

LEGISLATIVE ASSEMBLY OF ONTARIO

SECOND SESSION OF THE TWENTY-EIGHTH
PARLIAMENT

BILLS

AS INTRODUCED IN THE HOUSE

TOGETHER WITH

REPRINTS AND THIRD READINGS

SESSION

NOVEMBER 19th to DECEMBER 20th, 1968

FEBRUARY 4th to APRIL 3rd, 1969

APRIL 15th to JUNE 27th, 1969

and

SEPTEMBER 30th to DECEMBER 17th, 1969

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BILL Pr1

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

An Act respecting the City of Ottawa

MR. LAWRENCE (Carleton East)

(PRIVATE BILL)

BILL Pr1

1968-69

An Act respecting the City of Ottawa

WHEREAS The Corporation of the City of Ottawa by ^{Preamble} its petition has prayed for special legislation in respect of the matter hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. By-law No. 319-68 of The Corporation of the City of ^{By-law confirmed} Ottawa, passed by the Corporation on the 21st day of October, 1968, being "A by-law of The Corporation of the City of Ottawa establishing a rental reference board to determine fair and reasonable rentals for housing accommodation", set forth as the Schedule hereto, is hereby validated and confirmed and declared to be legal.

2. This Act comes into force on the day it receives Royal ^{Commence-} Assent. ^{ment}

3. This Act may be cited as *The City of Ottawa Act, 1968-69*. ^{Short title}

SCHEDULE

BY-LAW No. 319-68

A BY-LAW of The Corporation of the City of Ottawa establishing a rental reference board to determine fair and reasonable rentals for housing accommodation.

WHEREAS it is expedient to enact as hereinafter set forth;

THEREFORE the Council of The Corporation of the City of Ottawa enacts as follows:

1. In this by-law,

- (a) "Board" means the Rental Reference Board;
- (b) "housing accommodation" means a building or structure or part of a building or structure occupied or capable of being occupied, in whole or in part, for the purposes of human habitation, (and for the purpose of this definition only, "tenant" means either one person or two or more persons jointly entitled to the same rights of occupancy and use of any housing accommodation) but housing accommodation does not include any room or rooms or suite of rooms in an inn or standard hotel in which sleeping or living accommodation is furnished to the travelling public with or without meals or any structure or part of a structure used for combined business and dwelling purposes under a lease that is made to one tenant or to two or more tenants jointly and the rental payable under such lease has not been apportioned in respect of that part used for business purposes and that part used as a place of dwelling;
- (c) "landlord" means a person of whom another holds any right to possession of any housing accommodation and the heirs, executors, administrators and assigns of such person and, without restricting or limiting the generality of the foregoing, includes a person who lets or sublets any housing accommodation and a person entitled to possession of any housing accommodation under any judgment or order of a court or under any statute and any mortgagee or chargee in possession;
- (d) "lease" means any enforceable contract for the letting or sub-letting of any housing accommodation whether such contract is made orally or in writing;
- (e) "offence" means any contravention of or failure to observe the provisions of this by-law or any order;
- (f) "order" means and includes any general or specific order, requirement, instruction, prescription, prohibition, restriction or limitation heretofore or hereafter made or issued in writing by or on behalf of or under authority of the Board in pursuance of any power conferred by or under this by-law or any other statute;
- (g) "rental" means any payment or consideration, including any bonus or gratuity to or for the benefit of the landlord, for the possession of any housing accommodation by the day, week, month, year or other period of time;
- (h) "tenant" means a person who holds possession of any housing accommodation under any lease.

2. This by-law shall apply to all housing accommodation situate within the limits of the City of Ottawa other than,

- (a) any living or sleeping room in an educational, religious, philanthropic, charitable, scientific, artistic, professional, social or sporting institution, or in a hospital or convalescent or nursing home or in a clubhouse;
- (b) any housing accommodation situate upon or used in connection with any land used solely for the purpose of husbandry, agriculture or horticulture;
- (c) any housing accommodation owned or administered by,
 - (i) Her Majesty in right of Canada or in right of the Province of Ontario,
 - (ii) the Corporation,
 - (iii) Central Mortgage and Housing Corporation,
 - (iv) any board or commission established under any Act of the Province of Ontario.

3. The Court of Revision is constituted a rental authority for the City of Ottawa and shall be known as the Rental Reference Board.

4. The Chairman of the Court of Revision shall be the Chairman of the Board and two members of the Board shall form a quorum for the hearing of applications.

5. The Board shall hear, consider and expeditiously dispose of all applications made to it respecting rentals for housing accommodation and shall determine what is a fair and reasonable rental and shall fix the rental to be charged.

6.—(1) Every application to the Board shall be in writing on the form prescribed in Appendix "A" annexed to this by-law and shall be filed with the Secretary of the Board.

(2) Every application shall be accompanied by a filing fee of \$5.00 which the Secretary of the Board shall forthwith deposit with the City Treasurer.

(3) No application shall be considered by the Board unless and until the filing fee of \$5.00 shall have been received by the City Treasurer.

(4) The decision of the Board made pursuant to any application under this by-law shall be final and conclusive and binding on all persons concerned.

7. The Board may adopt such procedure as it deems proper and in the execution of its powers and duties shall have all the powers that may be conferred upon a commissioner appointed under *The Public Inquiries Act*, but no expense shall be incurred without the written authorization of the Corporation.

8.—(1) Without limiting the generality of section 7, the Board shall have power,

- (a) to investigate, on complaint, the rental at any time charged or demanded by any person for housing accommodation, the nature and extent of any housing accommodation and any change therein or any alleged or apparent offence against this by-law, order or requirement; and for the purpose of any such investigation, the Board shall have all the powers of a commissioner appointed under the provisions of *The Inquiries Act*;
- (b) to enter any premises, to inspect and examine the same and any or all books, records and documents in the possession or control

of any landlord or tenant or their agent, and to require any such person to produce such books, records and documents at any place before it or before any person appointed by it to investigate and to take possession of any or all of such books, records and documents;

- (c) to require any person to furnish, in such form and within such time as the Board may prescribe, such information respecting housing accommodation and rentals as is specified in the requirement;
- (d) to make public its findings or report in the case of any investigation or to withhold such publication if it considers the public interest would be better served by such withholding;
- (e) to require any person to refund to any other person any amount received or collected in excess of any rental fixed by the Board or by or under the provisions of any order made by the Board; and, in any case in which any person has collected or received or collects or receives from any tenant any rental for any housing accommodation in contravention of an order fixing rental for that housing accommodation, the Board shall have power to require such person to refund to such tenant any difference between the rental fixed by the Board and the unauthorized increased rental;
- (f) in its discretion, grant or refuse in whole or in part any application made to it.

(2) No costs shall be awarded any party on any application under this by-law but the Board may order an unsuccessful respondent to pay to the applicant the amount of the filing fee paid by the latter.

9. A secretary of the Board shall be appointed who shall,

- (a) receive applications to the Board;
- (b) make all necessary arrangements for the hearing of applications by the Board;
- (c) notify all interested parties of applications received and of the date of hearing appointed by the Board;
- (d) record and notify all parties to every application of the decision of the Board;
- (e) inform the City Solicitor of all contraventions of this by-law or of any order of the Board, which comes to the attention of the secretary;
- (f) perform such other duties as may from time to time be assigned to the secretary by by-laws of the Corporation or by direction of the Board.

10.—(1) Any notice or other document that is required or permitted to be given by or to any person may be given by or to the husband, wife, widow, widower, personal representative or agent of such person.

(2) Any application or other document that is required or permitted to be made, filed or mailed by any person, may be made, filed or mailed by the husband, wife, widow, widower, personal representative or agent of such person.

(3) Personal occupation of any housing accommodation by the wife, husband, widow or widower of the tenant of the accommodation shall be deemed to be personal occupation by the tenant.

11. All leases of housing accommodation to which this by-law applies and made after the 1st day of May, 1968, shall be deemed to have been amended to such extent as may be necessary to give effect to the provisions of this by-law.

12. The members of the Board shall be paid such honoraria and the secretary shall be paid such salary as may from time to time be approved by the Council.

13.—(1) Every person who contravenes or fails to observe any provision of this by-law or any order of the Board shall be guilty of an offence and on summary conviction shall be liable to a penalty of not more than \$1,000.00 or to imprisonment for a term of not more than two years, or to both fine and imprisonment, and every director or officer of a corporation who assents to or acquiesces in any such offence personally and cumulatively with the corporation.

(2) In any proceeding one or more charges may be included in an information or complaint and a charge may include one or more offences against any of the provisions of this by-law or any order, and all such charges may be tried concurrently and one conviction for any or all such offences may be made and may provide a separate penalty for each offence.

GIVEN under the corporate seal of the City of Ottawa this 21st day of October, 1968.

(Sgd.) A. T. HASTEY,
City Clerk.

(Sgd.) DON B. REID,
Mayor.

Appendix "A"

THE CORPORATION OF THE CITY OF OTTAWA
APPLICATION TO RENTAL REFERENCE BOARD

Date.....

I,
(name of applicant)

.....
(address of applicant)

hereby apply to the Rental Board of the City of Ottawa pursuant to section 5 of By-law Number _____ of The Corporation of the City of Ottawa for an order,

(State briefly nature of relief applied for)

.....
.....
.....

(State briefly ground on which application is based. Reverse side of form may be used if space insufficient)

on the ground that
.....
.....
.....
.....

Attached hereto is filing fee of \$5.00 (cash or certified cheque payable to The Corporation of the City of Ottawa) required by By-law Number _____

.....
(signature of applicant)

NOTE: This application should be mailed or delivered to the Secretary, Rental Reference Board, Ottawa, Ontario.

An Act respecting the City of Ottawa

1st Reading

November 28th, 1968

2nd Reading

3rd Reading

MR. LAWRENCE (Carleton East)

(Private Bill)

BILL Pr2

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

An Act respecting Ontario Co-operative Credit Society

MR. ROOT

(PRIVATE BILL)

BILL Pr2

1968-69

**An Act respecting
Ontario Co-operative Credit Society**

WHEREAS Ontario Co-operative Credit Society by its ^{Preamble} petition has represented that it was incorporated by *The Ontario Co-operative Credit Society Act, 1949*, with an ^{1949, c. 133} authorized capital of \$1,000,000 divided into 100,000 shares having a par value of \$10 each; that by *The Ontario Co-operative Credit Society Act, 1961-62* ^{1961-62, c. 162} the authorized capital was increased to \$3,000,000 by the creation of an additional 200,000 shares having a par value of \$10 each; and whereas the petitioner has prayed for special legislation increasing its authorized capital to \$10,000,000; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The authorized capital of Ontario Co-operative Credit ^{Authorized capital increased} Society is increased from \$3,000,000 to \$10,000,000 by the creation of 700,000 shares having a par value of \$10 each ranking in all respects *pari passu* with the existing 300,000 shares.

2. This Act comes into force on the day it receives Royal ^{Commencement} Assent.

3. This Act may be cited as *The Ontario Co-operative* ^{Short title} *Credit Society Act, 1968-69*.

An Act respecting
Ontario Co-operative Credit Society

1st Reading

2nd Reading

3rd Reading

MR. ROOT

(Private Bill)

BILL Pr2

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

An Act respecting Ontario Co-operative Credit Society

MR. ROOT

BILL Pr2

1968-69

**An Act respecting
Ontario Co-operative Credit Society**

WHEREAS Ontario Co-operative Credit Society by its ^{Preamble} petition has represented that it was incorporated by *The Ontario Co-operative Credit Society Act, 1949*, with an ^{1949, c. 133} authorized capital of \$1,000,000 divided into 100,000 shares having a par value of \$10 each; that by *The Ontario Co-operative Credit Society Act, 1961-62* ^{1961-62, c. 162} the authorized capital was increased to \$3,000,000 by the creation of an additional 200,000 shares having a par value of \$10 each; and whereas the petitioner has prayed for special legislation increasing its authorized capital to \$10,000,000; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The authorized capital of Ontario Co-operative Credit ^{Authorized capital increased} Society is increased from \$3,000,000 to \$10,000,000 by the creation of 700,000 shares having a par value of \$10 each ranking in all respects *pari passu* with the existing 300,000 shares.

2. This Act comes into force on the day it receives Royal ^{Commencement} Assent.

3. This Act may be cited as *The Ontario Co-operative Credit Society Act, 1968-69*. ^{Short title}

An Act respecting
Ontario Co-operative Credit Society

1st Reading

November 28th, 1968

2nd Reading

March 10th, 1969

3rd Reading

March 25th, 1969

Mr. Roor

BILL Pr3

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

An Act respecting the City of London

MR. OLDE

(PRIVATE BILL)

BILL Pr3

1968-69

An Act respecting the City of London

WHEREAS The Corporation of the City of London, by ^{Preamble} its petition, has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Section 1 of *An Act respecting the General Hospital* ^{1887, c. 58, s. 1} of the City of London, Statutes of Ontario, 1887, Chapter 58, ^{(1954, c. 115, s. 5).} as re-enacted by section 5 of *The City of London Act, 1954*, re-enacted is repealed and the following substituted therefor:

- (1) The general management, operation, equipment and control of the hospitals of the City of London, known as Victoria Hospital, London, and War Memorial Children's Hospital of the City of London, including residences and other buildings ancillary thereto, are vested in and shall be exercised by a Board called The Board of Hospital Trustees of the City of London. ^{Management of hospitals}
- (2) The Board is authorized and empowered to alter, repair, reconstruct and construct buildings, works and equipment upon the lands acquired by or in the name of The Corporation of the City of London for the purposes of the said hospitals, residences and other buildings ancillary thereto and no approval of the Corporation shall be required therefor except where funds are supplied by the Corporation for a specific purpose. ^{Construction, etc., of buildings}
- (3) The Board is authorized and empowered to demolish any buildings or works or parts thereof upon the said lands when required to provide for repair, alterations or reconstruction thereof or for new construction. ^{Demolition of buildings}

Credit not
to be
pledged

(4) Nothing herein contained shall authorize or empower the Board to pledge the credit of The Corporation of the City of London.

By-laws,
etc.
R.S.O. 1960,
c. 322

(5) The Board is empowered to enact by-laws and regulations subject to *The Public Hospitals Act* and not inconsistent with this Act for the regulation and organization of the Board and for the management, operation and control of the said hospitals and the use thereof, and to which last-mentioned by-laws and regulations all persons making use of the said hospitals, or either of them, shall conform.

1887, c. 58,
s. 2
(1938, c. 58,
s. 4, subs. 1),
re-enacted

(2) Section 2 of the said Act, as re-enacted by subsection 1 of section 4 of *The City of London Act, 1938*, is repealed and the following substituted therefor:

Constitution
of Board

2.—(1) The Board shall be a body corporate and politic and shall be composed of eight members and such additional members as are required under the regulations made under *The Public Hospitals Act*, and of the eight members,

(a) one member shall be the Mayor of the City of London, *ex officio*;

(b) three members shall be appointed as follows,

(i) one member by the county council of the County of Middlesex, to be appointed annually at the last council meeting in each year,

(ii) one member by the Lieutenant Governor in Council, to hold office during his pleasure, and such member shall be a ratepayer of the City of London, and

(iii) one member by the trustees of the estates of the late Dr. Harry Meek and Mrs. Mary E. Meek, to hold office during their pleasure;

(c) one member shall be the chairman for the time being of the Advisory Council of War Memorial Children's Hospital, *ex officio*, or a member of the said Advisory Council designated by it before the first meeting of the Board in each year, such member to be approved by resolution of the Board and to hold office for that year; and

(d) three members shall be elected by the municipal electors of the City of London at the municipal elections.

(2) The provisions of *The Municipal Act* respecting nomination, qualification, election, unseating, grounds of disqualification and otherwise of mayors shall apply to the election of the three elected members. Election by municipal electors R.S.O. 1960, c. 249

(3) Section 3 of the said Act, as amended by subsection 2 of section 4 of *The City of London Act, 1938* and subsection 1 of section 4 of *The City of London Act, 1948*, is repealed. 1887, c. 58, s. 3, repealed

(4) Clause *a* of section 5 of the said Act, as re-enacted by subsection 2 of section 4 of *The City of London Act, 1948*, is repealed and the following substituted therefor: 1887, c. 58, s. 5 (1948, c. 114, s. 4, subs. 2), cl. 4, re-enacted

(a) If the vacancy is that of a member appointed by the county council of the County of Middlesex, a member appointed by the trustees of the estates of the late Dr. Harry Meek and Mrs. Mary E. Meek, or the representative of the Advisory Council of War Memorial Children's Hospital, the Board shall, by notice in writing forwarded by registered post addressed to the authority in respect of whose member the vacancy occurs, notify such authority of the vacancy and if the authority does not within thirty days notify the Board of the appointment of a member to fill the vacancy, the Board shall appoint a person to fill such vacancy.

