



ORDINANCES
OF THE
YUKON TERRITORY

PASSED BY THE
YUKON COUNCIL

IN THE YEAR
1965
SECOND SESSION

G. R. CAMERON
COMMISSIONER

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1965 (SECOND SESSION)

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CHAPTER 1

ORDINANCES OF THE YUKON TERRITORY

1965 (Second Session)

AN ORDINANCE RESPECTING LOCAL IMPROVEMENT DISTRICTS

(Assented to December 14th, 1965)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

SHORT TITLE.

- 1. This Ordinance may be cited as the *Local Improvement District Ordinance*. Short title.

INTERPRETATION.

- 2. In this Ordinance, Definitions.
 - (a) "District" means an area of the Territory established as a Local Improvement District under this Ordinance; "District."
 - (b) "fiscal year" means the twelve months ending the 31st day of March; "Fiscal year."
 - (c) "land" includes lands, tenements, hereditaments and buildings; "Land."
 - (d) "local improvements" means the supply of water, electricity or gas, and the provision of sewage and garbage collection services and other services normally found in organized communities; "Local improvements."
 - (e) "occupant" includes the resident occupier of land or, if there is no resident occupier, the owner or leaseholder thereof; "Occupant."
 - (f) "taxpayer" means a person whose name appears on the Tax Roll pursuant to the *Taxation Ordinance*, in respect of property within a District or a proposed District; and "Taxpayer."
 - (g) "trustee" means any person elected or appointed a trustee of a District under this Ordinance. "Trustee."

ESTABLISHMENT OF DISTRICTS.

Establishment of District.

3. (1) Whenever the Commissioner is satisfied that conditions in any area of the Territory, not contained in a municipality, warrant participation by taxpayers and occupants of land in that area in the operation of local improvements therein, he may by order establish a Local Improvement District.

Notice.

(2) The Commissioner shall give notice of his intention to establish a District

(a) by registered mail to all taxpayers of the proposed District; and

(b) in at least one issue of the *Yukon Gazette*.

Appeal.

(3) Any taxpayer of the proposed District may, within three weeks from the mailing of the notice provided for by subsection (2) or the publication of the notice in the *Yukon Gazette*, whichever occurs later, appeal in writing to the Commissioner against the establishment of the District.

Contents of establishment order.

4. An order establishing a Local Improvement District shall specify

(a) the name and boundaries of the District;

(b) the date and location of the first annual general meeting of the District;

(c) the name of the first three trustees appointed by the Commissioner; and

(d) the terms of office of the first appointed trustees.

Body corporate.

5. (1) The Taxpayers and occupants of a District established under section 3 shall be a body corporate having as its corporate name the name specified by the Commissioner in the order establishing the District.

Powers.

(2) The District shall have the power to purchase, acquire and hold land for the purpose of this Ordinance.

TRUSTEES.

Board of Trustees.

6. (1) Each District shall have a Board of Trustees consisting of three trustees.

(2) The Commissioner shall appoint the first three trustees of a District as follows:

Appointment of first trustees.

- (a) one to hold office until the first annual general meeting of the District;
- (b) one to hold office until the second annual general meeting; and
- (c) one to hold office until the third annual general meeting.

(3) Except for the first appointees, each trustee shall be elected to hold office for a term of three years.

Term of office.

(4) One trustee shall be elected at each annual general meeting.

Election at general meeting.

(5) Every person resident within a District who is a Canadian citizen or other British subject and has attained the age of twenty-one years and who

Qualifications of trustees.

- (a) is a taxpayer or spouse of a taxpayer in respect of real property within the District, with an assessed value of five hundred dollars or more, and
- (b) is not in arrears in the payment of his property taxes,

is eligible to hold office as a trustee.

(6) Every person resident within a District who is a Canadian citizen or other British Subject and has attained the age of twenty-one years and who

Qualifications of voters.

- (a) is a taxpayer or spouse of a taxpayer, or
- (b) is an occupant or spouse of an occupant who
 - (i) has resided within the area for not less than six months immediately prior to the date of the election, and
 - (ii) is liable for payment, directly or indirectly, of a yearly rental of not less than one hundred and eighty dollars in respect of his occupancy of real property within the District,

is eligible to vote at an election of trustees.

(7) The election of trustees shall be by secret ballot.

Secret ballot.

Election procedures.

(8) The procedures to be followed in the election of trustees shall be established from time to time by by-law.

Re-election of trustees.

(9) A trustee is eligible to be re-elected.

By-election.

7. (1) Subject to subsection (2), when the office of a trustee is vacant, the Board of Trustees shall within one month call a general meeting of the District for the purpose of holding an election to fill the vacancy.

By-election at annual meeting.

(2) Where the office of a trustee becomes vacant within one month before the next annual general meeting, the election to fill the vacancy shall be held at that meeting.

Appointment to fill vacancy.

(3) Where there is no candidate for the vacant office described in subsection (1) or, where for any other reason the vacant office is not filled by an election, the Commissioner shall appoint an individual to hold the office of trustee.

To serve for balance of term.

(4) An individual elected or appointed to fill the vacancy described in subsection (1) shall serve for the balance of the term of the office to which he is elected or appointed.

By-election procedures.

