

ORDINANCES  
OF THE  
**YUKON TERRITORY**

---

PASSED BY THE  
**YUKON COUNCIL**

IN THE YEAR  
**1947**

---

J. E. GIBBEN, K. C.,  
CONTROLLER

---



Printed and Published for the Government of the Yukon Territory Under Authority of  
Chapter 75 of the Consolidated Ordinances of 1914

BY

PIERCY POWELL, King's Printer



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## CHAPTER 1

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### AN ORDINANCE RESPECTING THE PROFESSION OF DENTISTRY

*(Assented to July 8th, 1947.)*

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

#### SHORT TITLE

1. This Ordinance may be cited as "The Dental Profession Ordinance." Short title

#### INTERPRETATION

2. In This Ordinance, unless the context otherwise requires, the expression: Interpreta-  
tion

- (a) "Dentist" means a person holding a valid license under this Ordinance; Dentist
- (b) "Dentistry" means the treatment, advice, service or attendance that is usually performed by dentists in the practise of their profession, and includes the practise of dental surgery; and Dentistry
- (c) "License" means a license to practise dentistry in the Yukon Territory issued under this Ordinance. License

Licenses  
Controller  
may issue

3. The Controller may issue licenses to persons who by complying with the provisions of this Ordinance are entitled to receive them.

Terr. Sec'y to  
keep register

4. (1) The Territorial Secretary shall keep a register called the Dental Register containing the names and addresses of all persons who are qualified to practise dentistry in the Yukon Territory.

Inspection of  
Register

(2) Any person may inspect the Dental Register during the times when the office of the Territorial Secretary is open to the public.

Entry in Re-  
gister

5. (1) No person shall practise the profession of Dentistry or Dental Surgery in the Territory unless his name has been lawfully entered in said Register.

Unlawful to  
employ un-  
reg'd practi-  
tioners

(2) It shall not be lawful for any practitioner to employ as a helper or assistant in his office or permit to work in his office any person who, being entitled to register hereunder, is not so registered, or who is or has at any time been qualified or entitled to practise dentistry in any Province in Canada or elsewhere beyond the Territory who is not registered hereunder.

Penalty

(3) Every practitioner violating any of the provisions of the preceding sub-section shall be liable to a penalty of \$50.00 and to a further penalty of \$20.00 as for a separate offence for each day after the first day of such employment or services that any such violation is permitted.

- (4) In any prosecution under this section the burden of proof that the person charged with the offence has not violated the provisions of this section shall be upon the person so charged and in the absence of such proof by the person charged, proof of the service or employment shall be be PRIMA FACIE evidence of such violation and conviction may be made accordingly. <sup>Onus</sup>

6. A person who,

- (a) Is a graduate of a school or college of dentistry in any of the Provinces of Canada having authority to grant licenses or diplomas to practise dentistry; or
- (b) Is a member or graduate of an association, school or college in the United Kingdom of Great Britain and Ireland, empowered to grant a license or diploma to practise dentistry; or <sup>Practitioners' qualifications</sup>
- (c) Possesses a Certificate of Qualification issued by the Dominion Dental Council of Canada, or under the seal of a dental college or dental society or association established in any Province of Canada, or from the proper official authorized to grant such a certificate, that the applicant had been duly registered as a practising dentist and has practised as such in any such Province of Canada within two years prior to his application for a license under this Ordinance; or
- (d) At the time this Ordinance comes into force, was practising as a licensed dentist in the Yukon Territory,

shall, upon compliance with the provisions of this

Ordinance relating thereto be entitled to register in the Dental Ordinance and to receive a license.

Requisites of  
valid license

7. (1) No license shall be valid unless
- (a) The fees in respect of the year for which the license is issued has been paid; and
  - (b) the holder has been registered pursuant to section 6.
- (2) Licenses issued pursuant to this Ordinance expire on the 30th day of April of the year following the date of issue.

Fees pay-  
able

8. (1) The fee payable for registration under this Ordinance is fifty dollars.
- (2) The annual license fee payable by dentists who are,
- (a) bona fide residents of the Territory is twelve dollars; or
  - (b) not bona fide residents of the Territory is one hundred and eighty dollars.

Date fees  
payable

9. Fees in respect of annual licenses are due on the thirtieth day of April in each year, and are payable to the Territorial Treasurer.

Residential  
qualifica-  
tion

10. For the purposes of this Ordinance a dentist shall not be considered a resident unless he actually resides in the Yukon Territory during the whole of each calendar year; provided that where two or more practitioners practise as a firm the presence at all times during the year in the Territory of at least one member of the firm or of some practitioner in its employ, shall qualify as residents all the members of the firm and the dentists employed by them.



11. (1) The Territorial Secretary shall remove from the Register the name of every person registered therein who has not on or before the thirtieth day of June in any year, paid the annual fee provided for by subsection 2 of section 8. Removal from register for non-payment of fees
- (2) No person whose name is lawfully removed from the Register shall be entitled to practise dentistry in the Territory until his name has been restored to the Register as provided by subsection 3 of this section.
- (3) A person whose name has been removed from the Register pursuant to subsection 1 of this section, shall be entitled to have his name restored to the Register upon payment of a fee of twenty-five dollars in addition to the annual fee required by this Ordinance, and upon payment of such fees shall be entitled to a license.

12. No person shall be entitled to receive a fee or remuneration for professional services rendered or materials or appliances provided by him in the practise of dentistry unless he holds a valid license under this Ordinance at the time the services are rendered or the materials or appliances are provided, but this section shall not apply to duly qualified medical practitioners or to duly qualified druggists or chemists in the course of their practise or business. Fees for dental services payable only to licensed practitioner

13. (1) The Controller may appoint two or more persons to be a Board of Inquiry to investigate any complaint made against a dentist with respect to a violation of any of the provisions of this Ordinance or any complaint of malpractice, or infamous, disgraceful or improper conduct. Investigation of complaints Board of Enquiry

Powers of Board

- (2) The Board so constituted may make and prescribe rules and regulations under which the inquiry is to be held, and shall have power to summon and bring before them any persons deemed necessary to enable the Board to properly inquire into the matter complained of, with power to swear and examine all such persons under oath and to compel the attendance of witnesses and the production of documents and to do all things necessary to provide a full and proper inquiry.

Quorum

- (3) A majority of the Board shall form a quorum and may decide and adjudge as to the guilt of the person charged and every decision by a majority of such Board upon any such matter shall be final.

Board may disqualify on grounds

14. A dentist who has, after due inquiry, been adjudged by a Board of Inquiry:

Infamous conduct

- (a) To have been guilty of infamous conduct in any professional respect:

Misrepresentation

- (b) To have made any material misrepresentation to the Territorial Secretary in order to procure the entry of his name on the Register; or

Criminal record

- (c) To have been convicted of any crime punishable by imprisonment in the penitentiary;

shall forfeit the right to have his name entered in the Register and his name, if so entered, shall be erased from the Register by the Territorial Secretary and his license to practise shall be revoked.

Penalty for practising without license

15. A person who, not being the holder of a valid license or permit

- (a) practises dentistry for hire, gain or hope of reward;
- (b) wilfully or falsely pretends to be licensed to practise dentistry;
- (c) professes by public advertisement, card, circular, sign or otherwise to practise dentistry or to give advice therein or in any way leads people to believe that he is qualified to practise dentistry in the Yukon Territory,

shall be guilty of an offence and liable upon conviction therefor, to a penalty of fifty dollars, and every day on which any offence occurs shall be deemed a separate offence.

16. A person who wilfully procures or attempts to procure the registration of his name under this Ordinance by making false or fraudulent representation or declaration either verbally or in writing and every person knowingly aiding and assisting him therein shall be liable to a fine of five hundred dollars.

Penalty for  
misrepresentation

17. Upon the trial of any action under the provisions of this Ordinance the burden of proof as to the right of defendant to practise dentistry in the Yukon Territory shall be upon the defendant.

Onus

18. No action under this Ordinance shall be commenced after two years from the date of the offence or the date the cause of action arose.

Limitations  
of Action

19. Nothing in this Ordinance shall be deemed to prevent a person giving necessary aid to any one in urgent need of it, provided that the aid is not given for hire or gain nor the giving of such aid is made a business or way of gaining a livelihood.

Proviso for  
emergency  
aid

20. Chapter 7 of the Ordinances, 1920 is hereby repealed.

Repeal

## CHAPTER 2

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### AN ORDINANCE TO REGULATE THE SPEED, AND OPERATION OF MOTOR VEHICLES ON HIGHWAYS

*(Assented to July 8th, 1947.)*

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

#### SHORT TITLE

Short title

1. This Ordinance may be cited as the Motor Vehicle Ordinance.

#### INTERPRETATIONS

Interpretations

2. In this Ordinance, unless the context otherwise requires,
  - (a) "Controller" means the Controller of the Yukon Territory:
  - (b) "Chauffeur" means any person who drives or operates any motor vehicle for the transportation of persons or property, who receives any compensation for so doing by wages, commission or otherwise, paid directly or indirectly, or who as owner or employee drives or operates a motor vehicle carrying passengers or property for gain or reward:

- (c) "Highway" or "public highway" means every road, street, lane, alley, park, parkway, bridge, tunnel, public place or any road or trail on frozen lakes and rivers;
- (d) "Motor vehicle" means every vehicle propelled by any power other than muscular power except traction engines and such motor vehicles as run only upon rails or tracks;
- (e) "Trailer" means a vehicle with capacity of more than one ton to be driven by a motor vehicle.
- (f) "Vehicle" means a motor vehicle, trailer, traction engine and any vehicle drawn, propelled, or driven by any kind of power, including muscular power; but does not include the cars of electric or steam railways running only upon rails or trolley buses.

3. (1) Save as hereinafter otherwise provided, Drivers to be licensed no person shall drive a motor vehicle on any highway unless he is licensed so to do pursuant to the provisions of this Ordinance.

(2) No person shall drive any motor vehicle on any highway at any time unless the motor vehicle is registered pursuant to this Ordinance. Vehicle to be registered

4. Application for a driver's or chauffeur's license or for registration of a motor vehicle shall be made to the Controller in such form and giving such particulars as the Controller may from time to time prescribe. Application for license to Controller

5. Upon receipt of an application for a driver's or chauffeur's license or for registration of a motor vehicle the Issue of license on application

Controller may issue a license or a certificate of registration, as the case may be, in such form as he may from time to time prescribe, and upon being paid such fees as may be prescribed in this Ordinance.

Address to  
be given

6. The address of every person to whom any license, certificate or permit is issued shall be given in every such document and the person to whom it is issued shall, upon changing his address, at once notify the Controller of the change.

Controller  
may suspend  
license for  
cause

7. The Controller may suspend or cancel any license, certificate or permit issued under the provisions of this Ordinance for misconduct or non-compliance with or infraction of any of the provisions of this Ordinance, or upon being satisfied of the unfitness physical or otherwise, of the holder of the license, certificate or permit, or for any other reason appearing to him to be sufficient.

Terms of  
License

8. Subject to the provisions of this Ordinance as to suspension and cancellation, the period of any license issued to any person licensed as a driver or chauffeur and the period of registration of any motor vehicle registered pursuant to the provisions of this Ordinance, shall be from the first day of April until the ensuing thirty-first day of March (both days inclusive.)

#### REGISTRATION OF MOTOR VEHICLES

Owner to  
file state-  
ment

9. Every person owning a motor vehicle or trailer shall, for every such motor vehicle or trailer owned by him, file in the office of the Controller or his agent, on a form to be provided by the Controller for that purpose, a statement containing his name and address, with a brief description of the motor vehicle or trailer so owned by him, including the name of the maker, factory number, style of motor vehicle or trailer and motor power if any.

10. The fee to be paid upon filing of such statement shall be as follows: \$3.00 in the case of motorcycles and trailers and \$10.00 in the case of all other motor vehicles, and, upon the filing of such statement as aforesaid and payment of the proper fee, the Controller shall cause to be registered such motor vehicle or trailer in a book or index to be kept for that purpose and assign to it a distinctive number.

License fee payable

(2) The provisions of this section and the immediately preceding section shall apply to non-resident as well as resident owners but in addition to the fee in this section provided for, a non-resident owner who is engaged in commercial transportation between the Province of British Columbia and/or the Territory of Alaska and the Yukon Territory shall pay a fee of \$20.00 per ton capacity of each vehicle of one ton capacity and over so engaged in such transportation, or if the tonnage capacity of the vehicle cannot be definitely ascertained, the fee payable may be assessed by the licensing officer based on his estimation of the capacity of the vehicle at the following rates:

Application to Non-resident

1 to 5 tons capacity .....	\$100.00
5 to 10 tons capacity .....	200.00
10 to 20 tons capacity .....	300.00
over 20 tons capacity .....	400.00

(3) The provisions of sub-section 2 of this section shall apply until such time as regulations governing the licensing of motor carriers as provided for in the Motor Carriers Ordinance are brought into effect.

Effect of regulations under Motor Carriers Ordinance

Application  
to Dealers

11. (1) The Provisions of this Ordinance as to registration and display of permanent numbers shall not apply to bona fide dealers in or agents for automobiles in respect to new cars in stock or used as demonstrators by such dealers or agents; Provided however, that every such dealer or agent shall pay to the Controller the registration fee as provided in section 10 of this Ordinance and secure a number plate, which number plate shall be temporarily attached to the dashboard or windshield of such new car or demonstrator when the same is in operation on any highway.

Vehicles not  
using high-  
ways exempt

- (2) The provisions of this Ordinance as to registration and display of permanent numbers shall not apply to vehicles which are not operated on the highways.

Controller  
shall Issue  
Certificate  
of registra-  
tion

12. (1) The Controller shall cause to be issued forthwith and delivered to the owner of such motor vehicle, a certificate of registration.

License  
Plates

- (2) The Controller shall cause to be issued and delivered to the owner of such motor vehicle at the time of the issue of the certificate of registration two number plates, having thereon the registration number of such motor vehicle, the abbreviated name of the Territory and the year of issue: Provided that in the case of a trailer only one number plate shall be issued.

Form of  
Certificate

- (3) The Certificate of registration shall contain the name of the owner of the motor vehicle or trailer registered, his address, the name of the maker of the motor vehicle or trailer,



the factory number, style, and motor power, if any.

- (4) Every certificate of registration may be renewed from year to year upon application to the Controller and payment of the fee required by this Ordinance.

Renewal of Certificate

13. Upon the sale or transfer of ownership of any motor vehicle or trailer, registered pursuant to the provisions of this Ordinance, it shall be the duty of the person, in whose name such motor vehicle or trailer is registered immediately to notify the Controller of the name and address of the new owner and to return the registration certificate and number plates for the motor vehicle or trailer so sold or transferred and such certificate shall be cancelled by the Controller and the number plates may be re-issued by him to the new owner, together with the new certificate of registration, which shall remain in force until the thirty-first day of March following, unless sooner revoked or cancelled and a fee of \$2.00 shall be chargeable in respect of the issue of such new certificate in the case of a motor vehicle and \$1.00 in the case of a trailer.

Owner to give notice of transfer

14. Every motor vehicle shall have firmly attached to and exposed on the front and the back thereof the number plates assigned to such vehicle and issued by the Controller. The number on the front shall be in such position as to render it distinctly visible. The number on the back shall be placed on the motor vehicle and in such a position to be distinctly visible, so that the lower edge thereof shall not be lower than the axle, provided that motorcycles, in lieu of displaying the number plates therein before required, shall have attached to the rear mud guard of such motorcycles the registration number thereof in figures of not less than three inches in height and not less than three-eighths of an inch in width; there shall be at all times a marked contrast between the colour of the number plates and that of the numerals of letters thereon.

Number plates to be attached to motor vehicle

Number  
plate to be  
attached to  
trailer

- (2) In the case of a trailer the number plate shall be placed on the back thereof in such a position that the number shall be distinctly visible and so that the lower edge of the plate shall not be lower than the axle.

No addi-  
tional Terri-  
torial plates  
to be expos-  
ed

- (3) No Territorial number plate other than that issued by the Controller shall be exposed on any part of a motor vehicle or trailer.

#### DRIVERS' AND CHAUFFEURS' LICENSES

Driving  
without li-  
cense prohi-  
bited

15. (1) No person except a person temporarily within the Territory who is permitted to drive by the law of the country of which he is a resident, shall drive a motor vehicle on any highway at any time during which he is not the holder of a subsisting driver's or chauffeur's license issued pursuant to this Ordinance.

Age limit

- (2) No driver's license shall be issued to any person under the age of sixteen years.

Proviso

- (3) A person over the age of fifteen years shall not be deemed to act in contravention of this section if while driving a motor vehicle he is accompanied by a person sitting beside him, who is the holder of a driver's license, and is engaged in teaching the first named to drive.

Power of  
Controller to  
refuse a dri-  
ver's license

16. The Controller may:
- (a) refuse to issue a driver's or chauffeur's license to any person unless he is satisfied by examination or otherwise of the physical and other competency of the applicant to drive a motor vehicle without endangering the safety of the general public:

- (b) require any applicant to submit himself to examination as to his competency as a driver by a person designated by the Controller as an examiner. To require examination as to competency
- (c) from time to time by order under his hand prescribe the cases in which an examination as to competency as a driver may be dispensed with; and To dispense with examination
- (d) make regulations providing for the temporary suspension or modification of any of the provisions of this Ordinance in respect of the registration of a motor vehicle registered outside the Territory and in respect of any person resident outside the Territory who has complied with the provisions of the law of the province, state or place in which such motor vehicle is registered and such person resides, as to the registration of motor vehicles, the display of the registration number thereon and the licensing of such person as driver or chauffeur to the extent only to which the provisions of such law extend like exemptions and privileges in respect of a motor vehicle registered under this Ordinance and licensing of a driver or chauffeur, a resident of the Territory. To make regulations

17. Every person driving a motor vehicle shall carry his license with him at all times during which he is in charge of a motor vehicle and shall produce it when demanded by any police officer or inspector appointed under this Ordinance. Person driving to carry license

18. (1) Every person who is the holder of a driver's or chauffeur's license shall, upon being convicted of any offence under this Ordinance, or of section two hundred and eighty-five of Delivery of driver's license upon conviction of offence

or chauffeur's

the Criminal Code, forthwith deliver the same to the judge, stipendiary magistrate or justice of the peace making the conviction, who shall thereupon endorse thereon the particulars of the conviction.

Suspension of license and report to Controller

- (2) Any judge, stipendiary magistrate or justice of the peace who convicts any person of any offence under this Ordinance, who is the holder of a driver's or chauffeur's license, may upon making the conviction suspend for such time as he thinks fit or cancel the license, and shall thereupon transmit the suspended or cancelled license to the Controller together with a report setting out the nature of the conviction and the circumstances of the offence: and every such suspension or cancellation shall remain in force unless and until the Controller in his discretion makes an order shortening the term of suspension or annulling the cancellation.

Applications for subsequent license

19. Every person to whom a driver's or chauffeur's license has been issued shall, in his application for a subsequent license, state that he holds a license, and shall set out its number, date of issue, and classification, and no person who is the holder of a valid and subsisting driver's or chauffeur's license shall apply for or obtain another driver's or chauffeur's license, save and except only for the purpose of obtaining a duplicate of a valid and subsisting license which has been lost, destroyed, or become worn out.

Form of Application for Driver's License, and fee for

20. (1) Application for a driver's or chauffeur's license under the provisions of this Ordinance shall be made to the Controller in such form as he may prescribe and shall be signed by the applicant and delivered to the person authorized by the Controller for the purpose this section accompanied by the payment of a fee of \$1.00.

- (2) Upon receipt of the application in prescribed form and upon being satisfied of the truth of the facts stated in the application and that the prescribed fee has been paid, the Controller shall cause to be issued to the applicant a license in the prescribed form. Controller may issue
- (3) No application for a driver's or chauffeur's license shall be accepted from males under the age of sixteen years or females under the age of eighteen years, nor shall licenses be issued to any such person. Age limit
- (4) In case of the loss, destruction or wearing out of a license, a duplicate may be obtained upon application in the prescribed form and upon payment of the prescribed fee. Duplicate license: how obtained
- (5) Every person receiving a license under the provisions of this Ordinance shall write his usual signature upon the same in the space provided for that purpose, and until the license has been so signed it shall not be valid. License to be signed by licensee
- (6) Violation of or non-compliance with any of the provisions of this section shall constitute an offence under this Ordinance. Violation an offence
21. The Controller may appoint one or more persons residing within the Territory to represent him, for the purpose of carrying out the provisions of this Ordinance. Controller may appoint representative
22. All fees paid to the Controller as provided in this Ordinance shall be paid by him to the Territorial Treasurer and form part of the general revenue fund of the Territory. Fees accrue to Territory

## HEADLAMPS AND OTHER LIGHTS

- Headlamps** 23. (1) Every motor vehicle other than a motorcycle shall at all time whilst in operation on a highway be equipped,—
- (a) with at least two headlamps at the front and on opposite sides of the vehicle, each of which shall be capable of projecting light for a distance of three hundred feet ahead of the vehicle under normal atmospheric conditions;
- tail lamp** (b) with a tail lamp consisting of a lamp of a capacity of not less than three spherical candle power so constructed as to show a red light plainly visible for a distance of at least two hundred feet from the rear of the vehicle under normal atmospheric night conditions and to illuminate with a white light the number plate fixed on the back of the vehicle so that every letter and figure thereon may be plainly seen at a distance of not less than sixty feet from the rear of the vehicle under normal atmospheric night conditions.
- Motorcycle lamps** (2) Every motorcycle shall carry one headlamp at the front and one tail lamp at the back, and the lamps shall conform in every respect to those required to be carried by other motor vehicles.
- Bicycle lamp and reflector** (3) Every bicycle whilst in operation on a highway at night shall carry one headlamp at the front and one reflector at the rear.
- Headlamps beam** (4) Each headlamp on a motor vehicle shall be constructed and arranged and adjusted in

such a manner that no portion of the direct beam of reflected or refracted light issuing therefrom shall, at a distance of seventy-five feet from the vehicle, rise more than to a point which is four inches less than the height of the headlamp above the plane surface upon which the vehicle stands, and no headlamp shall be placed on the vehicle less than twenty-four inches nor more than fifty inches above the plane surface upon which the vehicle stands.

