



ORDINANCES
OF THE
YUKON TERRITORY

PASSED BY THE
YUKON COUNCIL

IN THE YEAR
1975
SECOND SESSION

J. SMITH
COMMISSIONER

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ORDINANCES OF THE YUKON TERRITORY

1975

<u>CHAPTER NO.</u>	<u>TITLE</u>	<u>PAGE</u>
1	Municipal Employees Benefits Ordinance	1
2	Society of Industrial Accountants Ordinance	4
3	Students' Financial Assistance Ordinance	9
4	Travel for Medical Treatment Ordinance	14
5	Travel Industry Development Agreement Ordinance	18
6	An Ordinance to Repeal the Students' Grants Ordinance	19
7	An Ordinance to Amend the Cooperative Associations Ordinance	20
8	An Ordinance to Amend the Credit Unions Ordinance	21
9	An Ordinance to Amend the Fuel Oil Tax Ordinance	22
10	An Ordinance to Amend the Game Ordinance	24
11	An Ordinance to Amend the Historic Sites and Monuments Ordinance	25
12	An Ordinance to Amend the Housing Development Ordinance	26
13	An Ordinance to Amend the Judicature Ordinance	27
14	An Ordinance to Amend the Municipal Ordinance	28
15	An Ordinance to Amend the Taxation Ordinance	
16	An Ordinance to Amend the Territorial Employees' Superannuation Ordinance	
17	N.C.N.R. Second Appropriation Ordinance, 1975-76	
18	N.C.N.R. Whitehorse (Takhini & Valleyview) Lands Ordinance	
	Table of Ordinances	

CHAPTER 1
 ORDINANCES OF THE YUKON TERRITORY
 1975 (Second Session)

MUNICIPAL EMPLOYEES BENEFITS ORDINANCE

(Assented to May 22, 1975)

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

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| 1. (1) | This Ordinance may be cited as the <i>Municipal Employees Benefits Ordinance</i> . | Short
Title |
| 2. (1) | In this Ordinance

"municipality" means a municipality as defined in the <i>Municipal Ordinance</i> and includes a local improvement district or such other body as may be prescribed by the Commissioner;

"benefits program" means the program mentioned in subsection 3(1). | Definitions

"municipality"

"benefits program" |
| 3. (1) | The Commissioner shall, pursuant to this Ordinance and the regulations, administer a program of retirement, death and disability benefit plans for employees of municipalities. | Administer
a program |
| (2) | Any municipality may apply to the Commissioner to bring its employees or any class of its employees under the benefits program and such employees shall be brought under the benefits program subject to such terms and conditions as the Commissioner may prescribe. | Application |
| (3) | The Commissioner may declare this Ordinance to be applicable to any public boards or commissions or other bodies established by or under an Ordinance and thereupon this Ordinance applies in respect of such board, commission or other body and its employees as if it were a municipality. | Public boards
or commissions |
| 4. (1) | Contributions to the benefits program, as prescribed by the Commissioner, shall be made by both employees and the municipality, but the contributions of the municipality shall be at least equal to the contributions of the employees. | Contributions |
| (2) | All contributions to the benefits program shall be paid to the Commissioner at the times and in the manner prescribed by the regulations and shall be accounted for by him in the manner set forth in the regulations. | |
| (3) | Where a municipality fails to make any contribution required pursuant to this Ordinance or the regulations, the Commissioner may pay the contribution on behalf of the municipality and recover the amount thereof from the municipality together with interest. | Failure of
contribution |

- Benefit payments** 5. (1) Benefit payments under the benefits program shall be made as provided in the regulations.
- Reciprocal Agreement** 6. (1) The Commissioner may enter into a reciprocal agreement with any body whose employees are subject to a pension plan and with any person who administers the pension plan on its behalf to provide that

 - (a) when a person moves from the employment of such body to the employment of a municipality, or
 - (b) when a person moves from the employment of a municipality to the employment of such body,

pension benefits or service credits of that person shall be transferred in accordance with the terms of the agreement and any such agreement may be retroactive in effect.
- Board** 7. (1) The Commissioner shall establish a board, to be known as the Municipal Employees Benefits Program Board, to administer the benefits program.
- Agreement with N.W.T.** 8. (1) The Commissioner may enter into an agreement with the Commissioner of the Northwest Territories for such time as is mutually agreeable for the purpose of adopting a common set of regulations and the formation of a single Municipal Employees Benefits Program Board with representation from each of the two Territories and to carry out the provisions of such agreement, which Board shall replace the Board referred to in section 7 during the currency of such agreement.
- Commissioner may make regulations** 9. (1) The Commissioner may make regulations and amend them from time to time for the purpose of carrying out the provisions of this Ordinance according to their true intent, and without in any way restricting the generality of the foregoing, may make regulations

 - (a) prescribing the terms and conditions of the benefits program and the terms and conditions under which the employees of a municipality shall be brought under the benefits program;
 - (b) defining different classes of employees of municipalities and prescribing different conditions for different classes or limiting the application of the Ordinance to certain classes;
 - (c) defining what constitutes service of any employee for the purposes of the benefits program;
 - (d) prescribing the terms and conditions under which the employees shall receive benefit payments;
 - (e) defining the amount of benefit payments;
 - (f) exempting any employer, employee, class of employees, municipality or other person affected by the regulations, from the regulations or any part thereof;
 - (g) prescribing the procedures to be followed by the Municipal Employees Benefits Program Board, municipalities and their employees in matters arising under this Ordinance;

- (h) prescribing the amount of contributions to be made to the benefits program by each municipality and its employees; and Amount of contributions
 - (i) respecting any matter in respect of which he considers regulations necessary to remedy any deficiency in this Ordinance.
10. (1) This Ordinance or any provision thereof shall come into force on such day or days as may be fixed by the Commissioner. Coming into Force
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CHAPTER 2
ORDINANCES OF THE YUKON TERRITORY
1975 (Second Session)

SOCIETY OF INDUSTRIAL ACCOUNTANTS ORDINANCE

(Assented to May 22, 1975)

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

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| Short Title | 1. | (1) | This Ordinance may be cited as the <i>Society of Industrial Accountants Ordinance</i> . |
| General objects of Society | 2. | (1) | The general objects of the Society shall be to promote and increase the knowledge, skill and efficiency of its members in all things relating to industrial or management accounting, business organization and administration. |
| | 3. | (1) | The Society of Industrial Accountants of the Yukon is hereby constituted a body corporate. |
| Head Office | (2) | | The head office of the Society shall be at the City of Whitehorse. |
| Classification of members | 4. | (1) | The members of the Society shall be classified as general members, student members and registered members with such other classification of members as may be authorized by its by-laws. |
| General membership | (2) | | General membership shall be available to anyone 16 years of age or over who is engaged or interested in industrial or management accounting or business organization and management. |
| Students | (3) | | Student membership shall be available to all persons following a recognized course in accounting, industrial accounting or business organization and management leading to the Society's examinations and shall be tenable for such period as may be laid down by the by-laws of the Society. |
| Registered members | (4) | | Registered members shall consist of the persons currently holding Registered Industrial Accounting Certificates and those students or general members who pass examinations of the Society as prescribed under section 11 and otherwise fill the requirements of its by-laws. |
| Record | 5. | (1) | A record shall be kept at the head office containing the names of all general members and all student members. |
| Register | (2) | | A register shall be kept at the head office in which shall be registered the names and addresses of all registered members. |

- (3) The record and register shall be open for inspection by the public at all times during regular office hours.
6. (1) The Society may establish and administer a benevolent fund for any member or the family of any deceased member of the Society who may require financial assistance, and for that purpose may make and receive contributions. **Benevolent Fund**
7. (1) The Society may acquire, purchase, sell, mortgage, lease, or otherwise deal with real and personal property.
8. (1) The affairs and business of the Society shall be administered by a council of not less than four registered members, three of whom shall constitute a quorum, and who shall hold office for a term of one year or until their successors are elected. **Administration by council**
- (2) When a vacancy occurs in the council from any cause, the remaining members of the council may appoint any registered member of the Society to fill the vacancy until the next annual meeting of the Society and the majority of such members shall constitute a quorum for such purpose. **Vacancy**
9. (1) A general meeting of the members of the Society shall be held annually at such time and place and upon such notice as is provided in the by-laws of the Society for the purpose of electing the council and for such other business as may be brought before the meeting. **General Meeting**
- (2) Special general meetings of the members may be called and held in accordance with the by-laws of the Society. **Special General Meeting**
10. (1) The council shall elect from its members a president and a vice-president, and may appoint a secretary-treasurer, a registrar and such other officers and employees as may be provided for in the by-laws of the Society. **Elect**
11. (1) Without limiting its powers the council may pass by-laws which shall not come into force until approved by an annual general meeting of the Society or at a special general meeting thereof called for the purpose of considering the same, for the following purposes:- **By-laws**
- (a) To prescribe courses of study, and all matters, conditions and requirements respecting examinations for admission as registered members and the certificates to be granted to them.
- (b) To establish and to collaborate with educational institutions in establishing lectures, classes and examinations for members of the Society in industrial accounting, business organization and management.
- (c) To authorize agreements between the Society and any university, college or school for lectures, classes and examinations.