(5) An election to fill a vacancy in the office of a trustee shall be conducted in the same manner as the regular election of a trustee.

ANNUAL GENERAL MEETING OF DISTRICT.

Annual general meeting.

8. (1) An annual general meeting in each District shall be held during the first week in April in each year.

Board of Trustees to fix time and place.

(2) The Board of Trustees shall fix the time and place of each annual general meeting subsequent to the first meeting.

Notice of meeting.

(3) The Board of Trustees shall give notice of the time and place of the annual general meeting

(a) by posting notices in conspicuous places in the District; and

(b) by advertising in three issues of a newspaper circulating in the District beginning with an issue published not more than three weeks and not less than two weeks before the time set for the meeting.

Chairman of meeting.

(4) The Chairman of the Board of Trustees shall be the chairman of the annual general meeting and, in the

absence of the Chairman, the trustees shall appoint one of their number to act as chairman of the meeting.

(5) At the annual general meeting the Board of Trustees shall present a report of their activities during the past fiscal year and the meeting may pass resolutions for the guidance of the trustees.

Business of meeting.

MEETINGS OF BOARD OF TRUSTEES.

9. (1) The Board of Trustees shall meet at least once a month.

Board of Trustees meet once a month.

(2) The Board of Trustees shall hold its first meeting in each fiscal year not later than thirty days after the day on which the annual general meeting of the District was held.

First Board meeting in year.

(3) Two trustees shall constitute a quorum of the Board of Trustees, and a vacancy in the membership of the Board does not impair the right of the remaining members to act.

Quorum.

(4) The Board of Trustees, at its first meeting in each year and at its first meeting after a vacancy occurs in the office of chairman, shall designate one of its members to be chairman of the Board.

Chairman.

(5) The chairman may vote on any matter coming before the Board of Trustees and any question on which there is an equality of votes shall be deemed to be defeated.

Voting.

(6) Where the chairman is absent from any meeting of the Board of Trustees, the Board shall appoint one of its members to act as chairman.

Absence of chairman.

(7) Adequate records shall be maintained of all business transacted during a meeting of the Board of Trustees.

(8) The Board of Trustees may from time to time

Officers and salaries.

(a) appoint a secretary and such other officers and employees as in their discretion they may consider necessary to operate and maintain local improvements and to keep the records of the District; and

(b) subject to the approval of the Commissioner, fix the salaries or wages of the persons so appointed.

Annual allowance.

(9) The Board of Trustees may by resolution approve the payment of an annual allowance to each trustee that shall not exceed two hundred and fifty dollars per year.

COMMISSIONER.

Transfer of local improvements.

10.(1) The Commissioner may transfer local improvements in a District to that District.

Operation as agent.

(2) The Commissioner may authorize the trustees of a District to operate and maintain any local improvements in that District on his behalf and on such terms and conditions as he prescribes.

(3) The Commissioner shall on request being made therefor by trustees supply the trustees with all necessary accounting information including statements of revenues and expenditures and financial projections that the Commissioner has or can reasonably make available in respect of the district represented by the trustees.

DUTIES AND POWERS OF TRUSTEES.

Trustees are executive.

11. The Board of Trustees are the executive of a District and shall operate and maintain any local improvements in that District which are owned by the District or which they have been authorized to operate and maintain on behalf of the Commissioner.

Powers of trustees.

12. Subject to the approval of the Commissioner, the Board of Trustees shall have power to make by-laws

- (a) adopting procedures for the election of trustees;
- (b) regulating proceedings and preserving order at the meetings of the Board of Trustees and at the annual general meeting;
- (c) providing for the construction or acquisition of any buildings or works necessary for the operation and maintenance of any local improvement in their District;
- (d) prescribing the fees and charges that shall be levied for local improvements;
- (e) providing for the collection of the fees and charges; and

- (f) adopting such procedures as are necessary to enable it to perform its functions as set forth in this Ordinance.

13.(1) The Board of Trustees may from time to time call special general meetings of the District.

Special general meetings.

(2) The Board of Trustees shall give notice of the time, place and purpose of the special general meeting in the manner prescribed in subsection (3) of section 8.

14. The Board of Trustees shall act as an Advisory Council and, at the request of the Commissioner, shall advise him on local improvements and other matters concerning the District.

Board of Trustees as Advisory Council.

GENERAL.

15. The Board of Trustees may incur debts in the course of operating and maintaining local improvements that shall not exceed five thousand dollars unless otherwise authorized by the Commissioner.

Debt.

16. The Board of Trustees shall carry insurance to the extent required by the Commissioner to cover property damage and public liability arising out of the operation of the District.

Insurance.

17.(1) The Commissioner may appoint an Inspector of Local Improvement Districts who shall have such powers and duties as the Commissioner may assign to him.

Inspector.

(2) In the absence of any other person so appointed, the Territorial Treasurer shall be the Inspector of Local Improvement Districts.

May be Territorial Treasurer.

18.(1) Upon receipt of a petition signed by

Petition for dissolution.

- (a) a majority of the persons in a District eligible to vote at an election of trustees for that District, or
- (b) the Inspector of Local Improvement Districts, the Commissioner may, by order published in the *Yukon Gazette*, dissolve that District.

