

ORDINANCES
OF THE
YUKON TERRITORY

PASSED BY THE
YUKON COUNCIL

IN THE YEAR
1939

GEORGE ALLEN JEKELL
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

AN ORDINANCE TO AMEND "THE MINERS' PROTECTION ORDINANCE"

(Assented to May 2nd, 1939.)

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

1. "The Miners' Protection Ordinance", being Chapter 65 of the Consolidated Ordinances of the Yukon Territory, 1914, is hereby amended by adding thereto the following section immediately after section 19 thereof:

Miners'
Protection
Ordinance
amended.

"20. (1) Every workman whose work takes him into any quartz mine, or into any ore-crushing or rock-crushing operation of any mine, shall be examined by a physician selected by and at the expense of the employer at least once in every six months; and every workman who is being given such employment shall be so examined.

Workmen to
be examined
by physician.

"(2) If the physician finds upon examination that the workman is free from diseases of the respiratory organs and generally fit for work underground, he shall certify in writing that such is the case, and shall deliver a copy of such certificate to the workman.

Certificate
by physician.

2 THE MINERS' PROTECTION ORDINANCE, AMENDMENT

Certificate
to be in force
for six
months.

“(3) Every such certificate shall remain in force for not more than six months from the date of issue, and, if so required by the employer, it shall be delivered to and remain in the custody of the employer during the period of the workman's employment, and shall be returned to him on his being discharged from or leaving the same.

Examination
to include
X-Ray.

“(4) The examination to be made pursuant to this section shall include X-Ray as well as general examination.”

Rule 25
amended.

2. The said Ordinance is further amended by striking out of Rule 25 thereof as enacted by Chapter 3 of the Ordinances of 1934, all the words beginning with the word “jet” in the third line thereof up to the end of the said Rule, and substituting therefor the following, “water needle to prevent the escape of dust.”

Water needle
to be used.

3. The said Ordinance is further amended by adding thereto immediately after Rule 25 in section 17 of the said Ordinance, the following:

Ores, etc., to
be sprayed
with water.

“Rule 26. All ores or other material in a mine which have been broken by blasting, and all ores when they are entering the crusher, shall be thoroughly sprayed with water to prevent dust rising therefrom.”

CHAPTER 2

AN ORDINANCE TO AMEND "THE ASSESSMENT ORDINANCE"

(Assented to May 2nd, 1939.)

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 the Yukon Territory, 1914, is hereby amended by adding after the word "exempt" in the last line of subdivision (j) of section 4 of the said Ordinance, as amended by section 1 of the Ordinances of 1922, the following:

Assessment
Ordinance
amended.

"Provided that where a husband and wife each is in receipt of an income of \$1,000.00 or more, each shall be entitled to an exemption of \$1,000.00, and the husband shall in addition have an exemption of \$200.00 for each of the dependents above mentioned."

Exemptions
for husband
and wife
where each
has income
of \$1,000 or
more.

CHAPTER 3

AN ORDINANCE TO AMEND "THE WORKMEN'S COMPENSATION ORDINANCE"

(Assented to May 2nd, 1939.)

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

1.

Workmen's
Compensation
Ordinance
amended.

"The Workmen's Compensation Ordinance," being Chapter 1 of the Ordinances of the Yukon Territory, 1917, is hereby amended by inserting the following immediately after subdivision (k) of section 2 (1) of the said Ordinance:

"Industrial
Disease"
defined.

"Industrial Disease" shall mean and include silicosis, lead poisoning or its sequelae and arsenic poisoning or its sequelae, mercury poisoning or its sequelae, and infected blisters.

2.

The said Ordinance is further amended by inserting the following section immediately after section 4 thereof:

"4-A. (1) Where:

Compensation payable where injury or death results from industrial disease.

- (a) A workman suffers from an industrial disease and is thereby disabled from earning full wages at the work at which he was employed, or
- (b) The death of a workman is caused by an industrial disease;

and the disease is due to the nature of any employment in which the workman was employed at any time within twelve months previous to the date of the disablement, whether under one or more employments, the workman or his dependents shall be entitled to compensation under this Ordinance as if the disease were a personal injury by accident arising out of and in the course of the employment, subject to the following modifications:

- (c) The disablement shall be treated as the happening of the accident; and
- (d) If the workman has at the time of entering the employment wilfully and falsely represented himself in writing as not having previously suffered from the disease, compensation shall not be payable.