- (d) To prescribe the rights and obligations of its various classes of members.
 - (e) To regulate the admission, qualification, conduct, suspension and expulsion of the members of the Society.
 - (f) To fix the admission and annual fees to be paid by the members and also the examination fees to be paid by applicants for the Society's examination.
 - (g) To provide for the appointment, functions, duties, remuneration, and removal of officers and employees of the Society.
 - (h) To establish chapters of the Society within the Territory and to enroll members of the Society.
 - (i) To affiliate with any other body, corporate or unincorporate, having objects similar to those of the Society.
 - (j) To govern the election of members of the council.
 - (k) To regulate the calling and holding of meetings of the members of the Society and of its council and the procedure at such meetings.
 - (1) Generally, to carry out the purposes of this Ordinance.
 - (2) Any by-law made pursuant to subsection (1) may be annulled by the Commissioner.
 - (3) The secretary of the Society shall send a copy of every by-law to the Commissioner within one week after passing thereof.
- Members in 12. good standing
- (1) Registered members of the Society in good standing have the right to use the designation "*Registered Industrial Accountant*", and to use after their name the letters "*R.I.A.*".
 - (2) A registered member of the Society in good standing may engage in the practice of, and hold himself out to the public as practising as, an industrial and cost accountant and cost consultant.
- Person not registered member in good standing
- (3) Any person not being a registered member in good standing taking and using the designation "*Registered Industrial Accountant*" or the letters "*R.I.A.*" or any name, title or description implying that he is a registered member of the Society is guilty of an offence.
- Guilty of offence
- (4) Any person who is guilty of an offence under this section shall incur a penalty not exceeding twenty-five dollars for each offence, such penalty to be recoverable under the provisions of section 26 of the *Interpretation Ordinance*.
- Rights to carry on business
13. (1) This Ordinance does not affect or interfere with the right of any person to carry on business in the Yukon Territory as a cost accountant or industrial accountant or to designate himself as such.

14. (1) Any profits derived from carrying on the affairs and business of the Society shall be devoted and applied solely in promoting and carrying out its objects and purposes and shall not be divided amongst its members, except as provided by section 6.(1). Profits
15. (1) The first annual general meeting of the members of the Society shall be held in the City of Whitehorse within three months after the date of the coming into force of this Ordinance for the purpose of constituting the first council who shall hold office until its successor is elected in conformity with this Ordinance, and up to such time shall have all the powers and be subject to all the obligations attached to members of such council by this Ordinance. First annual
general meeting
16. (1) There shall be a Professional Conduct Committee with powers and duties contained in this Ordinance. Professional
Conduct Committee
17. (1) The Professional Conduct Committee shall be the Professional Conduct Committee of the Industrial Accountants of British Columbia.
18. (1) The Professional Conduct Committee shall be responsible for the initiation of the disciplinary work of the Society and in the execution of these duties shall have power
- (a) to receive in writing from any person, a charge or complaint of professional misconduct by any member or student;
 - (b) to receive in writing from any member, a charge or complaint of unfitness, lack of moral character or professional misconduct of any member or student;
 - (c) to make such preliminary investigation and inquiry as it deems proper into any such charge or complaint or into any act, omission, matter or thing that may constitute or involve unfitness, lack of moral character or professional or other misconduct of any such member or student, or which may constitute or involve violation of the by-laws, rules and regulations of the Society or which may be, or may have been derogatory to the reputation, dignity or honour of the Society;
 - (d) to make a charge in the Committee's absolute discretion; and
 - (e) to require the attendance of any member or student and to require production of such evidence that may be deemed necessary to the work of the Committee and for that purpose the Committee has all the powers of a Board of Inquiry appointed pursuant to the *Public Inquiries Ordinance*.
19. (1) If, after a formal hearing, the Professional Conduct Committee finds cause for disciplinary action it may order any one or more of the following, namely Disciplinary
action
- a) that any such member or student shall be reprimanded by the chairman of the Professional Conduct Committee or disciplined in such a way that may be from time to time determined;
 - b) that any such student shall be struck off the registry of students;

c) that any such member shall be expelled from the membership of the Society, or that any such member shall be permitted to resign; and

shall report its action to the council.

- Appeal** 20. (1) Any person who feels himself aggrieved by any order of the council made pursuant to section 19 may appeal the order to a judge at any time within three months of the date of the order.
- (2) With the notice of appeal the appellant shall file a copy of the proceedings, the evidence taken, the order of the council in the matter and the reasons therefor, if any, certified by the chairman.
- (3) The record for the purpose of the appeal shall consist of the material mentioned in subsection 2.
- (4) The appellant shall cause to be served upon the council and the complainant, if any, a copy of the notice of appeal.
- (5) Upon the hearing of the appeal the Court may sustain, reverse, alter or amend the order, or remit the matter to the council for rehearing, or may make such other order as to costs or otherwise as to the Court seems right.
- (6) Every appeal shall be heard and determined upon its merits and shall not be defeated by reason of any technical defect in the proceedings.
- Coming into Force** 21. (1) This Ordinance or any portion thereof shall come into force on such day or days as may be fixed by the Commissioner.

CHAPTER 3
ORDINANCES OF THE YUKON TERRITORY
1975 (Second Session)

STUDENTS' FINANCIAL ASSISTANCE ORDINANCE

(Assented to May 22, 1975)

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

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| 1. (1) This Ordinance may be cited as the <i>Students' Financial Assistance Ordinance</i> . | Short Title |
| 2. (1) In this Ordinance | Definitions |
| "approved institution" means | "approved institution: |
| (a) any institution which is an eligible institution for the purpose of the Canada Student Loans Plan; | |
| (b) any vocational school which offers courses not available in the Territory and approved by Canada Manpower; | |
| (c) any educational institution prescribed as an approved institution by the Commissioner. | |
| "committee" means the Students' Financial Assistance Committee established pursuant to section 15; | "committee" |
| "dependent student" means an unmarried person who is under the age of nineteen years at the date of commencement of classes in his program in an approved institution and whose parent is a Canadian citizen or landed immigrant who has either | "dependent student" |
| (a) resided continuously in the Territory for not less than twelve months immediately prior to the date of commencement of classes in the program for which the student has applied; or | |
| (b) has resided continuously in the Territory for less than twelve months immediately prior to the commencement of classes in the program for which the student has applied but who signs a declaration of his intention to maintain continuous residence in the Territory for a period of twelve months from the date of such declaration. | |
| "independent student" means a person who | "independent student" |
| (a) does not qualify as a dependent student; | |
| (b) has not attained the age of twenty-four years prior to the commencement of classes in the program for which he has applied; | |

- (c) is a Canadian citizen or landed immigrant; and
 - (d) has resided continuously in the Territory for a period of not less than twenty-four months immediately prior to the date of commencement of classes in the program for which he has applied;
- "student" "student" means a person enrolled or registered at an approved institution who is a dependent student or an independent student.
- Unmarried person (2) An unmarried person who is qualified as a dependent student at the time of the death of his parents, shall continue to be regarded as a dependent student until attaining his nineteenth birthday.
- Age restrictions not applying (3) The age restrictions in respect of an independent student do not apply in respect of a student who satisfies the Committee that
- (a) he has completed not less than four years secondary education in Yukon schools; and
 - (b) meets the residence requirements for an independent student at the time of commencement of classes in the program for which he has applied or where his studies were interrupted at the time of his application for renewal.
- Commissioner may give financial assistance 3. (1) Subject to this Ordinance, the Commissioner may, on application, give financial assistance to be paid to eligible students for the purpose of enabling them to undertake full-time post-secondary educational programs at approved institutions.
- Financial need (2) The financial need of a student shall not be taken into account in calculating his eligibility to receive financial assistance.
- Financial assistance 4. (1) Financial assistance under this Ordinance shall be paid out of monies appropriated by the Council for that purpose.
- Amount 5. (1) The amount of financial assistance to be paid to a student in respect of his initial academic year of post-secondary education shall be \$1,200.
- Normal academic year 6. (1) A normal academic year shall consist of two terms, two semesters, three trimesters or four quarters.
- More terms 7. (1) Where an eligible student attends more terms, semesters, trimesters or quarters in a year than are mentioned in section 6, he may be paid a proportionate additional amount of financial assistance.
- Grants and scholarships 8. (1) After the initial year, financial assistance shall be divided into grants and scholarships.
- Amount 9. (1) An eligible student shall be paid a grant of \$600 per academic year in respect of his second, third and fourth academic years of post-secondary education.