(5) Section 6 of the said Act is repealed and the following substituted therefor: 1887, c. 58, s. 6, re-enacted

6.—(1) The chairman of the Board shall call the first meeting of the Board in each year before the 22nd day of January, having first given notice in writing of the time and place of such meeting to each member of the Board at least seven days prior to the date of such meeting and at such meeting board members shall be appointed as chairman and vice-chairman, respectively, for the current year and a secretary shall also be appointed who may but is not required to be a board member. Organization of Board

(2) The vice-chairman shall act when the chairman is absent or unable to act and the Board may appoint an acting secretary when the secretary is absent or unable to act. Idem

1887,
c. 58, s. 7,
subss. 1, 3,
re-enacted

(6) Subsections 1 and 3 of section 7 of the said Act are repealed and the following substituted therefor:

Meetings

- (1) The Board shall meet at least monthly except during July and August in each year and at such other times as the Board deems proper.

.

Quorum

- (3) No business shall be transacted at any special or general meeting unless at least five members of the Board are present.

1887,
c. 58, s. 8,
re-enacted

(7) Section 8 of the said Act is repealed and the following substituted therefor:

Persons
disqualified

8. No member of the Board as constituted by this Act shall be a medical practitioner in actual practice or, except in the case of the mayor or the person designated to act in his place, a member of the city council or an officer or servant in the employment of the said council or of the Board.

1887,
c. 58, s. 10,
amended

(8) Section 10 of the said Act is amended by striking out "*The Consolidated Municipal Act, 1883*" in the fifth and sixth lines and inserting in lieu thereof "*The Municipal Act*", so that the section shall read as follows:

Powers of
trustees to
revert to
city council
on passage
of a by-law
for that
purpose

10. In case the municipal council of the corporation of the said city of London shall pass a by-law declaring it expedient that the powers conferred by this Act shall cease, and such by-law shall receive the assent of the municipal electors of the said city of London in manner provided by *The Municipal Act*, and amendments thereto, such powers shall from the time named for that purpose in the by-law cease and be at an end, and the same shall revert to the said municipal council.

R.S.O. 1960,
c. 249

1887,
c. 58, s. 11,
re-enacted

(9) Section 11 of the said Act is repealed and the following substituted therefor:

Rights of
property
not affected

11. Nothing in this Act shall be deemed to transfer to or vest in the Board or the Province of Ontario or The Corporation of the County of Middlesex any right of ownership to or in the said hospitals.

Interim
member

2. The chairman for the time being of the Advisory Council of War Memorial Children's Hospital shall be a member of The Board of Hospital Trustees of the City of

London from the date this section comes into force until such time as the Board is reconstituted under section 2 of *An Act respecting the General Hospital of the City of London*, Statutes of Ontario, 1887, Chapter 58, as re-enacted by subsection 2 of section 1 of this Act.

3.—(1) This Act, except subsection 2 of section 1, comes into force on the day it receives Royal Assent. ^{Commence-}
^{ment}

(2) Subsection 2 of section 1 comes into force on the 1st day of January, 1970. ^{Idem}

3. This Act may be cited as *The City of London Act*, ^{Short title}
1968-69.

An Act respecting the
City of London

1st Reading

November 28th, 1968

2nd Reading

3rd Reading

MR. OLDE

(*Private Bill*)

BILL Pr3

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

An Act respecting the City of London

MR. OLDE

(Reprinted as amended by the Private Bills Committee)

BILL Pr3

1968-69

An Act respecting the City of London

WHEREAS The Corporation of the City of London, by ^{Preamble} its petition, has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Section 1 of *An Act respecting the General Hospital* ^{1887, c. 58,} *of the City of London*, Statutes of Ontario, 1887, Chapter 58, ^{s. 1} (1954, c. 115, ^{s. 5}), as re-enacted by section 5 of *The City of London Act, 1954*, re-enacted is repealed and the following substituted therefor:

- (1) The general management, operation, equipment and control of the hospitals of the City of London, known as Victoria Hospital, London, and War Memorial Children's Hospital of the City of London, including residences and other buildings ancillary thereto, are vested in and shall be exercised by a Board called The Board of Hospital Trustees of the City of London. ^{Management of hospitals}
- (2) The Board is authorized and empowered to alter, repair, reconstruct and construct buildings, works and equipment upon the lands acquired by or in the name of The Corporation of the City of London for the purposes of the said hospitals, residences and other buildings ancillary thereto and no approval of the Corporation shall be required therefor except where funds are supplied by the Corporation for a specific purpose. ^{Construction, etc., of buildings}
- (3) The Board is authorized and empowered to demolish any buildings or works or parts thereof upon the said lands when required to provide for repair, alterations or reconstruction thereof or for new construction. ^{Demolition of buildings}

Credit not
to be
pledged

- (4) Nothing herein contained shall authorize or empower the Board to pledge the credit of The Corporation of the City of London.

By-laws,
etc.
R.S.O. 1960,
c. 322

- (5) The Board is empowered to enact by-laws and regulations subject to *The Public Hospitals Act* and not inconsistent with this Act for the regulation and organization of the Board and for the management, operation and control of the said hospitals and the use thereof, and to which last-mentioned by-laws and regulations all persons making use of the said hospitals, or either of them, shall conform.

1887, c. 58,
s. 2
(1938, c. 58,
s. 4, subs. 1),
re-enacted

- (2) Section 2 of the said Act, as re-enacted by subsection 1 of section 4 of *The City of London Act, 1938*, is repealed and the following substituted therefor:

Constitution
of Board

- 2.—(1) The Board shall be a body corporate and politic and shall be composed of eight members and such additional members as are required under the regulations made under *The Public Hospitals Act*, and of the eight members,

(a) one member shall be the Mayor of the City of London, *ex officio*;

(b) three members shall be appointed as follows,

(i) one member by the county council of the County of Middlesex, to be appointed annually at the last council meeting in each year,

(ii) one member by the Lieutenant Governor in Council, to hold office during his pleasure, and such member shall be a ratepayer of the City of London, and

(iii) one member by the trustees of the estates of the late Dr. Harry Meek and Mrs. Mary E. Meek, to hold office during their pleasure;

(c) one member shall be the chairman for the time being of the Advisory Council of War Memorial Children's Hospital, *ex officio*, or a member of the said Advisory Council designated by it before the first meeting of the Board in each year, such member to be approved by resolution of the Board and to hold office for that year; and

(d) three members shall be elected by the municipal electors of the City of London at the municipal elections.

(2) The provisions of *The Municipal Act* respecting nomination, qualification, election, unseating, grounds of disqualification and otherwise of mayors shall apply to the election of the three elected members. Election by municipal electors R.S.O. 1960, c. 249

(3) Section 3 of the said Act, as amended by subsection 2 of section 4 of *The City of London Act, 1938* and subsection 1 of section 4 of *The City of London Act, 1948*, is repealed. 1887, c. 58, s. 3, repealed

(4) Clause *a* of section 5 of the said Act, as re-enacted by subsection 2 of section 4 of *The City of London Act, 1948*, is repealed and the following substituted therefor: 1887, c. 58, s. 5 (1948, c. 114, s. 4, subs. 2), cl. a, re-enacted

(a) If the vacancy is that of a member appointed by the county council of the County of Middlesex, a member appointed by the trustees of the estates of the late Dr. Harry Meek and Mrs. Mary E. Meek, or the representative of the Advisory Council of War Memorial Children's Hospital, the Board shall, by notice in writing forwarded by registered post addressed to the authority in respect of whose member the vacancy occurs, notify such authority of the vacancy and if the authority does not within thirty days notify the Board of the appointment of a member to fill the vacancy, the Board shall appoint a person to fill such vacancy.

(5) Section 6 of the said Act is repealed and the following substituted therefor: 1887, c. 58, s. 6, re-enacted

6.—(1) The chairman of the Board shall call the first meeting of the Board in each year before the 22nd day of January, having first given notice in writing of the time and place of such meeting to each member of the Board at least seven days prior to the date of such meeting and at such meeting board members shall be appointed as chairman and vice-chairman, respectively, for the current year and a secretary shall also be appointed who may but is not required to be a board member. Organization of Board

(2) The vice-chairman shall act when the chairman is absent or unable to act and the Board may appoint an acting secretary when the secretary is absent or unable to act. Idem

1887,
c. 58, s. 7,
subss. 1, 3,
re-enacted

(6) Subsections 1 and 3 of section 7 of the said Act are repealed and the following substituted therefor:

Meetings

(1) The Board shall meet at least monthly except during July and August in each year and at such other times as the Board deems proper.

Quorum

(3) No business shall be transacted at any special or general meeting unless at least five members of the Board are present.

1887,
c. 58, s. 8,
re-enacted

(7) Section 8 of the said Act is repealed and the following substituted therefor:

Persons
disqualified
R.S.O. 1960,
c. 322

8. Subject to The Public Hospitals Act and the regulations thereunder, no member of the Board as constituted by this Act shall be a medical practitioner in actual practice or, except in the case of the mayor or the person designated to act in his place, a member of the city council or an officer or servant in the employment of the said council or of the Board.

1887,
c. 58, s. 10,
amended

(8) Section 10 of the said Act is amended by striking out "*The Consolidated Municipal Act, 1883*" in the fifth and sixth lines and inserting in lieu thereof "*The Municipal Act*", so that the section shall read as follows:

Powers of
trustees to
revert to
city council
on passage
of a by-law
for that
purpose

R.S.O. 1960,
c. 249

10. In case the municipal council of the corporation of the said city of London shall pass a by-law declaring it expedient that the powers conferred by this Act shall cease, and such by-law shall receive the assent of the municipal electors of the said city of London in manner provided by *The Municipal Act*, and amendments thereto, such powers shall from the time named for that purpose in the by-law cease and be at an end, and the same shall revert to the said municipal council.

1887,
c. 58, s. 11,
re-enacted

(9) Section 11 of the said Act is repealed and the following substituted therefor:

Rights of
property
not affected

11. Nothing in this Act shall be deemed to transfer to or vest in the Board or the Province of Ontario or The Corporation of the County of Middlesex any right of ownership to or in the said hospitals.

Interim
member

2. The chairman for the time being of the Advisory Council of War Memorial Children's Hospital shall be a member of The Board of Hospital Trustees of the City of

London from the date this section comes into force until such time as the Board is reconstituted under section 2 of *An Act respecting the General Hospital of the City of London*, Statutes of Ontario, 1887, Chapter 58, as re-enacted by subsection 2 of section 1 of this Act and the members of the Board who are in office when this section comes into force shall remain in office until the Board is so reconstituted.

3. This Act comes into force on the day it receives Royal Assent. <sup>Commence-
ment</sup>

4. This Act may be cited as *The City of London Act*, ^{Short title} 1968-69.

An Act respecting the
City of London

1st Reading

November 28th, 1968

2nd Reading

3rd Reading

MR. OLDE

*(Reprinted as amended by the
Private Bills Committee)*

BILL Pr3

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

An Act respecting the City of London

MR. McNEIL

BILL Pr3

1968-69

An Act respecting the City of London

WHEREAS The Corporation of the City of London, by ^{Preamble} its petition, has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Section 1 of *An Act respecting the General Hospital* ^{1887, c. 58,} ^{s. 1} of the *City of London*, Statutes of Ontario, 1887, Chapter 58, ^{(1954, c. 115,} ^{s. 5),} as re-enacted by section 5 of *The City of London Act, 1954*, re-enacted is repealed and the following substituted therefor:

- (1) The general management, operation, equipment and control of the hospitals of the City of London, known as Victoria Hospital, London, and War Memorial Children's Hospital of the City of London, including residences and other buildings ancillary thereto, are vested in and shall be exercised by a Board called The Board of Hospital Trustees of the City of London. ^{Management of hospitals}
- (2) The Board is authorized and empowered to alter, repair, reconstruct and construct buildings, works and equipment upon the lands acquired by or in the name of The Corporation of the City of London for the purposes of the said hospitals, residences and other buildings ancillary thereto and no approval of the Corporation shall be required therefor except where funds are supplied by the Corporation for a specific purpose. ^{Construction, etc., of buildings}
- (3) The Board is authorized and empowered to demolish any buildings or works or parts thereof upon the said lands when required to provide for repair, alterations or reconstruction thereof or for new construction. ^{Demolition of buildings}

Credit not
to be
pledged

(4) Nothing herein contained shall authorize or empower the Board to pledge the credit of The Corporation of the City of London.

By-laws,
etc.
R.S.O. 1960,
o. 322

(5) The Board is empowered to enact by-laws and regulations subject to *The Public Hospitals Act* and not inconsistent with this Act for the regulation and organization of the Board and for the management, operation and control of the said hospitals and the use thereof, and to which last-mentioned by-laws and regulations all persons making use of the said hospitals, or either of them, shall conform.

1887, c. 58,
s. 2
(1938, c. 58,
s. 4, subs. 1),
re-enacted

(2) Section 2 of the said Act, as re-enacted by subsection 1 of section 4 of *The City of London Act, 1938*, is repealed and the following substituted therefor:

Constitution
of Board

2.—(1) The Board shall be a body corporate and politic and shall be composed of eight members and such additional members as are required under the regulations made under *The Public Hospitals Act*, and of the eight members,

(a) one member shall be the Mayor of the City of London, *ex officio*;

(b) three members shall be appointed as follows,

(i) one member by the county council of the County of Middlesex, to be appointed annually at the last council meeting in each year,

(ii) one member by the Lieutenant Governor in Council, to hold office during his pleasure, and such member shall be a ratepayer of the City of London, and

(iii) one member by the trustees of the estates of the late Dr. Harry Meek and Mrs. Mary E. Meek, to hold office during their pleasure;

(c) one member shall be the chairman for the time being of the Advisory Council of War Memorial Children's Hospital, *ex officio*, or a member of the said Advisory Council designated by it before the first meeting of the Board in each year, such member to be approved by resolution of the Board and to hold office for that year; and

(d) three members shall be elected by the municipal electors of the City of London at the municipal elections.

(2) The provisions of *The Municipal Act* respecting nomination, qualification, election, unseating, grounds of disqualification and otherwise of mayors shall apply to the election of the three elected members. Election by municipal electors R.S.O. 1960, c. 249

(3) Section 3 of the said Act, as amended by subsection 2 of section 4 of *The City of London Act, 1938* and subsection 1 of section 4 of *The City of London Act, 1948*, is repealed. 1887, c. 58, s. 3, repealed

(4) Clause *a* of section 5 of the said Act, as re-enacted by subsection 2 of section 4 of *The City of London Act, 1948*, is repealed and the following substituted therefor: 1887, c. 58, s. 5 (1948, c. 114, s. 4, subs. 2), cl. a, re-enacted

(a) If the vacancy is that of a member appointed by the county council of the County of Middlesex, a member appointed by the trustees of the estates of the late Dr. Harry Meek and Mrs. Mary E. Meek, or the representative of the Advisory Council of War Memorial Children's Hospital, the Board shall, by notice in writing forwarded by registered post addressed to the authority in respect of whose member the vacancy occurs, notify such authority of the vacancy and if the authority does not within thirty days notify the Board of the appointment of a member to fill the vacancy, the Board shall appoint a person to fill such vacancy.

(5) Section 6 of the said Act is repealed and the following substituted therefor: 1887, c. 58, s. 6, re-enacted

6.—(1) The chairman of the Board shall call the first meeting of the Board in each year before the 22nd day of January, having first given notice in writing of the time and place of such meeting to each member of the Board at least seven days prior to the date of such meeting and at such meeting board members shall be appointed as chairman and vice-chairman, respectively, for the current year and a secretary shall also be appointed who may but is not required to be a board member. Organization of Board

(2) The vice-chairman shall act when the chairman is absent or unable to act and the Board may appoint an acting secretary when the secretary is absent or unable to act. Idem

1887,
c. 58, s. 7,
subss. 1, 3,
re-enacted

(6) Subsections 1 and 3 of section 7 of the said Act are repealed and the following substituted therefor:

Meetings

- (1) The Board shall meet at least monthly except during July and August in each year and at such other times as the Board deems proper.

.

Quorum

- (3) No business shall be transacted at any special or general meeting unless at least five members of the Board are present.

1887,
c. 58, s. 8,
re-enacted

(7) Section 8 of the said Act is repealed and the following substituted therefor:

Persons
disqualified
R.S.O. 1960,
c. 322

8. Subject to *The Public Hospitals Act* and the regulations thereunder, no member of the Board as constituted by this Act shall be a medical practitioner in actual practice or, except in the case of the mayor or the person designated to act in his place, a member of the city council or an officer or servant in the employment of the said council or of the Board.

1887,
c. 58, s. 10,
amended

(8) Section 10 of the said Act is amended by striking out "*The Consolidated Municipal Act, 1883*" in the fifth and sixth lines and inserting in lieu thereof "*The Municipal Act*", so that the section shall read as follows:

Powers of
trustees to
revert to
city council
on passage
of a by-law
for that
purpose

R.S.O. 1960,
c. 249

10. In case the municipal council of the corporation of the said city of London shall pass a by-law declaring it expedient that the powers conferred by this Act shall cease, and such by-law shall receive the assent of the municipal electors of the said city of London in the manner provided by *The Municipal Act*, and amendments thereto, such powers shall from the time named for that purpose in the by-law cease and be at an end, and the same shall revert to the said municipal council.

1887,
c. 58, s. 11,
re-enacted

(9) Section 11 of the said Act is repealed and the following substituted therefor:

Rights of
property
not affected

11. Nothing in this Act shall be deemed to transfer to or vest in the Board or the Province of Ontario or The Corporation of the County of Middlesex any right of ownership to or in the said hospitals.

