. Motion passed.

PUBLIC HEARING RE: OFFICIAL STREET LINES SECTION 6D OFFICIAL CITY PLAN

A Public Hearing respecting the confirmation of laying down Official Street Lines as shown on Section 6 "D" of the Official City Plan was held at this time.

His Worship the Mayor asked if anyone were appearing for or against the matter to which there was no reply.

The following resolution was submitted:

W H E R E A S the City Council has considered the laying down of official street lines in the area bounded by Robie Street, Leeds Street and Memorial Drive, as shown by Section 6D of the Official City Plan;

AND WHEREAS pursuant to the provisions of Section 547 of the City Charter public notice of the intention has been given by advertisement inserted at least once a week for two successive weeks in a newspaper published in the City, the first of such notices having been published at least three clear weeks before the 11th day of March, A. D. 1954, that being the day appointed to consider the matter;

AND WHEREAS the said notice stated the intention of the Council to lay the said official street lines, and the date of the meeting of the Council appointed for the consideration of the matter, and that the plan showing such street lines may be inspected at the office of the Commissioner of Works at any time during office hours up to the day so appointed for consideration of the matter;

AND WHEREAS the Council has considered the said matter and has determined to lay the street lines in the manner set out on the said plan filed in the office of the Commissioner of Works

March 11, 1954.

and known as Section 6D of the Official City Plan;

NOW THEREFORE BE IT RESOLVED that, pursuant to the authority in it vested by Section 547 of the City Charter as aforesaid, the Official City Plan of the City be amended by laying down the official street lines in the area bounded by Robie Street, Leeds Street and Memorial Drive, in the manner shown in the said plan known as Section 6D of the Official City Plan;

AND BE IT FURTHER RESOLVED that the official street lines in the area bounded by Robie Street, Leeds Street and Memorial Drive so laid down be so indicated on the Official Plan of the City and on the copy thereof filed in the office of the Registrar of Deeds at Halifax, Nova Scotia;

AND BE IT FURTHER RESOLVED that in accordance with the provisions of Section 549 of the City Charter the Commissioner of Works do forthwith set up adequate bounds or monuments to mark the said official street lines and make a record of the date of the setting up of such bounds or monuments and the location and nature of the same.

Moved by Alderman Hatfield, seconded by Alderman DeWolf that the resolution as submitted be approved. Motion passed.

PUBLIC HEARING RE: OFFICIAL STREET LINES SECTION 11A OFFICIAL CITY PLAN

A Public Hearing respecting the removal and alteration of Official Street Lines as shown on Section 11 "A" of the Official City Plan was held at this time.

His Worship the Mayor asked if anyone were appearing for or against the matter to which there was no reply.

The following resolutions were submitted:

W H E R E A S the City Council of the City of Halifax has considered the relocation of the eastern official street line of Maitland Street from Falkland Street to Cornwallis Street, shown on Section 11A of the Official City Plan, which was confirmed by

March 11, 1954.

the City Council on May 11th, 1911;

AND WHEREAS pursuant to the provisions of Section 551A of the City Charter public notice of the intention to vary such street line has been given by advertisement inserted at least once a week for two successive weeks in a newspaper published in the City of Halifax, the first of such notices being published at least three clear weeks prior to the 11th day of March, A. D. 1954, that being the day appointed by the Council to consider the matter;

AND WHEREAS the said notice stated the intention of the said City Council to vary the said official street line of Maitland Street from Falkland Street to Cornwallis Street hereinbefore referred to and the date of the meeting of the City Council appointed for the consideration of the matter and that the plan proposed to be altered and the proposed changes therein may be inspected at the Office of the Commissioner of Works and City Engineer, City Hall, Halifax, N. S., on any day during office hours;

AND WHEREAS the City Council has considered the said matter and has determined to vary or alter the said Eastern official street line of Maitland Street from Falkland Street to Cornwallis Street hereinbefore referred to in the manner set out on a plan filed in the Office of the Commissioner of Works as Section 11A of the Official City Plan, whereby the said eastern official street line as altered is shown in solid blue lines;

BE IT THEREFORE RESOLVED that, pursuant to the authority in it vested by Section 551A of the City Charter as aforesaid, the Official Plan of the City be amended by relocating the eastern official street line of Maitland Street from Falkland Street to Cornwallis Street as hereinbefore described in the manner shown on Section 11A of the Official City Plan.

AND BE IT FURTHER RESOLVED that the said eastern official street line of Maitland Street from Falkland Street to Cornwallis Street so varied be so indicated on the Official Plan of the City

March 11, 1954.

and upon the copy thereof filed in the Office of the Registrar of Deeds at Halifax, Nova Scotia.

AND BE IT FURTHER RESOLVED that in accordance with the provisions of Section 549 of the City Charter the Commissioner of Works do forthwith set up adequate bounds or monuments to mark the said official street lines as varied and make a record of the date of the setting up of such bounds or monuments and the location and nature of the same.

RESOLUTION

W H E R E A S the City Council of the City of Halifax has considered the relocation of the southern official street line of Falkland Street from Brunswick Street to Maitland Street, shown on Section 11A of the Official City Plan, which was confirmed by the City Council on May 11th, A. D. 1911;

AND WHEREAS pursuant to the provisions of Section 551A of the City Charter public notice of the intention to vary such street line has been given by advertisement inserted at least once a week for two successive weeks in a newspaper published in the City of Halifax, the first of such notices being published at least three clear weeks prior to the 11th day of March, A. D. 1954, that being the day appointed by the Council to consider the matter;

AND WHEREAS the said notice stated the intention of the said City Council to vary the said official street line of Falkland Street from Brunswick Street to Maitland Street hereinbefore referred to and the date of the meeting of the City Council appointed for the consideration of the matter and that the plan proposed to be altered and the proposed changes therein may be inspected at the Office of the Commissioner of Works and City Engineer, City Hall, Halifax, N. S., on any day during office hours;

AND WHEREAS the City Council has considered the said matter and has determined to vary or alter the said southern official street line of Falkland Street from Brunswick Street to Maitland Street hereinbefore referred to in the manner set out on a plan

March 11, 1954.

filed in the Office of the Commissioner of Works as Section 11A of the Official City Plan, whereby the said official street lines as altered are shown in solid blue lines;

BE IT THEREFORE RESOLVED that, pursuant to the authority in it vested by Section 551A of the City Charter as aforesaid, the Official Plan of the City be amended by relocating the Official street line of Falkland Street from Brunswick Street to Maitland Street as hereinbefore described in the manner shown on Section 11A of the Official City Plan.

AND BE IT FURTHER RESOLVED that the said official street lines of Falkland Street from Brunswick Street to Maitland Street so varied be so indicated on the Official Plan of the City and upon the copy thereof filed in the Office of the Registrar of Deeds at Halifax, Nova Scotia.

AND BE IT FURTHER RESOLVED that in accordance with the provisions of Section 549 of the City Charter the Commissioner of Works do forthwith set up adequate bounds or monuments to mark the said official street lines as varied and make a record of the date of the setting up of such bounds or monuments and the location and nature of the same.

RESOLUTION

WHEREAS the City Council has received a report from the Town Planning Board of the City of Halifax recommending the removal from the Official City Plan of the street lines of Alexandra Place;

AND WHEREAS the City Council has considered the removal of the official street lines of the said Alexandra Place;

AND WHEREAS pursuant to the provisions of Section 551A of the City Charter, public notice of the intention to remove such street lines has been given by advertisement inserted at least once a week for two successive weeks in a newspaper published in the City, the first of such notices having been published at least

March 11, 1954.

three clear weeks before the 11th day of March, A. D. 1954, that being the day appointed by the Council to consider the matter;

AND WHEREAS the said notice stated the intention of the Council to remove the said official street lines, and the date of the meeting of the Council appointed for the consideration of the matter, and that the plan proposed to be altered and the proposed change thereof may be inspected at the office of the Commissioner of Works at any time during office hours up to the day so appointed for consideration of the matter;

AND WHEREAS the Council at its meeting held on the 11th day of March, A. D. 1954, considered the said matter and determined to remove the said official street lines from Section 11A of the Official City Plan;

NOW THEREFORE BE IT RESOLVED that, pursuant to the authority in it vested by Section 551A of the City Charter as aforesaid, the Official City Plan of the City be amended by removing the official street lines of Alexandra Place from Section 11A of the Official City Plan;

AND BE IT FURTHER RESOLVED that the official street lines of Alexandra Place so removed be so indicated on the Official Plan of the City and on the copy thereof filed in the Office of the Registrar of Deeds at Halifax, Nova Scotia.