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| 10. | (1) | A student who is eligible to be paid a grant and who has attained a 65 per centum average mark or its equivalent in the courses taken in the previous year, semester or quarter, is eligible to be paid a scholarship. | Scholarship |
| 11. | (1) | A student who is eligible for a scholarship shall be paid an amount of \$400 per academic year in respect of his second, third and fourth academic years of post-secondary education. | Amount |
| 12. | (1) | Any optional courses taken by the student beyond his institution's normal requirements may be omitted in the calculation of the average mark. | Optional courses |
| 13. | (1) | The calculation of the average mark may be either by individual terms, semesters, trimesters or quarters which constitute an academic year or by averaging the terms, semesters, trimesters or quarters whichever is to the greater advantage of the student. | Calculation of average mark |
| 14. | (1) | A student resident in a place other than Whitehorse or Watson Lake may be paid an allowance in respect of travel between his home and Whitehorse or Watson Lake in accordance with the regulations. | Travel Allowance |
| 15. | (1) | There shall be a committee called the Students' Financial Assistance Committee consisting of a chairman and not less than five members to be appointed by the Commissioner. | Committee |
| | (2) | The Superintendent of Education or, in his absence, his nominee shall be chairman <i>ex officio</i> of the Committee but shall have no voting powers. | Chairman |
| | (3) | Each of the members of the Committee shall be appointed for a term of three years. | Term |
| | (4) | The members of the Committee are eligible for reappointment. | Reappointment |
| | (5) | In making appointments, the Commissioner shall ensure, where possible, that not less than two members of the Committee have held previous appointments as members. | |
| | (6) | A person is not qualified to remain a member of the Committee if he is absent from two consecutive meetings of the Committee except by leave of the Committee. | Absent members |
| | (7) | A quorum at any meeting will consist of three members and the chairman. | Quorum |
| 16. | (1) | The Committee may make such rules, consistent with this Ordinance as are necessary for the conduct of its work and the management of its internal affairs. | Rules |
| 17. | (1) | The Committee shall recommend to the Commissioner the names of students eligible for receipt of financial assistance under this Ordinance and the type and amount of such assistance to be received. | Recommendations to Commissioner |
| 18. | (1) | Every applicant must satisfy the Committee that he has been accepted in a program by an approved post-secondary institution. | |

- Establish eligibility 19. (1) To be eligible for financial assistance, an applicant must establish to the satisfaction of the Committee that he is an independent student or a dependent student.
- Renewal 20. (1) To be eligible for renewal of financial assistance, a student must
- (a) produce proof of his re-admission to an approved institution;
 - (b) produce proof that his residence requirements are still being met either
 - (i) by the continued residence of his parents in the Territory;
 - (ii) by his maintaining, in the opinion of the Committee, a substantial connection with the Territory, or
 - (iii) by his making a significant contribution to the Territory where, in the opinion of the Committee, the renewal will enable him to improve that contribution.
- Return to Territory during vacations (2) An independent student may, at the discretion of the Committee, be required to return to the Territory during extended vacation periods in order to maintain residency requirements.
- Length of eligibility 21. (1) A student is not eligible to receive financial assistance for more than a total of
- (a) four academic years in institutions organized on a year basis;
 - (b) eight semesters in institutions where two semesters are considered the equivalent of an academic year of work but there are three semesters in a calendar year; or
 - (c) twelve quarters in institutions where three quarters are considered the equivalent of an academic year of work but there are four quarters in a calendar year.
- Assistance ends (2) (a) No further financial assistance may be given to a student who has attained his first degree at the bachelor level at a university.
- (b) No further financial assistance may be given to a student who has graduated in a program at a technical institute unless the subsequent work undertaken is directly related to the first program completed.
- (3) No financial assistance pursuant to this Ordinance may be given to a person who is receiving any Territorial or Federal Government grants or financial assistance for post-secondary education other than special scholarship awards.

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| 22. (1) | Every application for financial assistance shall be made on the prescribed form and the applicant shall furnish any supporting documents, transcripts or other evidence or information prescribed by the regulations or required by the Committee. | Forms and documents |
| 23. (1) | The Committee may, if requested by the donor of funds establishing a private scholarship, act as a selection committee and recommend to the donor an award under the terms of that scholarship and, in such cases, may at the donor's request transmit to the winner the amount of the scholarship received from the donor. | Request by donor |
| (2) | The Committee shall consider each application arising within the Territory for a student loan under the Canada Student Loans Act and recommend to the Commissioner whether or not a certificate of eligibility shall be issued and, if so, the amount of the loan to be authorized. | Recommendation to Commissioner |
| 24. (1) | The Commissioner may make any regulations necessary to carry out the provisions of this Ordinance. | Commissioner may make regulations |

CHAPTER 4
ORDINANCES OF THE YUKON TERRITORY
1975 (Second Session)

TRAVEL FOR MEDICAL TREATMENT ORDINANCE

(Assented to May 22, 1975)

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. (1) This Ordinance may be cited as the *Travel for Medical Treatment Ordinance*.
- Definitions 2. (1) In this Ordinance
- "Administrator" "Administrator" means the Administrator of the Yukon Health Care Insurance Plan;
- "Chief Medical Officer of Health" "Chief Medical Officer of Health" means the person appointed by the Commissioner as the Chief Medical Officer of Health for the Territory and includes his authorized deputy;
- "escort" "escort" means a person accompanying the patient to safeguard his comfort and well-being;
- "medical practitioner" "medical practitioner" means a person lawfully entitled to practise medicine in the Territory;
- "travel expenses" "travel expenses" means the cost of transportation paid in respect of a resident pursuant to this Ordinance and includes the cost of a medical evacuation authorized pursuant to section 8 and the cost of a travel allowance paid to an escort in respect of that resident pursuant to section 7.
- "resident" (2) "resident" means
- (a) a person who is lawfully entitled to be in Canada and who makes his home and is ordinarily present in the Territory but does not include a tourist, transient or visitor to the Territory; and
- (b) notwithstanding paragraph (a), a person, other than a newborn child, shall be deemed not to be a resident of the Territory until he has completed three months of continuous residence from the date of entry into the Territory for the purpose of establishing residence therein.
- Travel expenses 3. (1) The Commissioner may pay the cost of approved travel expenses pursuant to this Ordinance.
4. (1) Every application for payment pursuant to section 3 shall be submitted to the Administrator on the prescribed form.

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| 5. (1) | Subject to subsections (2) and (3), an application for the payment of the travel expenses of a resident shall be granted where the medical practitioner attending the resident or such person as may be so authorized by the Chief Medical Officer of Health on behalf of such medical practitioner certifies in advance that a medical examination, test or procedure is medically required for the resident and is not available at the point of referral. | Travel certified in advance |
| (2) | Where the travel required is to a place outside the Territory, the application shall not be granted unless the application has been approved by the Chief Medical Officer of Health. | Travel outside Territory |
| (3) | All applications for the payment of travel expenses to places outside the Territory shall be medically audited by a Committee appointed pursuant to section 6. | Audited |
| 6. (1) | The Commissioner may appoint a Committee of not less than three medical practitioners to perform medical audits of all applications for travel to obtain medical treatment outside the Territory. | Committee for medical audits |
| (2) | The Chief Medical Officer of Health shall be a member of the Committee and report from time to time to the Commissioner respecting the proceedings of the Committee. | Member |
| 7. (1) | Where an escort is considered necessary by the Chief Medical Officer of Health, a travel allowance to such escort may be paid at the rates in force from time to time in respect of public servants in travel status. | Escort |
| (2) | An escort shall be deemed to be in travel status for the period required to transport the resident from the point of referral or evacuation to the place where treatment is available and return by the first available transportation. | |
| 8. (1) | Notwithstanding section 5, in cases of emergency, the Chief Medical Officer of Health may authorize the immediate medical evacuation of a person from the place where the person is to the place where the required medical treatment is available. | Immediate evacuation |
| 9. (1) | Travel expenses within the Territory from the point of referral to the place where the required medical treatment is available and return shall be paid in accordance with the following rules: | Travel expenses paid |
| (a) | where bus transport is available, the amount to be paid shall be equal to the cost of the return bus fare; | |
| (b) | where bus transport is not available but scheduled aircraft is available, the amount to be paid shall not exceed the amount of the scheduled air fare and return; | |
| (c) | where neither bus nor scheduled aircraft are available, a private automobile may be authorized in which case an allowance shall be paid at a prescribed mileage rate; and | |
| (d) | an ambulance may be used instead of bus transport or scheduled aircraft or private automobile but only when specially authorized in accordance with the provisions governing the use of ambulances. | |

Travel expenses⁹ outside Territory (2)

Travel expenses from the Territory to a place outside the Territory and return shall be paid in accordance with the following rules:

- (a) the cost of transporting the resident from the point of referral to the nearest place where an airport is located from which a scheduled aircraft is available shall be in accordance with the rules established in subsection (1);
- (b) the cost of a scheduled air fare from an airport in the Territory to the airport nearest the place where the treatment is available but not exceeding the amount payable to Edmonton or Vancouver except with the special authorization of the Chief Medical Officer of Health;
- (c) where specially authorized by the Chief Medical Officer of Health
 - (i) the cost of a bus fare may be authorized instead of the cost of a scheduled air fare;
 - (ii) a private automobile may be used instead of a scheduled aircraft but in such case the total amount to be paid in respect of the journey, including the costs of any escort where so authorized, shall not exceed the cost of one adult scheduled air fare; or
 - (iii) an ambulance may be used to transport a patient from an airport to a hospital and vice versa.