- (5) No part of the direct beam of reflected or refracted light projected from any headlamp shall rise more than forty-two inches above the level plane upon which the vehicle stands at a distance of seventy-five feet from the vehicle. Direction of beam to be controlled
- (6) The use upon any motor vehicle of any headlamp which emits a direct beam of reflected or refracted light in contravention of this provision is prohibited. Prohibition
- (7) On approaching or being approached by another vehicle proceeding in an opposite direction, and when within not less than two hundred yards of it, any person in charge of a motor vehicle whether in motion or stationary which is equipped with electric headlamps shall dim or drop such headlamps. Headlamps dimmed or dropped
- (8) Any police officer or constable or inspector appointed for carrying out the provisions of this Ordinance may stop approaching vehicles when such vehicles have failed to dim or drop their headlights as herein required and the driver of any such vehicle shall be guilty of an offence against this Ordinance. Police officer may stop vehicle for failure to dim lights

Auxiliary  
driving  
lamps and  
fog lamps

24. (1) Any motor vehicle may be equipped with fixed or moveable auxiliary driving lamps or fog lamps not exceeding three in number mounted upon the front below the level of the centres of the headlamps and at a height not less than sixteen inches above the level on which the vehicle stands. The term "auxiliary lamp" or "fog lamp" shall denote any combination of reflector, lens and lamp bulb so designed to illuminate the roadway close to and forward or forward and to the sides of the motor vehicle and otherwise meeting the requirements of this section. Not more than two auxiliary lamps or fog lamps, mounted on opposite sides of the vehicle may be used in connection with but not in substitution for headlamps, except under conditions of fog or rain rendering disadvantageous the use of headlamps. In no event shall the number of auxiliary and fog lights upon a motor vehicle exceed a combined total of three and in no event shall more than two of the said lamps be lighted for use with lighted headlamps.
- (2) Every auxiliary lamp and every fog lamp used upon a motor vehicle shall be so adjusted and aimed that the top of the main substantial portion of the beam will strike the road at approximately seventy-five feet in advance of the vehicle and will not project a glaring or dazzling light into the eyes of approaching drivers.

Lamps re-  
quired to be  
alight on ve-  
hicles

25. (1) At any time during the period between one hour after sunset and one hour before sunrise or at any other time when the atmospheric conditions are such that objects on the highway are not plainly visible at a distance of three hundred feet,—



- (a) no motor vehicle shall be in motion on any highway unless both head-lamps are alight and are providing sufficient light to make clearly visible objects on the highway at a distance of three hundred feet ahead of the vehicle;
- (b) no bicycle or motorcycle shall be in motion upon any highway unless the lamp or lamps with which it is required to be equipped are alight;
- (c) no motor vehicle shall be in motion upon any highway unless the tail lamp with which it is required to be equipped is alight;
- (d) no motor vehicle shall be stationary on any highway outside the corporate limits of any city, town, or village unless it has either a lit tail lamp or reflector affixed to the left of the rear end thereof of any type approved by the Controller, so fixed as to reflect the lights of any motor vehicle approaching the stationary vehicle from the rear;
- (e) no vehicle other than a motor vehicle, motor cycle or bicycle shall be upon any highway whether in motion or stationary unless there is displayed thereon at least one light visible at a distance of at least one hundred feet from the front of and behind that vehicle, or in the alternative, there are affixed thereon one reflector towards the front and one reflector at the rear

thereof of a type approved by the Controller, so fixed as to reflect the lights of any motor vehicle approaching from the front and the other so fixed as to reflect the lights of any motor vehicle approaching from the rear;

- (f) no vehicle drawn by or attached to a motor vehicle, commonly known as a trailer, shall be upon any highway unless it has affixed at the rear thereof a reflector of a type approved by the Controller, so fixed as to reflect the lights of any motor vehicle approaching from the rear.

- (2) Any city, town or village may by by-law define an area or areas within which any motor vehicle or other vehicle while stationary upon a highway, shall between the hours of one hour after sunset and one hour before sunrise, have a lighted lamp thereon or a lighted lamp or lamps to the front, and either a red lighted lamp or a reflector of a type approved by the Controller, to the rear.

Lamps on  
vehicles of  
fire depart-  
ment

26. In the case of a motor vehicle belonging to a municipal fire department, the lamps may cast a red light only, or such coloured light as may be designated by by-law of the council..

Search lights  
prohibited

27. (1) No motor vehicle shall be equipped with what is known to the trade as a search light.

Spot lights

- (2) A spot light may be carried upon any motor vehicle and when the vehicle is in motion the ray of light therefrom shall be directed to the extreme right of the travelled portion of

the highway in such a manner that the beam of light shall strike the extreme right of the travelled portion of the highway within seventy-five feet of the vehicle.

28. Every vehicle carrying a load which overhangs the rear of the vehicle to the extent of five feet or more shall display upon the overhanging load, at the extreme rear end thereof, during the period from one hour after sunset to one hour before sunrise, a red light, and at all other times a red flag, sufficient to indicate the projection of the load.

Red light  
and flag re-  
quired on  
projecting  
load

### BRAKES

29. (1) Every motor vehicle shall be equipped with adequate brakes.
- (2) Every person driving or operating a motor vehicle on any highway shall upon request of any police constable or of any officer appointed for the carrying out of the provisions of this Ordinance, permit the constable or officer to inspect and test the brakes with which the motor vehicle is equipped, and for that purpose to operate the motor vehicle, or at the option of the constable or officer the person for the time being operating the vehicle shall operate the motor vehicle as directed by him for the purpose of the inspection and testing of the brakes, and the constable or officer shall, if the brakes are not adequate, notify the person operating the vehicle thereof, and thereupon the operator shall forthwith proceed to have the brakes made adequate.
- (3) The service brakes upon any motor vehicle which is equipped with two-wheel brakes shall be deemed to be not adequate unless

Brakes re-  
quired

Inspection of  
brakes upon  
request

Two-wheel  
service  
brakes

they are capable of bringing the vehicle to a standstill when the brakes are applied when the vehicle is moving at a speed of twenty miles an hour within a distance of forty feet from the point at which the brakes are applied, when loaded to its full capacity on a level surface consisting of dry paving of asphalt or concrete which is free from loose material.

Service  
brakes on  
other vehi-  
cles

- (4) The service brakes upon any other motor vehicle or combination of vehicles shall be deemed to be not adequate unless they are capable of bringing the vehicle or combination of vehicles to a standstill when the brakes are applied when the vehicle is moving at a speed of twenty miles an hour within a distance of forty feet from a point at which the brakes are applied, when loaded to its full capacity on a level surface consisting of dry paving of asphalt or concrete which is free from loose material.

Hand brake

- (5) The hand brake upon any motor vehicle or combination of motor vehicles shall be deemed to be not adequate unless it is capable of bringing the vehicle or combination of vehicles to a standstill when the brake is applied when the vehicle or combination of vehicles is moving at a speed of twenty miles an hour within a distance of forty-five feet from the point at which the brake is first applied, when loaded to its full capacity on a level surface consisting of dry asphalt or concrete paving free from loose material; and shall be capable of holding the vehicle or combination of vehicles at a standstill upon any grade upon which the same is operated.

- (6) All brakes shall at all times be maintained in good working order and shall be so adjusted that the brake pressure upon the wheels on each side of the vehicle is as nearly as possible equal. Brake adjustment

## GENERAL

30. (1) Every motor vehicle, motor cycle and bicycle shall be equipped with an adequate horn, gong or bell and it shall be kept in good working order and shall be sounded whenever it is reasonably necessary to warn persons on or approaching the highway in the vicinity of the vehicle or motor cycle or bicycle. Horn required
- (2) No person having the control of any motor vehicle, motorcycle or bicycle shall use the horn, gong, bell or other signalling device thereon except for the purpose of giving notice to persons on or approaching the highway in the vicinity of the motor vehicle, motorcycle or bicycle of the approach of the vehicle, and in so doing shall not make any more noise than is reasonably necessary for the purpose of giving warning. Use of horn
31. (1) Every motor vehicle using gasoline or other fluid of a like nature shall be equipped with a muffler of such kind and description as to prevent any unreasonable noise in the operation of the engine of the vehicle. Muffler required
- (2) No person operating, or having under his control, or in his charge any motor vehicle on any highway in any city, town or village, shall cut out the muffler, or open the cutout of the vehicle, while the engine thereof is in operation.

Rear vision  
mirror

32. (1) Every motor vehicle shall carry a mirror securely attached to it and placed in such a position as to afford the driver a clear view of the roadway in the rear, and of any vehicle approaching from the rear.
- (2) In any case where the view afforded by any such mirror is obstructed or interfered with by a trailer attached to the motor vehicle or otherwise, a side rear vision mirror or other mirror shall be attached to the motor vehicle and placed in such a position as to afford the driver a clear view of the roadway in the rear of any vehicle approaching from the rear.

Vehicle to  
have wind-  
shield wiper

33. Every motor vehicle other than a motorcycle, shall be equipped with a device for cleaning rain, snow and other moisture from the windshield, so constructed as to be controlled or operated by the driver.

#### RATE OF SPEED

Driving at  
unreasonable  
rate of speed

34. (1) No person shall drive a motor vehicle on a highway at any rate of speed which is unreasonable having regard to all the circumstances of the case, including the nature, condition and use of the highway, and the amount of traffic which then is, or might reasonably be expected to be, on the highway.

Speed prima  
facie unrea-  
sonable

- (2) Any person driving any motor vehicle within any city, town or village at a greater rate of speed than twenty-five miles per hour, or at a greater rate of speed than ten miles per hour in turning a corner, or at a greater rate of speed than forty miles per hour upon any highway outside of a city, town or

village, shall prima facie be deemed to be driving at an unreasonable rate of speed.

- (3) Any person driving a motor vehicle, when approaching or at a street corner or curve, where the driver of the vehicle has not a clear view of the approaching traffic, at a greater rate of speed than ten miles per hour in a city, town or village, or twelve miles per hour outside a city, town or village, shall prima facie be deemed to be driving at an unreasonable rate of speed.

Blind curves  
or corners

35. Any motor vehicle equipped with a siren,—

- (a) which is being used for the transportation of any member of a fire brigade or any policeman or any fire-fighting equipment to a fire; or
- (b) which is being used for the transportation of policemen for the purpose of detecting or preventing crime or making arrests; or
- (c) which is an ambulance and is being used in response to an emergency call,—  
may whilst being so used and whilst the siren is being continuously sounded be operated at such speed as is reasonable and proper having regard to the traffic ordinarily upon and the use of the highway and the fact that it is being so used.

Speed while  
siren being  
sounded

36. (1). The Council of a municipality or other authority having jurisdiction over a highway may make regulations limiting the rate of speed of any vehicle passing over a bridge and may therein fix a penalty not exceeding twenty dollars for the breach thereof,

Speed on  
bridges

and notice of the limit of speed fixed by the regulation shall be posted up in a conspicuous place at each end of the bridge.

- (2) Such notice shall be in the following form:

“Notice”

“Any person riding or driving over this bridge at a faster rate than \_\_\_\_\_ miles an hour, shall, on conviction thereof, be subject to a fine of \_\_\_\_\_ dollars.”

#### RULES OF THE ROAD

Passing on  
graded high-  
way

37. (1) Outside the limits of cities, towns or villages any person operating a motor vehicle, upon approaching a graded portion of any highway where, on account of the manner of the construction of the grade, it is impossible or dangerous for the motor vehicle and another motor vehicle or a horse or horses being driven in an opposite direction to pass each other, shall, before entering upon or along the graded portion of the highway, stop the motor vehicle, and if any other motor vehicle or horse being driven as aforesaid, is or are upon the graded portion, wait until the motor vehicle, horse or horses have first passed along the grade and passed the motor vehicle before he proceeds.

Passing  
horse-driven  
vehicles

- (2) A person travelling or being upon a highway, in charge of a motor vehicle, on meeting a vehicle drawn by one or more horses, at a point where the road is built along a bluff, embankment or hillside with a wall or steep ascent on the inside of said road and a drop or steep declivity on the outside of said road, shall turn out to the outside



of said road to pass the vehicle drawn by one or more horses and the person in charge of the vehicle drawn by one or more horses shall turn out to the inside of said road and shall pass between said motor vehicle and the wall or bluff on the inside of said road.

38. No person driving a motor vehicle shall pass or attempt to pass any other motor vehicle proceeding in the same direction on any hill, curve or bridge or any of the approaches thereto.

Passing on hill, curve or bridge

39. (1) Any person acting as the driver of a vehicle shall when meeting another vehicle keep his vehicle at all times to the right of the centre line of the highway.

Vehicle keeps to the right

(2) If any person acting as the driver of a vehicle desires to pass another vehicle or horseman travelling along the highway in the same direction, he shall in passing keep his vehicle to the left of the other vehicle or horseman or to the left side of the centre line of the highway.

Vehicle overtakes and passes on the left

(3) Any person acting as the driver of a vehicle shall not drive to the left side of the centre line of a highway in overtaking and passing another vehicle or horseman unless the left side of the highway is free from approaching traffic for a sufficient distance ahead to permit such person to overtake and pass the other vehicle or horseman in safety.

Highway clear when passing

(4) If any horseman or person acting as the driver of a vehicle is overtaken upon a highway by a vehicle travelling in the same direction, he shall allow such vehicle to pass and shall keep to the right of the centre line of the

Vehicle being overtaken allows free passage

highway so as to allow the free passage of the road by the overtaking vehicle.

- (5) If any driver of a vehicle cannot for any reason keep to the right or the left of the centre line of the highway so as to allow the immediate free passage of the road by another vehicle, as directed by this section, he shall stop and, if necessary, aid the driver of the other vehicle to pass in any manner practicable.

Siren prohi-  
bited

40. (1) No person shall drive a motor vehicle to which a siren is attached other than a motor vehicle which is used,—

- (a) for the transportation of any member of a fire brigade or of any fire-fighting equipment; or
- (b) for the transportation of any policeman; or
- (c) for an ambulance,—  
unless the Controller has specifically authorized him so to do.

Vehicles  
stop when  
siren  
sounded

- (2) Any person driving a motor vehicle and meeting or being overtaken by a motor vehicle on which a siren is being sounded, shall, having regard to all the circumstances of the case, bring the vehicle he is driving to a stop at the extreme right hand side of the highway as soon as it is reasonably possible, and shall remain stopped until the vehicle sounding its siren has passed.

Parking on  
highway

41. (1) No person shall park or leave standing any vehicle, whether attended or unattended,

upon the travelled portion of a highway outside of a city, town or village, when it is practicable to park or leave the vehicle off the travelled highway; provided that, in any event, no person shall park or leave standing any vehicle whether attended or unattended upon the highway unless a clear and unobstructed width opposite the vehicle is left for free passage of other vehicles thereon, and unless a clear view of the parked or standing vehicle may be obtained for a distance of two hundred feet along the highway in both directions.

- (2) No vehicle shall remain at a standstill on any highway any longer than one minute at any place which is within thirty feet of the point of intersection of that highway with any other highway.

42. The driver of every vehicle shall, before turning the vehicle to the right or left or stopping it, give such signals of this intention so to do in such manner as may be prescribed by the Regulations. Driving signals

Any person driving a vehicle on a highway shall, at the intersection of the highways, keep to the right of the intersection on the centre lines of the highways when turning to the right, and keep to the right, of the intersection of the centre lines when turning to the left. Turning at intersection

43. (1) Whenever any vehicle is turning from one highway into another the driver of any other vehicle approaching the intersection of the highways to the right of the vehicle shall have the right-of-way, and similarly, the driver of the first mentioned vehicle shall have the right-of-way over any vehicles approach- Right of way at intersection

ing the intersection of the highways on his left.

- (2) The driver of a vehicle approaching an intersection of highways or a cross-road shall yield the right-of-way to a vehicle which has entered the intersection.
- (3) When two vehicles enter upon an intersection at the same time, that vehicle shall have the right-of-way which entered the intersection from the right-of-the-driver of the other vehicle.

Stop  
streets

- 44. (1) Every vehicle about to enter upon any main highway as may be defined as such by any Ordinance, or upon any other highway, which, at the request of the local governing body has been designated and marked as a highway at which vehicles are required to stop or upon any intersection at which it is required to stop by any by-law of any city, town or village, shall be brought to a stop at a point not less than ten feet nor more than fifty feet from such highway, and shall not enter upon the highway either for the purpose of crossing it or of proceeding along it until the conditions of traffic on the highway are such that the vehicle can enter upon the highway with safety.
- (2) The driver of a vehicle entering a highway from a private road or drive or from an alley-way or lane or from a street or highway on which he is required to stop before entering such highway, shall yield the right-of-way to all vehicles upon such highway.

45. No person shall drive any vehicle on any street or highway within any city, town or village in such a manner that the same crosses from one side of the street or highway to the other side thereon between intersecting streets or highways.

Driving in city, town or village

46. Notwithstanding any other provisions of this Ordinance, every person whilst engaged upon the work of maintenance of a highway shall be entitled to drive or operate any vehicle required for the work, upon such portion of the highway as may be requisite for the necessary, regular or convenient discharge of his duties.

Maintenance vehicles

47. When a street railway car or a van operated by a school district for the transportation of school children, which bears a sign both in the front and rear thereof with the words "School Van" thereon has stopped to receive or discharge passengers, no vehicle shall overtake and pass such car or van until all persons who are about to enter or leave the same are safely clear of the path of the vehicle:

Passing street car or school van prohibited

provided, however, that nothing in this section shall be deemed to prevent any vehicle from passing a stationary street railway car at an intersection where a safety zone has been provided for passengers:

Proviso

48. An operator of any vehicle, when transporting gasoline other than the gasoline used for propelling the vehicle and contained in the tank or container of the motor vehicle, shall, before proceeding over any legal railway crossing, whether or not a train can be seen or heard approaching the crossing, bring the vehicle to a dead stop and shall not proceed until satisfied that it is safe to do so.

Gasoline trucks stop at railway Crossings

49. (1) If an accident occurs to any person whether on foot or horseback or in a vehicle, or to any horse or vehicle in charge of any person owing to the presence of any motor

Driver to return to scene of accident

vehicle on any public highway, the person in charge of the motor vehicle shall return to the scene of the accident, render all reasonable assistance, and give to any person sustaining loss or injury or to any peace officer or to a witness, his name and address, and also the name and address of the owner of the motor vehicle, and the registration number of the motor vehicle, together with such other information as may be requested.

Report accident to police

- (2) Every person in charge of a motor vehicle who is directly or indirectly involved in an accident shall, if the accident results in personal injuries, or in damage to property apparently exceeding twenty-five dollars, report the accident forthwith to the nearest police officer or constable, and furnish him with a written statement concerning the accident on such forms as may be prescribed by the Controller.

Inability to report

- (3) Where such person is physically incapable of making a report, and there is another occupant of the motor vehicle, the other occupant shall make the report.

Information to police

- (4) Every police officer or constable receiving a report of an accident shall secure from the person making the report, or by other inquiries where necessary, such particulars of the accident, the persons involved, the extent of the personal injuries or property damage, if any, and such other information as may be necessary to complete a written report concerning the accident to the Controller.

- (5) Every officer or constable of the Royal Canadian Mounted Police, and every chief of police, municipal clerk, or officer or constable of municipal police who receives or completes any report made pursuant to this section shall, within twenty-four hours after the receipt of completion of the report, mail or deliver a copy of the same to the Controller on such forms as may be prescribed by the Controller. Police report to Controller
- (6) Every insurance company which receives a claim, under a motor vehicle liability policy, in respect of personal injuries, or damage to property exceeding twenty-five dollars, shall forthwith give notice thereof to the Controller and shall furnish such other information as the Controller may require. Insurance Companies to report claims to Controller

#### RIGHTS AND DUTIES OF PEDESTRIANS

50. (1) At intersections of highways where traffic is controlled by traffic control signals pedestrians shall cross the highway only in the direction in which vehicles are permitted to move, and drivers of vehicles when turning, shall yield the right-of-way to pedestrians when so crossing. Pedestrians observe traffic signals at Intersections
- (2) The operator of a vehicle shall yield the right-of-way to a pedestrian crossing the roadway upon or within any crossing at an intersection except at intersections where the movement of traffic is regulated by a police officer or traffic control signal, or at any point where a pedestrian tunnel or overhead crossing has been provided. This provision shall not relieve the pedestrian from the duty of exercising due care for his safety. Pedestrians have right of way at Intersections

Passing  
stopped ve-  
hicle at in-  
tersection  
prohibited

- (3) Whenever any vehicle is stopped at a marked crossing or at an intersection to permit a pedestrian to cross the roadway, it shall be unlawful for the operator of any other vehicle approaching from the rear to overtake and pass the stopped vehicle.

Vehicles  
have right  
of way bet-  
ween inter-  
sections

- (4) Every pedestrian crossing a roadway at any point other than within a marked or unmarked crossing shall yield the right-of-way to vehicles upon the roadway, provided that this provision shall not relieve the driver of a vehicle from the duty of exercising due care for the safety of pedestrians.

Traffic sign-  
als at in-  
tersections

- (5) At intersections where traffic is controlled by traffic control signals or a by a police officer, operators of vehicles shall yield the right-of-way to pedestrians crossing or those who have started to cross the roadway on a green or "go" signal, and in all other cases, pedestrians shall yield the right-of-way to vehicles lawfully proceeding directly ahead on a green or "go" signal.

Pedestrians  
required to  
use walks

- (6) In any case where a sidewalk or path is located beside any highway, pedestrians shall at all times when reasonable and practicable to do so, use the sidewalk or path, and shall not walk or remain on the highway; provided, however, that this provision shall not relieve the driver of a vehicle from the duty of exercising due care for the safety of pedestrians.

Pedestrians  
keep to the  
left

- (7) No person shall walk or remain on the paved or travelled portion of a highway otherwise than close to his left hand edge of that por-



tion and any driver approaching and passing a pedestrian so walking on a highway shall drive as near to the centre of the road as he may safely do, and shall pass on the right hand side of such person.

### PROHIBITIONS

51. No person shall use, interfere or tamper with any motor vehicle or any of its accessories, or anything placed therein or thereon, without the consent of the owner. Use of motor vehicle without consent prohibited
52. No person shall;—
- (a) deface or alter any number plate issued under the provisions of this Ordinance; or Improper use of and defacing number plates prohibited
  - (b) use or permit the use of any defaced or altered number plate; or
  - (c) permit any number plate issued to him to be used in contravention of the provisions of this Ordinance.
53. No vehicle shall be operated on any highway unless all the requirements of this Ordinance as to the equipment thereof are at all times complied with. Operation without proper equipment prohibited
54. (1) No person shall throw or place upon a highway any glass, nails, scraps of metal or other material injurious to the tires of a motor vehicle. Depositing of materials on highway prohibited
- (2) No person shall unless authorized so to do by the highway authority deposit ashes, sand, soil or any other matter upon a snow-covered highway.
55. (1) No person shall employ for hire anyone who is not the holder of a chauffeur's license, to drive a motor vehicle. Employment of driver other than chauffeur prohibited

- (2) Except as otherwise provided herein, no person shall permit anyone who is not the holder of a driver's or chauffeur's license to drive his motor vehicle.