RESOLUTION

March 11th, 1954.

W H E R E A S the City Council has received a report from the Town Planning Board of the City of Halifax recommending the removal from the official City Plan of the street lines of the northern portion of Brunswick Court;

AND WHEREAS the City Council has considered the removal of the official street lines of the northern portion of Brunswick Court;

March 11, 1954.

AND WHEREAS pursuant to the provisions of Section 551A of the City Charter, public notice of the intention to remove such street lines has been given by advertisement inserted at least once a week for two successive weeks in a newspaper published in the City, the first of such notices having been published at least three clear weeks before the 11th day of March, A. D. 1954, that being the day appointed by the Council to consider the matter;

AND WHEREAS the said notice stated the intention of the Council to remove the said official street lines, and the date of the meeting of the Council appointed for the consideration of the matter, and that the plan proposed to be altered and the proposed change thereof may be inspected at the office of the Commissioner of Works at any time during office hours up to the day so appointed for consideration of the matter;

AND WHEREAS the Council at its meeting held on the 11th day of March, A. D. 1954, considered the said matter and determined to remove the said official street lines from Section 11A of the Official City Plan;

NOW THEREFORE BE IT RESOLVED that, pursuant to the authority in it vested by Section 551A of the City Charter as aforesaid, the Official City Plan of the City be amended by removing the official street lines of the northern portion of Brunswick Court from Section 11A of the Official City Plan;

AND BE IT FURTHER RESOLVED that the official street lines of the northern portion of Brunswick Court so removed be so indicated on the Official Plan of the City and on the copy thereof filed in the Office of the Registrar of Deeds at Halifax, Nova Scotia.

Moved by Alderman Vaughan, seconded by Alderman DeWolf that the resolutions as submitted be approved. Motion passed.

March 11, 1954.

PUBLIC HEARING Re: REZONING STRAWBERRY HILL AND WINDSOR ST.

A Public Hearing respecting the Rezoning of Strawberry Hill was held at this time.

His Worship the Mayor asked if anyone were appearing for or against this matter to which there was no reply.

The following By-Law was submitted:

ZONING BY-LAW NUMBER

IN THE MATTER of The Town Planning Act

AND

IN THE MATTER of Rezoning that section of land known as Strawberry Hill, being part of the Bluebell Park Subdivision, from Second Density Residential to Third Density Residential.

W H E R E A S an application was made to the City Council of the City of Halifax to amend the Zoning By-Law and Zoning Plan approved by the City Council on the 11th day of May, A. D. 1950, by rezoning that section of land known as Strawberry Hill, being part of the Bluebell Park Subdivision, from Second Density Residential to Third Density Residential;

AND WHEREAS the said City Council of the City of Halifax did refer the aforementioned application to the Town Planning Board of the City of Halifax for consideration and report;

AND WHEREAS the Town Planning Board of the City of Halifax did recommend to the said City Council that the aforementioned section of land hereinafter more fully described be rezoned from Second Density Residential to Third Density Residential;

AND WHEREAS the said City Council on Thursday the 11th day of March, A. D. 1954, after receiving a report from the Town Planning Board and after having given due notice, did hold a hearing to consider the said rezoning and did approve of the same;

NOW THEREFORE BE IT ENACTED by the Mayor and City Council of the City of Halifax, under the authority of the Nova Scotia Town Planning Act, that the following section of land known as

March 11, 1954.

Strawberry Hill, being part of Bluebell Park Subdivision, bounded as follows: *BEGINNING at a point where the northern street line of Duffus Street intersects the western street line of Kempt Road; THENCE westwardly on the said northern street line of Duffus Street a distance of two hundred and sixty feet (260') more or less or to the northern street line of Windsor Street; THENCE westwardly along the said northern street line of Windsor Street a distance of one hundred and eighty-eight feet (188') more or less or to the eastern boundary of a proposed entrance to Bluebell Park as shown on Plan, City file No. F.F.-1-7570; THENCE northwardly along the said eastern boundary of the proposed entrance to Bluebell Park a distance of two hundred feet (200') more or less, or to the projection eastwardly of the rear lot lines of lots facing on the north side of Windsor Street; THENCE westwardly and northwardly along the said rear lot lines of lots facing on the north and east side of Windsor Street a distance of fifteen hundred feet (1500') more or less or to the rear lot line of lots facing on the south side of Kempt Road; THENCE eastwardly and southwardly along the said rear lot line of lots facing on the south and west side of Kempt Road a distance of twelve hundred and sixty-four feet (1264') more or less or to the southern boundary of Bluebell Park; THENCE eastwardly along the said southern boundary line of Bluebell Park a distance of two hundred and three (203') feet, more or less or to the western street line of Kempt Road; THENCE southwardly along the said western street line of Kempt Road a distance of four hundred feet (400') more or less or to the place of beginning,"

be rezoned from Second Density Residential to Third Density Residential and the Zoning By-Law and Zoning Plan approved by the City Council on the 11th day of May, A. D. 1950, be and the same are hereby amended accordingly.

March 11, 1954.

Moved by Alderman Hatfield, seconded by Alderman Lloyd that the resolution as submitted be approved. Motion passed.

PUBLIC HEARING Re: REZONING McLEAN STREET

A Public Hearing respecting the Rezoning of a lot of land on the west side of McLean Street was held at this time.

His Worship the Mayor asked if anyone were appearing for or against this matter to which there was no reply.

The following By-Law was submitted:

ZONING BY-LAW NUMBER

IN THE MATTER of The Town Planning Act

AND

IN THE MATTER of Rezoning a section of land on the West side of McLean Street from R-2 Zone (Second Density Residential) to R-3 Zone (Third Density Residential.)

W H E R E A S an application was made to the City Council of the City of Halifax to amend the Zoning By-Law and Zoning Plan approved by the City Council on the 11th day of May, A. D. 1950, by rezoning a section of land on the West side of McLean Street from R-2 Zone (Second Density Residential) to R-3 Zone (Third Density Residential):

AND WHEREAS the said City Council of the City of Halifax did refer the aforementioned application to the Town Planning Board of the City of Halifax for consideration and report;

AND WHEREAS the Town Planning Board of the City of Halifax did recommend to the said City Council that the aforementioned section of land hereinafter more fully described be rezoned from R-2 Zone (Second Density Residential) to R-3 Zone (Third Density Residential);

AND WHEREAS the said City Council on Thursday the 11th day of March, A. D. 1954, after receiving a report from the Town Planning Board and after having given due notice, did hold a hearing to consider the said rezoning and did approve of the same.

March 11, 1954.

NOW THEREFORE BE IT ENACTED by the Mayor and City Council of the City of Halifax, under the authority of the Nova Scotia Town Planning Act that the following section of land on the West side of McLean Street, bounded as follows " BEGINNING at a point on the western street line of McLean Street, said point being four hundred and forty-five (445') more or less southwardly from the southern street line of Atlantic Street, measured along the western street line of McLean Street;

THENCE southwardly along the said western street line of McLean Street a distance of one hundred and fifty feet (150') more or less or to the northern boundary line of land now or formerly owned by Mrs. F. F. McCurdy, Young Avenue;

THENCE westwardly along the said northern boundary line of lands now or formerly owned by Mrs. F. F. McCurdy, Young Avenue, a distance of one hundred feet (100') more or less or to the eastern boundary line of the first density residential district on the east side of Young Avenue;

THENCE northwardly along the said eastern boundary line of the first density residential district facing on the east side of Young Avenue, a distance of one hundred and fifty feet (150') more or less or to the southern boundary line of civic number 44 McLean Street;

THENCE eastwardly along the said southern boundary line of civic number 44 McLean Street a distance of one hundred feet (100') more or less or to the place of beginning,"

be rezoned from R-2 Zone (Second Density Residential) to R-3 Zone (Third Density Residential) and the Zoning By-Law and Zoning Plan approved by the City Council on the 11th day of May, A. D. 1950 be and the same are hereby amended accordingly.