Excluded 10. (1) Residents eligible and entitled to travel expenses otherwise than pursuant to this Ordinance are excluded from the provisions of this Ordinance.

Offence 11. (1) Any person who violates any of the provisions of this Ordinance or the regulations commits an offence and is liable on summary conviction to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding six months or to both fine and imprisonment.

(2) Any person who obtains the payment of any expenses pursuant to this Ordinance for which he is not entitled, is liable to repay the amount thereof to the Commissioner.

Secrecy 12. (1) Every person employed in the administration of this Ordinance shall preserve secrecy with respect to matters that come to his knowledge in the course of his employment which are medical in nature and shall not communicate any such matters to any other person except as provided in subsection (2).

(2) A person referred to in subsection (1) may furnish medical information but such information shall be furnished only

- (a) in connection with the administration of this Ordinance and the regulations;
- (b) in proceedings under this Ordinance and the regulations; or
- (c) pursuant to an order of a court.

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| 13. (1) | Where travel expenses of a person in respect of an injury resulting from the wrongful act or omission of another person have been paid pursuant to this Ordinance, the Commissioner shall be subrogated to all rights of the person for the purpose of recovering the expenses and may bring action either in his own name or in the name of such person. | Travel expenses resulting from wrongful act, etc. |
| 14. (1) | Notwithstanding section 13, where travel expenses have been paid in respect of a person who, as a result of a wrongful act or omission of another person suffers an injury, he may recover the amount thereof from the person guilty of the wrongful act or omission in the same manner as though he himself had been required to pay therefor. | Recovery of expenses |
| (2) | Every person described in subsection (1) who commences an action for the recovery of damages for personal injuries, shall include therein a claim on behalf of the Commissioner for any travel expenses provided to such person. | Claim |
| (3) | Where a person recovers an amount in respect of travel expenses received by him in an action for damages for personal injuries or by other means, he shall forthwith pay the amount so recovered to the Commissioner. | Payment to Commissioner |
| 15. (1) | Where the Commissioner has commenced action in the name of a person for the recovery of travel expenses provided to such person, that person may | Commissioner commenced action |
| | (a) at any time prior to the trial of the action; and | |
| | (b) upon such conditions as to costs or otherwise as the court deems just, | |
| | join in that action any other claim he may have arising out of the same occurrence. | |
| 16. (1) | It shall not be a defence to an action brought by the Commissioner for the recovery of travel expenses that an action has been adjudicated upon unless it included a claim for the amount paid for travel expenses. | Action adjudicated |
| (2) | It shall not be a defence to an action to recover damages for personal injuries by a person who has received travel expenses that an action taken by the Commissioner for the recovery thereof has been adjudicated upon. | |
| 17. (1) | No release or settlement of a claim or judgment in an action to recover damages for personal injuries where the person has received travel expenses shall bind the Commissioner unless the Commissioner or his authorized officer has approved the release or settlement in writing. | Approval or settlement in writing |
| 18. (1) | The Commissioner may | Powers of Commissioner |
| | (a) make any regulations necessary to carry out the provisions of this Ordinance; and | |
| | (b) prescribe forms. | |

CHAPTER 5
ORDINANCES OF THE YUKON TERRITORY
1975 (Second Session)

TRAVEL INDUSTRY DEVELOPMENT AGREEMENT ORDINANCE

(Assented to May 22, 1975)

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

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| Short Title | 1. (1) This Ordinance may be cited as the <i>Travel Industry Development Agreement Ordinance</i> . |
| Agreement with Canada | 2. (1) The Commissioner is authorized to enter into and execute on behalf of the Government of the Territory an agreement with Canada providing for

(a) programs of research and planning for travel industry development in the Territory;

(b) the compensation to be paid by Canada to the Territory in respect of such programs; and

(c) such other terms and conditions as may be agreed upon by the Commissioner. |
| Power to implement agreement | 3. (1) The Commissioner is empowered to do every act and exercise every power for the purpose of implementing every obligation assumed by the Government of the Territory under any agreement entered into pursuant to section 2. |
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CHAPTER 6
ORDINANCES OF THE YUKON TERRITORY
1975 (Second Session)

AN ORDINANCE TO REPEAL THE STUDENTS' GRANTS ORDINANCE

(Assented to May 22, 1975)

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

1. The *Students' Grants Ordinance* is repealed.

Repeal

CHAPTER 7
ORDINANCES OF THE YUKON TERRITORY
1975 (Second Session)

AN ORDINANCE TO AMEND THE COOPERATIVE ASSOCIATIONS ORDINANCE

(Assented to May 22, 1975)

R.O.Y.T.
Chapter C-16

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

1. Subsection 32.1(8) of the *Cooperative Associations Ordinance* is repealed and the following substituted therefor:

Revocation "(8) The Registrar may at any time for just cause or failure to comply with the provisions of this Ordinance and upon notice being given to the corporation's attorney, suspend or revoke a registration under this section."
2. Section 32.1 of the said Ordinance is amended by adding thereto the following new subsections:

Validity "(10) The revocation or suspension of the registration of an extra-territorial corporation shall not affect the validity of, nor make unenforceable any property rights, interest in land, contractual rights or obligations owned, held or entered into by such extra-territorial corporation prior to such revocation or suspension.

Winding up of affairs (11) Notwithstanding the revocation or suspension of its registration, an extra-territorial corporation may do all things necessary or desirable for the orderly winding up of its affairs, concerns and interests in the Territory and may sue and be sued in respect thereof.

Administrator (12) During the period when the revocation or suspension of the registration of an extra-territorial corporation is in effect, the Commissioner may, to protect the equities of the members, appoint a person to administer the affairs, concerns and interests of the extra-territorial corporation who shall have all the powers and duties set forth in Section 32 insofar as they are applicable to an extra-territorial corporation.

Withdrawal (13) If the suspension or revocation of the registration of an extra-territorial corporation is withdrawn, such withdrawal shall, subject to any conditions which may be imposed in connection with such withdrawal, be deemed to remove any disability or prohibition which could apply to such extra-territorial corporation by reason of the suspension or revocation."

CHAPTER 8
ORDINANCES OF THE YUKON TERRITORY
1975 (Second Session)

AN ORDINANCE TO AMEND THE CREDIT UNIONS ORDINANCE

(Assented to May 22, 1975)

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.
Chapter C-21

1. Subsection 35(1) of the *Credit Unions Ordinance* is repealed and the following substituted therefor:

"35.(1) Interest rates on loans made by a credit union shall not exceed one and one half per cent per month on unpaid balances."

Interest
rates

CHAPTER 9
ORDINANCES OF THE YUKON TERRITORY
1975 (Second Session)

AN ORDINANCE TO AMEND THE FUEL OIL TAX ORDINANCE

(Assented to May 22, 1975)

R.O.Y.T.
Chapter F-11

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

1. The *Fuel Oil Tax Ordinance* is amended by repealing subsection 3.(1) thereof and substituting the following therefor:

"3. (1) Every person who purchases any fuel oil in the Territory shall pay to the Territorial Treasurer a tax in respect of that fuel oil as provided in this Ordinance."

2. The said Ordinance is further amended by repealing subsection 4.(2) thereof and substituting the following therefor:

Imported fuel
oil

"4. (2) Every person, other than a vendor or distributor, who brings into the Territory a quantity of fuel oil greater than fifty gallons shall, within ten days thereof, remit to the Territorial Treasurer the tax thereon together with such documents as may be required by regulations."

3. The said Ordinance is further amended by repealing subsection 5.(1) thereof and substituting the following therefor:

Exemption

"5. (1) No tax is payable on fuel oil purchased for use, and subsequently consumed, in stationary generators of electricity, lubricating, laying or sprinkling on roads or streets, as cleaning fluids or solvents, in the operation of motive equipment for *bona fide* farming purposes."

"5. (2) No tax is payable on fuel oil purchased and used for a *bona fide* pharmaceutical or medical purpose."

"5. (3) No tax is payable in respect of fuel oil purchased and used for heating ore as a part of a mineral extraction process in respect of which a valid and subsisting permit has been issued by the Commissioner providing for the purchase of such fuel without payment of tax."

4. The said Ordinance is further amended by adding thereto the following new subsection:
 - "5. (5) No tax is payable on fuel oil purchased and used for cooking."

5. The said Ordinance is further amended by repealing subsection 9.(2) and 9.(3) thereof and substituting the following therefor:
 - "9. (2) A vendor shall submit to his distributors, in addition to the remittance under subsection 10.(1), a monthly return of sales in the form prescribed by regulations."