(2) A petition for dissolution of a District shall provide to the satisfaction of the Commissioner for the

Provisions of petitions.

winding-up of the corporation and for the payment and discharge of all debts and obligations of the District.

Assets of
District.

(3) Upon the dissolution of a District all property and assets of that District shall be transferred to the Commissioner of the Yukon Territory under such terms and conditions as the Commissioner considers necessary.

Regulations.

(4) The Commissioner may make such regulations as he considers necessary for the dissolution and winding-up of a District.



CHAPTER 2

ORDINANCES OF THE YUKON TERRITORY

1965 (Second Session)

AN ORDINANCE TO AMEND THE CREDIT
UNION ORDINANCE

(Assented to December 14th, 1965)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

R.O.Y.T.
1958 c.25.

1. Section 3 of the *Credit Union Ordinance* is hereby repealed and the following substituted therefor:

"3. The "Registrar" means the Registrar of Joint-stock Companies or other officer performing the duty of Registrar of Companies under the *Companies Ordinance*.

"Registrar."

CHAPTER 3

ORDINANCES OF THE YUKON TERRITORY

1965 (Second Session)

AN ORDINANCE TO AMEND THE LIQUOR ORDINANCE

(Assented to December 14th, 1965)

R.O.Y.T.
1958 c.67;
1959(1st)
c.6;
1961(2nd)
c.6;
1962(1st)
c.18;
1962(5th)
c.11;
1962(5th)
c.14;
1963(1st)
c.9;
1963(1st)
c.12;
1964(1st)
c.12;
1965(1st)
c.6.

Hours of
sale in
liquor stores.

Hours for off-
premises sale.

Sale pro-
hibited during
polling days.

Liquor store
hours for sale
to licensees.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. Section 9 of the *Liquor Ordinance* is repealed and the following substituted therefor:

“9 (1) Subject to this section liquor stores shall be open for the sale and delivery of liquor Monday to Saturday.

(a) in the City of Whitehorse from nine o'clock in the forenoon to six o'clock in the afternoon; and

(b) elsewhere from ten o'clock in the forenoon to twelve noon and from two o'clock in the afternoon to six o'clock in the afternoon.

(2) Where a licence for the sale of liquor for off-premises consumption subsists in any locality the Commissioner may, by order, vary the hours during which liquor may be sold in that locality for off-premises consumption.

(3) Nothing in this section authorizes the sale or delivery of liquor on a holiday or on the polling day of any election or plebiscite in the electoral district in which the liquor store is situate.

(4) The sale and delivery of liquor from liquor stores to licensees or their agents authorized in writing shall be made during such times as the Commissioner may establish.”

2. The said Ordinance is further amended by adding thereto immediately after section 12B thereof the following:

“12C. (1) The Commissioner may issue a licence allowing the retail sale of liquor in any licenced premises for off-premises consumption and may make all necessary regulations to establish hours, prices and serving facilities at such licenced premises and the fee for such off-premises licence shall be as set out in the Schedule hereto.

(2) Before issuing a licence under this section the Commissioner shall appoint a panel of three members who shall enquire into the public need for such licence in the light of other available outlets in the district, and who shall make recommendations to the Commissioner regarding the granting of such licence.”

3. Paragraph (b) of subsection (1) of section 19 of the said Ordinance is repealed and the following substituted therefor:

“(b) he is the true owner or a lessee having a written lease for not less than one year of the premises;”

4. Sections 24 and 25 of the said Ordinance are repealed and the following substituted therefor:

“24. (1) In the municipality of Whitehorse no liquor licence shall be granted except to a hotel that

Liquor
licences
Whitehorse.

(a) held a liquor licence on the 31st day of March, 1965, and that has at least fifteen furnished and serviced bedrooms regularly available for the accommodation of the travelling public in the case of a cocktail lounge or ten rooms in the case of a tavern;

(b) has at least thirty furnished and serviced bedrooms regularly available for the accommodation of the travelling public.

(2) In support of an application for a licence in the municipality of Whitehorse, the applicant must produce to the Commissioner a resolution of the City Council approving the granting of a licence.

25. In any municipality or settlement outside the municipality of Whitehorse no liquor licence shall be granted except to a hotel that

Liquor
licences
Outside
Whitehorse.

- (a) held a liquor licence on the 31st day of March, 1965, and that has at least fifteen furnished and serviced bedrooms regularly available for the accommodation of the travelling public in the case of a cocktail lounge or ten rooms in the case of a tavern;
- (b) has at least twenty furnished and serviced bedrooms regularly available for the accommodation of the travelling public."