Moved by Alderman Dunlop, seconded by Alderman Lloyd that the By-Law as submitted be approved. Motion passed.

March 11, 1954.

MOTION ALDERMAN KITZ Re: GRANDSTANDS

Moved by Alderman Kitz, seconded by Alderman Lloyd that this matter be deleted from the agenda for the present but put on later. Motion passed.

MOTION ALDERMAN AHERN Re: MEMORIAL DRIVE

Moved by Alderman Ahern, seconded by Alderman Lloyd that this matter be deferred to the next regular meeting of the City Council. Motion passed.

FIRE ALARM CONNECTION PUBLIC SERVICE COMMISSION

Halifax, N. S.,
March 3, 1954.

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

The Safety Committee at a meeting held on the above date considered the attached report from the City Electrician respecting Master Fire Alarm Signal Box, Public Service Commission and agreed to recommend same for approval.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

From: A. P. Flynn,
City Electrician

Date February 15th, 1954.

To A. A. DeBard, Jr.,
City Manager

Re Master Fire Alarm
Signal Box

Dear Sir:

Attached is a letter I have received from the Public Service Commission requesting permission to connect their master fire alarm signal box to the City fire alarm system. This master box is to be connected to their sprinkler system on Lady Hammond Road.

I would recommend that same be granted without yearly charge as the installation of this signal box would be accessible to the general public in this district.

All costs concerned will be borne by the Public Service Commission. The equipment is to be approved by the City Electrician. The City reserves the right to disconnect this service at any time it may be in their interest to do so.

Yours very truly,

A. P. Flynn,
CITY ELECTRICIAN.

Moved by Alderman Hatfield, seconded by Alderman Vaughan

March 11, 1954.

that the report be approved. Motion passed.

CITY HOME ACCOUNTS WRITE-OFFS \$980.06

To: His Worship, R. A. Donahoe, Q. C.,
and Members of City Council

From: City Manager, A. A. DeBard, Jr.,

Date: February 27, 1954

Subject: City Home Accounts - Write-Offs

The following accounts for maintenance should be written off since there seems to be no hope of collecting them.

Irene Maltus	\$ 133.00
Asoph Levy	431.89
Garfield Dixon	102.00
Allen Stokes	239.07
Evelyn Foster	<u>74.10</u>
	\$ 980.06

A. A. DeBard, Jr.,
City Manager.

Moved by Alderman Adams, seconded by Alderman Lloyd that the report be approved. Motion passed.

RECOMMENDATION APPOINTMENT CITY ASSESSOR

To: His Worship, R. A. Donahoe, Q. C.,
and Members of City Council,

From: City Manager, A. A. DeBard, Jr.,

Date: March 9, 1954

Subject: Recommendation for Appointment of Assessor

The following action was taken on the Manager's recommendation:

Finance Committee Resolution Re Appointment of City Assessor.

"Moved by Alderman Lloyd, seconded by Alderman DeWolf that this Committee send the recommendation of the City Manager on the appointment of the City Assessor to the City Council without recommendation from this Committee and that we recommend to the City Council that they consider the recommendation in camera before making their decision on the recommendation. Motion passed."

It was agreed by the Mayor and eight Aldermen present that no publicity would be given until after the Council had considered the matter "in camera."

A. A. DeBard, Jr.,
City Manager.

March 11, 1954.

Alderman Lloyd: "I think that it is only proper that I indicate that I withdrew my application when it was indicated to me under the Manager System an Alderman should not be appointed to the position. I found my position as an Alderman conflicting as an applicant and I chose to perform my duties as an Alderman and withdrew my application. I moved in the Finance and Executive Committee that the matter be considered in camera and I felt it might be misconstrued if we considered it in camera."

It was decided to defer consideration of this matter until later in the meeting.

BORROWING RESOLUTION CURRENT OPERATIONS \$1,000,000.00

Halifax, N. S.,
March 8, 1954.

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

The Finance and Executive Committee at a meeting held on the above date agreed to recommend for approval the attached report from the City Manager respecting Borrowing from Eastern Canada Savings & Loan Company Limited.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

To: His Worship, R. A. Donahoe, Q. C.,
and Members of City Council,

From: City Manager, A. A. DeBard, Jr.,

Date: March 8, 1954

Subject: Borrowing Resolution

Under Section 332 of the City Charter the City is authorized to borrow in anticipation of receipt of taxes. We are presently overdrawn approximately \$1,000,000 at the Royal Bank of Canada for which we pay overdraft interest of 3 3/4%.

We have been offered up to \$1,000,000 at 3% by the Eastern Canada Savings & Loan Company. If we were to borrow \$500,000 for 60 days and \$500,000 for 90 days our needs would be met according to the forecast of receipts and expenditures shown below. Any credit balances could be used temporarily to reduce our overdraft at the Canadian Bank of Commerce for the Prefabs.

March 11, 1954.

	Eastern Canada Savings & Loan Company	Royal Bank
Mar. 15 Overdraft \$1,000.00 at Royal Bank - pay off	\$1,000,000.00	- 0 -
Overdraft \$1,000,000.00		
+ 670,000.00 Mar. Expends		
<u>1,670,000.00</u>		
- 225,000.00 Mar. Income		
<u>1,445,000.00</u>		
O.D. 3/31/54 1,000,000.00	1,000,000.00	445,000.00
+ 910,000.00 Apr. Expends.		
<u>2,355,000.00</u>		
- 400,000.00 Apr. Income		
<u>1,955,000.00</u>		
O.D. 4/30/54 1,000,000.00	1,000,000.00	955,000.00
+ 1,300,000.00 May Expends		
<u>3,255,000.00</u>		
- 2,700,000.00 May Income		
<u>555,000.00</u>		
O.D. 5/31/54 500,000.00	500,000.00	55,000.00
+ 800,000.00 June Expends.		
<u>1,355,000.00</u>		
- 2,700,000.00 June Income		
<u>1,355,000.00</u>		
Credit Bal.	- 0 -	- 0 -

A. A. DeBard, Jr.,
City Manager.

RESOLUTION

WHEREAS, pending the collection of taxes levied in respect of the year 1954, the City requires money to defray the expenses of the City in the said year.

AND WHEREAS by Section 332 of the City Charter the City is authorized by resolution of the Council to borrow money in anticipation of the collection of the taxes of the year in which such money is borrowed.

BE IT THEREFORE RESOLVED, under the authority of said Section 332 of the City Charter, that the City do borrow from The Eastern Canada Savings and Loan Company the sum of One Million Dollars of lawful money of Canada, the said sum to be repaid as to the amount of Five Hundred Thousand Dollars thereof in sixty days from the date of the borrowing of the same and as to the amount of Five Hundred Thousand Dollars thereof in ninety days from the date of the said borrowing, with interest thereon at the rate of three per centum per annum.

March 11, 1954.

AND BE IT FURTHER RESOLVED that the amount so borrowed be repaid out of the taxes assessed and collected in respect of the year 1954.

AND BE IT FURTHER RESOLVED that the amount so borrowed be applied to defray the expenditures of the City for the year 1954 and for no other purpose.

Moved by Alderman Elliott, seconded by Alderman Adams that the report and resolution be approved. Motion passed unanimously the following Aldermen being present and voting in favor: Aldermen DeWolf, Moriarty, Dunlop, Lane, McArthur, Adams, Lloyd, Kitz, Ahern, Allen, Vaughan, Hatfield and MacMillan.

ACCOUNTS OVER \$100.00

To: His Worship, R. A. Bunting, C. E.,
and Members of City Council,
From: City Manager, A. A. DeWolf, Jr.,
Date: March 9, 1954
Subject: Accounts over \$100.00

In accordance with Section 119E of the City Charter, the following accounts are hereby laid for Council's approval. These accounts have been certified and audited.

<u>DEPARTMENT</u>	<u>VENDOR</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
Works	A. M. Smith & Co., Limited	Salt	\$ 2,185.01
Library	W. H. Smith & Co. (Canada) Ltd.	Books	1,924.52
			<hr/>
			\$ 4,109.53

A. A. DeWolf, Jr.,
City Manager.

Moved by Alderman Elliott, seconded by Alderman Adams that the report be approved. Motion passed.