6. The said Ordinance is further amended by repealing subsections 10.(1) and 10.(2) thereof and substituting the following therefor:
 - "10. (1) Subject to this Ordinance and the regulations, a vendor shall pay to his distributors fuel oil tax as specified in subsection 4.(1) in respect of all fuel oil purchased by the vendor. **Monthly payments**
 - (2) Notwithstanding subsection (1), where a distributor is also a vendor, he shall remit all tax levied in respect of all fuel oil sold to a purchaser in accordance with section 11."

7. The said Ordinance is further amended by repealing Section 11.(1) and substituting the following therefor:
 - "11. (1) Subject to this Ordinance and the regulations, a distributor shall **Duty of distributor**
 - (a) remit to the Territorial Treasurer, not later than the twenty-fifth day of each month, all tax received by such distributor in respect of the next preceding month;
 - (b) furnish the Territorial Treasurer with returns in the prescribed form not later than the twenty-fifth day of each month; and
 - (c) furnish the Territorial Treasurer with such invoices and other documents and such copies thereof as the Territorial Treasurer by regulation may require."

8. The said Ordinance is further amended by repealing subsection 20.(1) thereof and substituting the following therefor:
 - "20. (1) No prosecution for an offence under this Ordinance shall be commenced after three years from the date of the commission of the offence." **Limitation**

CHAPTER 10
ORDINANCES OF THE YUKON TERRITORY
1975 (Second Session)

AN ORDINANCE TO AMEND THE GAME ORDINANCE

(Assented to May 22, 1975)

R.O.Y.T.
Chapter G-1

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

1. Paragraph 90(1)(a) of the *Game Ordinance* is repealed and the following substituted therefor:
- Regulations of
Commissioner
- "(a) establishing a program of game management for the purpose of sustaining the yield and harvest of the game of the Territory and for that purpose may
- (i) divide the Territory into zones for the purpose of game management;
 - (ii) regulate the game harvest within such zones by varying
 - (A) the length of the open season,
 - (B) the permitted daily periods of hunting,
 - (C) the bag limits,
 - (D) hunting methods, and
 - (E) the species, description, sex, age or size of the game, permitted to be hunted;
 - (iii) require outfitters, guides or hunters to make reports respecting hunting in any zone of the Territory; and
 - (iv) require outfitters, guides or hunters to deliver trophies and other biological material as required for the purpose of biological examination."
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CHAPTER 11
ORDINANCES OF THE YUKON TERRITORY
1975 (Second Session)

AN ORDINANCE TO AMEND THE HISTORIC SITES AND MONUMENTS ORDINANCE

(Assented to May 22, 1975)

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.
Chapter H-2

1. Subsections 4(1) and (2) of the *Historic Sites and
Monuments Ordinance* are repealed and the following
substituted therefor:

"(1) A board to be called the Historic Sites
and Monuments Board of the Yukon Territory
is hereby established, consisting of not
more than fifteen members appointed by the
Commissioner, of whom twelve shall be
appointed on the recommendation of the
Council.

Board
established

(2) A member holds office during pleasure for
such period not exceeding four years as may
be fixed by the Commissioner."

Term of
office

CHAPTER 12
ORDINANCES OF THE YUKON TERRITORY
1975 (Second Session)

AN ORDINANCE TO AMEND THE HOUSING DEVELOPMENT ORDINANCE

(Assented to May 22, 1975)

R.O.Y.T.
Chapter H-6

The Commissioner of the Yukon Territory, by and with
the advice and consent of the Council of the said Territory,

enacts as follows:

1. Sub-section 5(2) of the *Housing Development Ordinance* is repealed and the following substituted therefor:
 - Commissioner may undertake projects jointly with municipality "5. (2) The Commissioner, on behalf of the Territory or the Council of a municipality, on behalf of the municipality may enter into an agreement to undertake jointly any project described in subsection (1), but any such agreement shall not require the municipality to pay more than twelve and one half *per centum* of the capital costs or losses of the project."
2. The said Ordinance is further amended by adding thereto the following new section:
 - Incorporate Housing Authorities "21. (1) For the purpose of carrying out agreements entered into pursuant to this Ordinance for the operation and maintenance of housing projects or public housing projects for or on behalf of the Commissioner or a municipality, the Commissioner may, by order, incorporate Housing Authorities consisting of such number of persons as he determines.
 - Hold office (2) The Commissioner shall appoint the members of a Housing Authority to hold office during pleasure or for such term as he determines.
 - Housing Authority powers, etc. (3) The Commissioner may vest in a Housing Authority such powers, functions and duties as he deems necessary to operate, manage and maintain any housing project or public housing project under an agreement entered into pursuant to this Ordinance."

CHAPTER 13
ORDINANCES OF THE YUKON TERRITORY
1975 (Second Session)

AN ORDINANCE TO AMEND THE JUDICATURE ORDINANCE

(Assented to May 22, 1975)

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.
Chapter J-1

1. The *Judicature Ordinance* is amended by adding thereto
the following new section:

"50.1 (1) The Commissioner may appoint Small Debt
Officials to hold office during pleasure."

Small Debt
Official

CHAPTER 14
 ORDINANCES OF THE YUKON TERRITORY
 1975 (Second Session)

AN ORDINANCE TO AMEND THE MUNICIPAL ORDINANCE

(Assented to May 22, 1975)

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 8 of the *Municipal Ordinance* is repealed and the following substituted therefor:

"8. (1) The type of municipality to be established shall be in accordance with the following table:

<u>Estimated Population</u>	<u>Assessment</u>	<u>Type of Municipality</u>
over 300	or over \$ 1,000,000	Village or Municipal District
500 to 2500	or over \$ 2,000,000	Town
over 2500	and over \$10,000,000	City"

2. Subsection 30(1) of the said Ordinance is repealed and the following substituted therefor:

Indemnities

"(1) The council may provide by bylaw for an annual indemnity to the mayor and to the aldermen and the indemnity for the mayor may be greater than for aldermen but shall not exceed the sums set out in the following table:

Population of Municipality as estimated by Statistics	<u>Alderman</u> <u>Mayor</u>	
Canada		
up to 4,000	\$2,250	\$4,500
over 4,000	\$6,500	\$12,000"

3. Subsection 43(5) of the said Ordinance is repealed and the following substituted therefor:

Rights of
manager

"(5) Subject to this section and any contract for employment relating thereto, the manager may engage and appoint employees, other than an administrative officer, who are required; or dismiss employees, other than an administrative officer, in accordance with the terms and conditions prescribed by council."

4. Subsection 76(5) of the said Ordinance is amended by adding thereto the following new paragraph:

"(d) when the moneys to be borrowed are used for capital expenditures in or in connection with an electrical power distribution system which has been acquired or constructed by the municipality under section 115.1 of this Ordinance."

5. Section 81 of the said Ordinance is repealed and the following substituted therefor:

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|---|--|
| <p>"81.(1) Any member of council who votes for any bylaw or resolution authorizing the expenditure of moneys contrary to the provisions of this Ordinance, and any officer or other employee who obeys any such bylaw or resolution, commits a breach of this Ordinance and is subject to civil liability for his action.</p> | <p>Breach of Ordinance</p> |
| <p>(2) Any sums due the municipality under this section may be recovered by the municipality or by any elector suing in the name of the municipality or suing on behalf of himself and all other electors of the municipality, or by the holders of any security suing in the name of the municipality.</p> | <p>Recoverable sums</p> |
| <p>(3) In addition to any other penalty to which he may be liable, any member of a council who votes for any bylaw or resolution authorizing the expenditure of moneys contrary to the provisions of this Ordinance is disqualified from holding any municipal office for a period of three years from the date of his being convicted of a breach of this section.</p> | <p>Disqualified from holding office</p> |
| <p>(4) Any officer of the municipality who of himself disposes of moneys contrary to the provisions of this Ordinance, is personally liable to the municipality for the amount thereof.</p> | <p>Disposal of money contrary to Ordinance</p> |
| <p>(5) It is a good defence to any action brought under this section against any administrative officer or employee of a municipality if it is proved that he, in writing over his signature, gave warning to the council that the effect of the bylaw or resolution was to authorize or necessitate the use of moneys contrary to the provisions of this Ordinance.</p> | |
| <p>(6) It is a good defence to any action brought under this section against any member of council for voting on a bylaw or resolution authorizing the expenditure of moneys contrary to the provisions of this Ordinance that such member received an opinion in writing, prior to so voting, from an administrative officer of the municipality or the barrister and solicitor appointed pursuant to section 52 that such bylaw or resolution was a lawful bylaw or resolution and that the expenditure of moneys pursuant to such bylaw or resolution was not contrary to the provisions of this Ordinance."</p> | |

6. Subsection 82(1) of the said Ordinance is repealed and the following substituted therefor:

Deemed to be
money bylaw

"(1) Any bylaw or part thereof for the expenditure of money on any capital item or aggregation of items in one scheme estimated to cost in excess of the sum which may be raised by the levy of five mills on the taxable assessment of the municipality, shall be deemed to be a money bylaw and the provisions of sections 75 to 81 relating to bylaws to borrow money shall *mutatis mutandis* apply thereto."