Interim
member

2. The chairman for the time being of the Advisory Council of War Memorial Children's Hospital shall be a member of The Board of Hospital Trustees of the City of

London from the date this section comes into force until such time as the Board is reconstituted under section 2 of *An Act respecting the General Hospital of the City of London*, Statutes of Ontario, 1887, Chapter 58, as re-enacted by subsection 2 of section 1 of this Act and the members of the Board who are in office when this section comes into force shall remain in office until the Board is so reconstituted.

3. This Act comes into force on the day it receives Royal Assent. ^{Commence-}
^{ment}

4. This Act may be cited as *The City of London Act*, ^{Short title}
1968-69.

An Act respecting the
City of London

1st Reading

November 28th, 1968

2nd Reading

March 10th, 1969

3rd Reading

March 26th, 1969

MR. McNEIL

BILL Pr4

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

An Act respecting the Borough of Scarborough

MR. REID (Scarborough East)

(PRIVATE BILL)

BILL Pr4

1968-69

An Act respecting the Borough of Scarborough

WHEREAS The Corporation of the Borough of Scarborough, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The council of the Corporation may pass a by-law for prohibiting and regulating the erection, continuance and maintenance of signs or other advertising devices and the posting of notices on buildings, structures, vacant lots or public property within any defined area or areas or on land abutting any defined highways or parts of highways in the Borough of Scarborough. Prohibiting
and
regulating
signs

2. Any by-law passed under section 1 may provide, Provisions
of the
by-law

- (a) for the classification of signs, advertising devices or notices according to use, location, size, design and character and their prohibition or regulation according to classification in the defined area or areas or on land abutting on any defined highways or parts of highways;
- (b) that signs or advertising devices and the structures or other means for supporting signs or advertising devices shall be constructed, erected, continued and maintained as described in the by-law;
- (c) that signs, advertising devices or notices on buildings, structures or vacant lots are prohibited unless a permit is obtained before erection or unless a certificate of compliance is obtained to continue signs, advertising devices or notices that were posted or erected before the by-law takes effect;

- (d) that applications for permits or certificates of compliance shall include the production of plans and specifications of signs, advertising devices or notices, and the structure or other means of support on which they are to be placed;
- (e) for fees for inspection of plans or for issuing permits or certificates of compliance, and such fees may vary according to the use, location, size, design and character of the sign, advertising device or notice;
- (f) for prescribing a tariff of fees payable in respect to appeals to the Sign Site Plan Committee or to council but in no case shall the fee payable on an appeal be more than \$25;
- (g) for annual amounts payable in respect of signs, advertising devices or notices on or projecting over highways or public property;
- (h) for different regulations applicable to signs, advertising devices or notices classified as temporary from those classified as permanent, provided that no fees, charges or permits shall be required for signs, advertising devices or notices erected in connection with any provincial or municipal election or the voting upon any question submitted to the electors of the municipality under any Act of Ontario;
- (i) that owners of signs, advertising devices or notices classified as permanent by the by-law, which are erected or placed before the by-law takes effect, shall apply within such time as the by-law provides for certificates of compliance in the same manner as applications for permits or shall remove the signs, advertising devices or notices;
- (j) that on any application for a permit or certificate of compliance, the official appointed by council to administer the by-law may request such further plans or information as he deems necessary and if such request is not complied with or if any application is not completed, it shall be deemed abandoned six months after the date of the submission of the application and the fee paid or such part thereof as the official deems necessary shall be forfeited to the Corporation.

3.—(1) When a by-law is passed under section 1, the council shall appoint an official of the Corporation to administer and enforce the by-law. ^{Appointment of official}

(2) Subject to a right of appeal to the Sign Site Plan Committee, the official may refuse to issue a permit or certificate of compliance if he is of the opinion that a sign, advertising device or notice is not compatible aesthetically with its environment or does not comply with the regulations in the by-law or with any other by-law or regulation enforceable in the municipality. ^{Refusal of permits, etc.}

(3) The official may order the removal of any sign, advertising device or notice erected, placed or continued without a permit or certificate of compliance, or that is not maintained in accordance with a by-law passed under section 1 within such time as the by-law provides. ^{Removal of signs}

(4) Where a sign, advertising device or notice does not comply with the plans or specifications submitted with the application for a permit or certificate of compliance or with any condition pursuant to which the permit or certificate of compliance was issued, the official may order the owner or applicant to make the sign, advertising device or notice comply thereto within such time as the by-law provides. ^{Idem}

(5) Where any order of the official is not carried out by removal or by making the sign, advertising device or notice conform with the provisions of the by-law as set forth in the order, the official is authorized to remove the sign, advertising device or notice at the expense of the owner thereof and such expense may be recovered by the Corporation in any court of competent jurisdiction or, if the owner is a ratepayer in the municipality, such expense may be added to the collector's roll and recovered in the same manner as his municipal taxes may be recovered. ^{Idem}

(6) Where, in the opinion of the official, any sign or advertising device is unsafe or dangerous, the official may remove the sign or advertising device without order or notice and may recover the expense incurred in the same manner as provided in subsection 5. ^{Idem}

4. Signs, advertising devices and notices erected or maintained by the Crown in right of Canada, the Province of Ontario or any agency of either of them, or by a municipality, as defined in *The Department of Municipal Affairs Act*, shall be exempt from the provisions of a by-law passed under section 1 and the council of the Corporation may exempt any charitable, educational or religious organization from the payment of fees under the by-law. ^{Exemptions R.S.O. 1960, c. 98}

Appoint-
ment of
Sign Site
Plan
Committee

5.—(1) Where the council of the Corporation passes a by-law under section 1, the council shall constitute and appoint a Sign Site Plan Committee composed of not fewer than three officials of the Corporation, none of whom shall be the official appointed to administer and enforce the provisions of the by-law.

Term of
office

(2) Each appointment to the Sign Site Plan Committee shall be for such term as the by-law may provide and members appointed shall hold office until their successors are appointed and are eligible for reappointment and where a member ceases to hold office before the expiration of his term, the council shall appoint another eligible person for the unexpired portion of the term.

Quorum

(3) A majority of the members of the Sign Site Plan Committee constitutes a quorum.

Appeal to
Committee

6. A decision or order of the official made pursuant to this Act or a by-law passed under section 1 may be appealed by any person affected by the decision or order to the Sign Site Plan Committee and, subject to further appeal to council, its decision shall be final.

Appeal to
council

7. Any decision of the Sign Site Plan Committee may be appealed to council and the decision of council allowing or refusing the appeal shall be final.

Notice of
appeal

8.—(1) Any decision or order of the official appointed to administer and enforce the by-law or a decision of the Sign Site Plan Committee may be appealed by written notice to the clerk of the municipality within such time or times and upon payment of such fee or fees as the by-law provides.

Notice of
hearing

(2) Before hearing an appeal, the Sign Site Plan Committee or the council, as the case may be, shall give at least ten days written notice of the hearing or direct that such notice be given to such persons as the committee or council considers should receive notice.

Appeal

(3) The person who appealed is entitled to appear at the hearing in person or by his counsel or agent and make representations and examine witnesses and if the decision is not given in his presence at the hearing, to receive written notice of the decision forthwith.

Idem

(4) In considering any appeal, the Sign Site Plan Committee or the council, as the case may be, may examine the appearance, location, design, use and size of any sign, advertising device or notice and exercise its discretion in granting or refusing the appeal.

9. Any official of the Corporation appointed by council for the enforcement of the by-law may, upon producing proper identification, enter at all reasonable times upon any property in order to ascertain whether the provisions of the by-law are being complied with and to enforce and carry into effect the provisions of the by-law. ^{Right to enter}

10. Part XXI of *The Municipal Act* applies to any by-law passed under this Act. ^{Application of R.S.O. 1960, c. 249}

11. This Act comes into force on the day it receives Royal Assent. ^{Commencement}

12. This Act may be cited as *The Borough of Scarborough Act, 1968-69*. ^{Short title}

An Act respecting the
Borough of Scarborough

1st Reading

November 28th, 1968

2nd Reading

3rd Reading

MR. REID (Scarborough East)

(Private Bill)

BILL Pr5

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

An Act respecting the Town of Burlington

MR. KERR

(PRIVATE BILL)

BILL Pr5

1968-69

An Act respecting the Town of Burlington

WHEREAS The Corporation of the Town of Burlington, ^{Preamble} herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- 1.**—(1) Notwithstanding any general or special Act, the ^{By-law to establish parking area} council of the Corporation may pass a by-law,
- (a) for establishing in the Town of Burlington a parking area as described in the Schedule hereto;
 - (b) for acquiring, establishing, laying out and improving land, buildings and structures in the parking area or adjacent thereto, where vehicles may be parked;
 - (c) for erecting buildings or structures for or in connection with the parking of vehicles in, on or under any lands vested for any purpose in the municipality in the parking area or adjacent thereto;
 - (d) for leasing such land, buildings or structures in the parking area or adjacent thereto; and
 - (e) for regulating, supervising and governing the parking of vehicles therein or thereon in accordance with paragraph 67 of section 377 of *The Municipal Act*. ^{R.S.O. 1960, c. 249}
- (2) A by-law passed under subsection 1 may provide that, ^{Idem}
- (a) with the approval of the Ontario Municipal Board, the parking area may be altered, reduced or extended if in the opinion of council it is deemed necessary so to do;

- (b) the capital cost thereof, or any part thereof, the annual rental payable under a lease or any operating deficit in the previous year shall be levied against the lands in a defined area within the parking area that in the opinion of the council derives special benefit therefrom;
- (c) with the approval of the Ontario Municipal Board, the defined area referred to in clause *b* may be altered, reduced or extended within the boundaries of the parking area if in the opinion of council it is deemed necessary so to do;
- (d) the entire cost chargeable to lands in the defined area shall be equitably apportioned among all parcels assessed as commercial in the proportion that the commercial real property and business assessment of each parcel bears to the total commercial real property and business assessment in the defined area;
- (e) the said apportionment shall be made annually on the basis of the last revised assessment roll;
- (f) all revenue from existing and future parking lots established by the Corporation and from existing and future street meters in the defined area shall be applied within the defined area for the purposes set out in clause *b*; and
- (g) all other revenue from existing and future parking lots established by the Corporation and from existing and future street meters outside the defined area but within the parking area shall be reserved for future parking facilities within the parking area.

Sinking
fund
debentures

2. Notwithstanding any general or special Act,

- (a) the council of the Corporation may provide in any money by-law that the principal shall be repaid at a fixed date with interest payable annually or semi-annually, in which case the debentures issued under the by-law shall be known as sinking fund debentures;
- (b) when sinking fund debentures are issued, the amount of principal to be raised in each year shall be a specific sum that, with the estimated interest at a rate not exceeding $3\frac{1}{2}$ per cent per annum, capitalized yearly, will be sufficient to pay the principal of the debentures as it becomes due;

- (c) when sinking fund debentures are issued, the Committee shall keep one or more consolidated bank accounts in which,
- (i) the treasurer of the Corporation shall deposit each year during the term of the debentures the moneys raised for the sinking funds of all debts that are to be paid by means of sinking funds, and
 - (ii) there shall be deposited all earnings derived from, and all proceeds of the sale or maturity or redemption prior to maturity of sinking fund investments;
- (d) when sinking fund debentures are issued, there shall be a sinking fund committee, herein called the Committee, which shall be composed of the treasurer of the Corporation and two members appointed by the Lieutenant Governor in Council, and the two appointed members shall be paid, out of the current funds of the Corporation, such annual remuneration as the Lieutenant Governor in Council may determine;
- (e) the treasurer of the Corporation shall be the chairman and treasurer of the Committee, and in his absence the appointed members may appoint one of themselves as acting chairman;
- (f) each member of the Committee shall, before entering into the duties of his office, give security for the faithful performance of his duties and for duly accounting for and paying over all moneys and securities that come into his hands, in such amount as the auditors of the Corporation shall determine, and in other respects the provisions of section 234 of *The Municipal Act* apply with respect to such security; R.S.O. 1960, c. 249
- (g) two members of the Committee shall be a quorum, and all investments and sales of investments must be approved by the treasurer of the Corporation and one other member of the Committee;
- (h) all assets of the sinking funds, including all consolidated bank accounts, shall be under the sole control and management of the Committee;

- (i) all withdrawals from the consolidated bank accounts shall be authorized by the Committee, and all cheques on the consolidated bank accounts shall be signed by the treasurer of the Corporation and one other member of the Committee;
- (j) the Committee shall invest any moneys on deposit from time to time in the consolidated bank accounts and may at any time or times vary any investment;
- (k) the moneys in the consolidated bank accounts shall be invested in debentures of the Corporation or other securities in which a trustee may invest under the provisions of *The Trustee Act* or in securities issued by the United States of America;
- (l) all securities acquired by the Committee as investments for sinking fund purposes shall be deposited for safe-keeping in a chartered bank or trust company until they are sold or mature or are called for redemption prior to maturity;
- (m) all sinking fund debentures issued on the same date, maturing on the same date and payable in the same currency, notwithstanding that they were issued under one or more by-laws, shall be represented by one sinking fund account;
- (n) where there is more than one sinking fund debenture by-law outstanding, the earnings from sinking fund investments in each year shall be apportioned by the Committee among all the sinking funds in the proportion that the increase during that year in the accumulated interest as provided for in clause *b* on the specific amount required to be deposited annually during the currency of each sinking fund debenture by-law bears to the total of all increases during that year in the accumulated interest as provided for in clause *b* on all the specific amounts required to be deposited annually during the currency of all outstanding sinking fund debenture by-laws;
- (o) where the office of the treasurer of the Corporation is vacant or the treasurer is absent or is unable to carry on his duties through illness or otherwise, the deputy treasurer of the Corporation shall act in his stead, and, when so acting, has all the powers and duties of the treasurer as a member and as the chairman and treasurer of the Committee.

3.—(1) The council of the Corporation may pass by-laws for regulating the crossing of curb-lines, sidewalks or paved boulevards by vehicles delivering materials to or removing materials from abutting lands on which any building is being erected, altered, repaired or demolished, and for requiring the owners of such abutting lands, upon any application for the issuing of a permit certifying to the approval of plans of buildings to be erected, altered, repaired or demolished thereon, to pay to the Corporation a sum of money not to exceed \$5 per foot of the limit of the lot abutting directly on such sidewalk, curbing or paved boulevard as a deposit to meet the cost of repairing any damage to the sidewalk, curbing or paved boulevard or to any water service box or other service therein caused by the crossing thereof by such vehicles.

Deposit
re damages
to side-
walks, etc.,
upon issue
of building
permit

(2) Where a by-law passed under this section requires the payment of a deposit to cover the cost of damage to a sidewalk, curbing or paved boulevard or to any water service box or other service therein, the by-law shall provide that, upon the completion of the erection, alteration, repair or demolition of the building or buildings on the lands abutting such sidewalk, curbing or paved boulevard and upon application by the person by whom the deposit was paid, the amount by which the sum deposited exceeds the cost of such repairs shall forthwith be refunded.

Refund

(3) Where any moneys heretofore or hereafter paid to the Corporation to cover the cost of repairs to curbing, sidewalks or paved boulevards or to any water service box or other service therein remain unclaimed in the hands of the treasurer of the Corporation for a period of six years, the treasurer of the Corporation may insert in any newspaper having general circulation in the Town of Burlington a notice containing a list of such unclaimed moneys and stating that all persons having any claim to any of such moneys are required to prove their claims within ninety days from the publication of such notice, and upon the expiration of ninety days from the publication of such notice the treasurer of the Corporation may transfer all of such moneys against which no claim has been made to the general funds of the Corporation free of and from any and all claims of any kind whatsoever.

Unclaimed
deposits

(4) Without limiting the generality of subsection 1, a by-law passed under this section may require that the owner or occupier of the lands take all necessary steps to prevent building material, waste or soil from being spilled or tracked onto the public streets by vehicles going to or coming from the lands during the course of the erection, alteration, repair or demolition and may provide that, in addition to any

Costs of
prevention

penalty otherwise provided by law, the owner or occupier shall be responsible to the Corporation for the cost of removing such building material, waste or soil, and the cost may be deducted from the deposit.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Town of Burlington Act, 1968-69*.

SCHEDULE

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Town of Burlington in the County of Halton and being bounded on the north by the centre line of Caroline, on the east by the centre line of Elizabeth Street, on the west by the centre line of Locust Street, and on the south by the centre line of Lakeshore Road.





An Act respecting the Town of Burlington

1st Reading

2nd Reading

3rd Reading

Mr. KERR

(Private Bill)

BILL Pr5

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

An Act respecting the Town of Burlington

MR. KERR

(Reprinted for consideration by the Private Bills Committee)

BILL Pr5

1968-69

An Act respecting the Town of Burlington

WHEREAS The Corporation of the Town of Burlington, ^{Preamble} herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Notwithstanding any general or special Act, the council of the Corporation may pass a by-law, ^{By-law to establish parking area}

- (a) for establishing in the Town of Burlington a parking area as described in the Schedule hereto;
- (b) for acquiring, establishing, laying out and improving land, buildings and structures in the parking area or adjacent thereto, where vehicles may be parked;
- (c) for erecting buildings or structures for or in connection with the parking of vehicles in, on or under any lands vested for any purpose in the municipality in the parking area or adjacent thereto;
- (d) for leasing such land, buildings or structures in the parking area or adjacent thereto; and
- (e) for regulating, supervising and governing the parking of vehicles therein or thereon.