FINANCE REPORT

H. J. Fox, N. S.,
March 8, 1954.

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

The Finance Report of the City Manager for the meeting held on

March 11, 1954.

the above date agreed to recommend that uncollectible tax accounts totalling the sum of \$673.83 be written off under the authority of Section 233, Sub-Section 2 of the City Charter.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman Hatfield, seconded by Alderman Vaughan that the report be approved. Motion passed.

Alderman Dunlop referred to an account for Salt which was payable to A. M. Smith & Co., Ltd. and asked why salt was purchased from that Firm.

City Manager: "The Council awarded the salt contract to the DeWolf Firm. On January 29 we had a storm and we had to make a quick decision to have our snow operations hampered or get the Trinidad salt. I told Mr. West to get it. We bought only what we had to use. The salt content differs. The NAOL in any salt will vary. That is from a report of the Nova Scotia Technical College. If the salt is course it will not work as fast."

WORKS DEPARTMENT ACCOUNTS WRITE-OFFS \$6,674.28

Halifax, N. S.,
March 8, 1954.

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

The Finance and Executive Committee at a meeting held on the above date agreed to recommend that accounts of the Works Department totalling the sum of \$6,674.28 be written off as uncollectible.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman Lloyd, seconded by Alderman Hatfield that the report be approved. Motion passed.

BETTERMENT CHARGES 562 CONNAUGHT AVENUE WRITE-OFF \$103.20

Halifax, N. S.,
March 8, 1954.

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

The Finance and Executive Committee at a meeting held on the

March 11, 1954.

above date considered the attached report from the Deputy Commissioner of Works respecting Tax Certificate #6924.

It was agreed to recommend that Betterment Charges amounting to \$103.20 against the property #562 Connaught Avenue be written off.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

To: Mr. A. A. DeBard, Jr., City Manager
From: G. F. West, Deputy Commissioner of Works
Date: February 3rd, 1954.
Subject: Tax Certificate No. 6924

Sidewalk, curb, gutter and sodding were laid on the west side of Connaught Avenue, from Regent Road northerly, under Work Order No. 244. The work was started September 7th, 1951 and completed roughly two weeks later.

As evidence that the above work was completed, I would like to point out that the streets listed below were started on the same date or after Connaught Avenue, and were completed.

Started Sept. 6 - Mumford Road - Wm. Hunt Ave. - Dutch Village Rd.
" Oct. 24 - Ashburn Avenue - Mumford Road - Northerly
" Oct. 18 - MacDonald St. - Chebucto Rd. - Flinn Street

It is evident from the above that the charge of \$103.20 should be cancelled since no mention was made of it when the Tax Certificate was signed on June 24th, 1952.

G. F. West,
Deputy Commissioner of Works.

Moved by Alderman Lloyd, seconded by Alderman Hatfield that the report be approved. Motion passed.

ACCOUNT HOSPITALIZATION VICTOR SHIPLEY \$134.00

To: His Worship the Mayor and
Members of City Council,
From: Clerk of Works
Date: March 8th 1954
Subject: INVOICE - VICTORIA GENERAL HOSPITAL ON ACCOUNT OF VICTOR SHIPLEY - \$134.00

At a meeting of the Committee on Works held on March 4th the attached Invoice amounting to \$134.00 was submitted by the Commissioner of Health and Welfare for payment.

The Committee recommended that this bill be paid.

Respectfully submitted,
W. P. Publicover, City Clerk,
Per J. B. Sabean, Clerk of Works.

March 11, 1954.

Moved by Alderman Lane, seconded by Alderman Macdonald that the report be approved. Motion passed.

OPERATION OF TOURIST BUREAU

Halifax, N. S.,
March 8, 1954.

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

The matter of the operation of the Halifax Tourist Bureau was considered by the Finance and Executive Committee at a meeting held on the above date.

Your Committee recommends that the Halifax Junior Board of Trade be authorized to operate the Halifax Tourist Bureau for the coming season.

Yours very truly,

W. P. Publicover,
CITY CLERK.

Moved by Alderman Macdonald, seconded by Alderman Adams that the report be approved. Motion passed.

MINUTES FINANCE AND EXECUTIVE COMMITTEE

Alderman Dunlop: "Is it possible to get the minutes of the Finance and Executive Committee before the Council?"

His Worship the Mayor: "I suffered from the same thing when I was an Alderman. We changed the day to Monday. The staff advised even with that change it is not possible to get the minutes before us before the Council meeting."

Alderman Dunlop: "Why not change the date?"

His Worship the Mayor: "You would have a back-log of items that would come between the Committee meeting and the date of Council."

Alderman Kitz: "A further explanation should be forthcoming. You have three full days. It might mean our staff would have to work overtime with extra remuneration. Unless we have some working knowledge of these items we are working in the blind. Could we have the City Manager advise us at the next Finance and Executive Committee meeting why it can't be done?"

March 11, 1954.

TAG DAYS

Halifax, N. S.,
March 8, 1954.

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

The Finance and Executive Committee at a meeting held on
the above date agreed to recommend that permission be granted to
the following to hold Tag Days:

Hadassah April 2/54.

The Salvation Army June 12/54.

Callow Veteran's & Invalids Welfare
League

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman Adams, seconded by Alderman Lloyd that
the report be approved. Motion passed.

SELECTION OF DATE FOR NATAL DAY

Halifax, N. S.,
March 8, 1954.

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

At a meeting of the Finance and Executive Committee held
on the above date, the matter of selecting the date on which to
celebrate Halifax Natal Day was considered.

It was agreed to recommend that Halifax Natal Day be
celebrated on the second Monday in August this year and a Civic
Holiday observed on that day.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Alderman MacMillan: "I would recommend June 21st. be set
apart as Natal Day. I am aware of attractions coming to the City
which will be quite a help to the Committee when they are appointed.
We had several obstacles to surmount in making our plans last year."

Moved by Alderman MacMillan, seconded by Alderman Lane
that June 21, 1954 be celebrated as Halifax Natal Day.

Alderman Vaughan stated that many programs were washed
out because of rain on June 21st. We have more rain in June than

March 11, 1954.

in August. I think we should stick to the August date."

Moved in amendment by Alderman Vaughan, seconded by Alderman Ahern that the recommendation of the Finance and Executive Committee be approved.

The amendment was put and lost 6 voting for the same and 7 against it as follows:

FOR THE AMENDMENT

Alderman Kitz
Ahern
Allen
Vaughan
Hatfield
Dunlop

- 6 -

AGAINST IT

Alderman Adams
Lloyd
MacMillan
DeWolf
Moriarty
Lane
Macdonald

- 7 -

The motion was then put and passed.

APPOINTMENT NATAL DAY COMMITTEE

Halifax, N. S.,
March 8, 1954.

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

At a meeting of the Finance and Executive Committee held on the above date, the matter of the appointment of a committee to take care of arrangements respecting the celebrating of Halifax Natal Day was considered.

It was agreed to recommend that Aldermen MacMillan, Ahern, and Lane be appointed such a committee.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Alderman Lane: "I beg to be excused."

Alderman Hatfield nominated Alderman Macdonald to replace Alderman Lane.

The nomination was agreed to by Council and Aldermen MacMillan, Ahern and Macdonald were appointed to the Committee.

- 241 -

March 11, 1954.

COMMUTATION OF LEASE #354 SPRING GARDEN ROAD

Halifax, N. S.,
March 8, 1954.

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

The Finance and Executive Committee at a meeting held on the above date, agreed to recommend that the lease of the property #354 Spring Garden Road be commuted to Mr. Cyril Taylor under the authority of Ordinance #26.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman Lloyd, seconded by Alderman Kitz that the report be approved. Motion passed.

LEGISLATION Re: SALE OF SOFT DRINKS BY VENDING MACHINES

Halifax, N. S.,
March 8, 1954.

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

The Finance and Executive Committee at a meeting held on the above date, considered an application made on behalf of Coca-Cola Limited, to have Section 510D, Sub-Section 4 (c) of the City Charter amended to exclude from the operation of the provisions of such Section, Automatic Machines for the sale of "Soft Drinks" or "Carbonated Beverages."