5. (1) Subsection (1) of section 31 of the said Ordinance is repealed and the following substituted therefor:

"31. (1) Subject to subsection (2)

- (a) a tavern may be opened once each weekday and once opened must remain open for not more than fourteen consecutive hours between the hours of nine o'clock in the forenoon and twelve o'clock midnight except on the occasion of New Years Eve when the tavern may remain open until the hour of three o'clock in the forenoon of New Years Day unless New Years Day shall fall on a Sunday;"
- (b) a cocktail lounge, or a club may be opened once each weekday for the sale of liquor during a continuous period ending not later than two o'clock in the forenoon of the following day and may not be reopened during the ten hour period immediately succeeding the close of business, except on the occasion of New Years Eve when a cocktail lounge may remain open until the hour of three o'clock in the forenoon of New Years Day unless New Years Day shall fall on a Sunday;
- (c) a cabaret lounge may be opened once each weekday for the sale of liquor

during a continuous period ending not later than two o'clock in the forenoon of the following day and may not be reopened during the twelve hour period immediately succeeding the close of business except on the occasion of New Years Eve when a cabaret lounge may remain open until the hour of three o'clock in the forenoon of New Years Day unless New Years Day shall fall on a Sunday;

- (d) a mess or canteen may be opened during the hours endorsed on its licence."

(2) Section 31 of the said Ordinance is further amended by the addition thereto of the following:

"31. (7) The licensee of any premises licenced under this section shall give at least two weeks clear notice in writing to the Commissioner of his intention to close the licenced premises for any period exceeding 96 consecutive hours and in any such notice the licensee shall set out the time and date he proposes to re-open his licenced premises."

6. Subsection (3) of section 34 of the said Ordinance is repealed and the following substituted therefor:

"(3) No person under the age of twenty-one years shall enter or be found in or upon that part of any licenced premises where liquor is sold or kept for sale except a restaurant where liquor is sold or kept for sale and the presence of persons under twenty-one years of age in premises where liquor is being dispensed under a Banquet Permit or Special Occasion Permit is hereby authorized."

No minors
in part of
licenced
premises.

7. Section 39 of the said Ordinance is repealed.

8. Subsection (1) of section 86 of the said Ordinance is amended by adding thereto, immediately after paragraph (b) thereof, the following:

"(bb) on each one-half bottle of wine, five cents;"

9. Section 52A of the *Liquor Ordinances* is hereby repealed.

CHAPTER 4

ORDINANCES OF THE YUKON TERRITORY

1965 (Second Session)

AN ORDINANCE TO AMEND THE EVIDENCE
ORDINANCE

(Assented to December 14th, 1965)

R.O.Y.T.
1958 c.37.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. Section 68 of the *Evidence Ordinance* is repealed and the following substituted therefor:

Appointment.

“68. The Commissioner may, by one or more commissions, appoint notaries public for the Territory, but no person shall be so appointed unless he is a Canadian citizen and resides in the Territory.”

CHAPTER 5

ORDINANCES OF THE YUKON TERRITORY

1965 (Second Session)

AN ORDINANCE TO AMEND THE MOTOR
VEHICLES ORDINANCE

(Assented to December 14th, 1965)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

R.O.Y.T.
1958 c.77;
1960 (3rd)
c.3;
1961 (1st)
c.5;
1961 (2nd)
c.7;
1962 (1st)
c.21;
1962 (5th)
c.8;
1963 (2nd)
c.9;
1964 (1st)
c.9.

1. Subsection (2) of section 14 of the *Motor Vehicles Ordinance* is amended by deleting the word "Commissioner" where it appears therein and substituting therefor the word "Registrar"

2. Section 20 of the said Ordinance is amended by inserting immediately after the word "vehicle" where it appears therein, the words "or trailer".

3. Paragraph (e) of section 24 of the said Ordinance is amended by inserting, immediately after the word "Registrar" where it occurs therein, the phrase "within ten days".

4. Subsection (4) of section 25 of the said Ordinance is repealed and the following substituted therefor:

"(4) Subsection (1) does not apply to a member of a visiting force as defined in the *Visiting Forces (North Atlantic Treaty) Act of Canada*, if such member is in possession of

Exemption
for member
of a visiting
force.

(a) a valid driving permit issued by the Government of his country or a subdivision thereof; or

(b) a military driving permit issued by the Department of National Defence."

5. Subsection (3) of section 76 of the said Ordinance is repealed and the following substituted therefor:

Speed
outside
municipal-
ities.

“(3) No person shall drive a motor vehicle upon a highway in the Territory outside municipalities or settlements at a greater rate of speed than sixty miles per hour unless otherwise posted.”

6. Subsection (2) of section 147 of the said Ordinance is repealed and the following substituted therefor :

“(2) Where a motor vehicle has been impounded under section 146, and

- (a) the Registrar is satisfied that at the time of the accident the motor vehicle was a stolen motor vehicle ;
- (b) the only damage resulting from the accident is to the person or property of the owner and of the driver ; or
- (c) the driver, owner or other person in charge of the motor vehicle produces to an officer evidence that he is the holder of a motor vehicle liability insurance policy with liability coverage at least equivalent to that prescribed by section 8 in respect of the motor vehicle that is in full force

the Registrar shall order the release of the motor vehicle from impoundment unless it is required to be impounded by some other provision of this or any other Ordinance, or unless it is required by the Crown as evidence in the prosecution of a criminal offence.”

7. The said Ordinance is further amended by adding thereto, immediately after section 151A thereof, the following heading and section :

“Appointment of Tester

Appointment
of tester.

151B. (1) The Commissioner may appoint one or more qualified persons as testers of speedometers or other speed measuring devices used on motor vehicles or elsewhere for determining the speed of motor vehicles.