(2) A by-law passed under subsection 1 may provide that, ^{Idem}

- (a) with the approval of the Ontario Municipal Board, the parking area may be altered, reduced or extended if in the opinion of council it is deemed necessary so to do;

- (b) with the approval of the Ontario Municipal Board, the capital cost, or any part thereof, of any parking facilities heretofore or hereafter provided within the defined area, including any portion of the said cost already paid out of the parking reserve fund, the annual rental payable under a lease or any operating deficit in the previous year shall be levied against the lands in a defined area within the parking area that in the opinion of council derives special benefit therefrom; provided that no part of the capital cost of any parking facilities within the parking area shall be levied out of the general funds of the Corporation.
- (c) with the approval of the Ontario Municipal Board, the defined area referred to in clause *b* may be altered, reduced or extended within the boundaries of the parking area if in the opinion of council it is deemed necessary so to do;
- (d) the entire cost chargeable to lands in the defined area shall be equitably apportioned among all parcels assessed as commercial in the proportion that the commercial real property and business assessment of each parcel bears to the total commercial real property and business assessment in the defined area;
- (e) the said apportionment shall be made annually on the 31st day of March on the basis of the last revised assessment roll;
- (f) all revenue from existing and future parking lots established by the Corporation and from existing and future street meters in the defined area shall be applied within the defined area for the purposes set out in clause *b*; and
- (g) all other revenue from existing and future parking lots established by the Corporation and from existing and future street meters outside the defined area but within the parking area shall be reserved for future parking facilities within the parking area.

Sinking
fund
debentures

2. Notwithstanding any general or special Act,

- (a) the council of the Corporation may provide in any money by-law that the principal shall be repaid at a fixed date with interest payable annually or semi-annually, in which case the debentures issued under the by-law shall be known as sinking fund debentures;

- (b) when sinking fund debentures are issued, the amount of principal to be raised in each year shall be a specific sum that, with the estimated interest at a rate not exceeding 4 per cent per annum, capitalized yearly, will be sufficient to pay the principal of the debentures as it becomes due;
- (c) when sinking fund debentures are issued, the Committee shall keep one or more consolidated bank accounts in which,
- (i) the treasurer of the Corporation shall deposit each year during the term of the debentures the moneys raised for the sinking funds of all debts that are to be paid by means of sinking funds, and
 - (ii) there shall be deposited all earnings derived from, and all proceeds of the sale or maturity or redemption prior to maturity of sinking fund investments;
- (d) when sinking fund debentures are issued, there shall be a sinking fund committee, herein called the Committee, which shall be composed of the treasurer of the Corporation and two members appointed by the Lieutenant Governor in Council, and the two appointed members shall be paid, out of the current funds of the Corporation, such annual remuneration as the Lieutenant Governor in Council may determine;
- (e) the treasurer of the Corporation shall be the chairman and treasurer of the Committee, and in his absence the appointed members may appoint one of themselves as acting chairman;
- (f) each member of the Committee shall, before entering into the duties of his office, give security for the faithful performance of his duties and for duly accounting for and paying over all moneys and securities that come into his hands, in such amount as the auditors of the Corporation shall determine, and in other respects the provisions of section 234 of *The Municipal Act* apply with respect to such security; R.S.O. 1960,
c. 249
- (g) two members of the Committee shall be a quorum, and all investments and sales of investments must be approved by the treasurer of the Corporation and one other member of the Committee;
- (h) all assets of the sinking funds, including all consolidated bank accounts, shall be under the sole control and management of the Committee;

- (i) all withdrawals from the consolidated bank accounts shall be authorized by the Committee, and all cheques on the consolidated bank accounts shall be signed by the treasurer of the Corporation and one other member of the Committee;
- (j) the Committee shall invest any moneys on deposit from time to time in the consolidated bank accounts and may at any time or times vary any investment;
- (k) the moneys in the consolidated bank accounts shall be invested in debentures of the Corporation or other securities in which a trustee may invest under the provisions of *The Trustee Act* or in securities issued by the United States of America;
- (l) all securities acquired by the Committee as investments for sinking fund purposes shall be deposited for safe-keeping in a chartered bank or trust company until they are sold or mature or are called for redemption prior to maturity;
- (m) all sinking fund debentures issued on the same date, maturing on the same date and payable in the same currency, notwithstanding that they were issued under one or more by-laws, shall be represented by one sinking fund account;
- (n) where there is more than one sinking fund debenture by-law outstanding, the earnings from sinking fund investments in each year shall be apportioned by the Committee among all the sinking funds in the proportion that the increase during that year in the accumulated interest as provided for in clause *b* on the specific amount required to be deposited annually during the currency of each sinking fund debenture by-law bears to the total of all increases during that year in the accumulated interest as provided for in clause *b* on all the specific amounts required to be deposited annually during the currency of all outstanding sinking fund debenture by-laws;
- (o) where the office of the treasurer of the Corporation is vacant or the treasurer is absent or is unable to carry on his duties through illness or otherwise, the deputy treasurer of the Corporation shall act in his stead, and, when so acting, has all the powers and duties of the treasurer as a member and as the chairman and treasurer of the Committee.

3. The council of the Corporation may pass by-laws requiring the owner or occupier of lands on which any building is being erected, altered, repaired or demolished to take all necessary steps to prevent building waste or soil from being tracked onto the public streets by vehicles going to or coming from the lands during the course of the erection, alteration, repair or demolition, and such by-laws may provide that, in addition to any penalty otherwise imposed by law, the owner or occupier shall be responsible to the municipality for the cost of removing such building material, waste or soil, and the cost may be deducted from any deposit, paid after the passing of any such by-law that is required to be paid under the provisions of a by-law passed under section 3 of *The Town of Burlington Act, 1965*.

By-law re
spilling of
building
material,
etc.

1965, c. 145

4. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

5. This Act may be cited as *The Town of Burlington Act, 1968-69*.

Short title

SCHEDULE

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Town of Burlington in the County of Halton and being bounded on the north by the centre line of Caroline, Street, on the east by the centre line of Elizabeth Street, on the west by the centre line of Locust Street, and on the south by the centre line of Lakeshore Road.



An Act respecting the Town of Burlington

1st Reading

November 28th, 1968

2nd Reading

3rd Reading

MR. KERR

*(Reprinted for consideration by the
Private Bills Committee)*

BILL Pr5

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

An Act respecting the Town of Burlington

MR. KERR

BILL Pr5

1968-69

An Act respecting the Town of Burlington

WHEREAS The Corporation of the Town of Burlington, ^{Preamble} herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Notwithstanding any general or special Act, the council of the Corporation may pass a by-law, ^{By-law to establish parking area}

- (a) for establishing in the Town of Burlington a parking area as described in the Schedule hereto;
- (b) for acquiring, establishing, laying out and improving land, buildings and structures in the parking area or adjacent thereto, where vehicles may be parked;
- (c) for erecting buildings or structures for or in connection with the parking of vehicles in, on or under any lands vested for any purpose in the municipality in the parking area or adjacent thereto;
- (d) for leasing such land, buildings or structures in the parking area or adjacent thereto; and
- (e) for regulating, supervising and governing the parking of vehicles therein or thereon.

(2) A by-law passed under subsection 1 may provide that, ^{Idem}

- (a) with the approval of the Ontario Municipal Board, the parking area may be altered, reduced or extended if in the opinion of council it is deemed necessary so to do;

- (b) with the approval of the Ontario Municipal Board, the capital cost, or any part thereof, of any parking facilities heretofore or hereafter provided within the defined area, including any portion of the said cost already paid out of the parking reserve fund, the annual rental payable under a lease or any operating deficit in the previous year shall be levied against the lands in a defined area within the parking area that in the opinion of council derives special benefit therefrom; provided that no part of the capital cost of any parking facilities within the parking area shall be levied out of the general funds of the Corporation.
- (c) with the approval of the Ontario Municipal Board, the defined area referred to in clause *b* may be altered, reduced or extended within the boundaries of the parking area if in the opinion of council it is deemed necessary so to do;
- (d) the entire cost chargeable to lands in the defined area shall be equitably apportioned among all parcels assessed as commercial in the proportion that the commercial real property and business assessment of each parcel bears to the total commercial real property and business assessment in the defined area;
- (e) the said apportionment shall be made annually on the 31st day of March on the basis of the last revised assessment roll;
- (f) all revenue from existing and future parking lots established by the Corporation and from existing and future street meters in the defined area shall be applied within the defined area for the purposes set out in clause *b*; and
- (g) all other revenue from existing and future parking lots established by the Corporation and from existing and future street meters outside the defined area but within the parking area shall be reserved for future parking facilities within the parking area.

Sinking
fund
debentures

2. Notwithstanding any general or special Act,

- (a) the council of the Corporation may provide in any money by-law that the principal shall be repaid at a fixed date with interest payable annually or semi-annually, in which case the debentures issued under the by-law shall be known as sinking fund debentures;

- (b) when sinking fund debentures are issued, the amount of principal to be raised in each year shall be a specific sum that, with the estimated interest at a rate not exceeding 4 per cent per annum, capitalized yearly, will be sufficient to pay the principal of the debentures as it becomes due;
- (c) when sinking fund debentures are issued, the Committee shall keep one or more consolidated bank accounts in which,
 - (i) the treasurer of the Corporation shall deposit each year during the term of the debentures the moneys raised for the sinking funds of all debts that are to be paid by means of sinking funds, and
 - (ii) there shall be deposited all earnings derived from, and all proceeds of the sale or maturity or redemption prior to maturity of sinking fund investments;
- (d) when sinking fund debentures are issued, there shall be a sinking fund committee, herein called the Committee, which shall be composed of the treasurer of the Corporation and two members appointed by the Lieutenant Governor in Council, and the two appointed members shall be paid, out of the current funds of the Corporation, such annual remuneration as the Lieutenant Governor in Council may determine;
- (e) the treasurer of the Corporation shall be the chairman and treasurer of the Committee, and in his absence the appointed members may appoint one of themselves as acting chairman;
- (f) each member of the Committee shall, before entering into the duties of his office, give security for the faithful performance of his duties and for duly accounting for and paying over all moneys and securities that come into his hands, in such amount as the auditors of the Corporation shall determine, and in other respects the provisions of section 234 of *The Municipal Act* apply with respect to such security; R.S.O. 1960,
c. 249
- (g) two members of the Committee shall be a quorum, and all investments and sales of investments must be approved by the treasurer of the Corporation and one other member of the Committee;
- (h) all assets of the sinking funds, including all consolidated bank accounts, shall be under the sole control and management of the Committee;

- (i) all withdrawals from the consolidated bank accounts shall be authorized by the Committee, and all cheques on the consolidated bank accounts shall be signed by the treasurer of the Corporation and one other member of the Committee;
- (j) the Committee shall invest any moneys on deposit from time to time in the consolidated bank accounts and may at any time or times vary any investment;
- (k) the moneys in the consolidated bank accounts shall be invested in debentures of the Corporation or other securities in which a trustee may invest under the provisions of *The Trustee Act* or in securities issued by the United States of America;
- (l) all securities acquired by the Committee as investments for sinking fund purposes shall be deposited for safe-keeping in a chartered bank or trust company until they are sold or mature or are called for redemption prior to maturity;
- (m) all sinking fund debentures issued on the same date, maturing on the same date and payable in the same currency, notwithstanding that they were issued under one or more by-laws, shall be represented by one sinking fund account;
- (n) where there is more than one sinking fund debenture by-law outstanding, the earnings from sinking fund investments in each year shall be apportioned by the Committee among all the sinking funds in the proportion that the increase during that year in the accumulated interest as provided for in clause *b* on the specific amount required to be deposited annually during the currency of each sinking fund debenture by-law bears to the total of all increases during that year in the accumulated interest as provided for in clause *b* on all the specific amounts required to be deposited annually during the currency of all outstanding sinking fund debenture by-laws;
- (o) where the office of the treasurer of the Corporation is vacant or the treasurer is absent or is unable to carry on his duties through illness or otherwise, the deputy treasurer of the Corporation shall act in his stead, and, when so acting, has all the powers and duties of the treasurer as a member and as the chairman and treasurer of the Committee.

3. The council of the Corporation may pass by-laws re-^{By-law re}quiring the owner or occupier of lands on which any building ^{spilling of} is being erected, altered, repaired or demolished to take all ^{building} necessary steps to prevent building waste or soil from being ^{material,} tracked onto the public streets by vehicles going to or coming ^{etc.} from the lands during the course of the erection, alteration, repair or demolition, and such by-laws may provide that, in addition to any penalty otherwise imposed by law, the owner or occupier shall be responsible to the municipality for the cost of removing such building material, waste or soil, and the cost may be deducted from any deposit, paid after the passing of any such by-law that is required to be paid under the provisions of a by-law passed under section 3 of *The Town of Burlington Act, 1965.*

1965, c. 145

4. This Act comes into force on the day it receives Royal ^{Commence-} Assent. ^{ment}

5. This Act may be cited as *The Town of Burlington Act*, ^{Short title} 1968-69.

SCHEDULE

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Town of Burlington in the County of Halton and being bounded on the north by the centre line of Caroline Street, on the east by the centre line of Elizabeth Street, on the west by the centre line of Locust Street, and on the south by the centre line of Lakeshore Road.

An Act respecting the Town of Burlington

1st Reading

November 28th, 1968

2nd Reading

March 14th, 1969

3rd Reading

March 25th, 1969

Mr. KERR

BILL Pr6

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

An Act respecting the City of Niagara Falls

MR. BUKATOR

(Private Bill)



BILL Pr6

1968-69

An Act respecting the City of Niagara Falls

WHEREAS The Corporation of the City of Niagara Falls, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of the Corporation may enter into an agreement with the owner or occupant of a building or structure to be erected or used providing for relief, to the extent set out in the agreement, from any requirement in any by-law of the Corporation for the provision or maintenance of parking facilities on land that is not part of a highway, and exempting such owner or occupant, to the extent specified in the agreement, from the necessity of providing or maintaining such facilities.

Preamble
Agreements for relief from requirements to provide parking

(2) Every agreement referred to in subsection 1 shall,

Agreements approved by O.M.B.

- (a) be subject to the approval of the Ontario Municipal Board given either before or after the execution thereof; and
- (b) require the payment to the Corporation of a sum of money therein set out, either in a lump sum or by instalments, together with interest at a rate therein specified, and shall set forth the basis upon which the sum is computed.

(3) All moneys paid or to be paid pursuant to an agreement referred to in subsection 1 shall be paid into a special account and may be invested in such securities as a trustee may invest in under *The Trustee Act*, and the earnings derived from the investment of such moneys shall be paid into such special account, and the moneys in such special account

Payments under agreements held as fund for purpose of parking facilities
R.S.O. 1960, c. 408

R.S.O. 1960,
c. 249

shall be expended for the same purposes and in the same manner as a reserve fund provided for in paragraph 67 of section 377 of *The Municipal Act*.

Registration
of
agreement
imposes
lien on
land

(4) Any such agreement may be registered against the land affected thereby in the proper registry or land titles office, and, when so registered, the amounts payable under such an agreement until paid shall be a lien or charge upon the lands described therein and may be collected in the same manner and with the same remedies as provided by *The Assessment Act* and *The Department of Municipal Affairs Act* for the collection of real property taxes, and, upon payment in full of the moneys to be paid under the agreement or upon termination of the agreement, there shall be registered in the proper registry or land titles office against such lands a certificate from the clerk of the Corporation stating that the moneys to be paid under the agreement have been fully paid or that the agreement has been terminated.

R.S.O. 1960,
cc. 23, 98

Audit of
fund

(5) The city auditor in his annual report shall report on the activities and position of any special account established under this section.