Your Committee recommends that the application be approved and the legislation obtained.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman Kitz, seconded by Alderman Hatfield that the report be approved.

Moved in amendment by Alderman Vaughan, seconded by Alderman Macdonald that this matter be deferred until the September meeting of the City Council.

The amendment was put and passed 8 voting for the same and 5 against it as follows:

FOR THE AMENDMENT
Alderman Allen
Vaughan
Hatfield
MacMillan
Moriarty
Lane
Macdonald
Adams

AGAINST IT
Alderman Lloyd
Kitz
Ahern
DeWolf
Dunlop

March 11, 1954.

LEGISLATION Re: FAIRVIEW CEMETERY SCHOOL LOCATION

City Solicitor: "According to the information submitted by the architect and Commissioner of Works the location of the school will be 190 feet back from Bayers Road. It will exclude two portions to be used as cemetery land, one on each side coming in from Bayers Road. The legislation has been drafted to that effect and has been introduced."

Moved by Alderman Vaughan, seconded by Alderman Hatfield that Council accept the plan as drafted and presented. Motion passed.

Alderman Dunlop: "I think the burials in the area should now cease on Bayers Road."

The City Manager was requested to make a report and recommendation with respect to this suggestion for the next regular meeting of Council.

HOSPITAL ACCOUNTS CIVIC EMPLOYEES

Halifax, N. S.,
March 8, 1954.

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

The Finance and Executive Committee at a meeting held on the above date agreed to recommend for approval the attached report from the City Solicitor respecting the payment of hospital and medical bills for employees of the City.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

To: His Worship the Mayor and Members of the Finance and
Executive Committee

From: Carl P. Bethune, Q. C., City Solicitor

Date: March 4, 1954.

Subject: Re: Paragraph 13 of the draft legislation presented to
Council at its meeting on March 2nd, 1954.

Dear Sirs:

In preparing the draft of legislation regarding payment of hospital and medical bills for employees of the City, the decision of the City Council appears to me to be, in effect, that if the City Manager refuses or fails

March 11, 1954.

to approve the payment that such refusal or failure should be reviewed by the Finance Committee, which shall report thereon to the Council. Accordingly I have drafted the following legislation to carry this matter into effect:

(2) If the City Manager shall decide not to authorize such payment or if after the expiration of one month from the date of the receipt by him of the report from the Commissioner of Public Health and Welfare hereinbefore provided he fails to authorize such payment, he shall report such decision or failure to the Finance and Executive Committee, which shall consider the matter and make such recommendation to the Council as it shall determine. In such case the Council may authorize the payment referred to in subsection (1) hereof.

You will notice that although this is not actually by way of appeal, nevertheless the same result will be attained, namely a review of the refusal or failure by the Finance and Executive Committee.

Yours very truly,

Carl P. Bethune,
CITY SOLICITOR.

Moved by Alderman Hatfield, seconded by Alderman Vaughan that the report be approved. Motion passed.

SUPERANNUATION HOSEMAN G. P. HOGANSON

Halifax, N. S.,
March 8, 1954.

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

At a meeting of the Finance and Executive Committee held on the above date a report from the Safety Committee recommending that Hoseman G. P. Hoganson be superannuated as from April 1, 1954, at an annual allowance of \$1,699.00 under the provisions of Section 867 of the City Charter was considered.

Your Committee concurs in this report and recommends that legislation be obtained at the present session of the Legislature, enabling the City to pay Mr. Hoganson an additional sum of \$101.00 annually.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman Vaughan, seconded by Alderman Ahern that Mr. G. P. Hoganson be superannuated as from April 1, 1954 at an annual allowance of \$1,699.00 under the provisions of Section 867 of the City Charter. Motion passed.

March 11, 1954.

Alderman Vaughan stated that due to the 40 odd years Mr. Hoganson served the City in the Fire Department he felt he should receive an additional allowance of \$201.00 per annum.

Moved by Alderman Vaughan, seconded by Alderman Ahern that legislation be obtained enabling the City to pay Mr. Hoganson an additional sum of \$201.00 per annum. Motion passed.

LEGISLATION

The City shall pay to Gustave P. Hoganson, Hoseman in the Halifax Fire Department, upon his retirement from service with that Department, as and from the first day of April, 1954, for the remainder of his life, an annual allowance of two hundred and one dollars, the said allowance to be in addition to the allowance of one thousand six hundred and ninety-nine dollars which he is entitled to receive from the fund for the superannuation of the officials and employees of the Fire Department established by Chapter 72 of the Acts of 1907, which shall be paid to him in monthly instalments in advance. The sums required to pay the said allowance during the civic year 1954 shall be deemed to be an expenditure for the civic year 1954.

Moved by Alderman Vaughan, seconded by Alderman Ahern that the legislation be approved. Motion passed.

ASSESSMENT HALIFAX SHIPYARDS LIMITED

Halifax, N. S.,
March 8, 1954.

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

A request from the Halifax Shipyards Limited for an extension of the fixed assessment on its property for a further period of five years was considered by the Finance and Executive Committee at a meeting held on the above date.

It was agreed to recommend that legislation be obtained at the present session of the Legislature, to permit the City to assess the Halifax Shipyards Limited for the next two years on the basis of their present assessment and remit the occupancy tax.

Alderman Kitz dissenting.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Mr. W. H. Jost appeared on behalf of the Halifax Shipyards Limited and addressed the Council as follows: "The main reasons for the legislation is that the business is highly competitive. The repair of ships is very severe on the other side as well as this side. Lower rates have attracted the repairs for that side. The

March 11, 1954.

position of the Halifax Shipyards Limited against the yards on the St. Lawrence is definitely inferior. The labor rate has always been higher than the St. Lawrence. The differential here is 15 cents higher. We suffer from a certain amount of geography that freight rates have to be paid for parts coming from other parts of the country. The yard has been sustained by defence work by the Federal Government. The private work is down to something like 15%. The operating costs of the Company will curtail private work. The report of the Finance and Executive Committee has some variations which differ from the original legislation. The recommendation is that the assessment be now fixed at \$1,038,000."

His Worship the Mayor: "That was the figure last year. I don't know what it is this year."

Alderman Lloyd: "I spoke to Mr. Yeadon about the valuation. He showed me a card which said \$1,500,000.00 for improvements and \$850,000.00 for land. Where the figures came from in the publication we are not clear."

Mr. Jost: "I understood that in place of the fixed assessment of \$650,000.00 there was to be a new assessment of \$1,138,000.00 and that the Company should pay a real property tax on that but no business tax. If that is correct the tax position of the Company changes from a liability of approximately \$97,000.00 to \$113,000.00 which is an increase of \$16,000.00. As to that I say on behalf of the Company that any increase is a matter of prejudice to our position."

His Worship the Mayor: "The resolution speaks of full assessment. I was under the impression that the full assessment was \$1,038,000.00."

Mr. Jost: "With respect to any change in the system which the Council sees fit to make, if some purpose is served by changing over to one tax from two, that is quite agreeable to the Company, but we do ask that you give us your utmost consideration to keep the total tax liability down as low to the previous one we had. I

March 11, 1954.

presume that the re-assessment which is going to be undertaken by the Council will have some affect. I would like to emphasize that any increase in the operating costs at that yard are a most serious matter at the present time. There are 1600 men employed on the Halifax side. We ask Council to give their best consideration to that in considering any alteration in the arrangement which is very long standing."

Moved by Alderman DeWolf, seconded by Alderman Hatfield that the Halifax Shipyards Limited be assessed for two years at the full assessed real estate value which is \$1,138,200.00 but no charge be made for business tax and the necessary legislation obtained.

Alderman Hatfield: "It is my opinion that in reality with the increased amount to the City in value of money, they would not be paying any more than if they were paying \$97,000.00 5 years ago. I presume the Shipyards are charging more for repair costs. \$113,000.00 would be no more to us or them than \$97,000.00 5 years ago."