(2) If the workman at or immediately before the date of the disablement was employed in any process or industry which is proved to be one in which there is danger of contracting the industrial disease in question, the disease shall be deemed to have been due to the nature of that employment unless the contrary is proved.

Presumption where workman has been employed in industry where danger of contracting industrial disease.

(3) If the workman has during the period of twelve months previous to the date of disablement worked for more than one employer in such a process or industry, notice and claim for compensation under section 8 of the said Ordinance shall be given to every such employer, and if a compromise settlement of the claim is not made under section 10 of the said Ordinance, the Judge in deciding the claim under the provisions of the Second Schedule to the said Ordinance shall, if he finds that any amount of compensation is properly payable, apportion the liability therefor among the several employers, or fix the total liability on one of such employers as he deems just.

Where workman has worked for more than one employer.

CHAPTER 4

AN ORDINANCE TO AMEND "THE YUKON GAME ORDINANCE"

(Assented to May 2nd, 1939.)

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

1.

Yukon Game
Ordinance
amended.

"The Yukon Game Ordinance," being Chapter 1 of the Ordinances of the Yukon Territory, 1938, is hereby amended by inserting immediately after section 18 thereof the following section:

Holders of
Fur Trading
Licenses to
keep records.

"18-A. Every holder of a Fur Trading License shall keep records covering the purchase of all furs, which records shall show the following:

- (a) The date of each purchase;
- (b) The name of trapper from whom fur purchased;
- (c) Number of license of said trapper;
- (d) The number and description of pelts purchased."

2.

The said Ordinance is further amended by adding thereto the following section immediately after the word "therefrom" in the last line of section 74 thereof:

"74-A. 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."

Prosecutions may be entered within 3 years.

3.

The said Ordinance is further amended by adding thereto the following section immediately after the word "times" in the last line of section 44 thereof:

"44-A. No traps, deadfalls, pits, or other such contrivance shall be used at any time for the trapping of moose, caribou, deer, mountain sheep, mountain goat or bear."

Traps, etc., not to be used for big game.

4.

The said Ordinance is further amended by striking out the definition of the term "Resident" in section 2 of the Ordinance, and substituting therefor the following:

"Resident" means any British subject who has resided continuously in the Yukon Territory for not less than two years immediately prior to the date of his application for a license under this Ordinance; or any person not a British subject who has resided continuously in the Yukon Territory for not less than three years immediately prior to the date of his application for a license under this Ordinance.

"Resident" defined.

"Non-Resident" means any person who does not come within the definition of "Resident."

"Non-Resident" defined.

5.

The said Ordinance is further amended by inserting immediately after the word "Ordinance" in the fourth line of section 6 thereof the words "or such game as is not protected by this Ordinance."

License must be had to kill game whether protected or not.

CHAPTER 5

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 May 2nd, 1939.)

Whereas, It appears by Message from George Allen Jeckell, Esquire, the 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 ended March 31st, 1939; and,

Whereas, It appears by Message from George Allen Jeckell, Esquire, the 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, 1940; and,

Whereas, It appears by Message from George Allen Jeckell, Esquire, the 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

Service of the City of Dawson and for the purposes relating thereto for the twelve months ending March 31st, 1940;

The Controller of the Yukon Territory, by and with the advice and consent of the Council of said Territory, therefore 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 one hundred and fifty-one thousand two hundred and seventeen dollars and fifty-six cents for defraying the several charges and expenses of the Public Service of the Yukon Territory for the year ending March 31st, 1939, 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 nine hundred and forty-nine dollars and thirty-six cents for defraying the several charges and expenses of the Public Service of the City of Dawson for the year ending March 31st, 1939, 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 two hundred and one thousand dollars for defraying the several charges and expenses of the Public Service of the Yukon Territory for the twelve months ending March 31st, 1940, 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 thirty-seven thousand five 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, 1940, as set forth in Schedule "C" to this Ordinance.

