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No. 187.

4th Session, 8th Parliament, 62 Victoria, 1899

BILL.

An Act respecting the city of Ottawa.

First reading, August 2, 1899.

MR. FIELDING.

OTTAWA

Printed by S. E. DAWSON
Printer to the Queen's most Excellent Majesty
1899

An Act respecting the City of Ottawa.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows :—

1. The Minister of Finance and Receiver General is hereby Annual grant authorized.
 5 authorized to pay out of the Consolidated Revenue Fund of Canada, in the manner and for the purposes hereinafter set forth, the sum of sixty thousand dollars annually, for a period not exceeding twenty years from the first day of July, one thousand eight hundred and ninety-nine.
- 10 2. Such annual payment of sixty thousand dollars shall be Payable quarterly to credit of the Commission.
 made in four quarterly instalments of fifteen thousand dollars each, payable in advance, during the months of July, October, January and April in each year, and the amount of each such quarterly payment shall be paid by the Minister of Finance
 15 and Receiver General into a chartered bank, to be designated by him, to the credit of the Board of Commissioners hereinafter provided for, and hereinafter referred to as "the Commission", and no payment shall be made by such bank from
 20 any amount at the credit of the Commission except on the joint cheque of the chairman or acting chairman and the secretary or acting secretary of the Commission.
3. The Commission shall consist of four Commissioners, of Number of Commissioners and tenure of office.
 whom three shall be appointed by the Governor in Council and shall hold office during pleasure, and one shall be appointed by
 25 the Corporation of the City of Ottawa (hereinafter referred to as "the Corporation") and shall hold office for the period of one year from the time of such appointment, or for such period, not exceeding three years, as shall be determined by by-law duly passed by the Corporation: Provided however, that if
 30 the mayor or an alderman of the said city is appointed by the Corporation to be a Commissioner, he shall cease to hold office as Commissioner when he ceases to hold office as mayor or alderman, and the corporation shall thereupon appoint a Commissioner for the unexpired term. Provide: if mayor or alderman is a Commissioner.
- 35 4. The Commission shall be a body corporate under the name of "The Ottawa Improvement Commission," and shall have Incorporation of Commissioners.
 power to make such by-laws, employ such persons, and pay and defray such expenses as are necessary to enable them to carry into effect the purposes for which they are constituted,
 40 or any of the powers conferred on them by this Act; but no by-laws so made shall come into force or effect until approved Approval of by-laws.

by the Governor in Council, nor shall any alteration, modification or repeal of any such by-law have any force or effect until approved by the Governor in Council.

Chairman and secretary.

5. The Governor in Council shall designate one of the Commissioners appointed by the Governor in Council to be chairman of the Commission, and he shall hold office as chairman during pleasure; and the Governor in Council shall appoint a member of the public service of Canada to be secretary of the Commission, and the person so appointed shall discharge his duties as secretary of the Commission as a part of his official duties as a member of the public service of Canada. 5 10

Commissioners and officers unpaid.

6. The chairman and other members of the Commission, and the secretary thereof, shall serve without remuneration, but they shall be entitled to receive and be paid their actual disbursements for expenses necessarily incurred by them in the discharge of their duties under this Act. 15

Powers.

7. The Commission may—

Acquisition of property.

(a) Purchase, acquire and hold real property in the City of Ottawa, or in the vicinity thereof, for the purpose of public parks or squares, streets, avenues, drives or thoroughfares; 20

Public works.

(b) Do, perform and execute all necessary or proper acts or things for the purpose of preparing, building, improving, repairing and maintaining all or any of such works for public use; 25

Improvement of city.

(c) Co-operate with the Corporation, or with the Board of Park Management of the City of Ottawa, in the improvement and beautifying of the said city, or the vicinity thereof, by the acquisition, maintenance and improvement of public parks, squares, streets, avenues, drives or thoroughfares, and the erection of public buildings in the said city or in the vicinity thereof; 30

Expenditure of moneys.

And for all or any of the aforesaid purposes the Commission may expend the whole or any portion of the sums that are placed at their credit under this Act: provided that in case of local improvements being made by the Corporation in front of or along the line of property owned by the Dominion Government, the Commission may out of such moneys contribute thereto such share of the cost, or may perform such portion of such local improvements, as is agreed upon between the Commission and the Corporation. 35 40

Proviso: as to improvements near Government property.

Works for general advantage of Canada.

8. All works or undertakings of the Commission under clauses (a) and (b) of section 7 of this Act are hereby declared to be for the general advantage of Canada.

Acquisition of property.

9. No real property shall be purchased or acquired by the Commission, except with the previous consent of the Governor in Council; and should the Commission be unable to agree with the owner of the property, which they are so authorized to purchase, as to the price to be paid therefor, then the Commission shall have the right to acquire the same without the consent of the owner, and the provisions of *The Railway Act* 45 50

relative to the taking of lands by railway companies shall, *mutatis mutandis*, be applicable to the acquisition of such real property by the Commission.