Renting to  
unlicensed  
person pro-  
hibited

56. No person shall hire or let for hire a motor vehicle unless the person by whom the motor vehicle is to be driven is authorized under the provisions of this Ordinance to drive the motor vehicle.

Racing pro-  
hibited

57. No person shall drive a motor vehicle upon a highway in a race, or on a bet or wager.

Driver re-  
quired to  
stop by  
police

58. Every person who is driving a vehicle shall, immediately he is signalled or requested to stop by a constable or police officer in uniform, bring his vehicle to a dead stop and furnish such information respecting the vehicle as the constable or police officer may require and shall not start the motor vehicle until such time as he is permitted so to do by the constable or police officer.

Erection of  
signs prohi-  
bited

59. (1) No person other than a person authorized so to do by the Controller shall erect or display on or in the vicinity of any highway any sign or notice giving any warning or direction as to the use of any highway by any person on a highway.

Defacement  
of signs  
prohibited

- (2) No person shall throw down, deface or otherwise injure any sign lawfully erected under the authority of this section for the purpose of guiding or warning motorists or other travellers.

Sale of parts  
prohibited.

60. (1) No person shall sell or offer for sale or expose for sale any portion of a motor vehicle or of the engine thereof or any accessory therefor which has been serially numbered

by the manufacturer or maker, if the serial number has been removed, obliterated or effaced or if the serial number is not clearly visible.

- (2) This section shall not apply to the sale of tires which are sold as seconds.

61. No person shall use or be in possession of a driver's or chauffeur's license belonging to any other person or of a driver's or chauffeur's license which is fictitious or which has been cancelled or suspended, nor shall any person who holds a driver's or chauffeur's license permit any other person to use or be in possession of such license.

Possession of license prohibited

62. No person shall apply for or procure or attempt to procure the issuance of a new driver's or chauffeur's license to himself during a period when his license is cancelled or suspended or during a period when he is disqualified from holding a license, notwithstanding that the year for which the license was issued has expired.

Application for new license prohibited when old license is suspended

63. No person shall apply for or procure or attempt to procure the registration of a motor vehicle during a period when the registration of a motor vehicle or the certificate of registration issued therefor is suspended or cancelled.

Application for registration prohibited when already suspended etc.

#### ADMINISTRATION

64. The Controller may appoint such persons or officers as he may deem necessary for enforcing and carrying out the provisions of this Ordinance.

Appointment of officers

65. All members of the Royal Canadian Mounted Police and all police constables and officers and all other peace officers, shall be ex-officio officers for the purpose of carrying out and enforcing the provisions of this Ordinance.

R. C. M. P. and police ex-officio officers

## Regulations

66. The Controller may make such regulations as are necessary to carry out the provisions of this Ordinance according to their obvious intent or to meet cases which arise and for which no provision is made by this Ordinance, and without in any way restricting the generality of the foregoing, may make regulations,—

- (a) prescribing forms and fixing the times at which and the persons to whom return shall be made;
- (b) prescribing the design and position of lights and reflectors to be used upon vehicles;
- (c) prescribing the requirements as to brakes on motor vehicles and requiring the periodic inspection, testing and adjustment thereof;
- (d) prescribing the form, design and manner of display of any marker or number plate issued by the Controller instead of the prescribed number plate or plates, and making any incidental provisions that may be necessitated by the substitution of the marker or number plate for the prescribed number of plate or plates;
- (e) prescribing any equipment required and the types and uses thereof on motor vehicles;
- (f) requiring the periodic inspection, testing and adjustment of any mechanical equipment of any motor vehicle;
- (g) prescribing and requiring the use of devices and other means to prevent accidents or thefts of motor vehicles;
- (h) prescribing fees for licenses, permits and certificates required pursuant to this Ordinance;

- (i) prescribing terms and conditions governing the registration, use and operation of motor vehicles whether new or second-hand, which are owned, kept or used by any manufacturer or dealer;
  - (j) prescribing generally as to any other matter or thing deemed necessary for the better carrying out of the intention and the provisions of this Ordinance, the doing of which is permitted by this Ordinance.
67. (1) The Controller may from time to time appoint such persons as he may think fit as motor vehicle inspectors who shall have such duties as may be assigned to them by him. Appointment of motor vehicle inspectors
- (2) The Controller shall give all powers conferred upon him by this Ordinance to such person or persons as he may deem advisable. Delegation of Controller's powers

#### POWERS OF OFFICERS

68. Every driver of a motor vehicle shall produce his license for inspection when requested to do so by any inspector or peace officer. Production of license

69. Any inspector or police officer may at any time stop and inspect or cause to be inspected any equipment on a vehicle on a highway and may, if such equipment or any part thereof does not conform with the provisions of this Ordinance, require the driver or owner thereof to have the equipment made to comply therewith, and the driver or owner thereof shall forthwith proceed to comply with this Ordinance. Inspection of vehicles on highway

70. Any inspector or peace officer who has reason to believe that a motor vehicle is carrying number plates which were not issued for it, or which although issued for it were seizure of number plates

obtained by false pretences, may take possession of such number plates and retain them until the facts as to the carrying of such number plates have been determined.

Seizure of  
abandoned  
vehicle

71. Every inspector or peace officer upon the discovery of any motor vehicle apparently abandoned on or near a highway or of any motor vehicle without proper registration plates, may take the motor vehicle into his custody and may cause it to be taken to and stored in a suitable place and all costs and charges for removal, care or storage thereof, shall be a lien upon the motor vehicle.

#### PROCEDURE AND EVIDENCE

Onus on  
owner or  
driver of  
motor  
vehicle

72. (1) When any loss or damage is sustained or incurred by any person by reason of a motor vehicle in motion, the onus of proof that the loss or damage did not entirely or solely arise through negligence or improper conduct of the owner or driver of the motor vehicle shall be upon the owner or driver of the motor vehicle.

(2) This section shall not apply in the case of a collision between motor vehicles upon a highway.

Onus where  
Ordinance  
contravened

73. Where a motor vehicle is operated upon a highway in contravention of any provision of this Ordinance, and loss or damage is sustained by any person thereby, the onus of proof that the loss or damage did not arise by reason of the contravention of this Ordinance shall be upon the owner or driver thereof.

Onus on  
owner to  
disprove  
liability if  
Ordinance  
violated

74. The owner of a motor vehicle for which a certificate of registration has been issued under the provisions of this Ordinance shall be guilty of an offence and liable for any violation of any of the provisions thereof in connection with the operation of the motor vehicle, unless the owner

proves to the satisfaction of the justice of the peace or police magistrate trying the case that at the time of the offence the motor vehicle was not being driven by him or by any other person with his consent, express or implied;

Provided that if the owner was not at the time of the offence driving the motor vehicle, he shall not in any event be liable to imprisonment. Proviso

75. Upon any person being charged with an offence under any of the provisions of this Ordinance, if the justice of the peace or police magistrate trying the case be of opinion that the offence was committed wholly by accident or misadventure, and without negligence, and could not by the exercise of reasonable care or precaution have been avoided, the justice of the peace or police magistrate may dismiss the case. Accident or misadventure without negligence

76. When proof of ownership of any motor vehicle or of the suspension or revocation of any license issued under the provisions of this Ordinance is required, the production of a certificate purporting to be under the hand of the Controller or his deputy, to the effect that the person named therein is the registered owner of the vehicle, or that the license of the person named therein has been suspended or revoked, shall be prima facie evidence thereof, without proof of signature or official character. Prima facie evidence of ownership, or of suspension or revocation

77. Nothing in this Ordinance shall be construed to curtail or abridge the right of any person to prosecute an action for damages by reason of injuries to person or property resulting from the negligence of the owner or operator of any motor vehicle or from the negligence of any agent or employee of the owner. Action for negligence not affected

78. In any action for the recovery of loss or damage sustained by a person by reason of a motor vehicle upon a highway, every person driving the motor vehicle who is living with and as a member of the family of the owner Persons deemed to be agent or servant of owner

thereof and every person driving the motor vehicle who has acquired possession of it with the consent, express or implied, of the owner thereof shall be deemed to be the agent or servant of the owner of the motor vehicle and to be employed as such, and shall be deemed to be driving the motor vehicle in the course of his employment from the liability for the damages.

Limitation  
of actions

79. (1) No action shall be brought against a person for the recovery of damages occasioned by a motor vehicle after the expiration of twelve months from the time when the damages were sustained.
- (2) Notwithstanding subsection (1) of this section, when an action is brought within the time limited by this Ordinance for the recovery of damages occasioned by a motor vehicle and a counterclaim is made or third party proceedings are instituted by a defendant in respect of damages occasioned in the same accident, the lapse of time limited by this Ordinance shall be no bar to the counterclaim or third party proceedings.
- (3) Any prosecution or proceedings taken or instituted to enforce the provisions of this Ordinance shall be commenced within one month of the time when the offence was committed and not afterwards.

Limitation  
of action by  
gratuitous  
passenger

80. (1) No person transported by the owner or driver of a motor vehicle as his guest without payment for the transportation, shall have a cause of action for damages against the owner or driver for injury, death or loss, in case of accident, unless the accident was caused by the gross negligence or wilful and wanton misconduct of the owner or opera-



tor of the motor vehicle, and unless the gross negligence or wilful and wanton misconduct contributed to the injury, death or loss for which the action is brought.

- (2) The provisions of this section shall not relieve any person transporting passengers for hire or gain or any owner or operator of a motor vehicle while the motor vehicle is being demonstrated to a prospective purchaser, of responsibility for any injury sustained by a passenger being transported, for hire or gain or by any such prospective purchaser.

#### OFFENCES AND PENALTIES

81. Except as otherwise provided herein, any person violating any of the provisions of this Ordinance shall be guilty of an offence and liable on summary conviction.

Violation of  
Ordinance

- (a) for a first offence to a penalty of not more than fifty dollars and costs;
- (b) for a second offence to a penalty of not more than fifty dollars and costs;
- (c) for a third or subsequent offence to a penalty of not more than one hundred dollars and costs.

82. Any person failing to produce his driver's or chauffeur's license when demanded by any police officer or inspector, shall be guilty of an offence and liable upon summary conviction to a penalty of not more than five dollars and costs.

Failure to  
produce li-  
cense

83. Every person who operates any vehicle on any highway without complying with the requirements of this Ordinance as to equipment, and every person by whose per-

Equipment  
of vehicles

mission any vehicle is so operated, shall be guilty of an offence in respect of each and every requirement which is not complied with.

Obstruction  
of officers

84. Any person who obstructs, molests or interferes with any inspector, police officer or constable in the performance of duties imposed upon him by this Ordinance, shall be guilty of an offence and liable on summary conviction,—

- (a) for a first offence to a penalty of not more than one hundred dollars and costs,—
- (b) for a second offence to a penalty of not more than three hundred dollars and costs;—
- (c) for a third offence to a penalty of not more than five hundred dollars, or to imprisonment for a term not exceeding six months, or to both fine and imprisonment.

False state-  
ments in  
applications  
or declara-  
tions

85. Any person who knowingly makes any false statement of fact in any application, declaration, or other document required by this Ordinance, or by the Controller in order to procure the issue to him of a license or certificate of registration, shall be guilty of an offence and liable on summary conviction in addition to any other penalty or punishment to which he may be liable,—

- (a) for a first offence to a penalty of not more than one hundred dollars and costs;
- (b) for any subsequent offence to a penalty of not more than two hundred dollars and costs, or to imprisonment for any term not exceeding one month or to both fine and imprisonment.

86. (1) Any person who operates a motor vehicle without a subsisting certificate or registration thereof, or without a subsisting driver's or chauffeur's license, as the case may be, shall be guilty of an offence and liable upon summary conviction, Operation of vehicle without certificate or license
- (a) for a first offence to a penalty of not more than one hundred dollars and costs, and shall also be liable to imprisonment for a term not exceeding thirty days; and
- (b) for any subsequent offence to a penalty of not more than five hundred dollars and costs, and shall also be liable to imprisonment for a term not exceeding six months.
- (2) Any person who operates a motor vehicle after the cancellation or suspension of the certificate of registration thereof, or of his driver's or chauffeur's license as the case may be, shall be guilty of an offence and liable on summary conviction to the penalties provided in subsection (1). Operation of vehicle when license or certificate cancelled
87. (1) Any person violating the provisions of this Ordinance respecting the rate of speed shall be guilty of an offence and liable on summary conviction,— Unreasonable rate of speed
- (a) for a first offence to a penalty of not more than fifty dollars and costs;
- (b) for a second offence to a penalty of not more than one hundred dollars and costs;

- (c) for a third or subsequent offence, to a penalty of not more than two hundred dollars and costs, or to imprisonment for a term of not less than two weeks nor more than one month, or to both penalty and imprisonment.

Forfeiture of  
license

- (2) The license of any person committing any offence against the provisions of this Ordinance respecting the rate of speed subsequent to a conviction for a second offence under these provisions, shall ipso facto become forfeited, cancelled and void.

Indorsement  
of conviction  
on license,  
permit or  
certificate

88. Whenever any person who is the holder of any license, permit or certificate of registration issued pursuant to this Ordinance is convicted of an offence against any of the provisions of this Ordinance, the convicting judge, police magistrate, or justice of the peace, shall indorse on such license, permit or certificate of registration the particulars of the conviction, and may suspend or cancel the license, permit or certificate of registration.

Unlighted  
bicycle

89. Any person who has a bicycle on any highway in contravention of paragraph (b) of subsection (1) of section 25, shall be guilty of an offence and liable on summary conviction,—

- (a) for a first offence to a penalty of not more than ten dollars and costs:
- (b) for a second or subsequent offence, to have the bicycle impounded for a period of not less than seven days, and to a fine of not more than twenty dollars and costs.

Impounding  
of motor  
vehicle

90. (1) Where any person has been convicted of any offence against the provisions of section 34 or section 57 committed in a city, and is with-

in a period of one year thereafter convicted of a similar offence in any city, the magistrate, justice of the peace or justices of the peace making the conviction may by the conviction or by a subsequent order direct that the motor vehicle in which the offence was committed, if the person convicted is the owner thereof, or has any beneficial interest therein, shall be impounded and kept by the police at the cost and risk of the person so convicted, for not more than fourteen days.

- (2) When any person after having been convicted of any offence which may lead to the impounding of his motor vehicle is subsequently convicted of any offence against the provisions of section 34 or section 57 within a city, the vehicle in which the offence was committed may be impounded under the same conditions as are set out in subsection (1) thereof, save that the impounding may be for a period of not more than six months.
- (3) The proper cost of keeping and storing any motor vehicle so impounded shall be paid by the person convicted upon his conviction and if not so paid shall be deemed to form a lien upon the motor vehicle, and shall moreover be recoverable by distress in the same manner as any fine imposed under this Ordinance.

91. The Highway Traffic Ordinance, being Chapter 41 of the Consolidated Ordinances, 1914; and the Motor Vehicle Ordinance, being Chapter 66 of the Consolidated Ordinances 1914, are hereby repealed. Repeal

## CHAPTER 3

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### THE YUKON GAME ORDINANCE

1947

*(Assented to July 17th, 1947.)*

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

#### SHORT TITLE

Short title

1. This Ordinance may be cited as "The Yukon Game Ordinance."

#### INTERPRETATIONS

Interpretations

2. In this Ordinance, unless the context otherwise requires:

"Close Season" means the period which the hunting, killing, destroying, injuring, trapping, taking, capturing, selling, trading in, or molesting of game is prohibited or restricted by the Ordinance or by any Regulation.

"Controller" means the Controller of the Yukon Territory.

"Deer" means animals of the species commonly known as Coat or Columbia deer, mule deer, white-tailed deer and fallow deer.

“Fur Bearing animals” means and includes beaver, fox, lynx, marten, mink, muksrat, otter, fisher, weasel and squirrel, but shall not include any bear, coyote, wolverine, wolf or rabbit.

“Game” means all wild mammals and wild birds and the heads, skins, and every part of such mammals and birds.

“Game Guardian” means any person appointed by the Controller for the purpose of enforcing the provisions of this Ordinance.

Guides. “Chief Guide” wherever used herein shall mean and include any person duly licensed as such and the person who, being a chief guide, is in charge of and guiding and conducting any big game or game bird hunter, duly licensed as such under the provisions of this Ordinance.

“Assistant Guide” shall mean any person duly licensed as such and any person so licensed acting as assistant guide under the direction of any such chief guide in guiding and conducting any such licensed hunter.

“Open Season” means the period during which such game may be hunted, killed, destroyed, trapped, taken, captured or possessed.

“Ordinance” means the Yukon Game Ordinance.

“Outfitter” means and includes any person duly licensed as such who carries on or who is engaged in or concerned in the business of lending, renting, or letting for hire any saddle horse, pack horse, vehicle, boat or other equipment for the purpose of being used in the hunting, taking, or killing of any big game or game bird.

“Outpost” means a trading establishment in which the business of trading or trafficking in game is carried on by the holder of a Trading Post permit and under the authority of an Outpost permit.

“Person” includes Indians.

“Preserve” means an area set aside for the protection of game for the benefit of native Indians.

“Resident” means any Canadian citizen who has resided continuously in the Yukon Territory for not less than one year immediately prior to the date of his application for a license under this Ordinance.

“Sanctuary” means any bounded area set aside under the provisions of this Ordinance for the protection of all game.

**Game  
Guardians**

3. (1) All members of the Royal Canadian Mounted Police and all guides shall be ex-officio game guardians under this Ordinance, and the Controller may from time to time appoint other game guardians.

**Oath of  
Office**

- (2) Every game guardian so specially appointed, before acting as such guardian, shall take and subscribe before any person authorized to administer oaths in the Territory, the following oath:

I, A. B....., a game guardian, in and for the Yukon Territory, do solemnly swear that to the best of my judgement, I will faithfully, honestly, and impartially fulfill, execute, and perform the office and duty of such game guardian, according to the true intent and meaning of the Ordinance respecting the preservation of



game in the Yukon Territory, and of all regulations made to or to be made thereunder."

CLOSE SEASONS

4. (1) Except as hereinafter provided, the following shall not be hunted, trapped, killed or taken during the following times of the year, respectively: <sup>Close Season</sup>
- (a) Any buffalo, bison, elk or wapiti, any species of deer at any time.
  - (b) Beaver, at any time.
  - (c) Fox, between the 31st day of January and the 1st day of November south of the Arctic Circle, and between the 15th day of March and the 1st day of November north of the Arctic Circle.
  - (d) Lynx, between the 31st day of March and the 15th day of November.
  - (e) Mink and Marten, between the 1st day of March and the 15th day of November.
  - (f) Fisher and otter, between the 15th day of May and the 1st day of January.
  - (g) Muskrat, between the 31st day of May and the 1st day of March in the district south of the Arctic Circle and between the 15th day of June and the 1st day of March in the district north of the Arctic Circle.
  - (h) Squirrel and weasel (ermine) between the 31st day of March and the 1st day of November.

- (i) Pheasant, closed.
- (j) Ptarmigan, Sharp-tailed grouse, Franklin grouse, Spruce Grouse (Fool Hen), between the 31st day of January and 1st day of September. Ruffed grouse (Willow grouse) and blue grouse, between the 31st day of October and the 1st day of September.
- (k) Waterfowl (except species not permitted to be taken under the Migratory Birds Convention Act and Regulations thereto), and Wilson snipe or jacksnipe, between the 1st day of November and the 1st day of September.
- (l) Moose, Mountain sheep, Mountain goat, between the 1st day of December and the 1st day of August.
- (m) Caribou between the 1st day of February and the 1st day of August.
- (2) Except as hereinafter provided, no eggs in the nest of any birds above mentioned, or in the nest of any other species of wild fowl, shall be taken, destroyed, injured, or molested at any time of the year.

#### BAG LIMITS ON CERTAIN GAME ANIMALS AND BIRDS

##### Bag limits

- (1) No one person shall have the right to kill during the open season, except as hereinafter provided, more than one moose, one mountain sheep, one mountain goat, one woodland caribou and four migratory caribou, and no females of such beasts, and no animal of any species under the age of one year shall be killed at any time except as herein provided.

- (2) No one person shall have the right to kill in any one day during the open season more than fifteen in the aggregate or thirty during the season, of the following, Ptarmigan, Sharp-tailed grouse, Franklin grouse, Spruce grouse (fool hen), Ruffed grouse (Willow grouse) and Blue grouse.
- (3) The bag limit for ducks, geese, and such other migratory birds as can be legally taken shall not exceed a greater number than is permitted to be taken and possessed under the Migratory Birds Convention Act and Regulations thereto.

HUNTING AND TRAPPING LICENSES

6. No person shall engage in hunting or trapping any game permitted to be taken under Section 4 of this Ordinance, without being the holder of a valid and subsisting license or permit issued pursuant to this Ordinance, bearing his or her signature or duly witnessed mark on the face thereof. Any person whose main occupation is other than trapping shall not be deemed eligible for a trapping license.

License  
Required

LICENSE FEES

7. The names of the several licenses and the fees for same shall be as follows:

License  
Fees

- (1) A resident hunting licensc.... \$1.00
- (2) A resident trapping license ... 2.00
- (3) A non resident big game hunting license for a Canadian citizen 75.00
- for an alien ..... 100.00

- (4) A non-resident trapping license for a Canadian citizen.. 250.00
- (5) A non-resident bird license .... 5.00
- (6) A combined Indian hunting and trapping license ..... FREE

An alien will not be eligible for a trapping license. A minor under the age of 14 years shall not be eligible for a license. A minor assisting his parents or guardians in connection with hunting or trapping operations will not require a license.

#### RETURN OF LICENSE

Return of  
License

8. Every holder of a hunting or trapping license shall, before leaving the Territory, or upon application for renewal of same, return the said license to the office of issue with the affidavit on the back of the said license duly completed. Each holder of a non-resident hunting license shall, upon returning from a hunting trip or before leaving the Territory, return the said license to the office of issue with the declaration on the back of the license duly completed before the Chief Guide in charge of the party. All such returned licenses shall be forwarded to the Controller by the receiving agent. If a license is lost, Section 18 of the existing Ordinance shall be complied with.