By-law
levying
parking
lot cost
against
defined
area

2. Where the council of the Corporation, with the approval of the Ontario Municipal Board, has passed a by-law under paragraph 67 of section 377 of *The Municipal Act*, which provides that the capital cost or any part thereof, the annual rental payable under any lease or any operating deficit in the previous year shall be levied against specified parcels of land within a defined area and, subsequent to the effective date of the by-law imposing the levy, the council is of the opinion that,

- (a) there has been an increase or decrease in the special benefit derived therefrom by a parcel of land in the defined area against which a portion of the cost has been levied;
- (b) a parcel of land in the defined area has begun to derive or has ceased to derive a special benefit therefrom; or
- (c) a parcel of land outside the defined area has begun to derive a special benefit therefrom,

the council may at any time and from time to time by a further by-law, passed with the approval of the Ontario Municipal Board,

- (d) redefine the area in the municipality that, in the

opinion of the council, contains the lands that derive a special benefit from the by-law; or

(e) re-apportion the balance of the cost mentioned in subclause i of clause g of paragraph 67 of section 377 of *The Municipal Act*, so that such cost shall be apportioned against each parcel of land that, in the opinion of the council, derives such special benefit. R.S.O. 1960, c. 249

3.—(1) In this section, “drainage works” and “maintenance” mean drainage works and maintenance as defined in *The Drainage Act, 1962-63*. Interpretation
1962-63, c. 39

(2) Notwithstanding *The Drainage Act, 1962-63*, the council of the Corporation may pass by-laws to authorize the maintenance of all drainage works in the City of Niagara Falls or in any defined area thereof, and to provide that the cost of such maintenance shall be charged and collected by a special rate sufficient therefor, levied upon all the rateable property in the City of Niagara Falls or in any such defined area. By-laws authorizing maintenance of drainage works

(3) By-laws passed under subsection 2 may authorize all persons engaged in such works to enter upon such lands within the City of Niagara Falls as may be necessary therefor, without leave or consent of the owner or any other person, provided that no person shall cause any unnecessary damage to any property in so doing. Idem

(4) No by-law passed under this section shall be repealed. Idem

4.—(1) In this section, “municipal works” includes sidewalks, curbing, gutters, culverts, and paved boulevards. Interpretation

(2) The council of the Corporation may, and is declared to have had the power to, pass by-laws for regulating the crossing of municipal works by vehicles, machinery or equipment of any kind delivering materials to or removing materials from or performing work on abutting lands on, to or from which any building or structure is being erected, altered, repaired, demolished or moved and for requiring the owners of such abutting lands, upon any application for the issuing of a permit certifying to the approval of the plans of a building or structure to be erected, altered or repaired thereon or upon any application for a permit to demolish or move a building or structure thereon or therefrom, to pay to the Corporation a sum of money not to exceed \$5 per foot of the limit of the lot abutting directly on such municipal works as a deposit to meet the cost of repairing any damage to the municipal works or to any water service box or other service or utility of the Corporation caused during the erection, alteration, repair, demolition or removal of such building or structure. Deposit re damage to sidewalks, etc., upon issue of building permit

Refund

(3) Where a by-law passed under this section requires the payment of a deposit to meet the cost of repairing damage to municipal works or to any water service box or other service or utility of the Corporation, the by-law shall provide that upon the completion of the erection, alteration, repair or removal and upon application by the person by whom the deposit was paid, the amount by which the sum deposited exceeds the cost of such repairs shall forthwith be refunded.

Unclaimed deposits

(4) Where any moneys heretofore or hereafter paid to the Corporation to cover the cost of repairs to municipal works or to any water service box or other service or utility of the Corporation, remain unclaimed in the hands of the treasurer of the Corporation for a period of six years, the treasurer of the Corporation may insert in any newspaper having general circulation in the City of Niagara Falls a notice containing a list of such unclaimed moneys and stating that all persons having any claim to any of such moneys are required to prove their claims within ninety days from the publication of the notice, and, upon the expiration of ninety days from the publication of such notice, the treasurer of the Corporation may transfer all of such moneys against which no claim has been made to the general funds of the Corporation free of and from any and all claims of any kind whatsoever.

Cost of prevention

(5) Without limiting the generality of subsection 1, a by-law passed under this section may require that the owner or occupier of the lands take all necessary steps to prevent building material, waste or soil from being spilled or tracked onto the public streets by vehicles, machinery or equipment going to or coming from the lands during the course of the erection, alteration, repair, demolition or removal and may provide that, in addition to any penalty otherwise provided by law, the owner or occupier shall be responsible to the Corporation for the cost of removing such building material, waste or soil and the cost may be deducted from the deposit.

Interpretation

5.—(1) In this section, “dwelling” means any building, part of a building, tent, trailer or other covering or structure and the contents thereof, the whole or any portion of which has been used, is used or is capable of being used for the purposes of human habitation, with the land and premises appurtenant thereto and all outbuildings, fences or erections thereon or therein.

Order for demolition of dwelling
R.S.O. 1960,
c. 321

(2) Upon the expiration of one year following the closing of any dwelling, pursuant to section 99 of *The Public Health Act*, as unfit for human habitation or dangerous to health, and upon the report of the medical officer of health that such dwelling is unfit for human habitation or dangerous to health,

the council of the Corporation may, by by-law passed at any general meeting thereof by a vote of three-fourths of all the members of the council, order the removal or demolition of such dwelling, and the cleaning and clearing of the lands and premises appurtenant thereto.

(3) A certified copy of the by-law shall be registered in the proper registry or land titles office and the clerk of the Corporation shall thereafter cause notice of the by-law to be sent by registered mail to the last-known address of the assessed owner of the land described in the by-law and to all persons appearing by the records of the said registry office or land titles office and the office of the sheriff of the County of Welland to have an interest therein and the owner or assessed owner and any person appearing by the records of the said registry office, land titles office or sheriff's office to have an interest in the said land has a right of appeal to a judge of the county court of the County of Welland from the decision of the council to remove or demolish a dwelling by written notice of appeal delivered to the clerk of the Corporation within thirty days after the date of sending the notice of the by-law.

Notice of by-law

Appeal

(4) the notice of the by-law shall include a copy of the by-law and shall set out the method and time for appealing from the decision of the council of the Corporation.

Contents of notice

(5) Unless notice of an appeal is received by the clerk of the Corporation within the time stated in subsection 3, the decision of the council of the Corporation to remove or demolish the dwelling, and clean and clear the lands appurtenant thereto, may be carried out forthwith by the Building Inspector of the Corporation on behalf of the Corporation, and for this purpose the Corporation with its servants and agents may from time to time enter upon the lands of the owner, and the Corporation is not liable to compensate the owner or any other person by reason of anything done by or on behalf of the Corporation under the authority of this section.

Power of Building Inspector to carry out order

(6) The amounts expended by or on behalf of the Corporation in carrying out the decision of the council to remove or demolish the dwelling, and to clean and clear the lands appurtenant thereto shall be a lien or charge upon the land described in the by-law and the certification of the clerk of the Corporation as to the amounts so expended shall be final and such amounts shall be collected in the same manner and with the same remedies as provided by *The Assessment Act* and *The Department of Municipal Affairs Act* for the collection of real property taxes.

Lien

R.S.O. 1960, cc. 23, 98

Hearing of
appeal

(7) If the decision of the council of the Corporation is appealed, the clerk of the Corporation shall obtain an appointment for a hearing before a judge of the county court of the County of Welland and shall give notice thereof by such means and to such persons as the judge may require.

Order of
judge

(8) After hearing the persons who attend on the appeal, the judge may confirm the decision of the council of the Corporation and dismiss the appeal, in which case the Corporation may proceed forthwith to remove or demolish the dwelling, and clean and clear the lands appurtenant thereto, or the judge may make such other order as he deems advisable in the circumstances.

Authority
to enter
and
inspect

6. Such municipal officer of the Corporation as is assigned the responsibility of administering and enforcing the building by-law of the Corporation or of any by-law to provide for the safety of buildings or structures may, at all reasonable times and upon producing proper identification, enter and inspect, either by himself or accompanied by one assistant, any land, building, structure or premises for the purpose of carrying out any of his duties under such by-law or by-laws.

Anti-noise
by-laws
R.S.O. 1960,
c. 249

7.—(1) Notwithstanding paragraph 114 of subsection 1 of section 379 of *The Municipal Act*, the council of the Corporation may pass by-laws for regulating or prohibiting the making or causing of noises or sounds anywhere within the City of Niagara Falls that disturb, or tend to disturb, the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood, or of persons in the vicinity, or that are objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public, and such by-laws may make different regulations or prohibitions for different areas of the City of Niagara Falls and may provide in exceptional cases that such noises may, with the permission of the Mayor, be permitted for limited periods.

Motor
vehicles

(2) Without limiting the generality of subsection 1 and subject to the approval of the Minister of Transport, the council of the Corporation may pass by-laws prohibiting the driving or operating of motor vehicles in the City of Niagara Falls that create undue noise.

By-laws
re storm
water

8. The council of the Corporation may, and is declared to have had the power to, pass by-laws to regulate and prohibit in such area or areas of the City of Niagara Falls as may appear proper the emptying of storm water into sewers designated to carry sanitary sewage or the emptying of sanitary sewage into sewers designated to carry storm water.

9.—(1) In this section, "vehicle" means a vehicle as defined in *The Highway Traffic Act*. Interpretation R.S.O. 1960, c. 172

(2) The council of the Corporation may pass by-laws for prohibiting the parking of vehicles on all or part of any public lane and for prohibiting traffic thereon in any but one direction. By-laws re public lanes

10. The council of the Corporation may by by-law provide that any water supplied or made available for any land or building for the purposes of protection of property or persons from fire or for preventing fires or the spreading of fires shall not be used for any other purpose, and may impose penalties not exceeding \$500 recoverable under *The Summary Convictions Act* for a contravention of any of the provisions of such by-law. Protection services R.S.O. 1960, c. 387

11. The council of the Corporation may pass by-laws prohibiting the sale of fruits, candy, peanuts, ice cream, ice cream cones, frozen or iced milk, frozen or iced desserts, potato chips, French fried potatoes or other refreshments or confections from a basket or wagon, cart or other vehicle upon any highway, or part of it, or in any public park or other public place within the City of Niagara Falls or any defined area or areas thereof. Prohibition of street vending of refreshments

12. The council of the Corporation may by by-law grant to the Trustees of Mount Carmel College an amount not exceeding \$20,000 annually for a period of three years to assist in the reconstruction and repair of Mount Carmel College in the City of Niagara Falls, which was damaged by fire on or about the 25th day of November, 1967. Grant to Mount Carmel College

13. The council of the Corporation may, out of current revenues of the Corporation, in any year grant such sum or sums of money, not exceeding in the aggregate \$10,000 in any one year, in aid of institutions, associations or persons carrying on or engaged in works, which in the opinion of the council are for the general advantage of the inhabitants of the City of Niagara Falls, and for which grant or grants there is no express authority provided by any other Act. Grants to institutions, etc.

14.—(1) Where farm lands containing not less than five acres and used exclusively for farm purposes and having a greater frontage than 200 feet abutting directly on the work are hereafter specially assessed with a special rate per foot frontage imposed under *The Local Improvement Act*, *The Municipal Act* or *The Ontario Water Resources Commission Act* in respect of the owner's portion of the cost of construction of watermains, storm sewers, sanitary sewers, sidewalks By-laws postponing special rate re farm lands in excess of 200 feet R.S.O. 1960, cc. 223, 249, 281

or curbs, the council of the Corporation, upon the application of the owner of such lands, may by by-law or by-laws postpone the payment of the amount of the special assessment referable to such part of the assessed frontage of the said lands in excess of 200 feet as the by-law may provide until such time as the said lands cease to be used exclusively for farm purposes.

Sum equal
to amount
of
postponed
assessments
to be levied

(2) In each year during which payment of special assessments has been postponed in accordance with this section, there shall be levied and raised for the payment of part of the principal and interest on any debentures issued to pay for the cost of the work specially assessed, a sum equal to the aggregate of the amounts of the special assessments for which payment has been postponed and such sum shall be levied and raised in the manner provided in *The Municipal Act* upon all rateable property in the urban service area of the City of Niagara Falls as defined in *The City of Niagara Falls Act, 1962-63* and as altered by by-laws of the Corporation approved by the Ontario Municipal Board.

1962-63,
c. 175

When
postponed
amounts
become due

(3) When the lands in the opinion of the council of the Corporation cease to be used exclusively for farm purposes, the amount of any special assessment for which payment has been postponed together with simple interest thereon at the rate provided in any debentures issued to pay for the cost of the work specially assessed, shall become due and payable forthwith upon demand by the Corporation.

Notice to
owner

(4) The clerk of the Corporation shall forthwith give notice by registered mail to each assessed owner of land affected by a by-law passed under subsection 1, and any demand under subsection 3 shall be made by registered mail addressed to the assessed owner.

Treasurer
to keep
record

(5) The treasurer of the Corporation shall keep a record of all special assessments in respect of which a by-law has been passed under subsection 1 and of the amounts of such special assessments which have been paid and for which payment has been postponed, respectively, in each year.

Registration
of by-law

(6) Every by-law passed under subsection 1 shall be registered against the land affected in the proper registry or land titles office.

Registration
of certificate
of payment

(7) Where a by-law postponing the payment of part of a special assessment has been registered under subsection 6 and the whole of such special assessment has been paid to the Corporation in respect of a particular parcel of land affected

by the by-law, the Corporation shall register a certificate of such payment against such parcel of land in the proper registry or land titles office.

(8) Any person complaining that a demand under subsection 3 should not have been made, may, within fourteen days after the mailing of such demand, notify the clerk of the Corporation of his intention to appeal to the court of revision. ^{Notice of intention to appeal}

(9) The court of revision and the county judge, in any appeal against a special assessment described in subsection 1 or a demand made under subsection 3, shall have regard to the provisions of this Act. ^{Procedure on appeal}

(10) The provisions of *The Assessment Act* as to appeals to the court of revision and to the county court judge shall, so far as applicable, regulate and govern the procedure to be followed on appeals under this section. ^{Idem R.S.O. 1960, c. 23}

(11) The court of revision and the county judge, in dealing with appeals under this section, have full power to decide the amount, if any, of the frontage in excess of 200 feet in respect of which payment of the special assessment should be postponed and whether or not lands have ceased to be used exclusively for farm purposes, and the council of the Corporation shall take such action including, where necessary, the passing of any by-law or amending by-law as may be required to give effect to such decision. ^{Power vested in court of revision and judge}

15. Part XXI of *The Municipal Act* applies to any by-laws passed under the authority of sections 4, 7, 8, 9 and 11 of this Act. ^{Application of R.S.O. 1960, c. 249}

16. Section 2, and section 3, as amended by section 2 of *The City of Niagara Falls Act, 1931*, of *The City of Niagara Falls Act, 1922* are repealed. ^{1922, c. 119, ss 2, 3, repealed}

17. This Act comes into force on the day it receives Royal Assent. ^{Commencement}

18. This Act may be cited as *The City of Niagara Falls Act, 1968-69*. ^{Short title}

An Act respecting the
City of Niagara Falls

1st Reading

2nd Reading

3rd Reading

MR. BUKATOR

(Private Bill)

BILL Pr6

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

An Act respecting the City of Niagara Falls

MR. BUKATOR

(Reprinted as amended by the Private Bills Committee)



BILL Pr6

1968-69

An Act respecting the City of Niagara Falls

WHEREAS The Corporation of the City of Niagara Falls, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of the Corporation may enter into an agreement with the owner or occupant of a building or structure to be erected or used providing for relief, to the extent set out in the agreement, from any requirement in any by-law of the Corporation for the provision or maintenance of parking facilities on land that is not part of a highway, and exempting such owner or occupant, to the extent specified in the agreement, from the necessity of providing or maintaining such facilities.

(2) Every agreement referred to in subsection 1 shall,

(a) be subject to the approval of the Ontario Municipal Board given either before or after the execution thereof; and

(b) require the payment to the Corporation of a sum of money therein set out, either in a lump sum or by instalments, together with interest at a rate therein specified, and shall set forth the basis upon which the sum is computed.

(3) All moneys paid or to be paid pursuant to an agreement referred to in subsection 1 shall be paid into a special account and may be invested in such securities as a trustee may invest in under *The Trustee Act*, and the earnings derived from the investment of such moneys shall be paid into such special account, and the moneys in such special account

R.S.O. 1960,
c. 249 shall be expended for the same purposes and in the same manner as a reserve fund provided for in paragraph 67 of section 377 of *The Municipal Act*.

Registration
of
agreement
imposes
lien on
land

(4) Any such agreement may be registered against the land affected thereby in the proper registry or land titles office, and, when so registered, the amounts payable under such an agreement until paid shall be a lien or charge upon the lands described therein and may be collected in the same manner and with the same remedies as provided by *The Assessment Act* and *The Department of Municipal Affairs Act* for the collection of real property taxes, and, upon payment in full of the moneys to be paid under the agreement or upon termination of the agreement, there shall be registered in the proper registry or land titles office against such lands a certificate from the clerk of the Corporation stating that the moneys to be paid under the agreement have been fully paid or that the agreement has been terminated.

R.S.O. 1960,
oc. 23, 98

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(5) The city auditor in his annual report shall report on the activities and position of any special account established under this section.

By-law
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2. Where the council of the Corporation, with the approval of the Ontario Municipal Board, has passed a by-law under paragraph 67 of section 377 of *The Municipal Act*, which provides that the capital cost or any part thereof, the annual rental payable under any lease or any operating deficit in the previous year shall be levied against specified parcels of land within a defined area and, subsequent to the effective date of the by-law imposing the levy, the council is of the opinion that,

- (a) there has been an increase or decrease in the special benefit derived therefrom by a parcel of land in the defined area against which a portion of the cost has been levied;
- (b) a parcel of land in the defined area has begun to derive or has ceased to derive a special benefit therefrom; or
- (c) a parcel of land outside the defined area has begun to derive a special benefit therefrom,

the council may at any time and from time to time by a further by-law, passed with the approval of the Ontario Municipal Board,

- (d) redefine the area in the municipality that, in the

opinion of the council, contains the lands that derive a special benefit from the by-law; or

- (e) re-apportion the balance of the cost mentioned in subclause i of clause g of paragraph 67 of section 377 of *The Municipal Act*, so that such cost shall be apportioned against each parcel of land that, in the opinion of the council, derives such special benefit.

R.S.O. 1960,
c. 249

3.—(1) In this section, “drainage works” and “maintenance” mean drainage works and maintenance as defined in *The Drainage Act, 1962-63*.