7. Section 82 of the said Ordinance is further amended by adding thereto the following new subsections:

"(4) Notwithstanding subsection (1), where the cost of a capital item or aggregation of items in one scheme is being shared by the municipality with the territory and the amount required to be raised by the municipality is less than the sum mentioned in subsection (1), a vote of the taxpayers shall not be required and the provisions of sections 75 to 81 shall not apply.

(5) The council, before passing a bylaw pursuant to subsection (4), shall give notice of its intention to do so by notice posted in four conspicuous public places within the municipality at least ten days before the date fixed for the final passing of the bylaw.

(6) The notice referred to in subsection (5) shall state the place where, the hours during which the proposed bylaw may be inspected by any interested persons, and the time and place set for the consideration by the council of any objections to the bylaw.

(7) The council shall make suitable provision for inspection of the proposed bylaw by interested persons and shall, before finally passing the bylaw, hear and determine all objections thereto."

8. Paragraph 116(1)(d) of the said Ordinance is repealed and the following substituted therefor:

"(d) regulating the fares which the operators or drivers of the vehicles described in paragraph (a) shall charge or collect, by means of time and distance meters, or otherwise;"

9. Subsection 119(1) of the said Ordinance is amended by adding thereto the following new paragraphs:

Bicycles

"(n) for regulating and controlling within the municipality the use of bicycles and fixing, imposing and providing for the collection of licence fees and the issuance of licences to any person who owns a bicycle;

- (o) the authority granted in paragraph (n) shall be deemed to include the authority in such bylaw to seize and impound bicycles for a breach of the provisions of the bylaw." Bicycles seized and impounded

10. The said Ordinance is amended by adding thereto the following new section:

- "120.1(1) In this section "building" includes any fence, scaffolding, structure or erection and "owner" means the person in whose name the title to the property is registered and includes the person whose name appears as owner of the land or building in the assessment records of the municipality. "building"
"owner"
- (2) The council may by bylaw declare any building to be a nuisance if the council is of the opinion that the building Building a nuisance
- (a) is dangerous to public safety or health;
- (b) substantially depreciates the value of other property in the vicinity; or
- (c) is substantially detrimental to the amenities of the neighbourhood.
- (3) Subject to subsection (9), where a building has been declared under subsection (2) to be a nuisance, the council may by order require the owner, within the time specified in the order, which shall not be less than three months from the date of service of the order upon the owner
- (a) to demolish or remove the building and to fill in the open basement or excavation remaining on the site of the building after the demolition or removal thereof or take such other measures with respect to the basement or excavation as may be described in the order; or
- (b) to improve the condition of the building in the manner and to the extent described in the order.
- (4) An Order made under subsection (3) may be personally served upon the owner or sent to him by registered mail at his last known address as shown by the assessment roll or by the records of the land titles office and the council may direct that notice of the order be affixed to any part of the building and may authorize an agent of the municipality to cause such notice to be affixed to the building; and where the owner is deceased or his address is unknown, a copy of the order shall be published in at least two issues of a newspaper circulating in the municipality.

- (5) If an owner does not comply with an order made under subsection (3) within the time specified therein, the council may proceed to have such work done as it considers necessary for the purpose of carrying out the order, and the cost of the work shall be added to and form part of the taxes on the land on which the building is or was situated.
- (6) Where the council proceeds under subsection (5) and the building is occupied, the council may, if it is of the opinion that the work cannot be conveniently carried out while the building is occupied, by written notice require the person occupying the building to vacate the building forthwith.
- (7) Where a person to whom the notice has been given under subsection (6) fails to vacate the building forthwith after receiving the notice, the council may apply ex parte to a judge in chambers for an order requiring the person to deliver up possession of the land on which the building is situated and of the building, to a nominee of the council and upon such an application, the judge may make such order, including an order as to costs, as he deems just.
- (8) Where the council proceeds under subsection (5) and removes or demolishes the building, it may sell or otherwise dispose of the building or the materials therefrom, as the case may be, at such price as it considers reasonable, and shall pay the proceeds of the sale or other disposition, after deducting the amount of the cost of the work, any costs awarded to the council under subsection (7) and any taxes owing in respect of the property, to the owner, mortgagee or other person entitled thereto.
- (9) Before making an order under subsection (3), the council shall cause not less than one month's prior written notice to be given to the owner specifying the date, time and place of a meeting of the council at which the making of such an order will be considered and stating that the owner will be given an opportunity to be heard at the meeting before an order is made; and in such case a building permit or demolition permit may be withheld pending the issuance of an order under subsection (3) of this section.
- (10) A notice under subsection (9) may be personally served upon the owner or sent to him by registered mail at his last known address as shown by the assessment roll or by the records of the land titles office; and where the owner is deceased or his address is unknown, a copy of this notice shall be published in at least two issues of a newspaper circulating in the municipality.

(11) The owner of the building affected by an order made under subsection (3), or any other person having a registered interest in the building who considers himself aggrieved by the order, may within thirty days after service of the order upon the owner, apply by notice of motion to a judge in chambers for a review of the matter and the judge, if satisfied

(a) that the council acted in a manner contrary to the intent and meaning of this section; or

(b) that the procedure prescribed in this section has not been followed,

may set aside, vary or modify the order on such terms as to costs and otherwise as he deems just.

(12) No action lies against the municipality or the council, or any of its officials, agents or servants of the municipality, in respect of any matter or thing done under this section."

11. Subsection 121(6) of the said Ordinance is repealed and the following substituted therefor:

"121.(6) For the purpose of this section, a "junked vehicle" means a vehicle that

(a) is either in a rusted, wrecked, partly wrecked, dismantled, partly dismantled, inoperative or abandoned condition; and

(b) is not located in a building and does not form part of the business enterprise lawfully being operated on that property."

12. The said Ordinance is amended by adding thereto the following new sections:

"129.1(1) The council may by bylaw authorize the municipality to acquire land within the municipality for resale or lease for residential, industrial, commercial or any other purposes, and may, prior to disposing of the land or any part thereof, subdivide and develop the land." Municipality may acquire land

"129.2(1) The council may by bylaw authorize the municipality to acquire and hold any real or personal property within the municipality for pleasure, recreation or community uses of the public, including but not restricted to the public safety, public library, art gallery, museum, arenas, community halls, exhibition buildings, parking areas, parks and recreation grounds." Municipality may hold property

"129.2(2) No real property acquired and held for any of the uses described in subsection (1) shall be disposed of without the assent of the taxpayers thereto unless the disposition is to the Commissioner or the Crown." Disposal by assent of taxpayers

CHAPTER 15
ORDINANCES OF THE YUKON TERRITORY
1975 (Second Session)

AN ORDINANCE TO AMEND THE TAXATION ORDINANCE

(Assented to May 22, 1975)

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

1. Subsection 4(2) of the *Taxation Ordinance* is repealed and the following substituted therefor:
"(2) Every person who is an occupier of any real property referred to in paragraph 3(1)(b) otherwise than in an official capacity as a servant of the municipality is liable to taxation in respect of the property occupied by him."
2. Section 18 of the said Ordinance is repealed and the following substituted therefor:
Errors
"(1) After examination of the appropriate assessment roll, the authority may note any errors and shall return it to the assessor within fifteen days of receipt of the assessment roll from the assessor.
(2) If any errors have been noted, they shall be corrected by the assessor who shall return the roll to the authority within seven days of the roll being delivered to the assessor."
3. Subsections 38(3) and (4) of the said Ordinance are repealed and the following substituted therefor:
"(3) Notwithstanding the provisions of this Ordinance requiring real property to be assessed according to its fair value, the amount of assessment of any real property complained against shall not be varied by the Court of Revision if the value at which it is assessed bears a fair and just relation to the value at which other real property in the taxation area is assessed."
4. Subsection 39(1) of the said Ordinance is repealed and the following substituted therefor:
Correction of errors
"(1) Upon a complaint on any ground against an assessment, the Court of Revision may re-open the whole question of such assessment so that omissions from or errors in the assessment roll may be corrected, and the revised figure at which the assessment should be made and the person who should be assessed thereof may be entered upon the roll by the Court of Revision."

5. Section 55 of the said Ordinance is repealed and the following substituted therefor:

- "(1) Except as provided in this section, where the taxes payable in any year, in respect of any real property on which there are improvements, are less than twenty-five dollars, the amount payable in respect thereof for that year shall be twenty-five dollars. Minimum taxes
- (2) Where the taxes payable in any year in respect of any real property on which there are no improvements are less than twenty-five dollars, and the real property is situated within a municipality, the municipality may by by-law determine the minimum tax payable in respect of such property which minimum tax shall be not less than twenty-five dollars."