#### PRIVILEGES UNDER LICENSE

Privileges  
under li-  
cense:  
Hunting  
license

9. (1) A resident Hunting License shall permit the taking of game mentioned in paragraph (j) (k) and (l), of sub-section (1) of Section 4 of this Ordinance, and such game as is not protected by this Ordinance.

Trapping  
license

(2) A Resident or non-resident trapping license shall permit the taking of fur-bearing animals and to export the pelts and skins thereof

upon compliance with the provisions of "The Fur Export Tax Ordinance," and such license shall further entitle the holder thereof to kill for his own use, and only to the extent necessary for such purpose during the open season, the animals and birds mentioned in paragraphs (j) (k) and (l), sub-section (1), section 4 of this Ordinance, and such game as is not protected by this Ordinance.

- (3) A non-resident Bird License shall permit the taking of such birds as are mentioned in paragraphs (j) and (k), subsection (1) of Section 4 of this Ordinance. Non resident  
Bird License
- (4) The following provisions shall apply in the case of a non-resident big game hunting license. Non resident  
Big Game  
license
- (a) Such license shall entitle the holder thereof to kill during the open season one moose, one mountain sheep, one mountain goat, and one caribou of each species, and no female of such beasts, and no animal of any species under the age of one year.
- (b) A holder of a non-resident big game hunting license shall be entitled to take with him or to ship out of the Territory as trophies, the head, hide and hoofs of any big game lawfully killed by him.
- (c) Provided that every license holder shall before leaving the Territory, be required to make and subscribe before a game guardian a statement under oath that he has not violated any of the provisions of this Ordinance, giving such particulars in relation there-

to as may be required by the game guardian. And upon such statement being made the game guardian shall give to such license holder a certificate that such game, describing it, has been lawfully killed or taken and that such license holder is entitled hereunder to export the same from the Territory subject to any customs regulations existing in regard thereto.

- (d) Every such license holder shall be entitled to receive from the Territorial Secretary or the Territorial Agents, a certificate enumerating the game killed by him under authority of his license, in such form and manner as may be prescribed by the Territorial Secretary. Such certificate shall set forth a description of the game killed, together with the measurements of the trophy produced therefrom, the number of the license, the locality where such game was killed, and the name of the chief guide accompanying the licensee. The Territorial Secretary and the Territorial Agents shall keep a record book of all certificates, issued, and such record book shall contain all the official record of all game killed and exported as trophies by licensed non-resident hunters.
- (e) Except as herein provided no holder or holders of any such license or licenses shall engage in hunting moose, mountain sheep, mountain goat, caribou or bear, or exercise his license or licenses for that purpose without having with him in his employ a licensed Chief Guide, and for each additional non-resident hunter in the same party, a licensed Assistant Guide. The Controller may in his discretion grant to a licensed Outfitter a Temporary Chief Guides license, provided

that the Outfitter accompany the big-game hunting party and can satisfy the Controller that he is capable of acting as a Chief Guide.

- (f) Such license shall further entitle the holder thereof to kill for his own use and only to the extent necessary for such purposes during the open season, the birds mentioned in paragraphs (j) and (k), sub-section (1) of Section 4 of this Ordinance.

#### LICENSED OUTFITTERS AND GUIDES

#### 10. (1) Outfitters' License.

- (a) No person shall for hire, gain, or reward, rent or let out any saddle horse, pack horse, vehicle, boat or other equipment for the purpose of being used in the hunting, taking, or killing, of any big-game or game birds, without first obtaining an Outfitters' License under this Section. Every such license shall be issued by the Controller. Any person applying for an Outfitter's License shall be a resident of the Territory and shall satisfy the Controller or his duly appointed agents, as to his character and ability to engage in such business or undertaking, and must be a bonafide owner of sufficient horses or boats and the necessary equipment to take care of two or more big-game hunting parties, or a minimum of six hunters, in the field at one time. Such horses, boats and necessary equipment shall be kept in good order and repair and be available for inspection by the Controller, or his duly ap-

pointed agents, at all times. An Outfitters' License shall be valid for one year, and expire on the 30th day of June.

- (b) A return shall be made to the Controller or his duly appointed agents by each Outfitter showing the number of big game or game bird hunting parties outfitted by him during the season, which will include the name and address of each hunter, the number and species of game killed, and district where hunted.

(2) Chief and Assistant Guides Licenses.

Chief and  
Assistant  
Guides Li-  
cense;  
Chief Guide

(a) Chief Guide. The Controller or his appointed agents may issue to any person being resident of the Territory, a license to act as Chief Guide, providing such person was a licensed Chief Guide under this Ordinance for at least three years, or to any person who has acted as a licensed Assistant Guide over a period of three years within the Territory, and can satisfy the Controller, or his duly appointed agents, that he is a fit and qualified person to assume the responsibilities of a Chief Guide. A Chief Guide License shall be valid for one year, and expire on the 30th day of June.

Assistant  
Guide:

- (b) Assistant Guide. The Controller, or his duly appointed agents, may issue to any person being a resident of the Territory, a license to act as an assistant Guide providing such person was a



licensed Assistant Guide prior to 1945, or to any person who can produce such evidence of his qualifications both as to ability and character, such as may be required by the Controller, or his duly appointed agents. An Assistant Guides License shall be valid for one year, and expire on the 30th day of June.

(c) A Chief or Assistant Guide, while employed or engaged as a guide, shall not kill any game as set forth under paragraphs (j), (k), and (l), Sub-section (1) of Section 4 of this Ordinance. Not to kill game

(3) Any person who acts as Chief or Assistant Guide to any big-game or game bird hunter, without first having procured a license as required by the Ordinance, shall be guilty of an offence against this Ordinance. Offence:

(4) Fees for such licenses respectively, shall be as follows: Fees

Outfitters' License .....\$50.00

Chief Guides License ..... 20.00

Assistant Guides License ..... 10.00

(5) Every Chief Guide and Assistant Guide licensed hereunder, who shall fail to report, or who refuses or neglects to lay information for any violation of this Ordinance, or who shall himself violate any of the provisions of this Ordinance, shall in addition to any other penalty, have his license revoked and Guides to report breach of Ordinance

shall be ineligible to act as guide for a period of two years from the date of conviction.

#### USE OF AIRCRAFT IN TRAPPING

Use of Aircraft limitations

11. Aircraft shall not be used in trapping operations except as a means of transportation between the settlement where a trapper is outfitted and his principal base camp. Before making use of aircraft as above every trapper shall notify the nearest game guardian in writing stating the location and name of the settlement in the Yukon Territory where he will be outfitted, and also giving the location of his principal base camp and the location of that portion of the Territory where he will trap.. The owner or operator of the aircraft used to transport a trapper shall also be required to report to the Controller immediately after transporting a trapper to his base camp stating in writing the name of the trapper, date and number of trapper's license, name of settlement where trapper is outfitted, location of his principal base camp, and also when removing trapper from his base camp to furnish a report in writing giving name of trapper, number, and date of license, and date and destination where trapper is taken by plane. Every game guardian shall report immediately to the Controller all information received under this Section. Any operator or owner of an aircraft, who uses aircraft in transporting a trapper who is not licensed under this Ordinance, or any such operator or owner who fails to furnish the information as required by this Ordinance, shall be guilty of an offence against this Ordinance.

#### TRADING AND OUTPOST PERMITS

Trading and Outpost permits

12. No trading post or outpost shall be established or maintained in any part of the Territory except under the authority of a permit from the Controller or an officer authorized by him. Such permits may, in the discretion of the Controller be cancelled if the trading post or outpost

for which the permit is issued is not operated for at least eight months in the case of a trading post, and at least three months in the case of an outpost in each license year, or for any infraction of the Ordinance or regulation. The permit shall not be transferable. A fee of one (\$1) Dollar shall be charged for each permit.

#### FUR TRADING LICENSES

13. (1) Except those persons authorized by the Ordinance, no person shall engage in the business of trading and trafficking in the pelts and skins of fur-bearing animals and those wild animals not protected by this Ordinance in the Territory, without first securing a license to do so. The holder of such license shall at all times have the right to trade and traffic in the pelts and skins of game legally killed or taken under this Ordinance. The license shall authorize the person to whom it is issued to trade and traffic only at the trading post or outpost described in the license. No person shall in any license year acquire from anyone other than the holder of a Fur Traders' license, skins or pelts of game for his own use or otherwise, to a value exceeding One Hundred (\$100) Dollars.
- (2) Every person trading and trafficking in the skins and pelts of animals mentioned in Subsection (1) of Section 13, shall furnish each customer with a record of each sale and purchase, setting out the number and kind of pelts traded, and the kind and value of goods exchanged therefor, and when required by the customer, Indian Agent, or Police Officer, an itemized statement showing the standing of the customer's account.

Fur Trading  
Licenses

Record to be  
kept

Separate li-  
cense for  
each post

- (3) Every person trading or trafficking in the skins and pelts of animals mentioned in Subsection (1) and (2) of Section 13, must obtain a separate license for each trading post or outpost for which he has secured a permit under Section 12 of this Ordinance.

#### LICENSE FEES

License  
fees

14. The fees for Fur Trading Licenses shall be as follows for each trading post or outpost:

For a Resident Fur Trading License \$25.00

For a non-resident Canadian Citizen 150.00

#### TRANSFER OF LICENSE

Transfer of  
license

- 15 A fur trading license may be transferred, upon written request being made to the Controller or his duly appointed agents.

#### RECORDS OF LICENSEES

Record of  
Licensees

16. Every holder of a fur-trading license shall keep records covering the purchase of all furs, which records shall show the following:

Date of each purchase:

Name of trapper from whom fur purchased:

Number of license of said trapper:

Number and description of pelts purchased.

#### LICENSEE TO MAKE RETURNS

Licensee to  
make return

17. Every holder of a fur-trading license shall, before leaving the Yukon Territory, or as soon as practicable

after the expiration of the license, whichever first occurs, return the license to the nearest game guardian with the affidavit on the back of the same duly completed.

RETURNS REQUIRED IF LICENSE LOST

18. If a licensee is unable to produce his license on the date specified for its return he must appear before the nearest game guardian and make an affidavit setting out the game killed, trapped or taken, or traded by him during the period covered by such license. Where license lost

TRADING POST ASSISTANTS

19. Notwithstanding the provisions of Section 13, any person who is authorized to engage in the business of fur trading under this Ordinance may have other persons to assist him at the trading post or outpost described in the license. Trading Post Assistant may be employed

ISSUE OF LICENSES

20. All licenses shall be issued by the Controller or persons specially designated by him for that purpose, and no license shall be valid unless the signature of the person named in the license is endorsed thereon. Controller may issue license

EXPIRY DATE OF LICENSES

21. All licenses shall expire on the 30th day of June in each year. Upon the request of a game guardian, the holder of a license shall submit his license for inspection. Expiry date of licenses

LICENSES MAY BE CANCELLED

22. Any license issued under this Ordinance may, in the discretion of the Controller, be cancelled or suspended, if the holder thereof is convicted of violation of the provisions of the Ordinance or Regulations made pursuant to the provisions of said Ordinance. Controller may cancel for cause

## PENALTIES FOR FALSE REPORTS

Penalties for  
false reports

23. Any person who makes a false report as to the number of game killed, trapped, taken or traded in, or who fails or neglects to return his license within the time specified in the Ordinance, or Regulations, may, in addition to any other penalty provided in the Act or Regulations, be refused a license in any subsequent year.

## ILLEGAL POSSESSION OF GAME

Illegal  
possession  
of game

24. It shall be unlawful for any person to have in his possession any game taken in violation of the provisions of the Ordinance or Regulations.

## POWERS OF GAME GUARDIANS TO SEARCH

Powers of  
Game  
Guardian to  
search

25. Any game guardian may call upon any person at any time found in possession of game or the pelt of any fur-bearing animal to state when, where, and from whom such game or pelt was obtained, and whenever he has reason to suspect that any person is illegally in the possession of any such game or pelt, he shall have the right to inspect any bag, or other receptacle, vehicle, or other conveyance in which he supposes any such game or pelt to be, and any person refusing, molesting or obstructing any game guardian in the accomplishment of such duties shall be liable, upon summary conviction, to a penalty not exceeding Two Hundred (\$200) Dollars and costs, and, in default of payment, to imprisonment for not exceeding three (3) months.

## SEIZURE AND CONFISCATION OF GAME

Seizure and  
confiscation  
of game

26. Any game guardian who has reasonable grounds for believing that an offence has been committed under this Ordinance may enter upon the premises of any person where he has reason to believe any game, or fur-bearing animal, or pelt may be, and make search therefor in every part thereof, and seize any game or fur-bearing animal or

pelt in respect to which he believes such offence has been committed, and upon any seizure shall notify the person in whose custody such game, or fur-bearing animal, or pelt was found to appear before the nearest convenient Justice, naming him, at a time and place to be named to such person by said guardian, to establish the rightfulness of his possession of such game, fur-bearing animal, or pelt, and where practicable, shall take the said game, fur-bearing animal, or pelt before said Justice, and in the event of such person failing to establish such right of possession the Justice may declare such game, fur bearing animal, or pelt confiscated and the same may be dealt with in the manner provided by Section 35 of this Ordinance in regard to property confiscated.

#### GAME GUARDIANS MAY APPOINT CONSTABLES

27. (1) Any game guardian, when he considers it necessary to do so, may depute a constable or constables to apprehend any person who has done, or who he has reason to believe has done, anything in contravention of any of the provisions of this Ordinance or the Regulations. Game Guardian may appoint deputies
- (2) Such constable shall upon apprehending such person, arrest him and bring him for trial before the nearest Justice of the Peace, together with any game, eggs, or nests, or parts thereof, protected by this Ordinance or a Regulation, found in the possession of such person at the time of his apprehension.

#### POSSESSION OF GAME

28. Possession shall be constituted as follows, namely:
- (1) Possession at any time of the year of a buffalo, or bison, elk or wapiti, or any species Possession of game defined

of deer, dead or alive, or any part thereof,  
or,—

- (2) Possession at any time of the year of eggs, of any of the birds mentioned in this Ordinance, or of eggs of any other species of wild fowl, or,—
- (3) Possession during the close season of any game or game birds or parts thereof, protected by Section 4 of this Ordinance, shall be deemed prima facie evidence of the killing or taking of such game, game birds, or eggs, as the case may be, contrary to the Provisions of this Ordinance. Provided, however, that this subsection shall not be construed to prevent the possession of game or game birds permitted to be taken under Section 4, during the open season, for a period of sixty days after the beginning of the close season.
- (4) No person, except as herein otherwise provided, shall sell or expose or offer for sale at any time of the year any meat of any mammal or any bird mentioned in Section 4 of this Ordinance killed during the close season.

#### SEARCH WARRANT MAY BE ISSUED IN CERTAIN CASES

Search  
Warrant

29. Any Justice of the Peace, upon proper information that there is reason to suspect that a breach of any of the provisions of this Ordinance has been committed; or that any pelt of any fur-bearing animal or any beast, bird or eggs, or any part of any beast or bird in respect of which such a breach has been committed, is likely to be in any tent, or on any premises, or on board of any vessel, or at any other place, may by warrant under his hand au-



thorize any Constable to enter and search any such place, and, if found, to seize any such pelt, beast, bird, or eggs or any such part of any beast, or bird to be dealt with as provided in regard to any pelt, beast or bird which has become confiscated under any provisions of this Ordinance.

#### FEMALES WITH YOUNG PROTECTED

30. No person (including Indians and Eskimos) shall at any time, take, kill or molest any female moose, mountain sheep, caribou, mountain goat, or any of the young of these mammals under one year of age.

Females  
with young  
protected

#### WHEN IN DIRE NEED OF FOOD

31. Notwithstanding anything in Section 4 of this Ordinance, any Indian or Eskimo, or any bona fide prospector who is actually engaged personally in any exploration, drilling or mining operations employing less than five men, if in dire need of food, may at any time of the year take or kill any of the game mentioned in Subsection 1 paragraph (j) and (1) of Section 4, or any game not protected by this Ordinance. Every person, except Indians and Eskimos, who kill game under this section shall report as soon as practical to a Game Guardian the number and kind of game taken and furnish such other information relating to the killing as may be required by such Game Guardian.

Emergency  
use of game

#### MEAT OF ANIMALS KILLED MUST BE USED FOR FOOD

32. The meat of mammals mentioned in paragraph (1) subsection (1) of Section 4 lawfully killed in the open season must be used for food purposes and the person taking the same or who does not use the meat thereof for food himself or cause the same to be used for food, shall be guilty of an offence and liable to a penalty not exceeding Five Hundred (\$500.) Dollars, and in default of payment, to imprisonment not exceeding three (3) months.

Meat to be  
used for  
food

Permits to  
take Game  
for Scientific  
purposes

#### PERMITS TO TAKE GAME FOR SCIENTIFIC PURPOSES

33. (1) The Controller or any officer authorized by him may issue a permit to any person to take the eggs or nests of non-migratory birds for scientific purposes, or a permit to take or kill game for scientific purposes or for any public park or zoological garden. Each permit shall set out the name, address, and calling of the person to whom it is issued the purpose for which it is issued and the number of specimens to be taken thereunder. The permit shall not be transferable.
- (2) Such permits shall be returned to the Controller within sixty (60) days of the expiry date, together with a statement by the permittee setting forth the numbers and kinds of game taken under its authority.

#### PERMITS TO SHIP OR REMOVE GAME

Permits to  
ship or re-  
move meat  
or raw pelts  
of game

34. Except under permit from the Controller or an officer authorized by him, no person shall ship or remove from the Yukon Territory the meat, or the raw pelt of any moose, deer, caribou, mountain sheep, or mountain goat, or any mammal not protected by this Ordinance.

#### SEIZURE OF GUNS, TRAPS, BOATS AND GAME

Seizure of  
Guns, Traps,  
Boats and  
Game:

35. (1) All guns, ammunition, traps, boats, skiffs, canoes, punts, and vessels of every description, horses, dogs, wagons, sleighs or other conveyance and other outfits, decoys, and appliances, and materials of every kind used in violation of or for the purpose of violating this Ordinance, or any Regulations, may be seized upon view by any Game Guardian, or taken and removed by any person appointed for such purpose by a game guardian, for delivery to a Justice of the Peace, who may order such chattels to be held pending the payment of any penalty for any offence committed.

- (2) (a) Any game taken, caught, killed or had in possession, in violation of this Ordinance, or any Regulation, and
- (b) Any poison, ammunition, explosives, traps, snare, spring guns, firearms and other implements, appliances and contrivances, the use of which is prohibited under the provisions of this Ordinance:

may be seized on view by any game guardian, and shall be forfeited to the Yukon Territory to be disposed of by the Controller by public auction, or in such public manner as he deems advisable, the proceeds thereof to form part of the General Revenue Fund of the Territory.

#### USE OF POISON PROHIBITED

36. (1) No hunter or trapper, including Indians or Eskimos, shall have in possession any poison compounds of strychnine, arsenic, phosphorous, antimony, barium, the cyanides, corrosive sublimate, or any other poison capable of being used for killing fur-bearing or game animals. Possession shall include presence of such poisons in camps, cabins, buildings, or boats occupied by hunters, trappers, native Indians, or Eskimos. Use of poison prohibited
- (2) It shall be unlawful for any person to use any poison as mentioned in subsection (1) of this Section for the purpose of taking or killing any beasts or birds of any kind whatsoever, and the fact that a person places any poison or poisonous substance in such a position that it may be reached by any

beast or bird shall be proof that it was used for such purpose and such placing of poison shall be deemed an offence against the provisions of this Ordinance.

- (3) Any game guardian who has reasonable grounds to suspect that any person has used poison for the purpose of taking or killing game, or has poison in his possession may, in search of poison, enter any premises or tent or board any vessel or conveyance of any common carrier or search any kit, parcel, chest, box, receptacle, outfit or other belongings of such person.
- (4) Notwithstanding the provisions of this section, the Controller may authorize the use of poison by game guardians for the destruction of predatory animals or by scientists for the preservation of scientific specimens.

#### INJURY TO BEAVER DAMS, HOUSES, OR MUSKRAT HOUSES

##### FORBIDDEN

Injury to  
Beaver  
dams,  
houses  
or  
Muskrat  
houses pro-  
hibited

37. (1) It shall be unlawful to dig up, injure or destroy any beaver dam, beaver house, or runway, or muskrat house unless such injury or destruction becomes necessary in the carrying on of a bona fide mining operation or in the course of driving timber on any stream.
- (2) No person shall at any time hunt, or attempt to kill any beaver by means of any spear or similar device or any shotgun, pistol, or rifle and the shooting of muskrats with a shotgun is prohibited. This provision shall apply to Indians as well as other persons.

## USE OF BATTERIES AND OTHER CONTRIVANCES

## FORBIDDEN

38. None of the contrivances for taking or killing water-fowl, known as batteries, swivel guns, or sunken punts, shall be used at any time of the year, to take, destroy, or kill any of the birds mentioned in this Ordinance, or any other species of game birds.

Use of Batteries and other contrivances forbidden

## TRAPS TO BE REMOVED OR SPRUNG

39. Any person using traps or other contrivances for trapping, taking, or killing game shall remove or spring the same before the close season and no person shall set or re-set during the close season any trap or contrivance used in connection with the trapping, taking, or killing of any animal protected by this Ordinance.

Traps to be removed or sprung

## USE OF TRAPS IN CLOSE SEASON

40. Except under permit from the Controller or any officer authorized by him, no trap or contrivance shall be used during the close season for the capture of coyotes, wolves, wolverine, or other predatory animals not protected by this Ordinance, but predatory animals may be shot at all times.

Use of traps in close season

## TRAPS, DEADFALLS, OR PITS FOR BIG GAME

41. No traps, deadfalls, pits, snares or other such contrivances shall be used at any time for the trapping of moose, caribou, deer, mountain sheep, mountain goat, or bear.

Traps, Deadfalls, or Pits, for big game

## DISPUTES REGARDING TRAP LINES

42. Any dispute relative to rights in location of trap-lines may be decided by the game guardian of the district.

Disputes regarding trap lines

If the decision is appealed, it may be taken before a Justice of the Peace. Any person who fails to abide and comply with the decision of the said Justice of the Peace shall be guilty of an offence and shall be liable, on summary conviction to a fine not exceeding One Hundred (\$100.) Dollars, nor less than Five (\$5.) Dollars, or to imprisonment, for any term not exceeding two (2) months, or to both fine and imprisonment.