(2) In any prosecution under this Ordinance, a certificate bearing date not more than thirty days prior or subsequent to the date of the offence charged in the information or complaint, signed by a tester appointed under subsection (1) and stating the result of a test of the speedometer or other speed measuring device mentioned therein, shall be received as *prima facie* evidence of the facts stated therein and of the authority of the person issuing the certificate without proof of appointment or signature."

Certificate
of tester.

8. Section 164 of the said Ordinance is repealed and the following substituted therefor:

"164. Every person who violates a provision of this Ordinance or the regulations for which no other penalty is provided is guilty of an offence and liable on summary conviction

General
penalty.

- (a) for the first offence to a fine not exceeding one hundred dollars;
- (b) for a second offence to a fine not exceeding one hundred and fifty dollars; and
- (c) for a third or subsequent offence to a fine not exceeding two hundred dollars."

CHAPTER 6

ORDINANCES OF THE YUKON TERRITORY

1965 (Second Session)

AN ORDINANCE TO AMEND THE GARNISHEE ORDINANCE

(Assented to December 14th, 1965)

R.O.Y.T.
1958 c.2.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. Section 17 of the *Garnishee Ordinance* is repealed and the following substituted therefor:

Exemption
from
attachment.

“17 (1) Except as herein provided no debt due or accruing due to an employee for or in respect of wages or salary is liable to attachment under this Ordinance unless such debt exceeds the sum of six dollars per day for the period in respect of which the wages or salary are owing on the day the garnishee summons is served on the garnishee, and then only to the extent of the excess.

Additional
relief.

(2) Where the defendant or judgment debtor maintains dependants residing in the Yukon Territory he may, within twenty days after the service upon him of the garnishee summons, apply in Form B to the court for an order at the discretion of the court increasing such sum of six dollars to a sum not being greater than ten dollars per day and shall file in support thereof an affidavit of circumstance.

Appointment
of day.

(3) The court shall, upon being satisfied that the affidavit of circumstance discloses reasonable grounds for the application, appoint a day to consider the application and examine the applicant as to his circumstances.

Notice.

(4) Notice in Form C of such appointment shall be served on the plaintiff or judgment creditor or his solicitor in any way that a writ of summons may be served at least two clear days before the appointed day and served therewith shall be a copy of the application and affidavit of circumstance.

(5) The applicant must appear in person on the day appointed and in default no relief shall be granted.

(6) No appeal shall be taken from any refusal to appoint a day to consider the application or any order made by the court.

(7) Where the plaintiff or judgment creditor claims that an employee, in addition to a fixed money wage or salary is given board or lodging or the use of a house, or any other thing of value, in part payment of compensation for his service, the plaintiff or judgment creditor may apply, on not less than five days' notice, to the judge for an order appraising the money value of such board or lodging, use of house or other thing, and the value thus ascertained shall be deducted from the amount of the exemption to which the defendant or judgment debtor would otherwise be entitled."

Other benefits.

2. The Ordinance is hereby further amended by the addition thereto of the following section:

"19. The Schedule to the Ordinance is hereby amended by adding thereto the following forms:

Forms.

FORM B

Section 17(2)

Application for Relief

Court No.

In the Court,
Between of , plaintiff,
and
of , defendant,
and
of , garnishee.

The defendant herein applies to the court for an order increasing his relief from six dollars per day and files in support an affidavit of circumstance.

Dated the day of , 196 .

GARNISHEE

FORM C

Section 17 (4)

Notice of Appointment to
Consider Application for Relief

Court No.

In the Court,
 Between of , plaintiff,
 and
 of , defendant,
 and
 of , garnishee.

Take Notice that at a.m. or as soon there-
 after as the matter may be heard on the day of
 , 196 , the court will consider the
 defendant's application for relief. Filed herewith
 is a copy of applicant's affidavit of circumstance.

-----"
 Clerk

CHAPTER 7

ORDINANCES OF THE YUKON TERRITORY

1965 (Second Session)

AN ORDINANCE TO AMEND THE INTESTATE SUCCESSION ORDINANCE

(Assented to December 14th, 1965)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

R.O.Y.T.
1958 c.59;
1962 (1st)
c.19.

1. Section 3 of the *Intestate Succession Ordinance* is hereby repealed and the following substituted therefor:

“3. Subject to the provisions of section 18

(1) Where a person dies intestate leaving a widow and one child, one-half of his estate shall go to the widow.

Widow's share where widow and child survive intestate.

(2) Where a person dies intestate leaving a widow and children, one-third of his estate shall go to the widow.

Widow's share where widow and children survive intestate.

(3) Where a child of an intestate has died leaving issue and such issue is alive at the date of the intestate's death, the widow shall take the same share of the estate of the intestate as if the child had been living at that date.”

Widow's share where widow and issue of children survive intestate.

2. The said Ordinance is further amended by the addition thereto of the following:

“Part II

Special Relief

18. Where a person domiciled in the Territory dies intestate leaving a spouse and a child or children under the age of twenty-one years, an application may be made to the Court by the spouse for an order directing that all the estate shall go to the spouse or such other order as the Court may see fit, the provisions of section 3 notwithstanding.