5 **10.** The Commission shall from time to time and before making expenditures under this Act, submit to the Minister of Finance and Receiver General detailed estimates of the expenditures proposed to be made by them, which estimates shall be accompanied by such full information as is sufficient to enable the Governor in Council to determine as to the necessity or advisability of such proposed expenditures, or of any portion thereof; and no expenditure shall be made by the Commission under this Act until it has been approved by the Governor in Council.

Estimates to be approved.

15 **11.** The Commission shall render to the Minister of Finance and Receiver General and to the Corporation, on or before the first day of September in each year, detailed statements of all their receipts and expenditures up to the last day of June in such year; and copies of such statements shall be laid before Parliament by the Minister of Finance and Receiver General within the first fourteen days of the next following session thereof.

Annual statement.

25 **12.** The Commission shall, whenever required by the Minister of Finance and Receiver General, render detailed accounts of their receipts and expenditures for such period or to such day as he designates; and all books of account, records, bank books and papers of the Commission shall at all times be open to the inspection of the Minister of Finance and Receiver General, or of such person as the said Minister names to inspect them.

Accounts and inspection.

30 **13.** No member of the Commission nor the secretary thereof shall have any contract with the Commission or shall be pecuniarily interested, directly or indirectly, in any contract or work in regard to which any portion of the moneys at the credit of the Commission is being or is to be expended.

Commissioner and secretary not to have interest in works.

35 **14.** The annual grant payable under this Act shall be in full payment, satisfaction and discharge of all claims and demands by or on the part of the Corporation on the Government of the Dominion of Canada (hereinafter referred to as "the Government,") in respect of water supplied (including charges for street sprinkling) by the Corporation for use in and on all buildings, lands and premises in the said City of Ottawa (including Major's Hill Park), now owned, rented, leased or occupied, or hereafter to be owned, rented, leased or occupied by the Government, and also for use in and on Rideau Hall and Rideau Hall grounds and the Central Experimental Farm and the buildings thereon, and for use in and on all other buildings, lands and premises in the vicinity of the said City of Ottawa now or hereafter to be owned, rented, leased or occupied by the Government, and for fire protection by the Corporation to any of such buildings or premises, and all payments heretofore made by the Government to the Corporation for water supply, street sprinkling

Grant to be in satisfaction of certain claims.

and fire protection shall be discontinued ; and the said grant shall also be in full satisfaction and discharge of all other claims and demands on the Government by or on the part of the Corporation.

Certain agreement not affected except as herein.

15. Nothing herein shall in any way alter or change the agreement now existing between the Government and the Corporation with regard to the control and possession by the Government of the said Major's Hill Park, the abolition of tolls on and the free use by the public of the Union Bridge over the Ottawa River connecting the cities of Ottawa and Hull, and the maintenance and repair and keeping in repair by the Government of the following bridges and sidewalks in the said City of Ottawa, namely :—the bridges over the Rideau Canal, known as the Dufferin, Sappers', and Maria Street bridges, the bridges over the Chaudiere slides, and the sidewalks on the east side of Elgin Street and on the south side of Maria Street in front of and along the side of Cartier Square ; or shall in any way alter or change any of the provisions of such agreement except as in this Act provided.

Agreement altered as to Wellington street.

16. So much of the said agreement referred to in the last preceding section as relates to the repair and maintenance and the keeping in repair by the Government of that portion of Wellington street in the said city between Dufferin bridge and Bank street, and the repair and maintenance of good and sufficient sidewalks on both sides of the said portion of Wellington street, is hereby cancelled, and the following substituted therefor, namely :—That the Government shall repair and maintain good and sufficient sidewalks on the northern side of that portion of Wellington street in the said city between Dufferin bridge and Bank street, and on so much of the southern side of the said portion of said street as is in front of property owned by the Government, and shall keep in repair the roadway of the said portion of Wellington street between Dufferin bridge and Bank street, as it now exists, and should it be deemed desirable that an asphalt or other improved pavement be hereafter placed on the said roadway, such work shall be done by the Corporation in the same manner as similar works are done in other portions of the city, nothing herein contained to be construed as releasing property holders on the said portion of Wellington street from any obligation imposed upon them by law as regards payment of any taxes or rates in respect of their property on the said street.

Approval of Act by Corporation by-law.

17. The Governor in Council shall not appoint any commissioner under this Act, and no payment shall be made hereunder, until all the provisions of this Act have been accepted and approved by by-law duly passed by the Corporation.

What by-law shall provide.

2. Such by-law shall provide that the Corporation shall at all times while such annual grant is paid as aforesaid furnish an adequate and sufficient supply of water for use in and on all buildings, lands and premises in the said City of Ottawa now owned, rented, leased, or occupied, or to be hereafter owned, rented, leased or occupied by the Government, and also for use in and on Rideau Hall and Rideau Hall grounds, and the

Central Experimental Farm and buildings thereon, and for use in and on all other buildings, lands and premises in the vicinity of the said city now or hereafter to be owned, rented, leased or occupied by the Government, and shall also provide
5 an efficient fire protection for any and all of such buildings and premises, and shall also provide for the sprinkling of the streets in front of such buildings, lands and premises, including the bridges in the said city maintained by the Government.

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