#### CONTRACTS WITH INDIANS OR OTHERS

Contracts  
with In-  
dians or  
others

43. No one shall enter into any contract or agreement with or employ any Indian, Eskimo, or other person, whether such Indian or person is an inhabitant of the Territory or not, to hunt, kill, or take contrary to the provisions of this Ordinance, any of the beasts or birds mentioned in this Ordinance, or to take, contrary to such provisions, any eggs, nest or part thereof.

#### APPLICATION FOR FUR FARM LICENSE

Application  
for Fur  
Farm Li-  
cense

44. No person shall engage in the business of farming fur-bearing animals in the Yukon Territory or possess them for propagation purposes without first having obtained a fur farm license. The application for a license shall set out the name and address of the applicant, a description of the location of the fur farm and the means by which the fur-bearers are to be secured.

#### LICENSE FEE

License  
Fee

45. If there is no valid objection to the establishment of a fur farm at the location described in the application the Controller, or any officer authorized by him, may, in his discretion, issue a fur farm license to the applicant therefor. The fee for a fur farm license shall be five (\$5) Dollars.

## EXPIRY DATE OF LICENSE AND RENEWAL

46. (1) Any such license shall expire on the 30th day of June next following its date of issue, and any license issued during the month of June in the year 1948 shall expire on the 30th day of June in the year 1949. Expiry date of License and Renewal
- (2) Upon proof that the holder thereof has complied with all the provisions governing the issue of such license, the Controller or such Officer authorized by him may issue renewals thereof from year to year. The fee for a renewal license shall be Two (\$2) Dollars.

## TRESPASSING PROHIBITED

47. No person except a game guardian shall, without the consent of the owner of a ranch or enclosure where fur-bearing animals are kept in captivity for breeding purposes, enter upon such private grounds or within twenty-five yards of the pens or dens of such animals upon which notices forbidding trespassing on the premises are posted so as to be plainly discernible at the said distance of twenty-five yards. Provided, that where such dens or pens are located within twenty-five yards of a public highway, the rights of the public to use such highway shall not be restricted. Trespassing Prohibited

## DOGS MAY BE KILLED

48. The owner or caretaker of fur-bearing animals kept on any premises for breeding purposes pursuant to a license issued hereunder may kill any dog found in the enclosure in which such animals are kept and there giving tongue or otherwise terrifying the said animals. Dogs may be killed

## INSPECTION OF RECORDS

Inspection of  
Records

49. The holder of a Fur Farm license shall keep books and records which shall correctly set forth at all times the total number of fur-bearing animals in his possession, and full particulars in respect of all animals bred, purchased, or acquired, and the licensee shall at all reasonable hours allow any game guardian to enter and inspect the premises where operations are being carried on hereunder, and to inspect the books and records of such licensee relating thereto.

## RETURNS TO BE MADE YEARLY

Returns to  
be made  
yearly

50. The licensee shall on the 30th day of June in each year make a return in triplicate to the nearest game guardian, showing the number of each species of fur-bearing animals in his possession, the number born in captivity, the number disposed of during the preceding year, and the names and addresses of the purchasers.

## LICENSE NOT TRANSFERABLE

License not  
transferable

51. No license issued hereunder shall be transferable without the written approval of the Controller first had and obtained.

## LICENSE MAY BE CANCELLED

License  
may be  
cancelled

52. The Controller may cancel any license issued hereunder for failure to comply with any of the terms or conditions of the license, or of this Ordinance, and may in his discretion refuse to issue any further license to the person whose license has been so cancelled.

## SHIPMENT OF PELTS

Shipment of  
pelts

53. The pelts of animals raised in captivity shall be subject to the provisions of "The Fur Export Tax Ordinance."



## PERMITS TO TAKE ANIMALS FOR PROPAGATION PURPOSES

54. No person shall take or trap any game for propagation purposes except under authority of a permit from the Controller. The permit shall set out the address and calling of the person to whom it is issued, the purpose for which it is issued, and the number of each species to be taken under its authority.

Permits to take animals for propagation purposes

## PERMIT FEES

55. The fees for such a permit when issued to the holder of a fur farm license shall be:

Permit fees-

For each beaver, fox, fisher, marten, mink or otter, (limit twenty five (25) of each species \$2.00

For muskrat (limit one hundred (100) animals each .25

## FREE PERMITS IN CERTAIN CASES

56. Free permits may be issued if the applicant is a resident Indian or Eskimo, or if he is the holder of a hunting and trapping license issued under the provisions of this Ordinance, conditional, however, upon the said fur-bearers being taken during the open season as provided by this Ordinance.

Free Permits in certain cases

## WHEN FUR BEARERS MAY BE EXPORTED

57. The provisions of Section 55 and 56 of this Ordinance shall apply only to those persons who have been granted a fur farm license, and no person shall enter into any agreement to secure fur-bearing animals taken under the said authority or export them from the Yukon Territory without first obtaining a permit under Section 61 of this Ordinance.

When Fur Bearers may be exported

## PERMIT TO EXPORT ANIMALS

Permit to  
export ani-  
mals

58. The Controller or any officer authorized by him, may, in his discretion, issue a permit authorizing any person to take live fur-bearing animals, and to ship or transport them from the Territory upon payment of the following fees:

For each beaver, fox, fisher, marten, mink, or otter (limit: six (6) of each species)	\$10.00
Muskrat (limit: 100 animals) each (mini- mum number of muskrat on any permit twenty (20))	.50

Unless otherwise specified in the permit game taken under this authority shall be secured during the open season. When the live fur bearers are being shipped or transported every precaution shall be taken to prevent injury to the animals in transit. The animals shall be properly fed and cared for and shall be shipped or transported in well ventilated crates maintained in a sanitary condition.

## WHEN BOX TRAPS SHALL BE USED

When Box  
Traps shall  
be used

59. The holder of a permit, if permitted to take fur-bearers during the close season, shall be required to take or capture the said fur-bearers by the use of box traps or a modification of same.

## RETURN OF PERMITS

Return of  
permits

60. All permits issued under Sections 55 to 58, inclusive, shall be returned to the Controller upon the expiry date of the permit, together with an affidavit sworn setting for the number and kind of game taken under its authority.

## PRIVILEGES OF NATIVES IN PRESERVES

61. No person, other than a native-born Indian or Eskimo of the Yukon Territory, or the Northwest Territories, shall hunt, trap, take, shoot at, wound, molest, kill, trade, or traffic for any purpose whatsoever in any area created as a game preserve in the Yukon Territory for native Indians or Eskimos. Privileges of Natives in preserves
- (2) No license or permit issued under the provisions of this Ordinance shall confer the right to hunt or trap, or take game within any such game preserve.

## REMUNERATION OF GAME GUARDIANS

62. The remuneration of game guardians, constables, and any other person or persons employed to perform any duties imposed by this Ordinance, or any Regulations under it, shall be determined by the Controller. Remuneration of Game Guardians

## MAY ADMINISTER OATHS

63. All game guardians and guides shall, while acting as such under the provisions of this Ordinance, have and possess the powers of a "Commissioner for taking Affidavits in and for the Yukon Territory," in relation to all matters coming within the provisions of this Ordinance. May Administer Oaths

## GAME GUARDIANS HAVE POWERS OF CONSTABLES

64. Every game guardian shall have and is hereby given all the powers of a constable for the purpose of this Ordinance. Powers of Game Guardians

## CONTROLLER MAY APPOINT PERSONS TO ISSUE LICENSES

65. Except as herein otherwise provided, the Controller may appoint such persons as he may deem from time to time necessary, with authority to issue licenses authorized by this Ordinance. Controller may appoint persons to issue licenses

## APPLICATION OF ORDINANCE TO INDIANS

Application  
of Ordinance  
to Indians

66. (1) This Ordinance shall apply to all Indians, except as herein otherwise provided. Indians who are residents of the Yukon Territory, may during the open season, kill game as set forth under Section 4 subsection (1) paragraph (L), for sale to Indian Missions, Residential Schools, and Hospitals.
- (2) That Indian Missions, Residential Schools, and Hospitals, purchasing game as set forth above, shall at the close of each hunting season furnish the Controller or his duly appointed agents, a full statement as to the amount of game so purchased.

## SALE OF GAME MEAT

Sale of  
Game Meat

67. (1) No person shall sell, or for gain or reward, or offer for sale, any game birds or parts thereof, as set forth under Section 4, subsection (1), paragraphs (i), (j), (k), and (l), except as herein otherwise provided under Section 66.
- (2) Any person buying any game or game birds, or parts thereof, or who serves for food in any public place, any game or game birds or parts thereof as set forth under Section 4, subsection (1), paragraphs (i), (j), (k), and (l), except as herein otherwise provided under Section 66, shall be guilty of an offence against this Ordinance.
- (3) Any game meat as set forth under Section 4, subsection (1), paragraphs (i), (j), (k), and (l), shall not be served for food in any public place unless so authorized by virtue of a permit issued by the Controller, or his duly appointed agents.

## PENALTY FOR OFFENCES BY GAME GUARDIANS

68. Any game guardian who violates this Ordinance, or any regulations or who aids, abets, or connives at any violation of this Ordinance, or any regulations, shall be liable upon Summary Conviction to a penalty not exceeding Five Hundred (\$500) Dollars, and not less than One Hundred (\$100) Dollars, or to imprisonment for any term not exceeding Six Months, or to both fine and imprisonment:

Penalty for  
Offences by  
Game  
Guardians

## REFUSING INFORMATION OR GIVING FALSE INFORMATION

69. Any person who wilfully furnishes false information to a game guardian respecting a violation of this Ordinance, or of any Regulation, the existence of, or the place of concealment of any game, nest or eggs, or portion thereof, captured, killed or taken in violation of this Ordinance, or of any Regulation, shall be guilty of a violation of this Ordinance.

Refusing  
Information  
or giving  
false  
Information

## PENALTIES

70. (1) Any person who violates any of the provisions of this Ordinance, for which no other penalty is provided, or of any Regulation, shall be guilty of an offence, and shall be liable on summary conviction to:
- (2) (a) A fine not exceeding Five Hundred (\$500) Dollars and costs, nor less than One Hundred (\$100) Dollars and costs, or to imprisonment for any term not exceeding six (6) months, or to both fine and imprisonment for any offence against Section 4, Subsection (1), paragraph (a).

Penalties

- (b) A fine not exceeding Two Hundred (\$200) Dollars nor less than Fifty (\$50.) Dollars and costs, or to imprisonment for any term not exceeding three (3) months, or to both fine and imprisonment, for any offence under Section 6, 13, and 67.
- (c) A fine not exceeding One Hundred (\$100) Dollars and costs, nor less than Five (\$5) Dollars and costs, or to imprisonment for any term not exceeding two (2) months, or to both fine and imprisonment for any other offence against this Ordinance.

#### CONFINE IN SUITABLE BUILDINGS

Confine in  
suitable  
buildings

71. When, because of distance, or for want of conveyance or communication, or for any other cause, it is not convenient to confine any convicted person in the nearest gaol, or other place of confinement, the convicting authority shall have power to confine such person in any suitable building which is more convenient to the place of trial, and to take all necessary precautions to prevent his escape therefrom.

#### PROSECUTION WITHIN THREE YEARS

Prosecution  
within three  
years

72. Prosecution for any offence committed against this Ordinance may be entered at any time within three years from the time when such offence was committed.

#### ARREST ON VIEW

Arrest on  
view

73. Any person found committing an offence against this Ordinance may be arrested on view by any game guardian.

## JUSTICE MAY CONVICT ON VIEW

74. Every Justice of the Peace may, upon his own view, convict for any offence against this Ordinance or Regulations.

Justice may  
convict on  
view

## BURDEN OF PROOF AS TO LICENSES

75. (1) In all actions and prosecutions under this Ordinance or the Regulations, the onus shall be upon the person charged to prove:

Burden of  
proof as to  
licenses

- (a) That he is the holder of a valid license required by this Ordinance;
- (b) His bona fide residence is in the Yukon Territory.

LICENSE MONEYS AND FINES TO FORM PART GENERAL  
REVENUE FUND

76. All moneys received from licenses or permits issued under the provisions of this Ordinance, and all fines resulting from convictions under this Ordinance shall form part of the General Revenue Fund of the Territory.

License  
moneys and  
fines to form  
part General  
Revenue  
Fund

## ALASKA HIGHWAY AND HAINES ROAD RESTRICTIONS

77. (1) For the protection of wildlife along the Alaska Highway and Haines Cut-off Road, no person shall hunt, trap, kill or molest any wild life within an area extending a distance of one mile on either side of the centre of the said Highway or Road. The expression "Wildlife" shall include all animals and birds mentioned in Section 4 of this Ordinance.

Alaska  
Highway  
and Haines

(2) No person other than a law enforcement officer or a landowner or trader in the here-

inafter described area, and then only for the protection of livestock or for the protection of gardens, from predatory animals or rodents, shall discharge any firearms within a distance of one mile from the centre line of the Alaska Highway and Haines Cut-off Road.

- (3) Any person violating the provisions of this Section shall upon Summary Conviction be liable to a penalty as set forth under Section 70, sub-section (2), paragraph (a) of this Ordinance.

#### REGULATIONS

##### Regulations

78. (1) The Controller may make such regulations and orders not inconsistent with this Ordinance as are necessary to carry out its provisions according to their obvious intent or to meet any cases which arise and for which no provision is made in this Ordinance, and such regulations and orders shall be part of this Ordinance: and without restricting the generality of the foregoing, may make regulations:
- (a) For the appointment of such officers, servants and other persons whose assistance may be deemed requisite for the purposes of the Ordinance and regulations and for their remuneration:
- (b) Conferring upon certain officers by special appointment the powers of Justices of the Peace for the purposes of the Ordinances and of the regulations:



- (c) Providing that every person holding any lease or license issued under this Ordinance shall keep such records and make such reports and returns as may be prescribed:
- (d) Governing the issue of licenses and permits prescribing the terms and conditions thereof, the period for which the same shall be in force, and the fees payable in respect thereof:
- (e) For granting, without fee, a special permit to enable a guest of the Yukon Territory to hunt therein:
- (f) The granting, with or without fee, to a licensed trapper or to a bona fide prospector residing or operating in such remote or outlying districts of the Territory as the Controller may designate, a special permit enabling the trapper or prospector to take or hunt game for food for his own use at specified seasons of the year:
- (g) Designating certain parts of the Yukon Territory as Territorial game preserves or sanctuaries in which it shall be unlawful to hunt any game at any time or the year: subject to such exceptions as may be deemed advisable:
- (h) Designating any portion of lands owned or controlled by the Government as a district to be known as a registered trap line district or as a fur rehabilitation block and prohibiting

trapping or trespassing therein unless the person holds a permit to trap therein:

- (i) Providing for the control and management of trapping in game preserves, registered trap-line districts and fur rehabilitation blocks including, without restricting the generality of the foregoing, the setting of the seasons for trapping in those areas, limiting the number of permits to be issued to trap therein, and the number of pelts that may be taken under the authority of any permit issued, providing for the handling, marketing and sale of pelts taken by permit holders, setting the share of the proceeds to be retained by the Territory therefrom, and providing for the distribution of the balance of the monies to permit holders in such manner as may be considered advisable:
- (j) Authorizing and regulating the sale of game imported into the Territory and lawfully hunted, killed or procured according to the law of the province, state or country in which the same was killed or procured:
- (k) Authorizing and regulating the fur or game farming or fur or game ranching industries and the breeding or propagating of game:
- (l) Prohibiting from time to time the hunting and possession in the Yukon Territory or any section thereof, of

any game bird, non-game bird or any insectivorous birds, whether migratory or non-migratory, which may appear to require further protection than is afforded by this Ordinance:

- (m) Prohibiting from time to time in the whole or any part of the Yukon Territory, the hunting or trapping of fur bearing animals, or of any particular species thereof, which may appear to require further protection than is afforded by this Ordinance:
- (n) Varying or closing any open season, as by this Ordinance or any regulation prescribed, in any part of the Yukon Territory where local or climatic conditions may so require:
- (o) Varying the closed season as by this Ordinance or the regulations prescribed, including the setting of different seasons for different parts or portions of the Yukon Territory:
- (p) Limiting the number of game birds which may be hunted or taken by any person during the open season.
- (q) Designating areas, including the road allowances contained therein or adjacent thereto, in which no one shall trap or hunt for fur bearing animals except as in this paragraph provided: and providing for the issue of special permits to trappers resident on land adjacent to, or deemed by the Controller to lie in the vicinity of, any such

area, authorizing the permit holders to trap or hunt fur bearing animals therein, and fixing the term and conditions subject to which a special permit shall be issued:

- (r) Prohibiting or regulating the possession of firearms in any part of the Yukon Territory in which it may appear that it is desirable to take special means to prevent violation of this Ordinance:
  - (s) Prohibiting persons assisting hunters or hunting parties from acting as guides, except under the authority of a license or permit:
  - (t) Requiring non-resident holders of hunting licenses to employ licensed guides while hunting big game:
  - (u) Containing such further and other provisions as may be deemed necessary or desirable for the administration and enforcement of this Ordinance and of the regulations.
- (2) Every order or regulation so made shall have force and effect only after the same has been published in the Yukon Gazette, and all such orders and regulations shall be laid before the Territorial Council within fifteen (15) days after the first day of meeting thereof.

79. The Controller, subject to the approval of the council, may, on behalf of the Territorial Government, enter into an agreement or agreements with the Govern-

ment of Canada in connection with the development of fur rehabilitation blocks or registered trapline districts where such development will be beneficial to Indians, as defined in the Indian Act (Canada), resident in the area or areas to be developed: and such agreement or agreements may provide, among other matters, for contributions by the Government of Canada towards the cost of developing and administration of such fur rehabilitation blocks or registered trapline districts.

80. (1) The following area is set aside as a Game Sanctuary to be known as "The Kluane Game Sanctuary" and, until the 15th day of October, 1949, shall comprise the area contained by boundary lines which may be more particularly described as follows:

Commencing at a point on the International Boundary between Yukon Territory and Alaska said point being a distance of five miles south from the right bank of the White River in approximately North latitude 60 deg. 40 min; thence south and easterly following the said International Boundary to its intersection with the northern boundary of the Province of British Columbia; thence easterly following the said northern boundary of British Columbia to its intersection with the western boundary of the right-of-way of the Haines Cut-off Road; thence North and Westerly following the said Westerly and Southerly boundary of the highway right-of-way to its intersection with the south boundary of the Alaska Highway; thence north and westerly following the south boundary of the right-of-way of the Alaska Highway to its intersection with the right bank of Silver Creek; thence north-

"Kluane  
Game  
Sanctuary"

westerly following the said right bank of Silver Creek to its intersection of the shore of Kluane Lake; thence following the southerly and westerly shore of Kluane Lake to the mouth of the most southerly branch of Congdon Creek; thence southwesterly along the right bank of Congdon Creek to its source; thence northwesterly in a straight line to a point on the left bank of the Donjek River, said point being three miles southerly from the point where Wade Creek enters the Donjek River; thence following the left bank of the Donjek River to a point ten miles south from the south boundary of the Alaska Highway right-of-way; thence northwesterly in a straight line parallel to the general direction of the said Highway and ten miles therefrom to a point five miles from the right bank of the White River; thence southwesterly on a line parallel to and five miles perpendicularly distant from the right bank of said White River to the point of commencement; the said described containing an area of approximately 10,000 square miles more or less

- (2) From and after the said 15th day of October, 1949, the boundaries of the Kluane Game Sanctuary shall be extended to include the ten mile strip lying south and west of the Alaska Highway and of the five mile strip south of the White River, the boundary line then being as follows:

Commencing at the point of intersection of the International Boundary between Yukon Territory and the Territory of Alaska with the middle of the main channel

of White River in approximate North Latitude sixty-one degrees and forty-five minutes; thence South and Easterly following the said International boundary to its intersection with the Northern boundary of the province of British Columbia; thence Easterly following the said Northern boundary of British Columbia to its intersection with the Western boundary of the right-of-way of the Haines Highway, thence North and Westerly following the said Westerly and Southerly boundary of the highway right-of-way to its intersection with the South boundary of the Alaska Highway; thence Northerly and Westerly following the Southerly and Westerly boundary of the right-of-way of the Alaska Highway to the middle of the main channel of White River; thence South-westerly along the middle of said channel to the point of commencement, the said described land containing an area of approximately ten thousand one hundred and thirty (10,130) square miles more or less.

- (3) No person may hunt, trap, take, kill, shoot at, wound, injure, or molest any game, or take, destroy, or molest the eggs or nests of birds in any game sanctuary at any time of the year. The possession of game or the nests of eggs of birds by any person within a game sanctuary shall be prima facie evidence of the guilt of such person and the onus of proof to the contrary shall rest upon him.

81. The Game Ordinance, being Chapter 1 of the Ordinances of 1938, is hereby repealed. Repeat

## CHAPTER 4

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AN ORDINANCE REQUIRING REGISTRATION  
OF GUESTS AT AUTO CAMPS AND HOTELS  
SITUATED IN UNORGANIZED TERRITORY

*(Assented to July 8th, 1947.)*

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

### SHORT TITLE

Short Title

1. This Ordinance may be cited as "The Auto Camp and Hotel Guest Registration Ordinance."

### INTERPRETATION

Interpreta-  
tion

2. In this Ordinance, unless the context otherwise re-  
quires:—

"Auto  
Camp"

- (a) "Auto camp" includes "tourist camp" and any parcel of land or premises equipped with tents, tent-houses, huts, cabins, bungalows, or cottages used or maintained for the accommodation of the public, and any parcel of land or premises maintained as a camping-ground for the public, without regard as to whether a fee or charge is paid or made for the rental or use of the same:

"Constable"

- (b) "Constable" includes any officer or constable of the Royal Canadian Mounted Police:

"Hotel"

- (c) "Hotel" includes any inn or building in which private rooms are maintained for the accommodation of the public:



THE AUTO CAMP AND HOTEL GUEST REGISTRATION 93  
ORDINANCE

(d) "Keeper" means the person operating, managing, or in charge of any auto camp or hotel. "Keepers"

3. Every keeper of an auto camp situated in unorganized territory or of a hotel situated in unorganized territory shall provide and keep thereat a suitable guest-register for the registration of all persons provided with sleeping, housekeeping, camping, or other accommodation at the auto camp or hotel, and every such person shall be registered therein. Upon the arrival of every such person the keeper shall require him to enter in the register, or enter for him therein, the name and home address of the person and of each other person with him as a member of his party, together with the date of arrival; and, if the person is travelling by motor-vehicle, the trade-name of the motor-vehicle, the registration number thereof, and other identifying letters or characters appearing on the official number-plate carried thereon, including the name of the Province, State or country in which the number-plate was issued. Upon the departure of such guest the keeper shall enter the date of departure in the register. Register to be kept

4. Every person, upon arriving at any auto camp or hotel situated in unorganized territory and applying for accommodation therein of any character described in section 3, shall furnish to the keeper at the auto camp or hotel (the registration information necessary to complete) his registration in accordance with section 3, and shall not be provided with accommodation until such information has been so furnished. Guest to furnish information

5. The registration records herein provided for shall be open at all times for inspection by any constable. Controller may examine register

6. Every person who violates any provision of this Act shall be liable on summary conviction, to a penalty not exceeding twenty-five dollars. Penalty

## CHAPTER 5

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### AN ORDINANCE RESPECTING HOTEL, BOARDING HOUSE AND LODGING HOUSE KEEPERS

*(Assented to July 9th, 1947.)*

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

Short title            1. This Ordinance may be cited as the "Hotel Keepers Ordinance."