19. Any application hereunder may be made by notice of motion styled in the matter of the estate of the deceased.

20. Notice of any application shall be served upon the Public Administrator of the Yukon Territory and such other persons as the Court may direct and notice of the application shall be advertised in the *Yukon Gazette* at least 14 clear days before the notice is returnable.

21. Subject to this Ordinance the practice and procedure of the Court upon applications in chambers shall, so far as the same are found to be applicable, apply to proceedings under this Ordinance.

22. An application shall be supported by an affidavit of the applicant setting forth fully all the facts in support of the application.

23. In addition to the evidence adduced by the applicant, the Court may direct such other evidence to be given as it deems necessary."



CHAPTER 8

ORDINANCES OF THE YUKON TERRITORY

1965 (Second Session)

AN ORDINANCE TO AMEND THE YUKON
HOUSING ORDINANCE

(Assented to December 14th, 1965)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

O.Y.T.
1961(2nd)
c.3;
1962(1st)
c.12;
1964(1st)
c.2.

1. Sections 5 and 6 of the *Yukon Housing Ordinance* are hereby repealed.
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**TABLE OF PUBLIC ORDINANCES
OF THE YUKON TERRITORY**

1958 to 1965 (Section Session)

Showing all the chapters of the Revised Ordinances 1958 with amendments thereto up to and including 1965 (Second Session).

SUBJECT MATTER	R.O. 1958 Chapter No.	AMENDMENTS
Adoption	1	
Agisters and Livery Stable Keepers	2	
Amusement Tax	3	
Annual Vacations	4	
Annuity Plan	5	
Apprentice Training	new	1964 (2nd) c.1
Arbitration	6	
Area Development	7	
Assignment of Book Debts	8	1963 (2nd) c.8-s.4
Bills of Sale	9	
Blasting	10	1964 (1st) c.5-s.5; 35
Bulk Sales	11	
Business Licence	12	1960 (1st) c.7-s.5(2); 9(2) added 1961 (1st) c.3-s.15 added; Sched. 1962 (1st) c.11
Cancer Diagnosis & Treatment	new	
Cemeteries	13	
Change of Name	14	
Chiropractic	15	
Choses in Action	16	
Citizenship Instruction Agreement	17	
City Frontage Tax (Whitehorse)	new	1960 (1st) c.3
City Frontage Tax (Dawson)	new	1964 (1st) c.1
Collection	18	
Companies	19	1962 (1st) c.13-s.298(3) 1964 (2nd) c.11-s.97A added; 101; 106; 111A added.
Conditional Sales	20	1964. (2nd) c.9-s2(ba) added; 2(g) added; 3(1)(2); 3(4)(5); 3A added; 7(1); 8; 12; 14; added; 16 & 17 added.
Contributory Negligence	21	
Controverted Elections	22	
Co-operative Associations	23	
Cornea Transplant	new	1962 (5) c.2
Coroners	24	
Corporation Securities	new	1963 (1st) c.3 1963 (2nd) c.6-s.13
Credit Unions	25	1965 (2nd) c.2-s.3
Creditors Relief	26	
Curfew	27	
Defamation	28	1963 (2nd) c.10-s.4

TABLE OF PUBLIC ORDINANCES

SUBJECT MATTER	R.O. 1958 Chapter No.	AMENDMENTS
Dental Profession	29	1964 (2nd) c.10-s.22A, 22B added; 23, 25, 26, 27 added.
Dependants Relief	new	1962 (1st) c.9
Devolution of Real Property	30	
Disabled Persons Allowance	31	1962 (1st) c.16-s.3(1); 4(a) 1964 (1st) c.4-s.3(1); 4(a)
Distress	32	
Dog	33	
Elections	34	1960 (3rd) c.4-s.4; 5(b)(c); 8; Sched.
Employment Agencies	35	
Engineering Profession	36	1961 (1st) c.8-s.2(bb)(i) added; 8; 12(i)(d)(e)(f); 12(2)(3) (4)(5); 13; 14(1); 16; 17(1) (2); 18; 20; 22; 25(2) added; 26(1)(3); 31; 32. 1963 (1st) c.7-s.17A added 1965 (1st) c.2-s.12
Evidence	37	1965 (2nd) c.4-s.68
Exemptions	38	
Factors	39	
Fair Practices	new	1963 (2nd) c.3
Fatal Accidents	40	
Ferries	41	
Financial Administration	42	1963 (1st) c.10-s.21 1964 (2nd) c.7-s.29; 30; 30A added
Financial Agreement	43	
Financial Agreement 1962	new	1962 (1st) c.4
Fire Investigation	44	Repealed by 1962 (5th) c.3
Fire Prevention	45	Repealed by 1962 (5th) c.3
Fire Prevention	new	1962 (5th) c.3
Fitness and Amateur Sport	new	1962 (5th) c.1
Floral Emblem	46	
Forest Protection	47	1963 (1st) c.11-s.11; 16(1)(a) 1st of July, 1963
Franchises:		
Mayo Utilities — Telephone		1952 (1st) c.6-1953 (1st) c.11- s.1; 2.
Electrical—Whitehorse		1954 (2nd) c.2
" Haines Junction		1958 (1st) c.13
" Watson Lake		1959 (2nd) c.3
" Carcross		1960 (3rd) c.1-1964 (2nd) c. 5-s.2 added
" Carmacks		1961 (1st) c.1-1964 (2nd) c. 4-s.2 added
" Teslin		1963 (1st) c.1-1963 (2nd) c. 11-s.2; 3 added 1964 (1st) c.13 Assent Reserved.
Frustrated Contracts	48	
Fuel Oil Tax	new	1962 (1st) c.6 1962 (5th) c. 15-s.3 1964 (2nd) c.6-s.3(3); 3(3a) added

