

MINUTES OF REGULAR MEETING OF CITY COUNCIL HELD WITHIN THE COUNCIL CHAMBER ON MONDAY, THE 19TH DAY OF JULY, 1909 AT 8 O'CLOCK, P.M.

His Worship Mayor May presiding and all the Aldermen present, excepting Alderman Braim.

Letter - R.W. Hodson, Live Stock Commissioner, Victoria, informing the Council that arrangements were being made, re Major Shepherd lecturing for the Council on Roadmaking. Filed.

Letter - Westminster Iron Works offering to furnish garden seats suitable for parks at \$125 per dozen. Filed.

Letter - F.A. Allen, complaining of probable danger to adjoining property from fire because of combustible material and rubbish laying on Lot 7, Block 153, D.L. 274, and Lot 8, Block 165, D.L. 274, and requesting the Council to notify owners to clear their properties.

Referred to Board of Works and City Engineer to investigate and if satisfied that danger exists, Clerk to notify owners to remove cause in compliance with Fire, Suppression, and Prevention Bylaw.

Letter - Messrs. Martin and Smith asking Council to have ditch in front of the S.E. Corner of 1st Street and St. George's Avenue, cleaned out. On motion of Alderman Young seconded by Alderman Dick referred to Board of Works Committee to act.

Letter - Fraser & McNabb, reporting that they had examined the Furnace at the City Hall and found that the grate was broken. Clerk instructed to request Messrs. Fraser & McNabb to replace broken grate with a new one.

Letter - Mrs. Fanny Brimmacombe calling Council's attention to the urgent necessity for opening up 6th Street between St. Andrews and St. David's Avenues. On motion of Alderman Young seconded by Alderman Schultz referred to Board of Works Committee.

Letter - S.A. Fletcher, Government Agent, New Westminster, advising that hearing of applications for Water Records would take place at his office on 3rd August next at 11 o'clock a.m. The City Solicitor, the City Engineer, Alderman Schultz, Alderman Young and Alderman Dick were appointed to represent the Council at the hearing.

Letter - Dr. J.A.E. Campbell, Medical Health Officer, suggesting that Council acquire a piece of land suitable for dumping garbage and refuse. On motion of Alderman Young seconded by Alderman Schultz referred to Board of Works Committee to bring in a report.

Letter - Taylor, Hulme & Innes, with statement of claim of the Diplock, Wright Lumber Co. for services rendered by their men and for damages in connection with Bush Fire which occurred near their mill in the month of June last. On motion of Alderman Dick seconded by Alderman Schultz resolved that Messrs. Taylor, Hulme & Innes be notified that Council do not acknowledge any responsibility or liability in this matter.

The following opinion, received from Mr. E.P. Davis, K.C. with reference to the Local Improvement General Bylaw was read to the Meeting:

In the first place I fully agree with the opinion already given with reference to the exemptions of the Indian Reserve and the Indian Mission Schools, also in the statement that the City cannot contribute more than one half the cost of any local improvement.

As to Bylaw No. 4, I do not see that there is any objection to its containing an interpretation clause merely for the purpose of putting a meaning upon certain words used in the Bylaw itself, but wherever the provisions of the Bylaw go further than the provisions of the Municipal Act allow, some instances of which are given in Messrs. Wilson, Senkler & Bloomfield's letter, the Bylaw is bad. There are however, a number of thins in this Bylaw which must be provided for in some way by the Council, and it seems to me that it might be well not to repeal the whole Bylaw but only such portions of the same as conflict with the Municipal Act, and when that has been, pass a Special Bylaw in such instances, on the lines of the model Bylaw attached as Schedule "A" to the Vancouver city Incorporation Act 1907. This course might be more convenient than repeating the general provisions in every special Bylaw that was passed.

I may also say that I agree with the opinions contained in the letters of Messrs. Wilson, Senkler & Bloomfield dated respectively May 10th and May 17th, 1909.

Fee for opinion \$25.00.

Yours truly,
(Signed) E.F. Davis.

On motion of Alderman Schultz seconded by Alderman Dick, resolved that the City Solicitor be instructed to prepare for submission to next Council Meeting, a Bylaw to repeal such portions of the Local Improvement General Bylaw as conflict with the Municipal Clauses Act.

Upon enquiry being made by Alderman McNeish as to whether any information was to hand with reference to the intentions of the McDougall, Jenkins, Engineers Limited, Alderman Dick intimated that he was unofficially informed that the Company intended establishing their works in North Vancouver.

Upon the Mayor intimating that the Council at their last Meeting had decided to defer consideration of the question of Sunday Closing of Bar-rooms until a full

Council meeting, Alderman Young moved that that motion be rescinded. The motion was seconded by Alderman Schultz and on being put to the Meeting was declared carried.

Alderman Dick and Alderman McNeish dissenting.

Alderman Young thereupon moved that a ballot be taken on the question "shall the sale of intoxicating liquor be restricted in this City on Sunday". The motion was not seconded.

Alderman Dick moved, seconded by Alderman McNeish, that consideration of the question be deferred until the Hotel Keepers were granted an opportunity of addressing the Council on the subject and until a full Council Meeting; but after some further discussion this motion was withdrawn.

Alderman Dick then moved that Alderman McNeish and Alderman Schultz be appointed a Committee to report whether there was not ample provision in the Provincial Statutes to deal with the case. This motion was not seconded.

The Chairman declared the discussion at an end.

Mr. Peter Larson, Proprietor of the Hotel North Vancouver then addressed the Council and presented the case from the Hotel-keeper's standpoint after which Alderman Young moved that the question be laid on the table until such time as the Council choose to take it up again. The motion was seconded by Alderman McNeish and on being put to the Meeting was carried unanimously.

Dr. Verner appeared before the Council and requested that the Owners of the Lot adjoining his new residence abutting on Victoria Park be ordered to clear his property of rubbish and combustible material. Clerk instructed to notify Owner accordingly.

The Board of Works recommended that the Council at once proceed with the completion of 3rd Street improvements and on motion of Alderman Dick seconded by Alderman McNeish, the City Engineer was instructed to prepare and submit estimates of the City's share of the work not to exceed 50% of the total cost, and the Clerk was directed to notify the Owners of Property benefited, that the work of completing both contracts was to be immediately proceeded with.

The council was of the opinion that it was not necessary to hold another Court of Revision on this work.

On motion of Alderman Young seconded by Alderman McRae, it was resolved that the work still remaining to be done on 3rd Street grading and sidewalk contracts, be carried out by day labour under the direct supervision of the City Engineer, and further that the City Engineer be granted full authority to immediately proceed with the work.

Alderman Dick and Alderman McNeish dissenting.

On motion of Alderman Dick seconded by Alderman Schultz, the Engineer was instructed to make and return an estimate of the charge per linear. feet of main and branch sewers.

The Council thereafter adjourned.

Signed: Wm. H. May, Mayor