Alderman Kitz: "We are faced with a re-assessment in the City therefore any fixed assessment should not be for a period any longer than until the affect of the re-valuation is made known. Speaking on the Bonus, I trust the Ontario Act is the same as a few years ago. In Ontario when a bonus is given by a Council, it must be given by three quarters of a majority of its persons entitled to vote. By plebiscite two thirds majority is required. It is interesting to note how the Bonus Act works for other bonuses in diminishing steps over a 10 year term. The Assessor gave me a tabulation of taxes paid. Since 1948 to the present time including 1954, I find that the bonus this municipality has given to that Company totals \$436,000.00. Mr. Jost has said that a further tax on this Company will aggravate the situation.. I listened with both ears and earnestly, for the speaker to present the follow up of that again. What does the balance sheet of the Halifax Shipyards

March 11, 1954.

show? If they are making a profit then we are surely going more than out of our way to subsidize and give that profit. The Halifax Shipyards Limited is a subsidiary of Dosco and I don't know whether there is a separate balance sheet for the Shipyards. We should know what the situation is for this Company. You are also aware of the tax arrangement with the Dominion Government and the arrangement under which they pay us for Federal buildings in the City. The Shipyards was taken as a yardstick for the assessment on the Dockyard. If the Yard is in the black on the balance sheet we are giving another 50% of profits to the Ottawa coffers. I am aware of the great advantage that the industry is to the City and if we can be shown and we have not been shown that this bonus we are giving will affect the employment situation, I would be willing to consider the matter further. The effect of the resolution is that the tax dollars we got last year \$97,000.00 will increase to \$113,000.00. The valuation fixed by the independent appraiser is twice the valuation. This bonus seems to be a repeater. Just because it has been given in the past, we should not blindly give it in the future. I would suggest that the term be for one year only."

Alderman Lloyd: "In general I agree with what Alderman Kitz says. There is another thought that such a large single enterprise in any area so vital to its economic life enjoys a tax levy on considerably less on what might be considered 100% value on the Assessment Act. It is extremely difficult to fix. In most cases it is a negotiated amount. I think the Committee's thought on this matter was to approach some of the ideas Alderman Kitz had in mind when they recommended for only a period of two years should be continued the present fixed assessment and then in the light of the information we would gather from assessments and our further problem in deciding tax rates after the re-assessment, we would give due and proper attention to the Halifax Shipyards Limited. Until such time as we get armed with more reliable information on

March 11, 1954.

the value and its relationship to other values in the City it would be extremely difficult to depart from the present arrangements. In changing the method I thought we were going to arrive at the same tax. I was not conscious that we were increasing the tax. I thought all we were doing was substituting the method of determining the tax to the City so that some argument might be brought forward in our favor dealing with Federal grants. I feel the Alderman's observations are sound in fixing an amount. I think the Company will co-operate and accept the two year proposal."

Alderman DeWolf: "I think it should be said this was arrived at so we could possibly obtain full taxation from the Dockyard. The Federal Government is taking 40% off the Dockyard because the City is taking 40% off the Shipyards."

Alderman Dunlop: "The next two years should be set so the City would realize \$200,000.00. If they get the discount it is not too far from \$200,000.00."

Moved in amendment by Alderman Dunlop, seconded by Alderman Ahern that the Halifax Shipyards Limited pay a net tax of \$100,000.00 for the year 1955.

Alderman Lloyd: "We should support a formula that they be exempt any amount above \$100,000.00."

Alderman Hatfield: "We are reducing what we have set for the last few years in value of money. We are paying the City Field workers \$1.06 per hour. 5 years ago we paid 97¢. The employees are getting 10% more too. The Company should pay at least 10% more to the City. They are charging for their repair costs 10% more than then."

Alderman Dunlop with the consent of his seconder and Council withdrew the amendment.

Alderman DeWolf, with the permission of his seconder, changed his motion to read: "that legislation be secured enabling the City to assess the Halifax Shipyards Limited for the year 1955 at the full real estate assessment value which is \$1,138,200.00 but no

March 11, 1954.

charge be made for business tax."

The motion was put and passed with Alderman Ahern wishing to be recorded against.

MOIRS LTD. APPLICATION FOR EXTENSION OF FIXED ASSESSMENT

Read letter from Mr. E. L. Otto, Assistant Manager of Moirs Ltd. requesting that the City secure legislation extending the present fixed assessment on Moirs Ltd. for another two years.

Alderman Vaughan wanted to know how this matter got on the agenda and asked if it could be considered at this time.

City Solicitor: "Any matter can be considered by the Council unless three members object or unless the Mayor declares the matter of such importance that a notice of motion be given."

Moved by Alderman Ahern, seconded by Alderman Lloyd that the matter of the assessment for Moirs Ltd. be considered by the Council.

Alderman Vaughan: "There is an agreement now in force. When does that expire?"

His Worship the Mayor: "1954. If we don't get legislation now Moirs Limited will go on full assessment for 1955."

Alderman Vaughan: "Have any representations been made to you?"

His Worship the Mayor: "Yes, within the last 24 hours."

Alderman Vaughan felt that it was ridiculous on the part of the Company at this late date to expect the Council to consider such an important matter in the dying hours of legislation.

His Worship the Mayor stated that 2 or 3 days ago the City Manager and himself discussed the matter of Moirs Limited assessment and it was felt that it was up to the Company to make the move and to know that their legislation was expiring. He asked if anyone objected in Council to the consideration of this application, to which there was no reply.

Alderman Vaughan: "Is there any balance sheet?"

His Worship the Mayor: "No."

March 11, 1954.

City Manager: "Mr. Otto said their balance sheet was just about the same."

His Worship the Mayor: "My point of view is this that Moirs have a fixed assessment for 1954. For 1955 they are seeking an extension of that assessment. In 1955, if we have a re-assessment virtually all assessments will be frozen because the staff will be employed in the re-assessment process. I thought it reasonable that they should have a freezing of their assessment for that period."

The motion was then put and passed.

Alderman Lloyd: "I think they are confused by that letter."

His Worship the Mayor: "The re-assessment would not be effective until 1956."

Alderman Lloyd: "We should fix their assessment for the year 1955."

Moved by Alderman Lloyd, seconded by Alderman DeWolf that legislation be secured to fix the assessment for Moirs Limited at the same amount which is currently fixed for the year 1955.

Alderman Kitz suggested an increase of 15% in the assessment to correspond with the increase in the Shipyards assessment.

The mover and seconder then agreed that the motion should read "that legislation be secured to fix the assessment for Moirs Limited at \$575,000.00 for the year 1955."

The motion was then put and passed.

THELMA MARTIN AGREEMENT OF SALE

Halifax, N. S.,
March 8, 1954.

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

At a meeting of the Finance and Executive Committee held on the above date the matter of Mrs. Thelma Martin acquiring the property 38 Edgewood Avenue, by an agreement of sale and requesting an additional loan was considered.

It was agreed to recommend that legislation be sought at the present session of the Legislature to confirm Mrs. Thelma Martin to the rights as an original purchaser of the prefabricated house and permit the City to advance her an additional sum of \$590.00 as a loan.

March 11, 1954.

Aldermen Kitz and Vaughan dissenting.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman Ahern, seconded by Alderman Hatfield
that the report be approved.

Alderman Dunlop: "Are we opening up a new avenue?"

His Worship the Mayor: "We are in no serious danger because
there are no cases left where the money has not been borrowed."

The motion was then put and passed.

LEGISLATION

For the purposes of subsection (1) of Section 60 of Chapter
86 of the Acts of 1952, Thelma Martin, of the City of Halifax,
married woman, wife of Gordon E. Martin, shall be deemed to be an
original purchaser from the City of a prefabricated house sold
by the City under the authority of Section 64 of Chapter 66 of
the Acts of 1950.

Moved by Alderman Ahern, seconded by Alderman Hatfield
that the legislation be approved. Motion passed.

ASSESSMENT FOR IMPROVEMENTS

Halifax, N. S.,
March 8, 1954.

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

A report from the City Manager respecting Improvements -
Assessments and City Contribution was considered by the Finance
and Executive Committee at a meeting held on the above date.

It was agreed to recommend that legislation be sought,
empowering the Council to vary or fix the proportion to be paid
by abutters.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman Lloyd, seconded by Alderman Adams that
the report be approved. Motion passed.