Interpre-
tation
1962-63,
c. 39

(2) Notwithstanding *The Drainage Act, 1962-63*, the council of the Corporation may pass by-laws to authorize the maintenance of all drainage works in the City of Niagara Falls or in any defined area thereof, and to provide that the cost of such maintenance shall be charged and collected by a special rate sufficient therefor, levied upon all the rateable property in the City of Niagara Falls or in any such defined area.

By-laws
authorizing
maintenance
of drainage
works

(3) By-laws passed under subsection 2 may authorize all persons engaged in such works to enter upon such lands within the City of Niagara Falls as may be necessary therefor, without leave or consent of the owner or any other person, provided that no person shall cause any unnecessary damage to any property in so doing.

Idem

(4) No by-law passed under this section shall be repealed.

Idem

4.—(1) In this section, “municipal works” includes sidewalks, curbing, gutters, culverts, and paved boulevards.

Interpre-
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(2) The council of the Corporation may, and is declared to have had the power to, pass by-laws for regulating the crossing of municipal works by vehicles, machinery or equipment of any kind delivering materials to or removing materials from or performing work on abutting lands on, to or from which any building or structure is being erected, altered, repaired, demolished or moved and for requiring the owners of such abutting lands, upon any application for the issuing of a permit certifying to the approval of the plans of a building or structure to be erected, altered or repaired thereon or upon any application for a permit to demolish or move a building or structure thereon or therefrom, to pay to the Corporation a sum of money not to exceed \$5 per foot of the limit of the lot abutting directly on such municipal works as a deposit to meet the cost of repairing any damage to the municipal works or to any water service box or other service or utility of the Corporation caused during the erection, alteration, repair, demolition or removal of such building or structure.

Deposit re
damage to
sidewalks,
etc., upon
issue of
building
permit

Refund

(3) Where a by-law passed under this section requires the payment of a deposit to meet the cost of repairing damage to municipal works or to any water service box or other service or utility of the Corporation, the by-law shall provide that upon the completion of the erection, alteration, repair or removal and upon application by the person by whom the deposit was paid, the amount by which the sum deposited exceeds the cost of such repairs shall forthwith be refunded.

Unclaimed deposits

(4) Where any moneys heretofore or hereafter paid to the Corporation to cover the cost of repairs to municipal works or to any water service box or other service or utility of the Corporation, remain unclaimed in the hands of the treasurer of the Corporation for a period of six years, the treasurer of the Corporation may insert in any newspaper having general circulation in the City of Niagara Falls a notice containing a list of such unclaimed moneys and stating that all persons having any claim to any of such moneys are required to prove their claims within ninety days from the publication of the notice, and, upon the expiration of ninety days from the publication of such notice, the treasurer of the Corporation may transfer all of such moneys against which no claim has been made to the general funds of the Corporation free of and from any and all claims of any kind whatsoever.

Cost of prevention

(5) Without limiting the generality of subsection 1, a by-law passed under this section may require that the owner or occupier of the lands take all necessary steps to prevent building material, waste or soil from being spilled or tracked onto the public streets by vehicles, machinery or equipment going to or coming from the lands during the course of the erection, alteration, repair, demolition or removal and may provide that, in addition to any penalty otherwise provided by law, the owner or occupier shall be responsible to the Corporation for the cost of removing such building material, waste or soil and the cost may be deducted from the deposit.

Interpretation

5.—(1) In this section, “dwelling” means any building, part of a building, tent, trailer or other covering or structure and the contents thereof, the whole or any portion of which has been used, is used or is capable of being used for the purposes of human habitation, with the land and premises appurtenant thereto and all outbuildings, fences or erections thereon or therein.

Order for demolition of dwelling R.S.O. 1960, c. 321

(2) Upon the expiration of one year following the closing of any dwelling, pursuant to section 99 of *The Public Health Act*, as unfit for human habitation or dangerous to health, and upon the report of the medical officer of health that such dwelling is unfit for human habitation or dangerous to health,

the council of the Corporation may; by by-law passed at any general meeting thereof by a vote of three-fourths of all the members of the council, order the removal or demolition of such dwelling, and the cleaning and clearing of the lands and premises appurtenant thereto.

(3) A certified copy of the by-law shall be registered in the proper registry or land titles office and the clerk of the Corporation shall thereafter cause notice of the by-law to be sent by registered mail to the last-known address of the assessed owner of the land described in the by-law and to all persons appearing by the records of the said registry office or land titles office and the office of the sheriff of the County of Welland to have an interest therein and the owner or assessed owner and any person appearing by the records of the said registry office, land titles office or sheriff's office to have an interest in the said land has a right of appeal to a judge of the county court of the County of Welland from the decision of the council to remove or demolish a dwelling by written notice of appeal delivered to the clerk of the Corporation within thirty days after the date of sending the notice of the by-law.

(4) the notice of the by-law shall include a copy of the by-law and shall set out the method and time for appealing from the decision of the council of the Corporation.

(5) Unless notice of an appeal is received by the clerk of the Corporation within the time stated in subsection 3, the decision of the council of the Corporation to remove or demolish the dwelling, and clean and clear the lands appurtenant thereto, may be carried out forthwith by the Building Inspector of the Corporation on behalf of the Corporation, and for this purpose the Corporation with its servants and agents may from time to time enter upon the lands of the owner, and the Corporation is not liable to compensate the owner or any other person by reason of anything done by or on behalf of the Corporation under the authority of this section.

(6) The amounts expended by or on behalf of the Corporation in carrying out the decision of the council to remove or demolish the dwelling, and to clean and clear the lands appurtenant thereto shall be a lien or charge upon the land described in the by-law and the certification of the clerk of the Corporation as to the amounts so expended shall be final and such amounts shall be collected in the same manner and with the same remedies as provided by *The Assessment Act* and *The Department of Municipal Affairs Act* for the collection of real property taxes.

Hearing of
appeal

(7) If the decision of the council of the Corporation is appealed, the clerk of the Corporation shall obtain an appointment for a hearing before a judge of the county court of the County of Welland and shall give notice thereof by such means and to such persons as the judge may require.

Order of
judge

(8) After hearing the persons who attend on the appeal, the judge may confirm the decision of the council of the Corporation and dismiss the appeal, in which case the Corporation may proceed forthwith to remove or demolish the dwelling, and clean and clear the lands appurtenant thereto, or the judge may make such other order as he deems advisable in the circumstances.

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6. Such municipal officer of the Corporation as is assigned the responsibility of administering and enforcing the building by-law of the Corporation or of any by-law to provide for the safety of buildings or structures may, at all reasonable times and upon producing proper identification, enter and inspect, either by himself or accompanied by one assistant, any land, building, structure or premises for the purpose of carrying out any of his duties under such by-law or by-laws.

Anti-noise
by-laws
R.S.O. 1960,
c. 249

7.—(1) Notwithstanding paragraph 114 of subsection 1 of section 379 of *The Municipal Act*, the council of the Corporation may pass by-laws for regulating or prohibiting the making or causing of noises or sounds anywhere within the City of Niagara Falls that disturb, or tend to disturb, the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood, or of persons in the vicinity, or that are objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public, and such by-laws may make different regulations or prohibitions for different areas of the City of Niagara Falls and may provide in exceptional cases that such noises may, with the permission of the Mayor, be permitted for limited periods.

Motor
vehicles

(2) Without limiting the generality of subsection 1 and subject to the approval of the Minister of Transport, the council of the Corporation may pass by-laws prohibiting the driving or operating of motor vehicles in the City of Niagara Falls that create undue noise.

By-laws
re storm
water

8. The council of the Corporation may, and is declared to have had the power to, pass by-laws to regulate and prohibit in such area or areas of the City of Niagara Falls as may appear proper the emptying of storm water into sewers designated to carry sanitary sewage or the emptying of sanitary sewage into sewers designated to carry storm water.

9.—(1) In this section, "vehicle" means a vehicle as defined in *The Highway Traffic Act*.

Interpretation
R.S.O. 1960,
c. 172

(2) The council of the Corporation may pass by-laws for prohibiting the parking of vehicles on all or part of any public lane and for prohibiting traffic thereon in any but one direction.

By-laws re
public
lanes

10. The council of the Corporation may pass by-laws prohibiting the sale of fruits, candy, peanuts, ice cream, ice cream cones, frozen or iced milk, frozen or iced desserts, potato chips, French fried potatoes or other refreshments or confections from a basket or wagon, cart or other vehicle upon any highway, or part of it, or in any public park or other public place within the City of Niagara Falls or any defined area or areas thereof.

Prohibition
of street
vending of
refresh-
ments

11. The council of the Corporation may, out of current revenues of the Corporation, in any year grant such sum or sums of money, not exceeding in the aggregate \$10,000 in any one year, in aid of institutions, associations or persons carrying on or engaged in works, which in the opinion of the council are for the general advantage of the inhabitants of the City of Niagara Falls, and for which grant or grants there is no express authority provided by any other Act.

Grants to
institutions
etc.

12.—(1) Where farm lands containing not less than five acres and used exclusively for farm purposes and having a greater frontage than 200 feet abutting directly on the work are hereafter specially assessed with a special rate per foot frontage imposed under *The Local Improvement Act*, *The Municipal Act* or *The Ontario Water Resources Commission Act* in respect of the owner's portion of the cost of construction of watermains, storm sewers, sanitary sewers, sidewalks or curbs, the council of the Corporation, upon the application of the owner of such lands, may by by-law or by-laws postpone the payment of the amount of the special assessment referable to such part of the assessed frontage of the said lands in excess of 200 feet as the by-law may provide until such time as the said lands cease to be used exclusively for farm purposes.

By-laws
postponing
special
rate re
farm lands
in excess
of 200 feet
R.S.O. 1960,
cc. 223, 249,
281

(2) In each year during which payment of special assessments has been postponed in accordance with this section, there shall be levied and raised for the payment of part of the principal and interest on any debentures issued to pay for the cost of the work specially assessed, a sum equal to the aggregate of the amounts of the special assessments for which payment has been postponed and such sum shall be levied and

Sum equal
to amount
of
postponed
assessments
to be levied

1962-63,
c. 175

raised in the manner provided in *The Municipal Act* upon all rateable property in the urban service area of the City of Niagara Falls as defined in *The City of Niagara Falls Act, 1962-63* and as altered by by-laws of the Corporation approved by the Ontario Municipal Board.

When
postponed
amounts
become due

(3) When the lands in the opinion of the council of the Corporation cease to be used exclusively for farm purposes, the amount of any special assessment for which payment has been postponed together with simple interest thereon at the rate provided in any debentures issued to pay for the cost of the work specially assessed, shall become due and payable forthwith upon demand by the Corporation and all sums so received shall, during the currency of any such debentures, be applied on account of the amount being levied for annual instalments of principal and interest on such debentures against the rateable property in the urban service area and after such debentures have been retired shall be applied in reduction of the general urban service area rate.

Notice to
owner

(4) The clerk of the Corporation shall forthwith give notice by registered mail to each assessed owner of land affected by a by-law passed under subsection 1, and any demand under subsection 3 shall be made by registered mail addressed to the assessed owner.

Treasurer
to keep
record

(5) The treasurer of the Corporation shall keep a record of all special assessments in respect of which a by-law has been passed under subsection 1 and of the amounts of such special assessments which have been paid and for which payment has been postponed, respectively, in each year.

Registration
of by-law

(6) Every by-law passed under subsection 1 shall be registered against the land affected in the proper registry or land titles office.

Registration
of certificate
of payment

(7) Where a by-law postponing the payment of part of a special assessment has been registered under subsection 6 and the whole of such special assessment has been paid to the Corporation in respect of a particular parcel of land affected by the by-law, the Corporation shall register a certificate of such payment against such parcel of land in the proper registry or land titles office.

Notice of
intention
to appeal

(8) Any person complaining that a demand under subsection 3 should not have been made, may, within fourteen days after the mailing of such demand, notify the clerk of the Corporation of his intention to appeal to the court of revision.

(9) The court of revision and the county judge, in any appeal against a special assessment described in subsection 1 or a demand made under subsection 3, shall have regard to the provisions of this Act. ^{Procedure on appeal}

(10) The provisions of *The Assessment Act* as to appeals to the court of revision and to the county court judge shall, so far as applicable, regulate and govern the procedure to be followed on appeals under this section. ^{Idem R.S.O. 1960, c. 23.}

(11) The court of revision and the county judge, in dealing with appeals under this section, have full power to decide the amount, if any, of the frontage in excess of 200 feet in respect of which payment of the special assessment should be postponed and whether or not lands have ceased to be used exclusively for farm purposes, and the council of the Corporation shall take such action including, where necessary, the passing of any by-law or amending by-law as may be required to give effect to such decision. ^{Power vested in court of revision and judge}

13. Part XXI of *The Municipal Act* applies to any by-laws passed under the authority of sections 4, 7, 8, 9 and 10 of this Act. ^{Application of R.S.O. 1960, c. 249}

14. Section 2, and section 3 as amended by section 2 of *The City of Niagara Falls Act, 1931*, of *The City of Niagara Falls Act, 1922* are repealed. ^{1922, c. 119, ss. 2, 3, repealed}

15. This Act comes into force on the day it receives Royal Assent. ^{Commencement}

16. This Act may be cited as *The City of Niagara Falls Act, 1968-69*. ^{Short title}

An Act respecting the
City of Niagara Falls

1st Reading

November 28th, 1968

2nd Reading

3rd Reading

MR. BUKATOR

*(Reprinted as amended by the
Private Bills Committee)*

BILL Pr6

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

An Act respecting the City of Niagara Falls

MR. BUKATOR



BILL Pr6

1968-69

An Act respecting the City of Niagara Falls

WHEREAS The Corporation of the City of Niagara Falls, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The council of the Corporation may enter into an agreement with the owner or occupant of a building or structure to be erected or used providing for relief, to the extent set out in the agreement, from any requirement in any by-law of the Corporation for the provision or maintenance of parking facilities on land that is not part of a highway, and exempting such owner or occupant, to the extent specified in the agreement, from the necessity of providing or maintaining such facilities.

Agreements
for relief
from
require-
ments
to provide
parking

(2) Every agreement referred to in subsection 1 shall,

Agreements
approved
by O.M.B.

- (a) be subject to the approval of the Ontario Municipal Board given either before or after the execution thereof; and
- (b) require the payment to the Corporation of a sum of money therein set out, either in a lump sum or by instalments, together with interest at a rate therein specified, and shall set forth the basis upon which the sum is computed.

(3) All moneys paid or to be paid pursuant to an agreement referred to in subsection 1 shall be paid into a special account and may be invested in such securities as a trustee may invest in under *The Trustee Act*, and the earnings derived from the investment of such moneys shall be paid into such special account, and the moneys in such special account

Payments
under
agreements
held as
fund for
purpose
of parking
facilities
R.S.O. 1960
c. 408

R.S.O. 1960,
c. 249

shall be expended for the same purposes and in the same manner as a reserve fund provided for in paragraph 67 of section 377 of *The Municipal Act*.

Registration
of
agreement
imposes
lien on
land

(4) Any such agreement may be registered against the land affected thereby in the proper registry or land titles office, and, when so registered, the amounts payable under such an agreement until paid shall be a lien or charge upon the lands described therein and may be collected in the same manner and with the same remedies as provided by *The Assessment Act* and *The Department of Municipal Affairs Act* for the collection of real property taxes, and, upon payment in full of the moneys to be paid under the agreement or upon termination of the agreement, there shall be registered in the proper registry or land titles office against such lands a certificate from the clerk of the Corporation stating that the moneys to be paid under the agreement have been fully paid or that the agreement has been terminated.

R.S.O. 1960,
cc. 23, 98

Audit of
fund

(5) The city auditor in his annual report shall report on the activities and position of any special account established under this section.