TABLE OF PUBLIC ORDINANCES

SUBJECT MATTER	R.O. 1958 Chapter No.	AMENDMENTS
Fur Export	49	1961 (2nd) c.11-Sched. A
Game	50	1959 (1st) c.3-s.2(1); 8; 9A & 9B added; 14A added; 25(2); 27(1); 34(1); 36; 42(2); 49(1); 74(3)(4)(5); 81(b) 1959 (2nd) c.4-s.39(1) 1961 (2nd) c.10-s.78(3)(4) added; Sched. A; 9A added. 1964 (1st) c.10-Sched. A 1965 (1st) c.5-s.42
Garage Keepers	51	
Garnishee	52	1965 (2nd) c.6-s.17
Hospital Aid	53	Repealed by 1959 (1st) c.1
Hospital	new	1959 (1st) c.1 1960 (1st) c.4-s.2(b); 6. Repealed 1964 (2nd) c.13
Hotel Keepers	54	
Illegitimate Children	55	
Insane Persons	56	
Insurance	57	1959 (1st) c.4-Part III repealed 1962 (5th) c.7-s.48 1963 (2nd) c.5-s.131A added
Interpretation	58	1959 (1st) c.5-s.37 added
Intestate Succession	59	1962 (1st) c.19-s.5 1965 (2nd) c.7-s.3; Part II added
Judicature	60	1960 (3rd) c.5-s.14; 51(1) 1961 (1st) c.7-s.51(1) 1964 (2nd) c.8-s.17(a); 37
Jury	61	1961 (3rd) c.1-s.9; 14(5); 19(2)
Labour Provision	62	1961 (3rd) c.3-s. 3A added 1962 (1st) c.15-s.4; 6 1962 (5th) c.9-s.10; 11 added 1963 (2nd) c.12-s.7
Landlord and Tenant	63	
Legal Profession	64	1962 (1st) c.14-s.26 added
Legal Profession Accounts	new	1965 (1st) c.1
Legitimation	65	
Limitation of Actions	66	
Liquor	67	1959 (1st) c.6-s.12(1); 30(1); 30(3); 76(3) added 1961 (2nd) c.6-s.37(1) 1962 (1st) c.18-s.2(1)(y); 9; 12A; 12B; 12C; 12D; 12E; added, 12(2); 15(9)(10) (11)(13) added; 50(2); 31(1) (a)(b)(c); 31(2); 37(2); 76; 77.

TABLE OF PUBLIC ORDINANCES

SUBJECT MATTER	R.O. 1958 Chapter No.	AMENDMENTS
Liquor (con't.)		1962 (5th) c.11-s.12A(1). 1962 (5th) c.14-s.8(2) 1963 (1st) c.9-s.12A(7)(9); 12B(7); 12D(4); 15. 1963 (1st) c.12-s. 45 1964 (1st) c.12-s.7A added; 8; 9; 12; 12B; 12D; 14A added; 20; 31. 1965 (1st) c.6-s.2(1); 9; 12(2); 12A(1)(2)(5)(9); 12B(1)(2) (5)(6)(9); 12C; 12D(3); 23; 24; 25; 29(3); 31; 45(2) (b); 48; 50(4); 51(2); 52A added; 77(6); 86(1)(e); 86(1) (f) added; Schedule. 1965 (2nd) c.3-s.9; 12C added; 19(1)(b); 24; 25; 31(1); 31 (7); 34(3); 39; 86(1)(bb); 52A.
Loan Agreement (1961) No. 1	new	1961 (2nd) c.21
Loan Agreement (1961) No. 2	new	1961 (2nd) c.4
Loan Agreement (1961)	new	1961 (3rd) c.4
Loan Agreement (1962) No. 1	new	1962 (1st) c.2
Local Improvement District		1965 (2nd) c.1
Low Cost Housing	new	1962 (1st) c.1 1963 (1st) c.8-s.2; 3(2)(a); 3(2)(c); 3(3)(a); 3(3)(d); 4(1)(a) added.
Low Rental Housing Agreement	new	1962 (1st) c.3 1963 (1st) c.13 1963 (1st) c.13 Repealed 1962 (1st) c.8
Lords Day (Yukon)	new	
Maintenance	68	
Marriage	69	
Married Womens Property	70	
Masters and Servants	71	Repealed 1963 (2nd) c.2
Mayo Seaplane Base Agreement	new	1963 (2nd) c.4
Mechanics Lien	72	
Medical Profession	73	
Miners' Lien	74	1963 (2nd) c.7-s.4; 7A added 1964 (1st) c.11-s.7A
Mining Safety	75	
Motion Picture	76	
Motor Vehicles	77	1960 (3rd) c.3-s.5(2); 6(3)(6) (11)(12); 7(2); 8(1); 11(3); 13(c); 14(2); 15(2)(4); 19(1) (2); 22(1)(2)(6)(8); 27(2) (3) added; 29; 34(1); 34(3) added; 41(1)(4); 49A; 49B added; 138A added; 163(2); Sched. A & B. 1961 (1st) c.5-s.2; 49B 1961 (2nd) c.7-s.76(2) 1962 (1st) c.21-s.22(3); 22(6) (7); s.3 of Sched. A 1962 (5th) c.8-Sched. A1 &2 1963 (2nd) c.9-s.8; 25; 76; Sched. A 1964 (1st) c.9-s.151A added.