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

SCHEDULE "A"

Further sums granted to the Controller by this Ordinance for the twelve months ending March 31st, 1939, and the purposes for which they are granted:

SCHOOLS:

Generally	\$ 35.37	
Dawson	117.23	
Mayo	37.66	
	<hr/>	\$ 190.26

HOSPITALS, CHARITIES AND PUBLIC HEALTH:

Public Health and care of Indigents.....	2,861.84
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MISCELLANEOUS:

Assay Office	\$ 35.31	
Printing and Stationery	161.77	
Contingencies	1,363.96	
Aviation Fields	95.01	
	<hr/>	1,656.05

ROADS, BRIDGES AND PUBLIC WORKS.....	4,349.20
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THE GOVERNMENT LIQUOR ORDINANCE.....	142,160.21
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	<hr/>	\$151,217.56
	<hr/>	

CITY OF DAWSON

FIRE DEPARTMENT:

Salary, Hoseman	\$ 27.60	
Salary, Nightwatchman	175.00	
Fire Alarm System	24.50	
Contingencies	174.08	
Purchase Fire Hose	172.56	
	<hr/>	\$ 573.74

PRINTING AND STATIONERY	58.32
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STREETS AND SIDEWALKS	317.30
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	<hr/>	\$ 949.36
	<hr/>	

SCHEDULE "B"

Sums granted to the Controller by this Ordinance for the twelve months ending March 31st, 1940, and the purposes for which they are granted:

SALARIES AND TRAVELLING EXPENSES

Salaries	\$ 6,600.00	
Travelling Expenses	700.00	
	<u> </u>	\$ 7,300.00

YUKON COUNCIL

Sessional Indemnity and Travelling Expenses	1,450.00
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SCHOOLS

Schools Generally	\$ 4,250.00	
Dawson School	12,100.00	
St. Mary's School	3,300.00	
Whitehorse School	9,580.00	
Mayo School	3,420.00	
Carcross School	2,700.00	
Elsa Camp School	2,350.00	
Auto Transportation	1,800.00	
	<u> </u>	39,500.00

HOSPITALS, CHARITIES AND PUBLIC HEALTH

Grant, St. Mary's Hospital.....	\$ 30,000.00	
Grant, Mayo Hospital	6,000.00	
Grant, Whitehorse Hospital	4,500.00	
Salary, Medical Health Officer, etc., at Dawson	1,200.00	
Salary, Medical Health Officer, etc., at Mayo	300.00	
Salary, Medical Health Officer, etc., at Whitehorse	300.00	
Public Health and Care of Indigents	27,000.00	
	<u> </u>	69,300.00

Carried forward	\$117,550.00
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Brought forward \$117,550.00

GRANTS TO LIBRARIES, READING ROOMS, ETC.

Dawson Library and Reading Room	\$ 900.00	
Whitehorse Library and Reading Room	450.00	
Mayo Library and Reading Room	450.00	
Yukon Law Library	200.00	
City of Dawson	12,500.00	
	<hr/>	14,500.00

MISCELLANEOUS EXPENDITURE

Territorial Agent, Whitehorse \$	750.00	
Town of Whitehorse	4,850.00	
Territorial Agent, and Telephone, Mayo	600.00	
Town of Mayo	5,630.00	
Assay Office, Keno	5,200.00	
Printing and Stationery	2,000.00	
Contingencies	1,500.00	
Aviation Fields	500.00	
	<hr/>	21,030.00

ROADS, BRIDGES AND PUBLIC WORKS

Dawson to Miller Creek and International Boundary	\$ 750.00	
Dawson Cable Ferry	2,700.00	
Hunker-Dominion and Sulphur Roads	5,000.00	
Bonanza, Quartz, and Indian River Roads	1,000.00	
Klondike Road	1,000.00	
Hollenbeck's to Crooked Creek	800.00	
Mayo to Yukon River at Minto	500.00	
Kluane Junction to Minto	800.00	
Mayo District Roads	8,000.00	
	<hr/>	
Carried forward		\$153,080.00

Brought forward		\$153,080.00
Whitehorse District Roads	3,500.00	
Winter Roads	5,000.00	
Machine Shop: Repairs, etc., to Tractors, Trucks, Shovel Loader, etc.; Gasoline and Oils, Dawson District	12,100.00	
Purchase Equipment: Balance payment for D-7 Tractor and Trac-dozer	3,938.50	
Two-ton Dump Truck.....	1,900.00	
Sundry Roads and General Ex- pense	931.50	
	<hr/>	47,920.00
		<hr/> <hr/>
		\$201,000.00

SCHEDULE "C"

CITY OF DAWSON

Fire Department	\$ 9,626.00	
Hydrant Service	13,356.00	
Street Lighting	2,550.00	
Printing and Stationery	300.00	
Salaries	1,120.00	
Contingencies	150.00	
Streets and Sidewalks	10,398.00	
	<hr/>	\$ 37,500.00
		<hr/> <hr/>

5. 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 and 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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