By-law
levying
parking
lot cost
against
defined
area

2. Where the council of the Corporation, with the approval of the Ontario Municipal Board, has passed a by-law under paragraph 67 of section 377 of *The Municipal Act*, which provides that the capital cost or any part thereof, the annual rental payable under any lease or any operating deficit in the previous year shall be levied against specified parcels of land within a defined area and, subsequent to the effective date of the by-law imposing the levy, the council is of the opinion that,

- (a) there has been an increase or decrease in the special benefit derived therefrom by a parcel of land in the defined area against which a portion of the cost has been levied;
- (b) a parcel of land in the defined area has begun to derive or has ceased to derive a special benefit therefrom; or
- (c) a parcel of land outside the defined area has begun to derive a special benefit therefrom,

the council may at any time and from time to time by a further by-law, passed with the approval of the Ontario Municipal Board,

- (d) redefine the area in the municipality that, in the

opinion of the council, contains the lands that derive a special benefit from the by-law; or

(e) re-apportion the balance of the cost mentioned in subclause i of clause g of paragraph 67 of section 377 of *The Municipal Act*, so that such cost shall be apportioned against each parcel of land that, in the opinion of the council, derives such special benefit. R.S.O. 1960. c. 249

3.—(1) In this section, “drainage works” and “main-tenance” mean drainage works and maintenance as defined in *The Drainage Act, 1962-63*. Interpre-tation
1962-63,
c. 39

(2) Notwithstanding *The Drainage Act, 1962-63*, the council of the Corporation may pass by-laws to authorize the main-tenance of all drainage works in the City of Niagara Falls or in any defined area thereof, and to provide that the cost of such maintenance shall be charged and collected by a special rate sufficient therefor, levied upon all the rateable property in the City of Niagara Falls or in any such defined area. By-laws authorizing maintenance of drainage works

(3) By-laws passed under subsection 2 may authorize all persons engaged in such works to enter upon such lands within the City of Niagara Falls as may be necessary therefor, without leave or consent of the owner or any other person, provided that no person shall cause any unnecessary damage to any property in so doing. Idem

(4) No by-law passed under this section shall be repealed. Idem

4.—(1) In this section, “municipal works” includes side-walks, curbing, gutters, culverts, and paved boulevards. Interpre-tation

(2) The council of the Corporation may, and is declared to have had the power to, pass by-laws for regulating the crossing of municipal works by vehicles, machinery or equipment of any kind delivering materials to or removing materials from or performing work on abutting lands on, to or from which any building or structure is being erected, altered, repaired, demolished or moved and for requiring the owners of such abutting lands, upon any application for the issuing of a permit certifying to the approval of the plans of a building or structure to be erected, altered or repaired thereon or upon any application for a permit to demolish or move a building or structure thereon or therefrom, to pay to the Corporation a sum of money not to exceed \$5 per foot of the limit of the lot abutting directly on such municipal works as a deposit to meet the cost of repairing any damage to the municipal works or to any water service box or other service or utility of the Corporation caused during the erection, alteration, repair, demolition or removal of such building or structure. Deposit re damage to sidewalks, etc., upon issue of building permit

Refund

(3) Where a by-law passed under this section requires the payment of a deposit to meet the cost of repairing damage to municipal works or to any water service box or other service or utility of the Corporation, the by-law shall provide that upon the completion of the erection, alteration, repair or removal and upon application by the person by whom the deposit was paid, the amount by which the sum deposited exceeds the cost of such repairs shall forthwith be refunded.

Unclaimed deposits

(4) Where any moneys heretofore or hereafter paid to the Corporation to cover the cost of repairs to municipal works or to any water service box or other service or utility of the Corporation, remain unclaimed in the hands of the treasurer of the Corporation for a period of six years, the treasurer of the Corporation may insert in any newspaper having general circulation in the City of Niagara Falls a notice containing a list of such unclaimed moneys and stating that all persons having any claim to any of such moneys are required to prove their claims within ninety days from the publication of the notice, and, upon the expiration of ninety days from the publication of such notice, the treasurer of the Corporation may transfer all of such moneys against which no claim has been made to the general funds of the Corporation free of and from any and all claims of any kind whatsoever.

Cost of prevention

(5) Without limiting the generality of subsection 1, a by-law passed under this section may require that the owner or occupier of the lands take all necessary steps to prevent building material, waste or soil from being spilled or tracked onto the public streets by vehicles, machinery or equipment going to or coming from the lands during the course of the erection, alteration, repair, demolition or removal and may provide that, in addition to any penalty otherwise provided by law, the owner or occupier shall be responsible to the Corporation for the cost of removing such building material, waste or soil and the cost may be deducted from the deposit.

Interpretation

5.—(1) In this section, “dwelling” means any building, part of a building, tent, trailer or other covering or structure and the contents thereof, the whole or any portion of which has been used, is used or is capable of being used for the purposes of human habitation, with the land and premises appurtenant thereto and all outbuildings, fences or erections thereon or therein.

Order for demolition of dwelling
R.S.O. 1960,
c. 321

(2) Upon the expiration of one year following the closing of any dwelling, pursuant to section 99 of *The Public Health Act*, as unfit for human habitation or dangerous to health, and upon the report of the medical officer of health that such dwelling is unfit for human habitation or dangerous to health,

the council of the Corporation may, by by-law passed at any general meeting thereof by a vote of three-fourths of all the members of the council, order the removal or demolition of such dwelling, and the cleaning and clearing of the lands and premises appurtenant thereto.

(3) A certified copy of the by-law shall be registered in the proper registry or land titles office and the clerk of the Corporation shall thereafter cause notice of the by-law to be sent by registered mail to the last-known address of the assessed owner of the land described in the by-law and to all persons appearing by the records of the said registry office or land titles office and the office of the sheriff of the County of Welland to have an interest therein and the owner or assessed owner and any person appearing by the records of the said registry office, land titles office or sheriff's office to have an interest in the said land has a right of appeal to a judge of the county court of the County of Welland from the decision of the council to remove or demolish a dwelling by written notice of appeal delivered to the clerk of the Corporation within thirty days after the date of sending the notice of the by-law.

(4) the notice of the by-law shall include a copy of the by-law and shall set out the method and time for appealing from the decision of the council of the Corporation.

(5) Unless notice of an appeal is received by the clerk of the Corporation within the time stated in subsection 3, the decision of the council of the Corporation to remove or demolish the dwelling, and clean and clear the lands appurtenant thereto, may be carried out forthwith by the Building Inspector of the Corporation on behalf of the Corporation, and for this purpose the Corporation with its servants and agents may from time to time enter upon the lands of the owner, and the Corporation is not liable to compensate the owner or any other person by reason of anything done by or on behalf of the Corporation under the authority of this section.

(6) The amounts expended by or on behalf of the Corporation in carrying out the decision of the council to remove or demolish the dwelling, and to clean and clear the lands appurtenant thereto shall be a lien or charge upon the land described in the by-law and the certification of the clerk of the Corporation as to the amounts so expended shall be final and such amounts shall be collected in the same manner and with the same remedies as provided by *The Assessment Act* and *The Department of Municipal Affairs Act* for the collection of real property taxes.

Hearing of
appeal

(7) If the decision of the council of the Corporation is appealed, the clerk of the Corporation shall obtain an appointment for a hearing before a judge of the county court of the County of Welland and shall give notice thereof by such means and to such persons as the judge may require.

Order of
judge

(8) After hearing the persons who attend on the appeal, the judge may confirm the decision of the council of the Corporation and dismiss the appeal, in which case the Corporation may proceed forthwith to remove or demolish the dwelling, and clean and clear the lands appurtenant thereto, or the judge may make such other order as he deems advisable in the circumstances.

Authority
to enter
and
inspect

6. Such municipal officer of the Corporation as is assigned the responsibility of administering and enforcing the building by-law of the Corporation or of any by-law to provide for the safety of buildings or structures may, at all reasonable times and upon producing proper identification, enter and inspect, either by himself or accompanied by one assistant, any land, building, structure or premises for the purpose of carrying out any of his duties under such by-law or by-laws.

Anti-noise
by-laws
R.S.O. 1960,
c. 249

7.—(1) Notwithstanding paragraph 114 of subsection 1 of section 379 of *The Municipal Act*, the council of the Corporation may pass by-laws for regulating or prohibiting the making or causing of noises or sounds anywhere within the City of Niagara Falls that disturb, or tend to disturb, the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood, or of persons in the vicinity, or that are objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public, and such by-laws may make different regulations or prohibitions for different areas of the City of Niagara Falls and may provide in exceptional cases that such noises may, with the permission of the Mayor, be permitted for limited periods.

Motor
vehicles

(2) Without limiting the generality of subsection 1 and subject to the approval of the Minister of Transport, the council of the Corporation may pass by-laws prohibiting the driving or operating of motor vehicles in the City of Niagara Falls that create undue noise.

By-laws
re storm
water

8. The council of the Corporation may, and is declared to have had the power to, pass by-laws to regulate and prohibit in such area or areas of the City of Niagara Falls as may appear proper the emptying of storm water into sewers designated to carry sanitary sewage or the emptying of sanitary sewage into sewers designated to carry storm water.

9.—(1) In this section, "vehicle" means a vehicle as defined in *The Highway Traffic Act*. Interpretation
R.S.O. 1960,
c. 172

(2) The council of the Corporation may pass by-laws for prohibiting the parking of vehicles on all or part of any public lane and for prohibiting traffic thereon in any but one direction. By-laws re
public
lanes

10. The council of the Corporation may pass by-laws prohibiting the sale of fruits, candy, peanuts, ice cream, ice cream cones, frozen or iced milk, frozen or iced desserts, potato chips, French fried potatoes or other refreshments or confections from a basket or wagon, cart or other vehicle upon any highway, or part of it, or in any public park or other public place within the City of Niagara Falls or any defined area or areas thereof. Prohibition
of street
vending of
refresh-
ments

11. The council of the Corporation may, out of current revenues of the Corporation, in any year grant such sum or sums of money, not exceeding in the aggregate \$10,000 in any one year, in aid of institutions, associations or persons carrying on or engaged in works, which in the opinion of the council are for the general advantage of the inhabitants of the City of Niagara Falls, and for which grant or grants there is no express authority provided by any other Act. Grants to
institutions
etc.

12.—(1) Where farm lands containing not less than five acres and used exclusively for farm purposes and having a greater frontage than 200 feet abutting directly on the work are hereafter specially assessed with a special rate per foot frontage imposed under *The Local Improvement Act*, *The Municipal Act* or *The Ontario Water Resources Commission Act* in respect of the owner's portion of the cost of construction of watermains, storm sewers, sanitary sewers, sidewalks or curbs, the council of the Corporation, upon the application of the owner of such lands, may by by-law or by-laws postpone the payment of the amount of the special assessment referable to such part of the assessed frontage of the said lands in excess of 200 feet as the by-law may provide until such time as the said lands cease to be used exclusively for farm purposes. By-laws
postponing
special
rate re
farm lands
in excess
of 200 feet
R.S.O. 1960,
cc. 223, 249,
281

(2) In each year during which payment of special assessments has been postponed in accordance with this section, there shall be levied and raised for the payment of part of the principal and interest on any debentures issued to pay for the cost of the work specially assessed, a sum equal to the aggregate of the amounts of the special assessments for which payment has been postponed and such sum shall be levied and Sum equal
to amount
of
postponed
assessments
to be levied

raised in the manner provided in *The Municipal Act* upon all rateable property in the urban service area of the City of Niagara Falls as defined in *The City of Niagara Falls Act, 1962-63* and as altered by by-laws of the Corporation approved by the Ontario Municipal Board.

1962-63,
c. 175

When
postponed
amounts
become due

(3) When the lands in the opinion of the council of the Corporation cease to be used exclusively for farm purposes, the amount of any special assessment for which payment has been postponed together with simple interest thereon at the rate provided in any debentures issued to pay for the cost of the work specially assessed, shall become due and payable forthwith upon demand by the Corporation and all sums so received shall, during the currency of any such debentures, be applied on account of the amount being levied for annual instalments of principal and interest on such debentures against the rateable property in the urban service area and after such debentures have been retired shall be applied in reduction of the general urban service area rate.

Notice to
owner

(4) The clerk of the Corporation shall forthwith give notice by registered mail to each assessed owner of land affected by a by-law passed under subsection 1, and any demand under subsection 3 shall be made by registered mail addressed to the assessed owner.

Treasurer
to keep
record

(5) The treasurer of the Corporation shall keep a record of all special assessments in respect of which a by-law has been passed under subsection 1 and of the amounts of such special assessments which have been paid and for which payment has been postponed, respectively, in each year.

Registration
of by-law

(6) Every by-law passed under subsection 1 shall be registered against the land affected in the proper registry or land titles office.

Registration
of certificate
of payment

(7) Where a by-law postponing the payment of part of a special assessment has been registered under subsection 6 and the whole of such special assessment has been paid to the Corporation in respect of a particular parcel of land affected by the by-law, the Corporation shall register a certificate of such payment against such parcel of land in the proper registry or land titles office.

Notice of
intention
to appeal

(8) Any person complaining that a demand under subsection 3 should not have been made, may, within fourteen days after the mailing of such demand, notify the clerk of the Corporation of his intention to appeal to the court of revision.

(9) The court of revision and the county judge, in any appeal against a special assessment described in subsection 1 or a demand made under subsection 3, shall have regard to the provisions of this Act. ^{Procedure on appeal}

(10) The provisions of *The Assessment Act* as to appeals to the court of revision and to the county court judge shall, so far as applicable, regulate and govern the procedure to be followed on appeals under this section. ^{Idem R.S.O. 1960, c. 23.}

(11) The court of revision and the county judge, in dealing with appeals under this section, have full power to decide the amount, if any, of the frontage in excess of 200 feet in respect of which payment of the special assessment should be postponed and whether or not lands have ceased to be used exclusively for farm purposes, and the council of the Corporation shall take such action including, where necessary, the passing of any by-law or amending by-law as may be required to give effect to such decision. ^{Power vested in court of revision and judge}

13. Part XXI of *The Municipal Act* applies to any by-laws passed under the authority of sections 4, 7, 8, 9 and 10 of this Act. ^{Application of R.S.O. 1960, c. 249}

14. Section 2, and section 3 as amended by section 2 of *The City of Niagara Falls Act, 1931*, of *The City of Niagara Falls Act, 1922* are repealed. ^{1922, c. 119, ss. 2, 3, repealed}

15. This Act comes into force on the day it receives Royal Assent. ^{Commencement}

16. This Act may be cited as *The City of Niagara Falls Act, 1968-69*. ^{Short title}

An Act respecting the
City of Niagara Falls

1st Reading

November 28th, 1968

2nd Reading

March 10th, 1969

3rd Reading

March 25th, 1969

MR. BURKATOR

BILL Pr7

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

An Act respecting Bobier Convalescent Home

MR. SPENCE

(PRIVATE BILL)

At the top of the page

BILL Pr7

1968-69

An Act respecting Bobier Convalescent Home

WHEREAS The Corporation of the Village of Dutton ^{Preamble} and The Corporation of the Township of Dunwich, both in the County of Elgin, have by their petition represented that by his last Will and Testament, Edward Bobier of the Village of Dutton, Gentleman, who died on or about the 19th day of November, 1947, did devise and bequeath to the said corporations in trust his residence, lands and premises on Station Street in the said Village of Dutton to be used as a hospital for the care, assuagement, treatment and relief of the people of the community who are sick, ill or in distress; that the said corporations accepted the bequest and have been operating the said residence as a convalescent home for the people of the community and surrounding areas; and whereas the petitioners have prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The corporations of the Village of Dutton and the Township of Dunwich, both in the County of Elgin, are deemed to have been empowered as and from the 19th day of November, 1947, to accept the bequest of Edward Bobier made in his last Will and Testament. ^{Corporations deemed empowered to accept bequest}

2. The corporations of the Village of Dutton and the Township of Dunwich may by agreement provide for the joint operation and maintenance of a home known as the "Bobier Convalescent Home", herein called the Home, for the care and treatment of persons who are sick, ill or in distress. ^{Agreement re operation and maintenance of Home}

3.—(1) The councils of the corporations of the Village of Dutton and the Township of Dunwich may appoint a board of management for the Home, the members of which shall hold office for a period of two years. ^{Board of management}

Composition of board

(2) The board of management shall be composed of three members, one member to be appointed by the council of the Village of Dutton and two members to be appointed by the council of the Township of Dunwich.

Board may appoint Superintendent, staff

(3) In its management of the Home, the board may appoint a Superintendent of the Home and such staff as is necessary for the proper operation of the Home.

Defrayal of costs

4.—(1) The cost of renovations and enlargements of the Home and any deficits incurred in operating the Home shall be defrayed by the Village of Dutton and the Township of Dunwich in proportion to the amounts of their assessments according to their last assessment rolls as equalized by the application of the equalization factor provided by the Department of Municipal Affairs.

Apportionment

(2) The board of management shall apportion in each year the amount that it estimates will be required for the operation of the Home, and renovations and enlargements thereof, between the Village of Dutton and the Township of Dunwich and shall notify the clerk of each municipality of the amount to be provided by that municipality.

Raising of funds

(3) The Village of Dutton and the Township of Dunwich shall, within ninety days after receipt of notice under subsection 2, determine the method that will be used in raising the amounts required to be provided by them and shall take such steps as are necessary to carry the determination into effect and shall raise the amounts and shall pay them over to the board of management, provided that neither the village nor the township shall be required to provide any moneys for renovations or enlargements to the Home unless the councils of both municipalities have agreed in writing to such renovations or enlargements.

Alternative method of raising funds

5.—(1) The Ontario Municipal Board, upon the application of the councils, may by order,

(a) authorize the Village of Dutton or the Township of Dunwich to raise the whole amount required by the issue of its debentures; or

(b) authorize the Village of Dutton and the Township of Dunwich to raise the whole amount required by the issue of their debentures in such amounts as the Ontario Municipal Board orders,

and thereupon the municipalities shall raise the amount required by the issue of debentures and shall pay the proceeds to the board of management.