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SUBJECT MATTER	R.O. 1958 Chapter No.	AMENDMENTS
Motor Vehicles (con't.)		1965 (2nd) c.5-s.14(s); 20; 24(e); 25(4); 76(3); 147(2); 151B added; 164
Motor Vehicle Fuel Tax	78	Repealed by 1962 (1st) c.6
Municipal	79	Repealed by 1959 (2nd) c.1
	new	1959 (2nd) c.1 1960 (1st) c.6-s.99(aa) added; 288; Sched. B(d); Sched. B(g) added. 1961 (1st) c.6-s.109; 124(3); 133; 144; 238(b) 1961 (2nd) c.5-s.71(3) 1961 (2nd) c.9-s.122; 194 1961 (3rd) c.2-s.194 1962 (1st) c.22-s.194; 195; 228(1); 240. 1962 (5th) c.10-s. 34; 118; 194 1962 (5th) c.13-s.97A added; 121 1962 (5th) c.16-s.240(1) 1963 (1st) c.5-s.240 1964 (1st) c.8-s.232 1964 (2nd) c. 12-s.194; 195
Newspaper	80	
Noise Prevention	81	
Old Age Assistance and Blind Persons Allowance	82	1961 (1st) c.2-s.4(c) 1962 (1st) c.17-s.3(1)(2); 4(a)(b) 1964 (1st) c.3-s.3(1)(2); 4(a)(b)
Optometry	83	
Partnership	84	
Pawn Brokers and Second Hand Dealers	85	
Petroleum Products	86	
Pharmaceutical Chemists	87	
Police Magistrate's Courts	88	
Poll Tax	89	Repealed 1962 (1st) c.5
Pounds	90	
Presumption of Death	new	1962 (5th) c.5
Protection of Children	91	
Public Health	92	1959 (1st) c.8-s.2(g); 2(w); 3(x) added; Part II; 14; 17. 1961 (1st) c.9-Sched. A 1962 (5th) c. 12-s.3; 5; 6; 7; 8; 9; 10; 10A; 10B; Heading before II.
Public Printing	93	
Public Service	94	1962 (1st) c.20-s.11; 12 1962 (1st) c.23-s.18(1)(2)(3)(4) 1964 (1st) c.6-s.19
Reciprocal Enforcement of Judgments	95	
Reciprocal Enforcement of Maintenance Orders	96	
Recording of Evidence by Sound	new	1963 (2nd) c.1
Royal Canadian Mounted Police Agreement.....	new	1964 (2nd) c.2
Sale of Certain Lands (Whitehorse)	new	1960 (1st) c.1
Sale of Goods	97	

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SUBJECT MATTER	R.O. 1958 Chapter No.	AMENDMENTS
Saw Logs Driving	98	
School	99	Repealed by 1962 (1st) c.7
	new	1962 (1st) c.7
		1964 (1st) c.7-s.88
		1965 (1st) c.3-s.88A added
Scientists and Explorers	100	
Societies	101	
Steam Boilers	102	
Survivorship	new	1962 (5th) c.4
Taxation	103	Repealed by 1959 (2nd) c.2
	new	1959 (2nd) c.2
		1960 (1st) c.5-s.3(f)
		1961 (1st) c.4-s.2(g); 3(f); 3(j)
		1963 (1st) c.6-s. 73(b)
Tenants in Common	104	
Territorial Employees' Superannuation	new	1963 (1st) c.4
Trustees	105	
Unemployment Assistance Agreement	new	1959 (1st) c.2
Variation of Trusts	new	1962 (5th) c.6
Vital Statistics	106	
		1964 (2nd) c.3-s.28(1); 46(8) Sched.
Vocational Training Agreement	107	
Wages Recovery	new	1963 (2nd) c.2
Warehousemen's Lien	108	
Whitehorse Land Sale and Loan (1961)	new	1961 (2nd) c.1
Wills	109	
Woodmen's Lien	110	
Workmen's Compensation	111	
		1959 (1st) c.9-s.13(1)
		1961 (2nd) c.8-s.25(1)(a)(d)(e); 25(ea) added; (f)
		1965 (1st) c.4-s.3A added
Yukon Hospital Insurance Services	new	1960 (1st) c.2
Yukon Housing (1961)	new	1961 (2nd) c.3
		1962 (1st) c.12-s.3(3)(b)
		1964 (1st) c.2-s.3(3)(b)
		1965 (1st) c.8-s.5; 6
Yukon Lands	112	
Yukon Social Service Society	new	1962 (1st) c.10