6. Subsection 60(1) of the said Ordinance is repealed and the following substituted therefor:

- "(1) Every authority may levy a business tax annually on every person, corporation or partnership carrying on a business, trade or profession for the purpose of gain or profit and in the course thereof occupying buildings or premises within the taxable jurisdiction of the authority." Levying business tax

7. Subsection 60(3) of the said Ordinance is repealed and the following substituted therefor:

- "(3) In determining the assessed value of buildings or premises in the jurisdiction for the purpose of computing a business tax, businesses shall be assessed in accordance with an assessment manual approved by the Commissioner, setting rates per square foot for various businesses and various uses of the business premises, which rates applied to the areas in use by the business shall, when added together, be the assessed value of the business."

8. Subsection 60(5) of the said Ordinance is repealed.

9. Subsections 61(4) and (5) of the said Ordinance are repealed and the following substituted therefor:

- "(4) The school tax in the amount levied under subsection (2) shall be a first charge on the revenue of every municipality and shall be paid in full to the Territorial Treasurer.
- (5) The school taxes collected by each municipality shall be forwarded to the Territorial Treasurer at such times as the Commissioner shall direct, but, in any event, the final payment of the amount levied under subsection (2) shall be made not later than the fifteenth day of March in the year following the year of levy."

10. Subsection 74(1) of the said Ordinance is repealed and the following substituted therefor:

Warrant by
collector

"(1) The authority may, by order, authorize the collector to issue a warrant on behalf of the authority authorizing the person named therein to levy taxes in arrears by distress or sale in the manner provided in Section 73."

11. Section 114 of the said Ordinance is amended by adding thereto the following new subsection:

"(2) Where the taxing authority applies to the Commissioner and can reasonably show that the time provided in this Ordinance, because of special circumstances, is insufficient to comply with the provisions thereof, the Commissioner may make such regulations and extend such time or times as he deems necessary for the carrying out of the provisions of this Ordinance, but such extension of time shall not exceed fourteen days."



CHAPTER 16
ORDINANCES OF THE YUKON TERRITORY
1975 (Second Session)

AN ORDINANCE TO AMEND THE TERRITORIAL
EMPLOYEES' SUPERANNUATION ORDINANCE

(Assented to May 22, 1975)

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

1. Sub-section 2 of the *Territorial Employees' Superannuation Ordinance* is amended by repealing the definition of "employee".
 2. Section 3 of the said Ordinance is repealed and the following substituted therefor:
 - "3. (1) Every person employed in the Public Service of the Territory who would, if he were employed in the Public Service of Canada, be a contributor within the meaning of the expression "contributor" in section 2 of the Public Service Act (Canada) is required to contribute, by reservation from his salary or otherwise,
 - (a) to the Superannuation Account in the Consolidated Revenue Fund of Canada, the amount required by Part I of the Act to be contributed by him as a contributor under that Part; and
 - (b) to the Public Service Death Benefit Account in the Consolidated Revenue Fund of Canada, the amount required by Part II of the Act to be contributed by him as a participant under that Part."
- Employees
required to
contribute
-

CHAPTER 17
ORDINANCES OF THE YUKON TERRITORY
1975 (Second Session)

SECOND APPROPRIATION ORDINANCE, 1975-76

(Assented to May 22, 1975)

Whereas it appears by message from James Smith, Esq., Commissioner of the Yukon Territory, and in the estimates accompanying the same that the sums hereinafter mentioned in Schedule "A" of this Ordinance are required to defray certain expenses of the public service of the Yukon Territory and for the purpose relating thereto, for the twelve months ending the thirty-first day of March, 1976.

Therefore, 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 <i>Second Appropriation Ordinance, 1975-76.</i> |
| Amount
Granted | 2. (1) | From and out of the Yukon Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole One Million, One Hundred and Twenty-Seven Thousand Dollars for defraying the several charges and expenses of the public service of the Territory for the twelve months ending the thirty-first day of March 1976, as set forth in Schedule "A" of this Ordinance and such sum shall be applied only in accordance with the Schedule. |
| Monies to be
accounted for | 3. (1) | The due application of all monies expended pursuant to section 2 shall be accounted for. |

SCHEDULE "A"

APPROPRIATION OR ITEM

Department of Education	\$ 20,000.
Department of Legal Affairs	7,000.
Project Capital	1,100,000.
	<hr/>
	\$ 1,127,000.
	<hr/> <hr/>

CHAPTER 18
ORDINANCES OF THE YUKON TERRITORY
1975 (Second Session)

WHITEHORSE (TAKHINI AND VALLEYVIEW) LANDS ORDINANCE

(Assented to May 22, 1975)

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. (1) | This Ordinance may be cited as the <i>Whitehorse (Takhini and Valleyview) Lands Ordinance</i> . |
| Commissioner
may make
disposition | 2. (1) | Notwithstanding the <i>Lands Ordinance</i> , the Commissioner may make a disposition to the City of Whitehorse of the lands described in the Schedule to this Ordinance. |
| | 3. (1) | Any disposition pursuant to section 2, may be made either gratuitously or for such amount of money as the Commissioner may in his sole discretion deem appropriate. |
| Coming
into Force | 4. (1) | This Ordinance or any portion thereof shall come into force on such day or days as may be fixed by the Commissioner. |

SCHEDULE "A"

1. TAKHINI

(A) the whole of Lots 56, 111, 193, 194, 195 & 196, in the Takhini Subdivision, in the Yukon Territory, as shown on a plan of survey of record in the Land Titles Office for the Yukon Land Registration District at Whitehorse under number 29819

the whole of Lots 435-195-1 in Group 804, in the Yukon Territory as shown on a plan of survey of record in the Land Titles Office for the Yukon Land Registration District at Whitehorse under number 31517

the whole of Lots 435-190-4, 435-190-5, 435-191-3, 435-200, 435-201, 435-202, in Group 804, in the Yukon Territory as shown on a plan of survey of record in the Land Titles Office for the Yukon Land Registration District at Whitehorse under number 39494

2. VALLEYVIEW

(B) Firstly, the whole of Parcel "A" in Lot 262, Group 804, in the Yukon Territory, as shown on a plan of survey of record in the Land Titles Office for the Yukon Land Registration District at Whitehorse under number 22548

Secondly, the whole of Parcel B, in Lot 262, in Group 804, in the Yukon Territory, as shown on a plan of survey of record in the Land Titles Office for the Yukon Land Registration District under number 22548

SAVING AND EXCEPTING thereout and therefrom Lot 589, in Group 804, in the Yukon Territory, as said Lot is shown on a plan of survey of record in the Land Titles Office for the Yukon Land Registration District under number 34789:

TABLE OF ORDINANCES

MAY, 1975

<u>CHAPTER NO.</u>	<u>TITLE OF ORDINANCES</u>	<u>AMENDMENTS</u>	
A-01	Age of Majority		
A-1	Apprentice Training		
A-2	Arbitration		
A-3	Archives		
A-4	Area Development		
A-5	Assignment of Book Debts		
B-1	Bills of Sale		
B-2	Blasting		
B-3	Brands		
B-3.1	Building Standards		
B-4	Bulk Sales		
B-5	Business Licence		
C-1	Cancer Diagnosis		
C-2	Cemeteries and Burial Sites		
C-3	Change of Name		
C-4	Child Welfare		
C-5	Chiropractic		
C-6	Choses in Action		
C-7	Citizenship Instruction Agreement		
C-8	Civil Emergency Measures		
C-9	Collection		
	Community Assistance	new	- 1975(1st)c.1
C-10	Companies		
	Compensation for the Victims of Crime	new	- 1975(1st)c.2
C-11	Conditional Sales		
C-12	Condominium		
C-12.1	Conflict of Laws (Traffic Accidents)		
C-13	Consumers' Protection		
C-14	Contributory Negligence		

<u>CHAPTER NO.</u>	<u>TITLE OF ORDINANCES</u>	<u>AMENDMENTS</u>	
C-15	Controverted Elections		
C-16	Cooperative Associations	s.32.1(8) s.32.1(10) new S.32.1(11) (12)(13)	- 1975(2nd)c.7 - 1975(2nd)c.7 - 1975(2nd)c.7
C-17	Cornea Transplant		
C-18	Coroners		
C-19	Corporation Securities Registration		
C-19.1	Corrections		
C-20	Court of Appeal	s.5	- 1974,c.4
	Court Worker Agreement	new	- 1975(1st)c.3
C-21	Credit Unions	s.35(1)	- 1975(2nd)c.8
C-22	Creditors' Relief		
C-23	Curfew		
	Custody of Federal Parole Violators Agreement	new	- 1975(1st)c.4
D-1	Defamation		
D-2	Dental Profession		
D-3	Dependants' Relief		
D-4	Devolution of Real Property		
D-5	Disabled Persons' Allowance	repealed	- 1975(1st)c.11
D-6	Distress		
D-7	Dog		
E-1	Elections	s.4(1) s.15(2) Sched. I	- 1974,c.5 - 1974,c.5 - 1974,c.5
E-1.1	Electoral District Boundaries Commission	new	- 1974,c.1
E-2	Electrical Protection		
E-2.1	Electrical Public Utilities	s.19(2) s.21(2) s.26(1)	- new 1974,c.6 - new 1974,c.6 - 1974,c.6
E-3	Elevator and Fixed Conveyances		
E-4	Employment Agencies		
E-5	Engineering Profession		
E-6	Evidence		
E-7	Exemptions		