#### INTERPRETATION

Interpretation        2. In this Ordinance, unless the context otherwise requires:

"Accommodations"    "Accommodation" shall not extend to money supplied to a guest.

"Hotel"                "Hotel" includes an hotel, inn, tavern, public-house, or other place of refreshment, the keeper of which is by law responsible for the goods and property of his guests.

"Hotel-keeper"        "Hotelkeeper" means the keeper of a hotel.

#### DETENTION OF GOODS

Detention of goods, for non-payment rent    3. A hotel, boarding house or lodging house keeper may seize and detain in his hotel or house or on his premises, before the same have been removed therefrom, but not

afterwards, the trunks, valises and personal effects, including clothing, of any person who is indebted to him for board or lodging.

4. Every hotel, boarding house and lodging house keeper shall be responsible for the safe keeping of any trunks, valises and personal effects, including clothing, seized by him, while under detention.

Hotelkeeper  
responsible  
for safe  
keeping im-  
pounded  
goods

#### SALE OF DETAINED GOODS

5. Where the amount for which trunks, valises or personal effects were detained remains unpaid for one month after the day of their seizure, the hotel, boarding house or lodging house keeper may

Sale of  
detained  
goods

- (a) In the presence of a justice of the peace or police magistrate, force or break the locks or fastenings on any trunk, valise, or other article detained by him for the purpose of ascertaining and inspecting the contents thereof; and
- (b) upon complying with the provisions of this Ordinance, sell the trunks, valises or personal effects or any of them by public auction.

6. (1) At least one month before the day fixed for the sale the hotel, boarding house or lodging house keeper shall forward a notice of the intended sale by registered letter addressed to the person indebted to him, at such person's last known address, which notice shall contain:

Date of sale  
one month  
after notice

- (a) a general description of the trunks, valises, and personal effects to be sold, and the time and place of the intended sale;

- (b) an itemized statement of the amount of the indebtedness, showing the sum due at the time of the notice;
- (c) a demand that the said amount be paid at or before the time of sale; and
- (d) a statement that if the said amount is not paid at or before the time of sale, the property will be sold by public auction at the time and place specified.
- Posting of notice
- (2) The hotel, boarding house or lodging house keeper shall also post and keep posted for one week prior to the time of sale, in a conspicuous place on his premises a copy of the notice referred to in subsection one.
- Proceeds of sale to be applied on account
7. (1) The hotel, boarding house or lodging house keeper may apply the proceeds of a sale pursuant to this Ordinance in payment of the amount due to him and the reasonable costs of advertising, if any, and of the sale and he shall, on application, pay over the surplus, if any, to the person entitled thereto.
- (2) Where an application therefor is not made within ten days after the day of sale, he shall pay the surplus to the Territorial Treasurer who shall hold the same for the owner for one year, after which time, if the owner has not previously claimed the amount, it shall form part of the consolidated fund.
- Surplus to be paid to Territorial Treasurer

#### LIABILITY OF KEEPERS OF HOTELS, BOARDING HOUSES AND LODGING HOUSES

- Liability of Hotel-keepers for loss or damage to goods
8. (1) No hotel keeper shall be liable to compensate a guest of his hotel for loss of or injury to goods or property brought to the hotel except in the following cases, that is to say:

- (a) where such goods or property have been stolen, lost or injured through the fault or neglect of the hotel keeper or any servant in his employ;
- (b) where such goods or property have been deposited with the hotel keeper for safe custody. Storage in safe custody may be required
- (2) The hotel keeper may require as a condition of his liability that goods or property tendered by a guest for safe custody shall be placed in a box or other receptacle fastened and sealed by the guest.
- (3) If a hotel keeper refuses to receive for safe custody any goods or property of a guest, or if the guest, through any default of the hotel keeper, is unable to deposit such goods or property for safe custody, the hotel keeper shall not be entitled to the benefit of this Ordinance in respect thereof unless he establishes that his hotel was not equipped with a proper safe or vault and that he so informed the guest at the time of refusing to receive the goods or property. If safe custody refused
- (4) When a guest deposits money, jewelry, documents or valuables of a similar nature with a hotel keeper for safe custody the hotel keeper shall, at the time of the deposit, give the guest a receipt therefor; and the guest shall surrender such receipt when the property deposited is returned to him. Receipts to be given
- (5) Notwithstanding anything contained in this section, unless deposited with the hotel keeper for safe keeping or checked in a parcel or checking room on the hotel premises, the Liability only for goods in guest rooms

hotel keeper shall not be responsible for goods or property lost, injured or stolen in a part of his hotel other than the guest room of the owner of the goods or property.

Guest rooms  
to be locked  
onus liability

9. Notwithstanding anything contained in this Ordinance, no hotel, boarding house or lodging house keeper shall be responsible for any trunks or valises or their contents, or any parcels or personal effects of any kind, left by a guest in his room, if there is a proper lock and key for the door of the room, unless the room is locked during the absence of the guest therefrom and the key is left at the office.

Posting of  
section seven  
& eight

10. Every hotel keeper shall cause to be kept conspicuously posted in the hall or entrance of his hotel a copy of sections seven and eight and this section, printed or plainly written, and he shall be entitled to the benefit of this Ordinance in respect only of goods or property brought to his hotel while such copy is so posted..

Hotel-  
keeper  
may evict

11. A hotel keeper or his representative may require any person whether registered as a guest or not, whom he deems undesirable, to leave the hotel and, in the event of such person failing to leave, may eject him from the hotel premises.

#### EXEMPTIONS FROM SEIZURE

Exemption  
from seizure  
set aside

12. Property exempt from seizure under writs of execution shall not be exempt from seizure under a writ of execution issued on a judgement obtained by a hotel, boarding house or lodging house keeper in respect of an indebtedness incurred for board or lodging supplied by him.

#### REGISTER OF GUESTS

Register of  
Guests to be  
kept

13. Every hotel keeper shall keep in the hotel a register or record in which shall be entered the name and usual place of residence of every person admitted as a guest in

the hotel and occupying a room therein alone or with any other person, together with the number of the room so occupied; and a hotel keeper shall be entitled to the benefit of this Ordinance in respect only of goods or property brought to his hotel while such register or record is kept.

14. The Hotel Keeper's Ordinance, being Chapter 44 <sup>Repeat</sup> of the Consolidated Ordinances, 1914, is hereby repealed.

## CHAPTER 6

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### AN ORDINANCE TO AMEND "THE FUR EXPORT TAX ORDINANCE"

*(Assented to July 9th, 1947.)*

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

**Section 5A  
added**

- (1) The Fur Export Tax Ordinance, being Chapter 8 of the Ordinances of the Yukon Territory, 1919, is hereby amended by inserting the following section immediately after Section 5 thereof:

**Receptacles  
containing  
fur in-transit to have  
list of con-  
tents**

- 5A All receptacles: including bags, boxes, baskets, crates, hand-baggage, trunks, packages and parcels of every kind in which the skins of fur-bearing animals or the skins or pelts of protected animals or game are packed for transportation shall be plainly marked on the outside in such manner as to give a list and description of the contents, and the name and address of the consignee and consignor, and this applies to pelts, skins or game when being transported by hand or otherwise and skins or pelts of fur-bearing animals shall only be exported in such manner as may be prescribed by regulations.



- (2) Schedule "A" to Section 4 of the said Ordinance is repealed and the following substituted therefor: Schedule  
"A" repealed  
and substituted

SCHEDULE "A"

(Section 4)

On each bear, white or polar	1.00
On each bear, not specified	.25
On each beaver	1.00
On each fisher	2.00
On each fox, black	1.50
On each fox, blue	2.00
On each fox, cross	1.00
On each fox, red	.50
On each fox, silver	1.00
On each fox, white	1.50
On each lynx	1.50
On each marten	1.50
On each mink	1.00
On each muskrat (musquash)	.10
On each otter	1.50
On each weasel (ermine)	.10
On each wolverine	.50
On each wolf and coyote (except those on which the bounty has been paid)	.50
On each squirrel	.01

## CHAPTER 7

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### AN ORDINANCE TO AMEND "THE SALE OF BEER ORDINANCE"

*(Assented to July 12th, 1947.)*

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

Section 36  
amended

1. Section 36 of the "Sale of Beer Ordinance", being Chapter 2 of the Ordinances of the Yukon Territory, 1925, as amended by Chapter 6 of the Ordinances of 1935, is further amended by striking out the word "eighteen" in the third line thereof and substituting therefor the word "twenty-one", and by adding the following proviso to said section:

Age limit  
for service  
twenty-one

Proviso.

For the purposes of this Ordinance a Member of the Naval, Military, or Air Forces of Canada, who having been placed on active service or called out for training, service, or duty, is serving or has served in any such forces, shall be deemed to be twenty-one years of age.

## CHAPTER 8

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### AN ORDINANCE TO PROVIDE FOR THE REGULATION OF MOTOR CARRIERS

*(Assented to July 12th, 1947.)*

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 "Motor Carrier Ordinance." Short Title

#### INTERPRETATION

2. In this Ordinance, unless the context otherwise requires:— Interpretations

"Commission" means the Highway Commission constituted under this Ordinance:

"Compensation" includes any rate, remuneration, or reward of any kind paid, payable, or promised, or received or demanded, directly or indirectly.

"Controller" means the Controller of the Yukon Territory:

"Freight" includes personal property of every description that may be conveyed upon a motor-vehicle or trailer, except a passenger's personal baggage:

“Highway” includes all public streets, roads, ways, trails, lanes, bridges, trestles, ferry landings and approaches, and any other public way:

“License” means a license issued under the provisions of this Ordinance:

“Licensee” means the holder of a license:

“Limited freight vehicle” means any motor-vehicle that is operated at any time or from time to time on a highway by, for, or on behalf of any person who charges or collects compensation for the transportation of freight in or upon the motor-vehicle, where the operation is carried on solely under the limited number of special or individual contracts or agreements and where the motor-vehicle is not available for use by the general public:

“Limited passenger-vehicle” means a motor-vehicle, other than a public vehicle, which motor-vehicle, whether available or not for use by the public, is operated at any time or from time to time, on a highway, by, for, or on behalf of any person who charges or collects compensation for the transportation of passengers in or upon the motor-vehicle, but shall not include a taxicab operating exclusively in one municipality:

“Limited vehicle” includes a limited passenger-vehicle and a limited freight-vehicle:

“Motor carrier” means any person operating a public vehicle, a limited vehicle, or a private freight-vehicle, and includes any person who is the holder of a license:

“Motor-vehicle” means any vehicle propelled otherwise than by muscular power, excepting aero-

planes and the cars of electric and steam railways and other vehicles running only upon rails or tracks and includes any attached trailer:

“Municipality” includes an incorporated village municipality:

“Operate”, in respect of a motor-vehicle, includes the driving or managing of the motor-vehicle:

“Passenger” includes a passenger’s personal baggage:

“Private freight-vehicle” means a motor-vehicle, other than a public vehicle or a limited vehicle, that is operated at any time or from time to time on a highway for the transportation of freight, and includes any motor-vehicle which is so operated for any of the following purposes, namely:—

- (a) The transportation of freight bona fide the property of the owner of the motor-vehicle;
- (b) The transportation of freight used or subjected to a process or treatment by the owner of the motor-vehicle in the course of a regular trade or occupation or established business of such owner, when the transportation is incidental to such trade, occupation or business;
- (c) The delivery or collection of freight sold or purchased or agreed to be sold or purchased, or let on hire by the owner of the motor-vehicle, otherwise than as agent in the course of a regular trade or established business of such owner:

“Public freight vehicle” means a motor-vehicle, other than a limited freight-vehicle, that is oper-

ated at any time or from time to time on a highway by, for, or on behalf of any person who charges or collects compensation for the transportation of freight in or upon the motor-vehicle:

“Public passenger-vehicle” means a motor-vehicle that is available for use by the public and is operated at any time or from time to time on a highway over a regular route or between fixed termini and on a regular schedule, for, or on behalf of any person who charges or collects compensation for the transportation of passengers in or upon the motor-vehicle:

“Public vehicle” includes a public passenger-vehicle and a public freight-vehicle:

“Rate” includes any toll, rate, fare, charge, rental, or other compensation charged or made by a motor carrier or by any person on his behalf or with his consent or authority in connection with the carriage and transportation of passengers or the carriage, shipment, transportation, care, handling, or delivery of goods, or for any service incidental to the business of the motor carrier, and includes any general, individual, or joint toll, rate, fare, charge, rental or other compensation of any motor carrier, and any rule, regulation, practice, classification, or contract of the motor carrier relating thereto, and any schedule or tariff thereto:

“Regular route” and “fixed termini” means respectively the route over which and the termini between which a motor-vehicle is usually operated and, when licensed, is authorized to be operated:

“Service” includes the use and accommodation afforded by and the equipment, property, and facilities employed by any motor carrier in connection

with the operation of a motor-vehicle as a public vehicle, limited vehicle, or private freight vehicle:

“Trailer” means any vehicle that is attached to a motor-vehicle for the purpose of being drawn or propelled by the motor-vehicle:

“Transportation” with respect to freight, includes the shipment, care, handling, storage and delivery thereof.

3. (1) This Ordinance shall not apply in respect of a motor-vehicle operated for hire while used exclusively in carrying pupils or teachers to or from a school, except as otherwise expressly provided in section 22. Exemptions
- (2) The Commission may by regulation or order, with the approval of the Controller, exempt any person or motor-vehicle, or class of person or motor-vehicle from the application thereof of any provision of this Ordinance, or may limit or vary the application thereof in any designated manner, and such exemption, limitation, or variation shall be of same force and effect as if set out in this Ordinance.

4. This Ordinance is divided into six parts, relating to the following subjects: Division of Ordinance into parts

Part.	Section.
1. — Licenses .....	5-17
11. — Duties and restrictions imposed on Motor Carriers .....	18-23
111. — Rates .....	24-32
IV. — Administration of Ordinance .....	33-55
V. — Offences and Penalties .....	56-60
VI. — Miscellaneous .....	61-66

## PART 1

## LICENSES

- License required
5. Except as exempted by or under this Ordinance, no person shall operate or cause or permit to be operated, a motor-vehicle on any highway in the Territory as a public passenger-vehicle, a public freight-vehicle, a limited passenger-vehicle, a limited freight-vehicle, or a private freight-vehicle unless he or the person for or on whose behalf the motor-vehicle is operated holds a subsisting license authorizing the operation of that motor-vehicle in the manner and for the purposes in or for which it is operated.
- Application for license
6. Every application for a license shall be made to the Commission on a form approved by the Commission, and shall be accompanied by such information as the Commission may require and by the fees prescribed by the regulations.
- Granting of license
7. (1) Upon receipt of an application for a license and of the required information and the proper fees, and after such investigation as the Commission deems proper, the Commission may grant the license, in whole or in part, or may refuse the license.
- Public convenience and necessity
7. (2) Upon any application for a license, the Commission may take into consideration amongst other matters:—
- (a) Any objection to the application for the license made by any person already providing transport facilities, whether by highway, air, or rail, on the routes or between places which the applicant intends to serve on the ground that suitable facilities are or, if the license



were granted, would be in excess of requirement, or on the ground that any of the conditions of any other license held by the applicant have not been complied with:

- (b) The general effect on other transport services and any public interest which may be affected by the issue of such license:
  - (c) The quality and permanence of the service to be offered by the applicant, and the fitness, willingness, and ability to provide proper service.
- (3) In granting any license, the Commission may attach to the license such terms and conditions as it deems proper, including:—
- (a) With respect to public vehicles, a statement of the area, district, or territory, that may be served; the points at which, or the area, district, or territory within which passengers or freight may be taken on or discharged; the route or routes over which and the termini between which the public vehicle may be operated and the intermediate and off-route points that may be served thereby; and, with respect to public freight-vehicles, the kind or class of freight that may be transported, and the person or persons for whom freight may be transported:
    - Conditions of license
  - (b) With respect to limited passenger-vehicles, the class or classes of transpor-

tation service that may be given; a provision that individual fares shall not be charged; the terminal point or points from which the motor-vehicle may be operated; the routes which may be followed; the area, district, or territory which may be served; and the points at which or the area, district, or territory within which passengers may be taken on or discharged:

- (c) With respect to limited freight-vehicles, the kind of freight that may be transported; the person or persons for whom freight may be transported; and the route or routes that may be followed or the area, district, or territory that may be served.

Classification

- (4) The Commission shall have power to determine as a question of fact whether any motor-vehicle is being or is to be operated as a public passenger-vehicle, limited passenger-vehicle, public freight-vehicle, limited freight-vehicle, or private freight-vehicle.

Issue of license plates

- (5) When the Commission grants a license for a motor-vehicle it may issue to the licensee license-plates to be affixed to and displayed upon the motor-vehicle. License plates shall be of the design prescribed by the regulations. License-plates shall remain the property of the Crown.

Term of License

8. (1) Every license shall, unless cancelled or unless an earlier date is fixed by the Commission and stated in the license, expire on the last day of March next following the date on which it is expressed to take effect or from which it is renewed.

- (2) A license may, with the approval of the Commission, be renewed in such manner and on payment of such fees as may be prescribed by the regulations. Renewal of  
license

9. No license shall be assigned or transferred except with the approval of the Commission, and subject to payment of the prescribed fee and to such conditions as the Commission may impose. Transfer of  
license

10. No license shall be deemed to confer any perpetual or exclusive right. Exclusive  
rights

11. (1) The Commission may at any time and from time to time, amend or suspend any license, and may, after a hearing, cancel any license.

(2) Without thereby limiting the generality of the provisions contained in subsection (1), the Commission may amend, suspend, or cancel any license on any of the following grounds:—

- (a) Non-compliance by the licensee with any of the terms of the license or with any of the provisions of this Ordinance or the regulations made hereunder, or any order of the Commission: Amendment,  
suspension,  
and cancel-  
lation of  
license
- (b) Failure of the licensee to exercise any of the rights and privileges granted in the license or to provide adequate and efficient service:
- (c) Conviction of the licensee in any Court for any offence against this Ordinance or the Criminal Code of Canada.

Display of  
license

12. (1) Every licensee shall cause the license issued in respect of any vehicle to be carefully preserved and displayed upon the vehicle in such manner as to be conveniently seen by the public in the case of a public passenger-vehicle, and a limited passenger vehicle and by any person authorized by or under the provisions of section 62 in the case of any other licensed vehicle.
- (2) Where conditions are attached to any license, the licensee shall cause them to be carefully preserved and carried on the vehicle and to be available at all times for the inspection of any person authorized by or under the provisions of this Ordinance.

Display of  
license  
plates

13. (1) Every holder of a license for a motor-vehicle shall, in the manner prescribed by the regulations cause to be affixed to and displayed on the motor-vehicle throughout the term of the license, the license-plates, if any issued pursuant to subsection (5) of section 7.
13. (2) When any licensee withdraws from service, sells, or otherwise disposes of a motor-vehicle for which he holds a subsisting license, he shall forthwith report such fact to the Commission in writing and, unless he has previously obtained other directions from the Commission, he shall forthwith remove the license-plates from the motor-vehicle and return them to the Commission or to an officer or constable of the Royal Canadian Mounted Police.
- (3) Every officer or constable of the Royal Canadian Mounted Police Force or of the police

force of any municipality may seize any license-plate if he finds the same detached from a motor-vehicle or trailer, or displayed on a motor-vehicle or trailer other than the one in respect of which it was issued, or if the Commission has suspended or cancelled the license, or if the title or interest of the licensee in the licensed vehicle has been transferred, and may hold the same pending the receipt of instructions from the Commission as to its disposal. This subsection shall apply in respect of license-plates and motor-vehicles whether on a highway or elsewhere, and for the purposes of this subsection any such officer or constable may enter without warrant the lands or premises of any person on or in which there is any motor-vehicle.

14. (1) Every holder of a license for a motor-vehicle shall cause to be clearly marked in a conspicuous place on both sides of the motor-vehicle in figures or letters of not less than one inch in height, in the case of a freight-vehicle, the gross weight of the motor-vehicle and, in the case of a passenger-vehicle, the maximum number of passengers that may be carried under the terms of the license; and no person shall operate on a highway a motor-vehicle for which a license is required unless it is marked as required by this section.
- (2) In this section, "gross weight" means the maximum weight of a motor-vehicle when loaded to the maximum capacity authorized under the license for the vehicle.

15. Every licensee shall operate his licensed vehicle and conduct his business in conformity with the license and

Capacity  
markers

Operation in  
conformity  
with law

the conditions of the license, and with the provisions of this Ordinance and the regulations and orders of the Commission.

Operation of  
licensed  
vehicle as  
private  
freight  
vehicle

16. Unless otherwise provided in the conditions of the license, a license for the operation of a public freight-vehicle or a limited freight-vehicle shall entitle the holder thereof to operate or cause or permit to be operated on his behalf the licensed vehicle as a private freight-vehicle, if the public service is not adversely affected by such operation.

Municipal  
licenses

17. Notwithstanding the provisions of any public or private Ordinance, where a licensee operates in a municipality a motor vehicle for which a license has been issued under the provisions of this Ordinance, if such operation is in accordance with the provisions of his license and upon arterial or primary highways only, the licensee shall not be required to hold a license in respect of that motor-vehicle under the provisions of any by-law of the municipality.

