

272

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Proposed Municipal Act and Its Administration

Comprehensive Treatment of Municipal Legislation Will Reduce Abuses in Administration as Practised in the Province—Need for Amendment in a few Particulars.

One of the most important bills that will come before the attention of the Legislature of British Columbia, now sitting at Victoria, apart from the grave questions connected with reconstruction and readjustment, is the "Act Respecting Municipalities," which has just been laid before the Parliament. This Act has been drawn up by the inspector of municipalities, Mr. Robt. Baird, in collaboration with Solicitor McDiarmid, of the Union of British Columbia Municipalities. The proposed Act has been prepared after a mature study of municipal administration with great regard as to detail by Inspector Baird, and has been whipped into legal form by the municipal solicitor. Mr. Baird is well qualified to draft this bill. He has had a university training, has taught school, and has acted as bank manager until his appointment four years ago, when the position he now occupies was created. Since his appointment he has made a profound study of municipal affairs in British Columbia and has come into close contact with the best thought on municipal questions in North America, with the result that he has evolved an Act which will supplant all other municipal acts passed by previous legislatures, which is sane, comprehensive and workable, and a decided improvement upon present municipal administration and practise. We are glad to note that the Attorney-General under whose department the Inspector works, will father the bill through its course in the House, and we trust he will use his best efforts to see that the Act drawn on these lines is made law at this session.

In what follows we shall seek to summarize its salient features and comment on what we consider some of its weaknesses. The Act provides that all of the municipalities of the Province shall come under its jurisdiction and be supervised by a local government board which shall be appointed by the Lieutenant-Governor in Council, and shall consist of three persons who shall hold office during the pleasure of the Crown. The present position of Inspector

of Municipalities will be maintained, and he shall also act as secretary of the board. The present methods of certification of money by-laws shall be maintained as at present.

The Act goes on to describe the constitution and government of municipalities, extension and limits of same, disincorporation and governmental procedure of municipal councils whose duties and powers are variously abridged or extended according to best modern practise. The duties of municipal councils are minutely set out with powers and procedure definitely stated.

A new feature of the Act calls for the creation of a board of control in municipalities having a population of 15,000 or more, consisting of the Reeve or Mayor and two controllers, elected by the municipality at large. The powers and duties of the Board of Control are specified and from a cursory examination of this part of the Act the municipal council seems to have some control over this Board of Control where it is acting in the opinion of the council against public interest. The powers of the municipal council, or in case the citizens choose to operate under the Board of Control, are specifically stated in close detail, commencing with the collection, appropriation, expenditure, management and accounting of municipal revenue and proceeding to section 120, being the power to regulate the position of roads and sidewalks to be constructed within the municipal area by and with the consent of local government board. With its powers, the municipal council may, by by-law, grant various aids, and deal with parks, ferries, highways, execution of

judgment, epidemics, administration of justice, with coroners, fair wages, collections under distress act, poor, compensation to owners of properties, etc.

It is, however, with finance that our interest is most concerned, and it is with financial questions that the Act is precise and definite. No municipal council shall have power to incur any liability beyond the amount of the municipal revenue for the current year which at the time remains unexpended, nor may municipal moneys be expended without conforming to the formalities prescribed in the Act. The council may borrow money without submitting the by-law to the electorate to meet and pay in-

PROPOSED MUNICIPAL ACT AND ITS ADMINISTRATION

SPRINKLER PROTECTION IN REDUCTION OF FIRE WASTE

TRADE OF BRITISH COLUMBIA WITH UNITED STATES

RECENT ANNUAL REPORTS

MINING THROUGHOUT BRITISH COLUMBIA.

TRUST COMPANY NOTES, COMPANY NOTES, INSURANCE MUNICIPAL, LUMBER, MINING AND OTHER INFORMATION