CHAPTER NO.	TITLE OF ORDINANCE	AMENDMENTS
E-8	Expropriation	
F-1	Factors	
F-2	Fair Practices	s.3 - 1974,c.7 s.4 - 1974,c.7 s.5 - 1974,c.7 Paragraph 13 (1)(d) repealed - 1974,c.7 s.13(3) - 1974,c.7
F-3	Fatal Accidents	
F-4	Financial Administration	
F-5	Fire Prevention	
F-6	Fitness and Amateur Sport Agreement	
F-7	Flag	
F-8	Floral Emblem	
F-9	Forest Protection	
F-9.1	Fraudulent Preferences and Conveyances	
F-10	Frustrated Contracts	
F-11	Fuel Oil Tax	s.3.1 - 1975(2nd)c.9 s.4.2 - 1975(2nd)c.9 s.5(1)(2) & (3) - 1975(2nd)c.9 s.5(5) - new 1975(2nd)c.9 s.9(2)&(3) - repealed 1975(2nd)c.9 s.9(2) - new 1975(2nd)c.9 s.10(1)&(2) - 1975(2nd)c.9 s.11(1) - 1975(2nd)c.9 s.20(1) - 1975(2nd)c.9
F-12	Fur Export	
G-1	Game	s.90(1)(a) - 1975(2nd)c.10
G-2	Goals	
G-3	Garage Keepers' Lien	
G-4	Garnishee	
G-5	Gasoline Handling	
	Government Employee Housing Plan	new - 1975(1st)c.5
H-1	Health Care Insurance Plan	
H-2	Historic Sites and Monuments	s.4(1)&(2) - 1975(2nd)c.11
H-3	Hospital Insurance Services	
H-4	Hotels and Tourist Establishments	
H-5	Housing	

<u>CHAPTER NO.</u>	<u>TITLE OF ORDINANCE</u>	<u>AMENDMENTS</u>
H-5.1	Housing Corporation	
H-6	Housing Development	s.5(2) - 1975(2nd)c.12 s.21(1)(2) &(3) new - 1975(2nd)c.12
I-1	Immunity of Members	
I-2	Insurance	
I-3	Interpretation	s.20 - 1974,c.8
I-4	Intestate Succession	
J-1	Judicature	s.50.1(1) - new 1975(2nd)c.13
J-2	Jury	
J-3	Justice of the Peace	
L-1	Labour Standards	s.49(j) - new 1975(1st)c.14
L-2	Landlord and Tenant	
L-3	Lands	
L-4	Legal Profession	
L-5	Legal Profession Accounts	
L-6	Legitimation	
L-7	Limitation of Actions	
L-8	Liquor	
L-9	Local Improvement District	
L-10	Lord's Day	
L-10.1	Lotteries	new - 1974,c.2
L-11	Low Cost Housing	
M-1	Magistrate's Court	
M-2	Maintenance	
M-3	Marriage	
M-4	Married Women's Property	
M-5	Mechanics' Lien	
M-5.1	Mediation Board	
M-6	Medical Profession	
M-7	Mental Health	
M-8	Miners' Lien	
M-9	Mining Safety	s.10(1) - 1974,c.10 s.10(2)&(3) repealed - 1975(1st)c.15

<u>CHAPTER NO.</u>	<u>TITLE OF ORDINANCE</u>	<u>AMENDMENTS</u>
M-10	Motion Pictures	
M-11	Motor Vehicles	s.9(2)&(3) - 1974,c.11 s.62(3) - 1974,c.11 Para. 155 (1)(w) repealed - 1974,c.11 s.175(1)&(2)- new 1974,c.11
M-12	Municipal	s.115.1 - new 1975(1st)c.16 s.8(1) - 1975(2nd)c.14 s.30(1) - 1975(2nd)c.14 s.43(5) - 1975(2nd)c.14 s.76(5) - 1975(2nd)c.14 s.81 - 1975(2nd)c.14 s.82(1) - 1975(2nd)c.14 s.82(4)(5) (6)&(7) - 1975(2nd)c.14 s.116(1)(d) - 1975(2nd)c.14 s.119(1)(n) & (o) - new - 1975(2nd)c.14 s.120.1 new - 1975(2nd)c.14 s.121(6) - 1975(2nd)c.14 s.129.1(1) - new 1975(2nd)c.14 s.129.2(1) & (2) - new 1975(2nd)c.14
M-13	Municipal Aid	
M-14	Municipal Elections	
	Municipal Employees Benefits	new - 1975(2nd)c.1
N-1	Newspaper	
N-2	Noise Prevention	
N-3	Notaries	s.6(1) - 1974,c.12
	Occupational Training	new - 1975(1st)c.6
O-1	Old Age Assistance and Blind Persons' Allowance	repealed - 1975(1st)c.12
O-2	Optometry	
P-1	Partnership	
P-2	Pawnbrokers and Secondhand Dealers	
P-3	Perpetuities	
P-4	Pharmaceutical Chemists	
P-5	Plebiscite	
P-6	Pounds	
P-7	Presumption of Death	
P-8	Public Health	
P-8.1	Public Inquiries	
P-9	Public Printing	
P-10	Public Service	

<u>CHAPTER NO.</u>	<u>TITLE OF ORDINANCE</u>	<u>AMENDMENTS</u>
P-11	Public Service Staff Relations	s.2(new definition) - 1974,c.13 s.7(1),(2)&(3) - 1974,c.13 s.8(2) - new 1974,c.13 paragraph 12(2)(a) - 1974,c.13 s.12(3) - 1974,c.13
R-1	Reciprocal Enforcement of Judgments	
R-2	Reciprocal Enforcement of Maintenance Orders	
R-3	Recording of Evidence by Sound Apparatus	
R-4	Regulations	
R-5	Rehabilitation Services	s.2(new definition) - 1975(1st)c.17 s.3 - 1975(1st)c.17 s.5(1)(b) - 1975(1st)c.17 s.6,7 & 8 - 1975(1st)c.17 s.9(1)(f)-deleted - 1975(1st)c.17 word
S-1	Sale of Goods	
S-2	Saw Logs Driving	
S-3	School	s.1-13 & 78-100 repealed - 1974,c.14 s.14-77 now numbered s.226-289 - 1974,c.14 Part II District Schools now Part IX - 1974,c.14
S-4	Scientists and Explorers	
S-5	Securities	
S-6	Social Assistance	
S-7	Societies	s.30 - 1974,c.15
	Society of Industrial Accountants	new - 1975(2nd)c.2
S-8	Steam Boilers	
	Students' Financial Assistance	new - 1975(2nd)c.3
S-9	Students' Grants	repealed - 1975(2nd)c.6
S-10	Superannuation, Territorial Employees'	s.2 - word "employee" - 1975(2nd)c.16 s.3(1) - 1975(2nd)c.16
	Supervision of Federal Parolees Agreement	new - 1975(1st)c.7
S-10.1	Supreme Court	
S-11	Survivorship	

<u>CHAPER NO.</u>	<u>TITLE OF ORDINANCE</u>	<u>AMENDMENTS</u>	
T-01	Taxation	s.50(new) s.4(2) s.18 s.38(3) & (4) repealed s.38(3) new s.39(1) s.55 s.60(1) s.60(3) s.60(5) s.61(4) & (5) s.74(1) s.114(2) - new	- 1975(1st)c.18 - 1975(2nd)c.15 - 1975(2nd)c.15 - 1975(2nd)c.15 - 1975(2nd)c.15 - 1975(2nd)c.15 - 1975(2nd)c.15 - 1975(2nd)c.15 - 1975(2nd)c.15 - 1975(2nd)c.15 - 1975(2nd)c.15 - 1975(2nd)c.15
T-1	Tenants in Common		
T-2	Tobacco Tax	new	- 1974,c.3
T-3	Trade Schools Regulation		
	Transfer of Prisoners Agreement	new	- 1975(1st)c.8
T-4	Transport Public Utilities		
	Travel for Medical Treatment	new	- 1975(2nd)c.4
	Travel Industry Development Agreement	new	- 1975(2nd)c.5
T-5	Trustee		
V-1	Variation of Trusts		
V-2	Vital Statistics		
W-1	Wages Recovery		
W-2	Warehousemen's Lien		
W-3	Wills		
W-4	Woodmen's Lien		
W-5	Workmen's Compensation		
W-6	Workmen's Compensation Supplementary Benefits		
	Young Voyageur Agreement	new	- 1975(1st)c.9