## PART 2

### DUTIES AND RESTRICTIONS IMPOSED ON MOTOR CARRIERS

Duty to  
furnish  
information

18. (1) Every motor carrier shall furnish to the Commission all information required by it and shall make specific answers to all questions submitted by the Commission. Every motor carrier who receives from the Commission any form of return with directions to fill it out shall cause the return to be properly filled out so as to answer fully and correctly each question therein propounded, and shall deliver it to the Commission within the time prescribed:

Delivery of  
documents

(2) Whenever required by the Commission, every motor carrier shall deliver to the Commission all documents, books, accounts, pap-

ers, and records in his possession or control in any way relating to his property or service or affecting his business, or verified copies of the same; and shall deliver to the Commission complete inventories of his property in such form as the Commission may direct.

19. Every motor carrier shall maintain his property and equipment in such condition as to enable him to furnish, and shall furnish, according to his powers and within the limits of the capacity of his vehicles, service to all persons in all respects adequate, safe, efficient, just and reasonable.

Duty to  
furnish  
adequate  
service

20. Whenever after a hearing the Commission finds that an extension by any motor carrier of his existing service would be in the public interest and would, in the judgment of the Commission, furnish sufficient business to justify the making of the extension, and, in the opinion of the Commission, the financial condition of the motor carrier reasonably warrants, the capital expenditure required in making the extension, the Commission may order the motor carrier to make such extension of his service as the Commission may deem reasonable and expedient.

Extension of  
service

21. (1) Upon receipt by a motor carrier of any regulation or order of the Commission, he shall forthwith communicate the same to each of his officers and servants affected thereby by delivering to such officer or servant a copy thereof, or by posting up a copy in a conspicuous position in a place where the duties of such officer or servant, or some of them, are performed.

Employees  
to be  
notified of  
regulations  
and orders

(2) Every motor carrier shall do all things necessary to secure observance by his officers, agents, and employees of the provisions of this Ordinance and of the regulations and orders of the Commission.

Stopping  
of motor-  
vehicle at  
Railway  
Crossings

22. (1) If upon any highway at a grade crossing of an intersecting railway there is a sign displaying the word "Stop", either alone or accompanied by other words, the driver of every motor-vehicle operated as a public vehicle, limited vehicle, or private freight-vehicle upon that highway shall, before proceeding to cross such railway and while at a distance of not more than twenty feet therefrom, bring the motor-vehicle to a full stop.
- (2) The provisions of subsection (1) shall, mutatis mutandis, apply in respect of every motor-vehicle operated for hire and used in carrying pupils or teachers to or from a school.

Securities

23. (1) No motor carrier which is a corporation other than a municipal corporation and which operates four or more vehicles as public vehicles or limited vehicles, shall without the consent of the Commission:—
- (a) Issue any stocks or shares, or any bonds, debentures, securities or other evidence of indebtedness payable in more than one year from the date thereof:
- (b) Issue or sell or make or permit to be made upon its books any transfer of shares in the capital of the corporation:—
- (i) To any other motor carrier that is a corporation
- (ii) To any corporation, where the result of issue, sale, or transfer, in itself or in connection with pre-



vious issues, sales, or transfers, is to vest in the last-mentioned corporation a majority in interest of the issued share capital of the motor carrier.

PART 3

RATES

24. This Part shall apply to every motor carrier operating a public vehicle or limited vehicle and to every applicant for a license authorizing the operation of a public vehicle or limited vehicle; and, for the purposes of this Part, the term "motor carrier" includes all of the said classes of persons.

Application  
of Part

25. Every motor carrier shall file with the Commission, in accordance with the provisions of this Ordinance and the orders and regulations of the Commission, schedules showing all rates charged, collected, or enforced, or to be charged, collected or enforced by him, except where such rates have been fixed by the Commission.

Schedules of  
Rates to be  
filed

26. (1) No motor carrier, nor any person acting on his behalf, shall charge, demand, collect, or receive any rate for any service except under and in accordance with the provisions of this Ordinance and the regulations and orders of the Commission; nor shall any person charge, demand, collect or receive any rate under any schedule or portion thereof disallowed by the Commission.

Adherence to  
Schedules

(2) No motor carrier, nor any person acting on his behalf, shall, without the consent of the Commission, directly or indirectly, by any device whatsoever, or in anywise charge, demand, collect, or receive from any person

a greater, less, or different compensation for any service rendered or to be rendered by the motor carrier than that set out in the rates prescribed by the Commission, or, if no rates have been prescribed by the Commission, in the schedules of the motor carrier applicable thereto and filed in the manner provided in this Ordinance, nor shall any person without the consent of the Commission receive or accept from any motor carrier, or any person acting on behalf of a motor carrier, any service for a compensation greater or less than, or different from, that prescribed as aforesaid.

Amendment  
of schedules

27. No time or rate schedule in force may be amended, supplemented, or superseded by a new schedule without the consent of the Commission, and in granting any consent under this section the Commission may attach thereto such terms as it deems proper.

Disallow-  
ance and  
Suspension  
of Rates

28. The Commission may disallow or suspend any schedule of rates or any portion thereof that it considers to be unjust or unreasonable or contrary to any provisions of this Ordinance or the regulations, and may require the motor carrier within a prescribed time to substitute rates satisfactory to the Commission in lieu thereof or may prescribe other rates in lieu of the rates so disallowed.

Commission  
may pre-  
scribe Rates

29. For the purpose of establishing just and uniform charges, the Commission may at any time and from time to time prescribe the rates to be charged by any motor carrier, and such rates shall thereupon supersede the rates contained in any schedule filed by such motor carrier.

Discrimina-  
tion prohib-  
ited

30. No motor carrier shall make, demand, or receive any unduly discriminatory or unduly preferential rate for any service furnished by him within the Territory, or other rate otherwise in violation of the law; and no motor carrier

shall, as to rates or service, subject any person or locality, or any particular description of traffic, to any undue prejudice or disadvantage, or extend to any person any form of agreement or any facility or privilege, except such as are regularly and uniformly extended to all persons in accordance with the powers of the motor carrier and within the limits of the capacity of his vehicles, under substantially similar circumstances and conditions.

31. The Commission may determine as questions of fact whether or not traffic is or has been carried under substantially similar circumstances and conditions and whether there has in any case been unjust discrimination or undue preference or advantage or prejudice or disadvantage within the meaning of this Ordinance and the Commission shall be the sole judge of such questions.

Commission may determine Question of Discrimination

32. Whenever it is shown that any motor carrier charges one person or class of persons, or the persons in any district, lower rates for the same or similar service than he charges to other persons or classes of persons, or to the persons in another district, or makes any difference in treatment in respect of such persons, the burden of proving that such lower rate or difference in treatment does not amount to an undue preference or an unjust discrimination shall lie upon the motor carrier.

Burden of proof

PART 4

ADMINISTRATION OF ORDINANCE

- 33. (1) There shall be a Commission known as the "Highway Commission."
- (2) The Commission shall consist of the Controller of the Yukon Territory, the Territorial Secretary and the Territorial Agents, and:—
  - (a) The Controller shall be chairman of the Commission.

Formation of Commission

Composition

Procedure of sitting

- (b) In the absence of the Chairman or in case of his inability to act, any of the members may act as chairman.
- (c) Where a member appears to have acted for or instead of the chairman, it shall be conclusively presumed that he acted for one of the reasons mentioned in clause (b) :
- (d) The presence of two members shall constitute a quorum :
- (e) The Commission shall maintain its principal office in Dawson City where it shall hold its sittings, but when deemed expedient to do so, may hold a sitting elsewhere in any part of the Territory :
- (f) The Commission shall sit at such times and conduct its proceedings in such manner as it may deem most convenient for the proper discharge and speedy dispatch of business, and may make rules and regulations respecting its sittings and for regulating procedure in respect of all matters and business coming before it, including the giving of notices authorized or required under this Ordinance :
- (g) Where the Commission is directed or authorized under this Ordinance to hold a hearing it shall give such notice as it thinks proper to such persons as it thinks proper; and no act of the Commission shall be questioned or held invalid on the ground that insufficient notice has been given or that notice has not been given to any person :

- (h) The Commission shall have the power to determine its own procedure:
- (i) The Commission may from time to time appoint or engage experts and persons having special technical knowledge necessary for the purpose of assisting the Commission to carry out the provisions of this Ordinance.

34. The Commission may maintain offices at Dawson City and at such other places in the Territory as it deems necessary for the proper administration of this Ordinance.

Offices of  
Commission

35. (1) All moneys necessary to pay the salaries of the officers and employees of the Commission and to meet the expenses necessarily incurred in the administration of this Ordinance shall, in the absence of a vote of the Territorial Council for that purpose, be paid from the Consolidated Revenue Fund.

Appropriation

(2) All fees and costs paid to the Commission shall when received, be paid by the Commission into the Territorial Treasury.

Fees and  
Costs to be  
paid into  
Territorial  
Treasury

36. (1) The Commission shall, on or before the first day of July in each year, make to the Controller of the Yukon Territory a report for the preceding year showing:—

Annual  
Report

- (a) The number of licenses of the various classes issued during the year and the revenue derived therefrom:
- (b) Summaries of the more important findings, decisions, and orders of the Commission:

- (c) Such other matters as appear to the Commission to be of public interest in connection with the administration of this Ordinance:
- (d) Such matters as the Controller directs.

Information  
not to be  
divulged

37. Every officer and every employee of the Commission shall keep secret all information coming to his knowledge during the course of any inspection, examination, or investigation of any return, account, record, memorandum, book, or paper of any motor carrier, except in so far as his public duty requires him to report upon or take official action regarding the affairs of the motor carrier, or except in so far as he may be authorized by the Commission to publish or make known the information.

General  
Supervision  
of Motor  
Carriers

38. (1) It shall be the duty of the Commission to regulate motor carriers with the objects of promoting adequate and efficient service and reasonable and just charges therefor, and of promoting safety on the public highways, and of fostering sound economic conditions in the transportation business in the Territory, and the Commission may make such investigations and inquiries and such regulations and orders as it deems to be necessary for the carrying-out of such objects.

Regulations  
and Orders

- (2) Without thereby limiting the generality of the provisions contained in subsection (1), the Commission may make regulations and orders governing:—
  - (a) Procedure on all applications, proceedings, and matters coming before the Commission:
  - (b) The classification of motor-vehicles operated by motor carriers:

- (c) The maximum numbers of passengers or the maximum weight of freight, or both, which may be carried by public vehicles, limited vehicles, and private freight-vehicles:
- (d) The classification and form of licenses, the terms upon which and the manner in which they shall be issued and renewed, the conditions and restrictions to which they shall be subject, and the issue of duplicates of such licenses in the event of loss or destruction of the originals:
- (e) The transfer, renewal, or assignment of licenses:
- (f) License-plates:
- (g) The conditions to be contained in and to become part of all agreements entered into by licenses in respect of their services in or in respect of any class of service:
- (h) The safety, protection, comfort, and convenience of the persons availing themselves of the services of motor-carriers:
- (i) The conduct of drivers and passengers:
- (j) The obligations of motor carriers to the public in respect of the acceptance and carriage of passengers or freight:
- (k) The classification of freight:

- (l) The financial responsibility of motor carriers:
- (m) The time schedules of motor carriers:
- (n) The routes over which and the area within which motor carriers may operate:
- (o) The rates to be charged by motor carriers and publication thereof and the prohibition of the carrying of passengers or freight on licensed vehicles without charge therefor:
- (p) The hours of work of drivers of motor-vehicles operated as public or limited vehicles or as private freight-vehicles:
- (q) Inspection of public vehicles, limited vehicles, and private freight-vehicles, and of their operation:
- (r) Bills of lading:
- (s) Restrictions as to use of public vehicles, limited vehicles and private freight-vehicles:
- (t) The carrying of passengers on freight vehicles and the carrying of freight on passenger vehicles:
- (u) The speed and equipment of public vehicles, limited vehicles and private freight-vehicles:



- (v) The methods of accounting and the keeping of records of the operations of motor carriers:
  - (w) The furnishings to the Commission by motor carriers of reports of finances, accidents, and operations generally:
  - (x) Temporary permits authorizing seasonal or emergency or occasional operation of motor-vehicles as public vehicles, limited vehicles, or private freight vehicles:
  - (y) The solicitation of business by or on behalf of motor carriers by advertising or otherwise:
  - (z) The conduct of the business of transportation agents and transportation brokers in relation to motor-vehicles:
  - (aa) The delegation by the Commission of any of its powers and duties to any member or officer of the Commission.
- (3) This section shall not be deemed to authorize the Commission to fix the speed at which any motor-vehicle may be driven at a rate higher than that fixed by any other Ordinance or by any by-law of a municipality. PROVISO

39. For the purposes of this Ordinance the Commission may by regulation fix the fees to be taken for the use of His Majesty for licenses or in respect of any other matter within the jurisdiction of the Commission. FEES

Use of  
Streets in  
Municipal-  
ties

40. Where any dispute arises between a motor carrier and a municipality as to the use by the motor carrier of any highway or where any by-law of a municipality interferes with the operation of any licensed vehicle of a motor carrier on any highway in a municipality, the dispute may be referred to the Commission by either the motor carrier or the municipality and the Commission may by order, after a hearing, permit the use of such highway by the motor carrier, upon such terms and conditions as it deems proper.

Hearing of  
Complaints

41. The Commission shall have full jurisdiction to inquire into, hear, and determine any application by or on behalf of any person complaining that any motor carrier or other person:—

- (a) Has failed to do any act, matter or thing required to be done by this Ordinance or by any regulation, order, or direction made hereunder; or
- (b) Has done or is doing any act, matter or thing contrary to this Ordinance or to any regulation, order or direction made thereunder.

Findings of  
Commission  
Conclusive  
in certain  
Cases

42. The finding or determination of the Commission upon any question of fact within its jurisdiction shall in all matters or proceedings arising under this Ordinance be binding and conclusive upon all persons and in all courts.

Power of  
Commission  
to act on its  
Own Motion

43. Of its own motion the Commission may inquire into, hear, and determine any matter or thing which under this Ordinance it may inquire into, hear, or determine upon application or complaint, and with respect thereto the Commission shall have the same powers as upon application or complaint are vested in it by this Ordinance.

Hearing

44. Where an application is made to the Commission pursuant to the provisions of this Ordinance, the Commis-

sion shall, unless it is expressly provided in this Ordinance order that there shall be a hearing, have power to determine whether a hearing or inquiry shall or shall not be had, and generally whether any action on the part of the Commission shall or shall not be taken on that application.

45. (1) Where a hearing is to be held, the Commission shall give notice of the hearing in such manner, and to such persons as it thinks proper; and, except as provided in subsection (2) no act of the Commission shall be questioned or held invalid on the ground that insufficient notice has been given or that notice has not been given to any person. Notice of Hearing
- (2) Where a hearing is held in respect of the cancellation of any license, notice of the time and place of the hearing shall be given to the licensee, either by personal delivery or by a registered letter addressed to the licensee at his last known address, according to the records of the Commission.

46. Where any power or authority is vested in the Commission under this Ordinance, the Commission may exercise that power or authority from time to time, or at any time as occasion requires, and may at any time alter, suspend, or revoke any regulation, order, decision, or direction made by it and make other; but where by sections 3, 38, and 39 the exercise of any power or authority is subject to the approval of the Controller, the like approval shall be required in respect of the exercise of such power or authority under this section. Continuing Jurisdiction

47. The enumeration in any provision of this Ordinance of any specific power or authority given to the Commission shall not be held to exclude or limit any power or authority otherwise conferred on the Commission in this or any other Ordinance. General Powers not limited by Specific Enumeration

Application  
of Power of  
Commission

48. The powers vested in the Commission by this Ordinance shall apply notwithstanding that the subject-matter in respect of which the powers are exercisable is the subject-matter of any agreement or Ordinance; and shall apply in respect of service and rates whether fixed by or the subject of any agreement or Ordinance or otherwise; and where the service or rates are fixed by or are the subject of an agreement, shall apply whether the agreement is incorporated in or ratified or made binding by any general or special Ordinance or otherwise.

Substantial  
Compliance  
with  
Ordinance  
Sufficient

49. A substantial compliance with the requirements of this Ordinance shall be sufficient to give effect to all orders, rules, regulations, and acts of the Commission, and none of them shall be declared inoperative, illegal, or void for want of form or for any error or omission of a technical or clerical nature.

Application  
of Orders

50. The Commission, in making any regulation or order under this Ordinance, may make it apply to all cases, or to any particular case or class of case, or to any particular district, or to any person or service. The Commission may exempt any person or service from the operation of any regulation or order made under this Ordinance, for such time as the Commission deems expedient.

Partial and  
other Relief

51. Upon any application under this Ordinance, the Commission may make an order granting the whole or part only of the relief applied for, or may grant such further or other relief in addition to or in substitution for that applied for, as to the Commission may seem just and proper, as fully in all respects as if the application had been for such partial, further or other relief.

Commence-  
ment of  
Orders

52. Every regulation of general application made under the provisions of this Ordinance shall be published in the Gazette and shall come into operation one week after the date of publication, unless otherwise provided in the regu-

lation. Every other regulation and every order made under the provisions of this Ordinance shall come into operation on the date thereof, unless the Commission, in its discretion, otherwise provides.

53. The Commission may attach to any order such terms and conditions as to duration or otherwise as it deems proper. Terms and  
Conditions  
of Orders

54. Any person who thinks himself aggrieved by:— Appeals

- (a) Any regulation or order made by the Commission, whether the regulation be general in its application or applicable only to a particular class or to an individual:
- (b) The granting of a license or the refusal to grant a license pursuant to this Ordinance:
- (c) The attachment of terms or conditions to any license issued pursuant to this Ordinance:
- (d) The amendment, suspension, or cancellation of any license issued pursuant to this Ordinance:
- (e) The fixing of any rate or schedule of rates pursuant to this Ordinance:
- (f) The determination of any question of fact made by the Commission,—

shall have the right of appeal to the Controller. No appeal shall be brought after thirty days from the date of the matter in respect of which the appeal is taken; that is to say, from the date of the making of the regulation or order; or from the date of the granting of or refusal to grant the license; or from the date when terms or condi-

tions are attached to the license; or from the date when the license is amended, suspended, or cancelled; or from the date when the rate or schedule of rates is fixed; or from the date on which the question of fact is determined by the Commission, as the case may be. The person appealing shall give notice of his intention to appeal to the Controller by serving a copy on the Territorial Secretary. He shall also serve a copy on the Commission, and in each case service shall be made before the expiry of the period of thirty days aforesaid. The Controller may determine the procedure to be followed in any appeal and may determine what persons, if any, are to be notified of the appeal and all persons notified shall be entitled to be heard. On the hearing of an appeal the Controller may confirm the decision, order, rule, or regulation appealed from or may reverse, alter, or vary the same, or may make such order as to him seems just.

## PART 5

### OFFENCES AND PENALTIES

**Penalty** 55. Every person who is guilty of an offence against this Ordinance or who violates any provision of this Ordinance or of any regulation or order of the Commission, or who refuses or neglects to observe or perform any duty or obligation created or imposed by this Ordinance, or by any order or regulation of the Commission, shall be liable on summary conviction, for a first offence, to a penalty of not less than ten dollars and not more than two hundred and fifty dollars, and for a subsequent offence to penalty of not less than thirty dollars and not more than five hundred dollars; and each day's continuance of any such violation, refusal, or neglect shall constitute a new and distinct offence.

**Specific  
Offences**

56. Every person is guilty of an offence against this Ordinance who:—

- (a) Makes any return or furnishes any information to the Commission which is false in any particular; or
- (b) Fails or refuses to prepare and furnish to the Commission within the time and in the manner and form required by the Commission, any information in his possession or under his control required by the Commission under this Ordinance or the regulations; or
- (c) Upon demand, fails or refuses to exhibit to the Commission or any person authorized to examine the same, any book, paper, account, record, or memorandum in his possession or under his control; or
- (d) Wilfully obstructs or interferes with any member, officer, or employee of the Commission, or any other person in the exercise of the rights conferred or duties imposed by or under this Ordinance or the regulations or orders of the Commission; or
- (e) Knowingly solicits, accepts, or receives, directly or indirectly, any rebate, concession, or discrimination in respect of any service whereby that service is furnished or received in violation of any provision of this Ordinance or the regulations or orders of the Commission; or
- (f) Being an officer or employee of the Commission, or a person having access to or knowledge of any return made to the Commission, or of any information procured or evidence taken pursuant to this Ordinance other than at public inquiry or hearing, and

who, without the authority of the Commission first obtained, publishes or makes known any information, having obtained the information or knowing it to have been derived from that return, information, or evidence; or

- (g) Being the holder of a license in respect of a motor-vehicle, operates the motor-vehicle in contravention of the license or any of the conditions attached thereto.

Liability for  
Act or  
Omission  
of Employee

57. In construing and enforcing the provisions of this Ordinance, or of any regulation, order, or direction of the Commission, the act, omission, or failure of any officer, agent, or person acting for or employed by any motor carrier shall, if within the scope of his employment, be also deemed in every case to be the act, omission, or failure of the motor carrier.

Other  
Liabilities  
not affected

58 Nothing in this Ordinance shall have the effect to release or waive any right of action by the Commission or by any person for any right, penalty, or forfeiture which has arisen, or which arises, under any law of the Territory; and no penalty enforceable under this Ordinance shall be a bar to or affect the recovery for any right, or affect or bar any action at law or prosecution against any motor carrier or against the directors, officers, agents, or employees of any motor carrier.

Burden of  
Proof

59. In any prosecution under this Ordinance in respect of the operation of a motor-vehicle in the transportation of any passenger or freight, proof of the fact that any passenger or freight was being transported by the motor-vehicle on a highway shall be prima facie evidence that the passenger or freight was being so transported for compensation; and the burden shall be on the accused in all cases of proving that the motor-vehicle so operated is of a class or was being operated in a manner different from that alleged in the prosecution.



## PART 6

## MISCELLANEOUS

60. No privilege, concession, or franchise hereafter granted by any municipality to any person in respect of his operation of a public passenger-vehicle other than a municipal license for one year or less shall be valid unless approved by the Commission. The Commission shall not give its approval unless, after a hearing, it determines that the privilege, concession, or franchise proposed to be granted is necessary for the public convenience and properly conserves the public interest. The Commission, in giving its approval, may impose such conditions as to the duration and termination of the privilege, concession, or franchise, or as to equipment, maintenance, rates, or service, as the public convenience and interest reasonably require.