LEGISLATION

Sections 558 and 558A are repealed and the following sub-
stituted therefor:

558. (1) The owners of properties abutting on a street or
portion of a street graded by the City, as hereinbefore provided,

March 11, 1954.

shall, in proportion to the respective frontages of such properties, pay to the City such portion of the cost of such grading as may be from time to time determined by the Council.

(2) Any sums required to defray the cost of any such grading shall be deemed sums required for a City purpose within the meaning of Section 8 of The Municipal Affairs Act.

Subsection (6) of Section 559 is repealed and the following substituted therefor:

(6) The owners of properties fronting on the street or portion of a street so paved shall, in proportion to the respective frontages of such properties, pay to the City such portion of the cost of such pavement as may be from time to time determined by the Council.

Section 563 is repealed and the following substituted therefor:

563. (1) The Council may on the recommendation of the Committee direct that any sidewalk, whether the same has been previously covered or not, shall be covered with such permanent material and sod as the Council determines and be supplied with a curb and gutter.

(2) The Council may also on the recommendation of the Committee direct a curb and gutter to be laid along any sidewalk which has not been covered with permanent material as hereinbefore provided.

Section 565 is repealed and the following substituted therefor:

564. (1) The owners of property fronting on any sidewalk or curb and gutter shall, in proportion to the respective frontages of such properties, pay to the City such portion of the cost of constructing any such sidewalk, curb and gutter and any retaining wall, fence, parapet and sodding incidental thereto, as may be from time to time determined by the Council.

(2) The remainder of the cost of executing such work shall be paid by the City.

(3) The cost of covering the part of the sidewalk, including the cost of installing curb and gutter, situated at the intersection of two streets and common to the sidewalks of both shall be borne wholly by the City.

Section 567 is repealed.

Subsection (2) of Section 565A is repealed and the following substituted therefor:

(2) (a) The owners of properties fronting on the sidewalk so renewed shall, in proportion to the respective frontages of such properties, pay to the City such portion of the cost of executing such work as may be from time to time determined by the Council.

(b) The remainder of such cost shall be paid by the City.

(c) The cost of renewing the part of any sidewalk situated at the intersection of two streets and common to the sidewalks

March 11, 1954.

of both shall be borne wholly by the City.

(d) Nothing in this Section contained shall be construed to prevent the City from time to time repairing portions of any sidewalk which may require repair at the expense of the City.

Subsection (6) of Section 560 is repealed and the following substituted therefor:

(6) The owners of properties fronting on a street or portion of a street so paved shall, in proportion to the respective frontages of such properties, pay to the City such portion of the cost of such paving as may be from time to time determined by the Council.

Section 597 is repealed and the following substituted therefor:

597. (1) Whenever any public sewer is built in any street the owners of properties on either side of the street fronting on such sewer in the manner provided in the next succeeding Section shall, in proportion to the respective frontages of such properties, pay to the City such portion of the cost of the construction of such sewer as may be from time to time determined by the Council.

(2) (a) Whenever, in order to serve any property fronting on a street, it is deemed by the Council to be impossible or not economical to build a sewer in such street, the City may build such sewer in such place as it may determine and the owner of the property served by such sewer shall, in proportion to the frontage of such property upon such street, pay to the City such portion of the cost of such sewer as may be from time to time determined by the Council; provided, however, that no owner shall be liable in respect of a sewer not built in a street if a sewer has been built in a street upon which such property fronts and the frontage charge has been assessed in respect of the same.

(b) For the purposes of clause (b) of subsection (1) of Section 598 the place in which a sewer is built under the provisions of the preceding subsection shall be deemed to be a street.

(3) The remainder of such cost shall be paid by the City.

Moved by Alderman Lloyd, seconded by Alderman Adams that the legislation be approved. Motion passed.

PENSIONS TO DEPENDENTS

Halifax, N. S.,
March 8, 1954.

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

The Finance and Executive Committee at a meeting held on the above date considered the matter of the extension of pension benefits to widows and minor children of civic employees.

It was agreed to recommend that legislation be obtained at

March 11, 1954.

the present session of the Legislature enabling the City of Halifax to pay to those widows of employees of the City of Halifax, who since January 1, 1951 have passed away before receiving a pension, a grant equal to one-half of what the employee would have received had he retired on pension at the date of his death, plus a grant of \$150.00 for each child up to the age of 16 years, such grant to cease upon the child attaining the age of 16; that the grant to the widow be voidable should she remarry but the children's grant shall continue.

That any widows presently receiving compensation from the City shall be excluded from this benefit except as to the amount by which this benefit exceeds the grant which they are then receiving:

That in cases where widows have received a lump sum payment, such payment will be applied in reduction of the benefit under this plan at the rate of one-tenth per annum.

That where a grant in lieu of pension has been given to any employee, upon his death the widow shall be entitled to receive until her death or remarriage, one-half of such grant together with the payments of \$150.00 in respect of each child;

That those people who died on pension and left widows, the City shall pay one-half of the pension to such widows.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman Lloyd, seconded by Alderman Kitz that the report be approved.

Alderman Ahern suggested that each child should receive \$250.00 rather than \$150.00.

Alderman Dunlop: "Does it call for any increased contribution from the employees?"

His Worship the Mayor: "No, it is a voluntary grant by the City."

Alderman Dunlop: "Any estimate as to the cost?"

His Worship the Mayor: "From a report we have it is approximately \$5,300.00."

Alderman Dunlop: "Is that amount liable to increase? I would like to see the new plan provide for dependents. I think that is a grave omission. I think the employees should be asked if they wish to have it and if so it should go back to the first of the year."

March 11, 1954.

Alderman Lloyd: "By doing for these we would be more or less committing ourselves to do the same for those under the present plan, but we would have to work out a change in the contribution on our part as well as the employee in order to make it effective. We admitted in the Committee that it is an omission which should be cared for."

Alderman Vaughan: "It will mean an extra 2% for the employee and employer to provide some benefit."

Alderman Moriarty: "\$250.00 to a widow with children is a very small amount to bring up her family on."

His Worship the Mayor: "Under the Provincial legislation the widow qualifies for a widow's allowance. We should not get too generous. In some cases it becomes a substantial amount. I was satisfied to see it go through on a one year basis and that we would seek new legislation next year. The legislation does not limit it to one year, but in another year we will have the opportunity to change it."

Alderman Moriarty felt that a widow with two children would have a difficult time living on \$1,100.00 a year.

His Worship the Mayor gave as an example the case of Mrs. John Spruin.

Alderman Vaughan: "The Provincial Government will reduce the grant to the widow."

Alderman Dunlop: "I know the amounts are reduced by the income."

His Worship the Mayor suggested adding to the legislation the following: "that in no case shall the payment be an amount which will affect the amount payable under the Widow's Allowance Act."

Alderman Dunlop: "This is only permissive."

His Worship the Mayor: "Each case will be considered on its merit anyway."

The motion was put and passed.

March 11, 1954.

LEGISLATION

(1) The City May pay to the widow of any employee of the City entitled to receive a pension or retiring allowance from any superannuation fund to which the City contributes, including any officer or member of the Police Force or Fire Department, whose death occurred subsequent to the first day of January, 1951, and prior to his becoming entitled to receive any pension, until her death or remarriage, whichever event shall first occur, an annual allowance equal to one-half of the sum which such employee would have been entitled to receive from such superannuation fund if such employee had been retired from his employment with the City or Police Force or Fire Department as of the date of his death, together with the sum of one hundred and fifty dollars per annum in respect of each child of such employee while such child is less than sixteen years old.

(2) The City may pay to the widow of any employee of the City who dies subsequent to the first day of January, 1951, after having become entitled to receive an annual allowance under the provisions of any superannuation fund to which the City contributes or who, not having been so entitled, has been in his lifetime in receipt of an allowance from the City in lieu of such allowance from any such fund, until her death or remarriage, whichever event shall first occur, an annual allowance equal to one-half of the amount of such annual allowance received by such employee in his lifetime from any such superannuation fund or one-half of the amount so received by him from the City in lieu thereof, as the case may be, together with the sum of one hundred and fifty dollars per annum in respect of each child of such employee while such child is less than sixteen years of age.