Approval of  
Franchise

61. (1) No person other than the holder of a license for the operation of a public or limited vehicle, or his agent duly authorized in writing, shall without the consent of the Commission:—
- (a) Sell or offer to sell transportation of persons or tickets therefor, or sell or offer to sell transportation of freight; or
  - (b) By advertising or otherwise solicit the transportation of passengers or freight; or
  - (c) Operate, control, or manage a travel bureau or place for the sale of tickets or for soliciting or advertising the transportation of passengers or freight; where such transportation is within the Yukon Territory and is to be in whole or in part by means of a motor-vehicle

Soliciting of  
Business by  
Unlicensed  
Persons

Advertising  
in News-  
papers

- (2) No person having the control or management of any newspaper shall permit to be published in such newspaper any advertisement soliciting or requesting the transportation of passengers or freight by motor-vehicle for compensation, unless such transportation is to be by means of a public or limited vehicle that is either exempted from the licensing provisions of this Ordinance or is operated by the holder of a license.

Power to  
Search  
Motor-  
Vehicles

62. (1) Any officer or constable of the Royal Canadian Mounted Police, or any person authorized by the Commission, may at any time without any warrant search any motor-vehicle on a highway for the purpose of ascertaining whether or not the provisions of this Ordinance and the regulations and orders of the Commission are being complied with in the operation of that motor-vehicle, and for that purpose may require the driver of the motor-vehicle to stop the same and to permit of the search being made.

Duty to  
Allow  
Search

- (2) Every driver or other person in charge of a motor-vehicle on a highway who is required by an officer or constable of the Royal Canadian Mounted Police, or by any person authorized by the Commission, by signals or otherwise, to stop the motor-vehicle or to permit it to be searched for the purposes of this section, and who refuses or fails to stop the motor-vehicle or to permit it to be searched, shall be guilty of an offence against this Ordinance.

This Ordin-  
ance in  
Addition to  
other  
Ordinances

63. The provisions, regulations, and orders made by or under this Ordinance shall be in addition to those made by or under the "Motor Vehicle Ordinance" and nothing

in this Ordinance shall be deemed to exempt any person or motor-vehicle from any of the provisions of the "Motor Vehicle Ordinance" or of the regulations made thereunder.

64. This Ordinance shall apply only to motor carriers and other persons who are subject to the legislative authority of the Territory; Provided that in the case of a motor carrier who furnishes a class of service in respect of which he is not subject to the legislative authority of the Territory, nothing in this section shall operate to make this Ordinance inapplicable to him in respect of another class of service furnished, in respect of which he is subject to the legislative authority of the Territory.

Application  
of Ordinance

## CHAPTER 9

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### AN ORDINANCE TO AMEND "THE FOREST FIRES ORDINANCE"

*(Assented to July 12th, 1947.)*

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

Section 10  
repealed and  
substituted

1. Section 10 of the Forest Fires Ordinance, being Chapter 37 of the Consolidated Ordinances of the Yukon Territory, 1914, and amending Ordinances, is hereby repealed and the following substituted therefor:

Fire officer  
etc. may  
require  
persons to  
assist in fire  
Suppression

10. (1) Any fire officer, guardian or member of the Royal Canadian Mounted Police may personally or otherwise, order any male person between the ages of eighteen and sixty to proceed to the fire with such horses, ploughs and other appliances as they possess and are necessary for the extinguishing or preventing the spread of fire.
- (2) Upon arrival at the fire such person shall endeavour to extinguish it in accordance with the directions given by the fire officer, guardian, or members of the Royal Canadian Mounted Police.
- (3) This section shall not apply to railway station agents, conductors, engineers, trainmen,

firemen and brakemen, dispatchers on duty, medical doctors, postmasters or persons physically unfit.

- (4) Any person neglecting or refusing without lawful excuse to obey any such order shall be guilty of an offence and liable on summary conviction therefor to a fine not exceeding \$50.00 and in default of payment thereof to imprisonment for any term not exceeding two months.

## CHAPTER 10

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### AN ORDINANCE TO AMEND "THE WORK- MAN'S COMPENSATION ORDINANCE"

*(Assented to July 12th, 1947.)*

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

Section 1 of  
first schedule  
amended

1. Subsection (a) of Section 1 of the First Schedule of "The Workman's Compensation Ordinance" being Chapter 1 of the Ordinances of the Yukon Territory, 1917 and amending Ordinances, is hereby amended by striking out all of the words after the word "of" as it appears in the third line of the said Subsection and substituting therefor the following: "five thousand (\$5,000.00) dollars, and to each dependent child of the deceased under the age of 16 years seven hundred and fifty (\$750.00) dollars, total not to exceed eight thousand six hundred (\$8,600.00) dollars."

Section 2 of  
first schedule  
amended

2. Section 2 of the First Schedule of the said Ordinance is hereby amended by striking out all of the words after the word "of" as it appears in the fourth line of the said Section and substituting therefor the following: "six thousand (\$6,000.00) dollars."

Section 3 of  
first schedule  
amended

3. Section 3 of the First Schedule of the said Ordinance is hereby amended by striking out all of the words after the word "schedule" as it appears in the fourth line of the said Section and substituting therefor the following:

THE WORKMAN'S COMPENSATION ORDINANCE 139

For the loss of a thumb, one thousand (\$1,000.00) dollars;

For the loss of an index finger, six hundred (\$600.00) dollars;

For the loss of any finger other than the index finger or thumb, four hundred (\$400.00) dollars

For the loss of a great toe, six hundred (\$600.00) dollars;

For the loss of any other toe than the great toe, three hundred (\$300.00) dollars;

The loss of the first phalange of the thumb or of any finger or toe shall be considered to be equal to the loss of one-half of such thumb, finger or toe and the compensation to be paid shall be one-half of the above amounts;

For the loss of a hand, three thousand (\$3,000.00) dollars;

For the loss of an arm, four thousand (\$4,000.00) dollars;

For the loss of a foot three thousand (\$3,000.00) dollars;

For the loss of a leg, four thousand (\$4,000.00) dollars;

For the loss of an eye, three thousand (\$3,000.00) dollars;

For the loss of an ear, five hundred (\$500.00) dollars;

For the loss of the nose, twelve hundred (\$1200.00) dollars.

## CHAPTER 11

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### AN ORDINANCE TO AMEND "THE GASOLINE TAX ORDINANCE"

*(Assented to July 12th, 1947.)*

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

Section 3  
amended

1. Section 3 of the Gasoline Tax Ordinance, being Chapter 6 of the Ordinances of the Yukon Territory, 1940, is amended by striking out the word "three" in the second line thereof and substituting therefor the word "six."



## CHAPTER 12

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### AN ORDINANCE TO REPEAL THE SUCCESSION DUTY ORDINANCE

*(Assented to July 12th, 1947.)*

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

1. The Succession Duty Ordinance being Chapter 1 of the Ordinances of the Yukon Territory 1934, is hereby repealed.

Repeal

## CHAPTER 13

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### AN ORDINANCE TO AMEND "THE INCOME TAX ORDINANCE"

*(Assented to July 14th, 1947.)*

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

Tax exemp-  
tion for 1945,  
1946 and  
1947

1. No tax shall be levied, assessed or paid under the provisions of "The Income Tax Ordinance, 1940," being Chapter 7 of the Ordinances of the Yukon Territory, 1940, in respect of any income earned during the years 1945, 1946 and 1947.

Ordinance  
Suspended

2. The said Ordinance is hereby suspended.

## CHAPTER 14

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### AN ORDINANCE TO AMEND "THE MOTION PICTURE ORDINANCE"

*(Assented to July 14th, 1947.)*

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

1. Sub-section (2) of Section 2 of the Motion Picture Ordinance, being Chapter 2 of the Ordinances of the Yukon Territory, 1944, is amended by adding at the end thereof the following:

Section - 2  
amended

"The Controller may, at his discretion, issue temporary permits to operators not fully qualified, where it appears expedient so to do."

Controller  
may issue  
temporary  
permit

## CHAPTER 15

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### AN ORDINANCE TO AMEND "AN ORDINANCE RESPECTING INSANE PERSONS"

*(Assented to July 14th, 1947.)*

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

Section 6  
amended

1. "An Ordinance respecting Insane Persons" being Chapter 46 of the Consolidated Ordinances of the Yukon Territory, 1914 as amended by Chapter 4 of the Ordinances of 1938, is further amended by adding at the end thereof the following:

"or should he deem it advisable such other person or persons to be guardian or guardians of the estate with like powers to those vested in the Public Administrator in the case of a person adjudged to be insane."

## CHAPTER 16

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### AN ORDINANCE TO AMEND "THE ASSESSMENT ORDINANCE"

*(Assented to July 14th, 1947.)*

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

1. The Assessment Ordinance, being Chapter 5 of the Consolidated Ordinances of 1914 as amended by Chapter 6 of the Ordinances of 1926 is further amended by adding the following as item 25 (c) to Section 20:

"Merchant—General, doing business under \$25,000.00 per annum \$35.00".

Section 20  
amended

"Merchant  
General"

## CHAPTER 17

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### AN ORDINANCE TO EXEMPT J. B. KUNZE AND F. KUNZE FROM PAYMENT OF LICENSE FEE ON ELECTRIC LIGHT PLANT IN MAYO AREA FOR STATED PERIOD

*(Assented to July 14th, 1947.)*

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

Assessment  
suspended  
for 1947

1. The license provided for in the proviso to section 20 of "The Assessment Ordinance," being Chapter 5 of the Consolidated Ordinances of the Yukon Territory, and amending Ordinances, shall not be levied against Jack Bonnar Kunze and Ed. Kunze, carrying on business in co-partnership in the Mayo area, Yukon Territory, under the firm name and style of Mayo Light Plant in respect of the said Light Plant operated by them for the year ending March 31, 1948.

## CHAPTER 18

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### AN ORDINANCE RESPECTING SECOND-HAND DEALERS

*(Assented to July 14th, 1947.)*

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

1. This Ordinance may be cited as "The Second-Hand Dealers Ordinance." Short title
  
2. No person shall exercise the trade of second-hand dealer in the Yukon Territory unless he shall have obtained a license therefor as provided for in section 20 of "The Assessment Ordinance." Second hand dealers to be licensed
  
3. (1) Every second-hand dealer shall keep a record of all purchases and sales giving a brief description of the goods and the price paid or received therefor. Records to be kept  
(2) The record may be either in book form or by retention of counter slips. If counter slips are employed they must be retained on file for a period of six months before being destroyed.
  
4. The record kept shall at all reasonable times within business hours be open to the inspection of any police constable and shall be produced by such second-hand dealer, if required, under penalty of ten dollars for each offence. Inspection of records and penalty

## CHAPTER 19

### AN ORDINANCE TO PROVIDE FOR THE REGULATION OF HOURS OF CLOSING OF RESTAURANTS

*(Assented to July 14th, 1947.)*

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

#### SHORT TITLE

- Short title. 1. This Ordinance may be cited as "The Restaurant Closing Ordinance."

#### INTERPRETATION

- Interpretation "Controller" 2. "Controller" means the Controller of the Yukon Territory.
- "Restaurant" "Restaurant" means any building or portion of a building, booth, stall, or place where meals or refreshments are offered for sale.

#### PROVISIONS

- Hours of closing 3. No person shall, within a taxation area, keep open any restaurant between the hours of twelve o'clock midnight and six o'clock A. M. unless a permit so to do has been obtained from the Controller or his duly authorized agent.
- Special permit 4. Permits will only issue to provide service during these hours where it is shown necessary to meet the needs of the transient public or special local requirements.



## PENALTIES

5. (1) Any person who commits a breach of this Ordinance shall be liable to cancellation of his permit or, on summary conviction, to a fine or penalty of \$50.00 or both.
- (2) All fines and penalties imposed by this Ordinance shall enure to the benefit of His Majesty in the right of the Yukon Territory, and shall be transmitted to the Territorial Treasurer and shall form part of the general revenue fund of the Territory.

## CHAPTER 20

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### AN ORDINANCE TO AMEND THE LEGAL PROFESSION ORDINANCE

*(Assented to July 15th, 1947.)*

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

Section 11 repealed and substituted

1. Subsections 1 and 2 of Section 11 of the Legal Profession Ordinance are hereby repealed and the following substituted therefor:

- Fees payable
11. (1) There shall be due and payable annually by every enrolled barrister and solicitor to the Territorial Treasurer on or before the 30th day of June in each year fees as follows:
- (a) By every barrister and solicitor practising in the Yukon Territory, whether resident in the Territory or not, the sum of \$30.00.
  - (b) By every non-practising barrister and solicitor, whether resident in the Territory or not, the sum of \$10.00
- (2) Each barrister and solicitor shall obtain from the Territorial Treasurer and file with the Territorial Secretary on or before the said 30th day of June a receipt for the annual fee paid. Upon presentation of such receipt

the said Secretary shall issue to the barrister and solicitor presenting the same a certificate stating that such barrister and solicitor is entitled to practise in the Yukon Territory. Should the receipt not be so filed the Territorial Secretary shall remove the name of the barrister and solicitor from the Rolls. The name of such person may be re-entered on the roll on payment of an additional fee of \$25.00 to the Treasurer, together with any arrears of annual payments outstanding and upon production to the Secretary of proof of such payment.

## CHAPTER 21

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### AN ORDINANCE TO AMEND "THE YUKON TERRITORIAL PUBLIC SERVICE ORDINANCE"

*(Assented to July 15th, 1947.)*

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

Section 10  
amended

Section 10 of the Yukon Territorial Public Service Ordinance, being Chapter 76 of the Consolidated Ordinances 1914 is amended by adding thereto the following subsection:

Controller  
may make  
regulations  
re annuity  
plan

- (2) The Controller may make such regulations as are necessary for the inauguration and administration of such Territorial Government Employees Retirement Annuity Plan as may be approved of by the appropriate Federal Department.

## CHAPTER 22

---

AN ORDINANCE FOR GRANTING TO THE COMMISSIONER CERTAIN SUMS OF MONEY TO DEFRAY THE EXPENSES OF THE PUBLIC SERVICE OF THE TERRITORY AND THE CITY OF DAWSON.

*(Assented to July 15th, 1947.)*

*Whereas* it appears by Message from John Edward Gibben, Esquire, Acting Controller of the Yukon Territory, and in the Supplementary Estimates accompanying the same, that the sums hereinafter mentioned in Schedule "A" are required to defray certain further expenses of the Public service of the Yukon Territory and the City of Dawson, and for the purposes relating thereto, for the year ending March 31st, 1947: and

*Whereas* it appears by message from John Edward Gibben, Esquire, the Acting Controller of the Yukon Territory, and in the Estimates accompanying the same, that the sums hereinafter mentioned in Schedule "B" to this Ordinance are required to defray certain expenses of the Public Service of the Yukon Territory, and for the purposes relating thereto, for the twelve months ending March 31st 1948; and

*Whereas* it appears by message from John Edward Gibben, Esquire, Acting Controller of the Yukon Territory, and in the Estimates accompanying the same, that the sums hereinafter mentioned in Schedule "C" to this Ordinance are required to defray certain expenses of the Public Ser-

vice of the City of Dawson, and for the purposes relating thereto, for the twelve months ending March 31st 1948;

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

1. From and out of the sums at the disposal of the Yukon Council there shall be paid and applied a further sum not exceeding in the whole seven hundred and nine thousand eight hundred forty seven dollars and sixty four cents for defraying the several charges and expenses of the Public Service of the Yukon Territory for the year ending March 31st 1947 as set forth in Schedule "A" of this Ordinance; and from and out of the sums at the disposal of the Yukon Council there shall be paid and applied a further sum not exceeding in the whole one hundred twenty six dollars and eighty seven cents for defraying the several charges and expenses of the Public Service of the City of Dawson for the year ending March 31st 1947, as set forth in Schedule "A" of this Ordinance.

2. From and out of the funds at the disposal of the Yukon Council there shall and may be paid and applied a sum not exceeding in the whole six hundred and seventy thousand eight hundred dollars for defraying the several charges and expenses of the Public Service of the Yukon Territory for the twelve months ending March 31st 1948, as set forth in Schedule "B" of this Ordinance.

3. From and out of the funds at the disposal of the Yukon Council there shall and may be paid and applied a sum not exceeding Forty five thousand two hundred dollars for defraying the several charges and expenses of the Public Service of the City of Dawson for the twelve months ending March 31st 1948, as set forth in Schedule "C" of this Ordinance.

4. The due application of all moneys expended shall be duly accounted for.

## SCHEDULE "A"

Further sums granted to the Controller by this Ordinance for the twelve months ending March 31st 1947, and for the purpose for which they are granted:

## SCHOOLS:

Generally .....	\$	462.03	
Dawson .....		4,200.14	
Whitehorse .....		759.91	
Mayo .....		92.83	\$ 5,514.91
		<hr/>	

## HOSPITALS, CHARITIES AND PUBLIC HEALTH:

Public Health and Care In-			
gents .....	\$	4,943.15	
Whitehorse Public Cemetery .....		39.35	4,982.50

GRANTS: Yukon Law Library ..... 51.16

## MISCELLANEOUS:

Town of Whitehorse .....		1,302.84	
Contingencies .....		11,841.53	13,144.37
		<hr/>	

ROADS: ..... 60,173.63

GOVERNMENT LIQUOR STORE ORDINANCE .... 625,981.07

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\$709,847.64

## CITY OF DAWSON:

Printing and Stationery .....	\$	126.87	
		<hr/>	

## SCHEDULE "B"

Sums granted to the Controller by this Ordinance for the twelve months ending March 31st 1948, and the purpose for which they are granted:

## TERRITORIAL OFFICES

Salaries .....	\$ 21,235.00	
Travelling Expenses .....	2,115.00	
Stationery and Supplies .....	6,000.00	\$ 29,350.00
		<hr/>

## YUKON COUNCIL

Sessional Indemnities and Travelling Expenses	1,450.00
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## SCHOOLS

General .....	\$ 8,300.00	
Dawson	30,500.00	
Whitehorse	40,300.00	
Mayo .....	4,300.00	
St. Mary's	3,600.00	
Carcross .....	3,700.00	
Destruction Bay .....	2,750.00	
Brook's Brook .....	2,750.00	96,200.00
		<hr/>

## HOSPITALS, CHARITIES, PUBLIC HEALTH

St. Mary's Hospital, Grant .....	\$ 40,000.00	
Additional Grant .....	5,000.00	
Whitehorse Hospital, Grant .....	30,000.00	
Additional Grant .....	7,000.00	
Mayo Hospital, Grant .....	10,000.00	
Additional Grant .....	6,000.00	
		<hr/>
Carried forward	98,000.00	127,000.00



Brought forward .....	98,000.00	127,000.00
Medical Health Officer, Dawson	1,800.00	
"    "    " Whitehorse	1,800.00	
"    "    " Mayo ..	675.00	
Public Health and Care of Indigents .....	45,000.00	
Venereal Disease Prevention ....	200.00	
St. Paul's Hostel, Care Indigent Children	5,000.00	127,000.00
	<hr/>	
	54,475.00	152,475.00

## GRANTS

Yukon Law Library .....	300.00	
City of Dawson .....	22,500.00	
Library and Reading Room, Dawson .....	900.00	
Library and Reading Room, Whitehorse .....	900.00	
Library and Reading Room, Mayo .....	450.00	
Dawson Branch, B. C. - Yukon Chamber of Mines .....	750.00	
Yukon Fish and Game Association .....	500.00	
Playgrounds: Dawson	250.00	
Whitehorse	250.00	26,800.00
	<hr/>	
Bounties on Wolves and Coyotes .....	12,500.00	
Registration of Trap Lines .....	1,000.00	
Consolidation of Ordinances .....	5,000.00	
Retirement Annuity Plan .....	13,500.00	
Town of Whitehorse	27,700.00	
Town of Mayo	1,000.00	
Contingencies	10,000.00	
	<hr/>	
Carried forward .....	70,700.00	376,975.00

Brought forward ..... 376,975.00

ROADS, BRIDGES, PUBLIC WORKS

Equipment and Garages .....	\$ 49,000.00	
Maintenance of Equipment, Gas and Oils .....	27,000.00	
Materials and Supplies, Meals and Unemployment Insurance .....	8,000.00	
Aviation Fields .....	5,000.00	
Ferry Service, Dawson .....	8,000.00	
Dawson, Miller Creek, Interna- tional Boundary Road .....	15,000.00	
Dawson, Sulphur, Dominion, Granville Road .....	7,000.00	
Bonanza, Eldorado, Quartz Road .....	4,000.00	
Klondike Road .....	3,500.00	
Klondike, Clear Creek, Barlow Road .....	5,000.00	
Clear Creek Road .....	2,000.00	
Thistle, Henderson Road .....	2,000.00	
Britannia, Canadian Road .....	4,000.00	
Ballaratt Creek Road .....	4,000.00	
Town of Whitehorse and Dist- rict Roads .....	9,500.00	
Livingstone Creek Road .....	1,500.00	
Carcross Bridge .....	5,000.00	
Alder Creek Bridge .....	2,500.00	
Carmacks District Roads .....	15,000.00	
Aishihik Airport to Nansen-Vic- toria Area Road .....	15,000.00	
Yukon River to Victoria-Nansen Area Road (Via Mount Freegold). .....	44,825.00	
Carried forward .....	236,825.00	376,975.00

Brought forward ..... 236,825.00 376,975.00

Mayo District Roads—

1. Road to Keno (Duncan Creek).		
2. Road from Keno to Silver King, Elsa, Calumet and Reo Group and on to connect with Mayo-Keno Road		
3. Road up Keno Hill to old Keno Hill Mine	30,000.00	
Mayo District Bridges .....	2,000.00	
Winter Roads .....	25,000.00	293,825.00
	<hr/>	<hr/>
		\$670,800.00
		<hr/>

SCHEDULE "C"

CITY OF DAWSON

Fire Department .....	\$ 16,964.00
Hydrant Service .....	15,566.00
Street Lighting .....	2,825.00
Printing and Stationery	300.00
Salaries .....	1,120.00
Streets and Sidewalks .....	7,925.00
Contingencies	500.00 \$ 45,200.00
	<hr/>

3. In the event of there being a surplus of monies standing to the credit of any item voted for Roads, Bridges and Public Works after the construction or repairs provided for have been completed to the satisfaction of the Superintendent of Works & Buildings, such surplus of monies shall

forthwith, on the acceptance of such works or repairs by the Controller of the Yukon Territory, be taken from said item and become part of and be added to the amount provided for Contingencies to such Roads, Bridges and Public Works, and shall thereafter be at the disposal of the Controller of the Yukon Territory for Roads, Bridges and Public Works.

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