(3) If any such widow shall remarry the payment of the said allowance to her shall cease, but the payment of the sums hereinbefore authorized to be paid in respect of any child of such employee may be continued until such child has attained the age of sixteen years. Upon the death of any such widow, the payment of the sums in respect of any such child may be continued to be made to any guardian or trustee of such child until such child has attained the age of sixteen years.

(4) Any widow of an employee of the City, including any officer or member of the Police Force or Fire Department, who is in receipt of an annual allowance from the City, shall not be entitled to receive an annual allowance calculated on the basis hereinbefore set out except to the extent that the annual allowance provided by this Section exceeds the annual allowance which such widow has been heretofore receiving. Nothing in this subsection contained, however, shall prevent the City from paying to any such widow the sums hereinbefore provided to be paid annually in respect of any child of such employee while such child is less than sixteen years of age.

(5) In any case in which the City has made a grant in one sum to the widow of any employee whose death occurred subsequent to the first day of January, 1951, to which widow the City is authorized to pay an annual allowance under the provisions of subsections (1) and (2) of this Section, any annual allowance so paid to any such widow under the authority of such subsections shall, during the first ten years in which the same is so paid, be reduced by a sum equal to one-tenth of the said grant so made to such widow.

March 11, 1954.

Moved by Alderman Lloyd, seconded by Alderman Kitz that the legislation be approved. Motion passed.

HALIFAX DARTMOUTH BRIDGE APPROACHES

The City Manager suggested that this matter be deferred until the next meeting of Council.

Moved by Alderman Vaughan, seconded by Alderman Hatfield that the suggestion of the City Manager be approved. Motion passed.

AMUSEMENT TAX

Halifax, N. S.,
March 8, 1954.

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

A letter from the Town Clerk of Amherst advising that the Town Council is making representations to the Union of Nova Scotia Municipalities to have the amusement tax on Municipally operated community centres abolished and requesting this Council to take similar action was considered by the Finance and Executive Committee at a meeting held on the above date.

Your Committee recommends that the same request be made respecting the operation of such centres in the City of Halifax.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman Vaughan, seconded by Alderman Ahern that the report be approved. Motion passed.

RE-ASSESSMENT

Halifax, N. S.,
March 10, 1954.

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

At a meeting of the Finance and Executive Committee held on the above date, the matter of a re-assessment in the City of Halifax was considered.

Your Committee recommends that City Council undertake a re-assessment and that legislation be obtained to enable the City to borrow a sum sufficient to defray the cost of the re-assessment from any person, bank or fund available and amortize the re-payment of same over a period not exceeding 5 years.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Moved by Alderman Lloyd, seconded by Alderman Vaughan that

March 11, 1954.

the report be approved.

Alderman Ahern: "I am against this. I don't think the City can afford it. I fear the outcome. I don't think this is the time for a re-assessment."

The motion was put and passed with Alderman Ahern wishing to be recorded against.

LEGISLATION

Any sums required by the City to defray the cost of a re-assessment of the real property in the City may be borrowed by the City from any fund, or any bank, person or corporation available, and the Council shall provide for the amortization of such sums, with the interest thereon, by inclusion of the same in the annual estimates of the City for a period not exceeding five years, commencing in the year 1954.

The Charter is amended by inserting therein, immediately following Section 387 thereof, the following Section:

387A. In any case where the value of real property for purposes of assessment for real property tax, business tax, household tax or other occupation tax has been heretofore fixed by any enactment, the value of such property for purposes of such assessment in respect of the year 1955 and of subsequent years as the amount of such fixed value bore to the actual value of such real property as determined by the assessor in respect of the year 1954.

At this time His Worship the Mayor advised Council that two gentlemen were present from the Public Administration Service of Chicago and stated that they had advised the Finance and Executive Committee the procedure to be followed in a re-assessment if Council so approved. He then introduced the Messrs. Schaffer and James to the Council.

Moved by Alderman Lloyd, seconded by Alderman Vaughan that the legislation be approved. Motion passed.

CLAIM FOR DAMAGE TO POLICE CAR \$49.55

Halifax, N. S.,
March 3, 1954.

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

The Safety Committee at a meeting held on the above date agreed to recommend that a cheque of the Eagle Star Insurance Co. Ltd. for the sum of \$49.55 be accepted in full settlement of the City's claim for damages to a Police Car, which was involved in an accident on Kempt Road, January 9, 1954.

Respectfully submitted,
W. P. Publicover, CITY CLERK.

March 11, 1954.

Moved by Alderman MacMillan, seconded by Alderman Moriarty that the report be approved. Motion passed.

CLAIM FOR DAMAGE TO TREE \$5.00 & TRUCK \$63.50

February 22nd, 1954.

PAYMENT OF DAMAGE CLAIMS

His Worship the Mayor and
Members of City Council.

At a meeting of the Committee on Works held on February 18th, 1954, cheques were submitted from Insurance Companies in settlement of damage claims as follows:-

1. Ross and Denyar, for damage to truck. The Prudential Assurance Co. Ltd. - Cheque \$ 63.50
2. F. W. Annand Ltd., for replacing tree damaged on Rainnie Drive, Canada Accident and Fire Assurance Co. - Cheque - \$ 5.00

The Committee recommended that payments be accepted and that the Mayor and City Clerk be authorized to execute releases on behalf of the City.

Respectfully submitted,

W. P. Publicover,
City Clerk,

Per J. B. Sabeau,
Clerk of Works.

Moved by Alderman MacMillan, seconded by Alderman Moriarty that the report be approved. Motion passed.

PAYMENT OF CLAIM FOR DAMAGE TO TIRE - MR. GARTH
DOOKS \$ 20.00

To: His Worship the Mayor and
Members of City Council

From: Clerk of Works

Date: February 23rd 1954

Subject: Claims - P. Connell and Garth E. Dooks

At a meeting of the Committee on Works held on February 18th 1954 the following claims were considered:-

P. Connell - Claim for \$37.20 to cover cost of a tire and tube damaged when the right front wheel of his car struck a hole in the street at the intersection of Bloomfield Street and Gottingen Street, in front of the entrance to Stadacona Barracks.

Garth E. Dooks - Claim for \$20.00 in settlement of replacing a tire and tube damaged by striking the same hole at the intersection of Bloomfield and Gottingen Streets.

The Committee recommended that Mr. Dooks be paid \$20.00

March 11, 1954.

in settlement of his claim, and that Mr. Connell's claim be referred to the City Manager to effect a settlement.

Respectfully submitted,

W. P. Publicover,
CITY CLERK.

Per J. B. Sabeau,
Clerk of Works.

Moved by Alderman MacMillan, seconded by Alderman Dunlop that the report be approved. Motion passed.

PAYMENT OF CLAIM FOR DAMAGE BY BLASTING MR. NORMAN VERGE \$62.85

To: His Worship the Mayor and
Members of the City Council.
From: Clerk of Works
Date: March 11, 1954
Subject: Blasting Claim - Mr. Norman Verge - \$62.85

At a meeting of the Committee on Works held on this date the attached report from the Deputy Commissioner of Works relative to a claim from Mr. Norman Verge for damage to his car caused by blasting by City Workmen on Barrington Street, between Artz and North Street, was considered.

The Committee recommended that Mr. Verge be offered \$75.00 in full settlement of his claim.

Respectfully submitted,

W. P. Publicover,
City Clerk.

Per J. B. Sabeau,
Clerk of Works.

Moved by Alderman MacMillan, seconded by Alderman Dunlop that the report be approved. Motion passed.

PAYMENT OF CLAIM NATIONAL RESEARCH COUNCIL FOR WIDOWS
\$47.67

To: His Worship the Mayor and
Members of City Council.
From: Clerk of Works
Date: March 8th 1954
Subject: Invoice - Canadian Pittsburgh Industries Ltd. - \$47.67

At a meeting of the Committee on Works held on March 4th, the attached invoice from the Canadian Industries Ltd., amounting to \$47.67, covering the cost of replacing glass in the National Research Council building on Oxford Street, which was accidentally broken during snow removal operations, was recommended to City Council for payment.

Respectfully submitted,
W. P. Publicover, City Clerk,
Per. J. B. Sabeau, Clerk of Works.