(2) Where debentures are issued to provide the whole amount required as provided in subsection 1, the board of management shall, in each year during the currency of the debentures, apportion the amount that will be required in that year to pay the amount of principal and interest on the debentures between the municipalities in proportion to the amount of their assessments according to their last revised assessment rolls as equalized by the application of the equalization factor provided by the Department of Municipal Affairs, and shall include the amount to be provided by each municipality as a separate item in its estimates submitted to the clerks of the municipalities. ^{Apportionment of carrying charges}

(3) The board of management shall in each year distribute the moneys received under subsection 2 to the municipality that issued the debentures, or where both municipalities issued debentures, to each municipality in the same proportion as the amount raised by each municipality bore to the total amount raised. ^{Distribution of moneys}

6. Nothing in this Act shall affect the provisions of *The Nursing Homes Act, 1966* and the regulations made thereunder. ^{1966, c. 99 not affected}

7. This Act comes into force on the day it receives Royal Assent. ^{Commencement}

8. This Act may be cited as *The Bobier Convalescent Home Act, 1968-69*. ^{Short title}



An Act respecting
Bobier Convalescent Home

1st Reading

November 28th, 1968

2nd Reading

3rd Reading

MR. SPENCE

(*Private Bill*)

BILL Pr7

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

An Act respecting Bobier Convalescent Home

MR. SPENCE



BILL Pr7

1968-69

An Act respecting Bobier Convalescent Home

WHEREAS The Corporation of the Village of Dutton ^{Preamble} and The Corporation of the Township of Dunwich, both in the County of Elgin, have by their petition represented that by his last Will and Testament, Edward Bobier of the Village of Dutton, Gentleman, who died on or about the 19th day of November, 1947, did devise and bequeath to the said corporations in trust his residence, lands and premises on Station Street in the said Village of Dutton to be used as a hospital for the care, assuagement, treatment and relief of the people of the community who are sick, ill or in distress; that the said corporations accepted the bequest and have been operating the said residence as a convalescent home for the people of the community and surrounding areas; and whereas the petitioners have prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The corporations of the Village of Dutton and the Township of Dunwich, both in the County of Elgin, are deemed to have been empowered as and from the 19th day of November, 1947, to accept the bequest of Edward Bobier made in his last Will and Testament. ^{Corporations deemed empowered to accept bequest}

2. The corporations of the Village of Dutton and the Township of Dunwich may by agreement provide for the joint operation and maintenance of a home known as the "Bobier Convalescent Home", herein called the Home, for the care and treatment of persons who are sick, ill or in distress. ^{Agreement re operation and maintenance of Home}

3.—(1) The councils of the corporations of the Village of Dutton and the Township of Dunwich may appoint a board of management for the Home, the members of which shall hold office for a period of two years. ^{Board of management}

Composition of board

(2) The board of management shall be composed of three members, one member to be appointed by the council of the Village of Dutton and two members to be appointed by the council of the Township of Dunwich.

Board may appoint Superintendent, staff

(3) In its management of the Home, the board may appoint a Superintendent of the Home and such staff as is necessary for the proper operation of the Home.

Defrayal of costs

4.—(1) The cost of renovations and enlargements of the Home and any deficits incurred in operating the Home shall be defrayed by the Village of Dutton and the Township of Dunwich in proportion to the amounts of their assessments according to their last assessment rolls as equalized by the application of the equalization factor provided by the Department of Municipal Affairs.

Apportionment

(2) The board of management shall apportion in each year the amount that it estimates will be required for the operation of the Home, and renovations and enlargements thereof, between the Village of Dutton and the Township of Dunwich and shall notify the clerk of each municipality of the amount to be provided by that municipality.

Raising of funds

(3) The Village of Dutton and the Township of Dunwich shall, within ninety days after receipt of notice under subsection 2, determine the method that will be used in raising the amounts required to be provided by them and shall take such steps as are necessary to carry the determination into effect and shall raise the amounts and shall pay them over to the board of management, provided that neither the village nor the township shall be required to provide any moneys for renovations or enlargements to the Home unless the councils of both municipalities have agreed in writing to such renovations or enlargements.

Alternative method of raising funds

5.—(1) The Ontario Municipal Board, upon the application of the councils, may by order,

- (a) authorize the Village of Dutton or the Township of Dunwich to raise the whole amount required by the issue of its debentures; or
- (b) authorize the Village of Dutton and the Township of Dunwich to raise the whole amount required by the issue of their debentures in such amounts as the Ontario Municipal Board orders,

and thereupon the municipalities shall raise the amount required by the issue of debentures and shall pay the proceeds to the board of management.

(2) Where debentures are issued to provide the whole amount required as provided in subsection 1, the board of management shall, in each year during the currency of the debentures, apportion the amount that will be required in that year to pay the amount of principal and interest on the debentures between the municipalities in proportion to the amount of their assessments according to their last revised assessment rolls as equalized by the application of the equalization factor provided by the Department of Municipal Affairs, and shall include the amount to be provided by each municipality as a separate item in its estimates submitted to the clerks of the municipalities.

Apportionment of carrying charges

(3) The board of management shall in each year distribute the moneys received under subsection 2 to the municipality that issued the debentures, or where both municipalities issued debentures, to each municipality in the same proportion as the amount raised by each municipality bore to the total amount raised.

Distribution of moneys

6. Nothing in this Act shall affect the provisions of *The Nursing Homes Act, 1966* and the regulations made thereunder.

1966, c. 99 not affected

7. This Act comes into force on the day it receives Royal Assent.

Commencement

8. This Act may be cited as *The Bobier Convalescent Home Act, 1968-69*.

Short title



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An Act respecting
Bobier Convalescent Home

1st Reading

November 28th, 1968

2nd Reading

March 14th, 1969

3rd Reading

March 25th, 1969

MIR. SPENCE

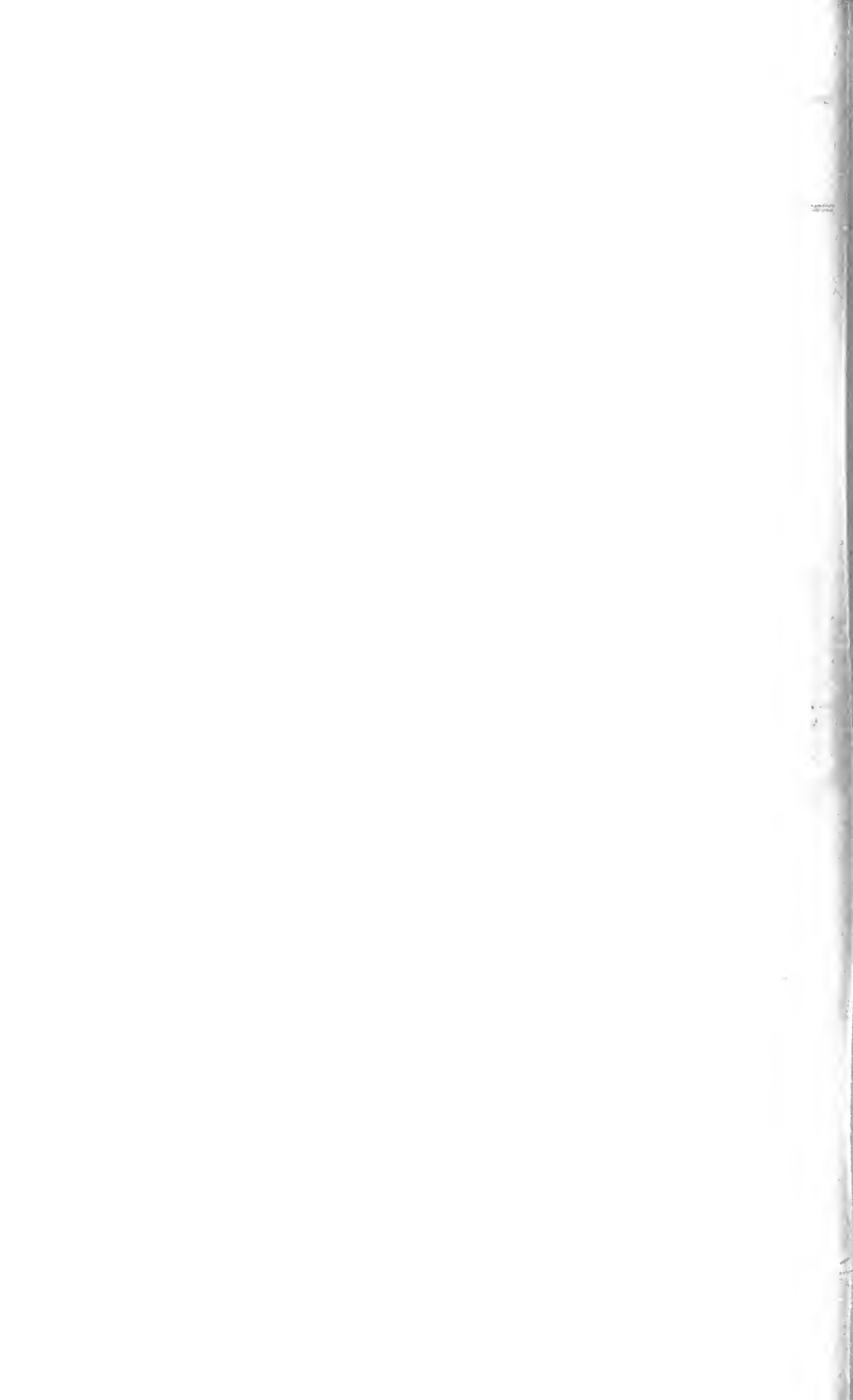
BILL Pr8

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

An Act respecting the Town of Lindsay

MR. HODGSON (Victoria-Haliburton)

(PRIVATE BILL)



BILL Pr8

1968-69

An Act respecting the Town of Lindsay

WHEREAS The Corporation of the Town of Lindsay, ^{Preamble} herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act, "building" includes any building, part of a ^{Interpre-} building or structure and the contents thereof, that is not ^{tation} being occupied or used for industrial, commercial or residential purposes, with the land and premises appurtenant thereto and all outbuildings, fences or erections thereon or therein.

2. The council of the Corporation may, by by-law passed ^{Order for} at any general meeting thereof by a vote of three-fourths ^{demolition} of all the members of the council, order the removal or demolition ^{of building} of a building that is in a ruinous or dilapidated state.

3. Notice of the by-law shall be registered in the Registry ^{Notice} Office for the Registry Division of the County of Victoria ^{of by-law} and notice shall thereafter be served upon the owner, the mortgagee and any other encumbrancer appearing on the registered title, and upon any execution creditor appearing on the records of the sheriff's office, and the owner, mortgagee, encumbrancer or execution creditor has the right to ^{appeal} appeal to the judge of the county court of the County of Victoria from the decision of the council to remove or demolish the building by written notice of appeal delivered to the clerk of the Corporation within thirty days after the date of service of the notice of the by-law.

4. The notice of the by-law shall include a copy of the by- ^{Contents} law and shall set out the method and time for appealing from ^{of notice} the decision of the council of the Corporation.

Power of
Town
Engineer
to carry
out order

5. Unless notice of an appeal is received by the clerk of the Corporation within the time stated in section 3, the decision of the council of the Corporation to remove or demolish the building may be carried out forthwith by the Town Engineer on behalf of the Corporation and for this purpose the Corporation with its servants and agents may from time to time enter upon the lands of the owner, and the Corporation is not liable to compensate the owner, or any other person by reason of anything done by or on behalf of the Corporation under the authority of this section.

Lien

6. The Corporation has a lien for the amount expended by or on behalf of the Corporation in carrying out the decision of the council to remove or demolish the building and the certificate of the clerk of the Corporation as to the amount so expended is final, and such amount shall be added to the collector's roll of taxes for the current year and shall be collected in the same manner as real property taxes.

Hearing
of appeal

7. If the decision of the council of the Corporation is appealed, the clerk of the Corporation shall obtain an appointment for a hearing before the judge of the county court of the County of Victoria and shall give notice thereof by such means and to such persons as the judge may require.

Order of
judge

8. After hearing the persons who attend on the appeal, the judge may confirm the decision of the council of the Corporation and dismiss the appeal, in which case the Corporation may proceed forthwith to remove or demolish the building, or the judge may make such other order as he deems advisable under the circumstances.

Commence-
ment

9. This Act comes into force on the day it receives Royal Assent.

Short title

10. This Act may be cited as *The Town of Lindsay Act, 1968-69*.





An Act respecting the
Town of Lindsay

1st Reading

2nd Reading

3rd Reading

MR. HODGSON (Victoria-Haliburton)

(Private Bill)

BILL Pr8

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

An Act respecting the Town of Lindsay

MR. HODGSON (Victoria-Haliburton)

(Reprinted as amended by the Private Bills Committee)



BILL Pr8

1968-69

An Act respecting the Town of Lindsay

WHEREAS The Corporation of the Town of Lindsay, ^{Preamble} herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act, "building" includes any building, part of a ^{Interpre-} building or structure and the contents thereof with the land ^{tation} and premises appurtenant thereto and all outbuildings, fences or erections thereon or therein.

2. The council of the Corporation may, by by-law passed ^{Order for} at any general meeting thereof by a vote of three-fourths ^{demolition} of all the members of the council, order the removal or demolition ^{of building} of a building that is in a ruinous or dilapidated state and has not been occupied for industrial, commercial or residential purposes for a period of three years.

3. Notice of the by-law shall be registered in the Registry ^{Notice} Office for the Registry Division of the County of Victoria ^{of by-law} and notice shall thereafter be served upon the owner, the mortgagee and any other encumbrancer appearing on the registered title, and upon any execution creditor appearing on the records of the sheriff's office, and the owner, mortgagee, encumbrancer or execution creditor has the right to ^{appeal} appeal to the judge of the county court of the County of Victoria from the decision of the council to remove or demolish the building by written notice of appeal delivered to the clerk of the Corporation within thirty days after the date of service of the notice of the by-law.

4. The notice of the by-law shall include a copy of the by- ^{Contents} law and shall set out the method and time for appealing from ^{of notice} the decision of the council of the Corporation.

Power of
Town
Engineer
to carry
out order

5. Unless notice of an appeal is received by the clerk of the Corporation within the time stated in section 3, the decision of the council of the Corporation to remove or demolish the building may be carried out forthwith by the Town Engineer on behalf of the Corporation and for this purpose the Corporation with its servants and agents may from time to time enter upon the lands of the owner, and the Corporation is not liable to compensate the owner, or any other person by reason of anything done by or on behalf of the Corporation under the authority of this section.

Lien

6. The Corporation has a lien for the amount expended by or on behalf of the Corporation in carrying out the decision of the council to remove or demolish the building and the certificate of the clerk of the Corporation as to the amount so expended is final, and such amount shall be added to the collector's roll of taxes for the current year and shall be collected in the same manner as real property taxes.

Hearing
of appeal

7. If the decision of the council of the Corporation is appealed, the clerk of the Corporation shall obtain an appointment for a hearing before the judge of the county court of the County of Victoria and shall give notice thereof by such means and to such persons as the judge may require.

Order of
judge

8. After hearing the persons who attend on the appeal, the judge may confirm the decision of the council of the Corporation and dismiss the appeal, in which case the Corporation may proceed forthwith to remove or demolish the building, or the judge may make such other order as he deems advisable under the circumstances.

Commence-
ment

9. This Act comes into force on the day it receives Royal Assent.

Short title

10. This Act may be cited as *The Town of Lindsay Act, 1968-69*.





An Act respecting the
Town of Lindsay

1st Reading

November 28th, 1968

2nd Reading

3rd Reading

MR. HODGSON (Victoria-Haliburton)

*(Reprinted as amended by
the Private Bills Committee)*

BILL Pr8

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

An Act respecting the Town of Lindsay

MR. HODGSON (Victoria-Haliburton)

An Act respecting the Town of Lindsay

WHEREAS The Corporation of the Town of Lindsay, ^{Preamble} herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act, "building" includes any building, part of a ^{Interpre-} building or structure and the contents thereof with the land ^{tation} and premises appurtenant thereto and all outbuildings, fences or erections thereon or therein.

2. The council of the Corporation may, by by-law passed ^{Order for} at any general meeting thereof by a vote of three-fourths ^{demolition} of all the members of the council, order the removal or demolition ^{of building} of a building that is in a ruinous or dilapidated state and has not been occupied for industrial, commercial or residential purposes for a period of three years.

3. Notice of the by-law shall be registered in the Registry ^{Notice} Office for the Registry Division of the County of Victoria ^{of by-law} and notice shall thereafter be served upon the owner, the mortgagee and any other encumbrancer appearing on the registered title, and upon any execution creditor appearing on the records of the sheriff's office, and the owner, mortgagee, encumbrancer or execution creditor has the right to ^{appeal} appeal to the judge of the county court of the County of Victoria from the decision of the council to remove or demolish the building by written notice of appeal delivered to the clerk of the Corporation within thirty days after the date of service of the notice of the by-law.

4. The notice of the by-law shall include a copy of the by- ^{Contents} law and shall set out the method and time for appealing from ^{of notice} the decision of the council of the Corporation.

Power of
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out order

5. Unless notice of an appeal is received by the clerk of the Corporation within the time stated in section 3, the decision of the council of the Corporation to remove or demolish the building may be carried out forthwith by the Town Engineer on behalf of the Corporation and for this purpose the Corporation with its servants and agents may from time to time enter upon the lands of the owner, and the Corporation is not liable to compensate the owner, or any other person by reason of anything done by or on behalf of the Corporation under the authority of this section.

Lien

6. The Corporation has a lien for the amount expended by or on behalf of the Corporation in carrying out the decision of the council to remove or demolish the building and the certificate of the clerk of the Corporation as to the amount so expended is final, and such amount shall be added to the collector's roll of taxes for the current year and shall be collected in the same manner as real property taxes.

Hearing
of appeal

7. If the decision of the council of the Corporation is appealed, the clerk of the Corporation shall obtain an appointment for a hearing before the judge of the county court of the County of Victoria and shall give notice thereof by such means and to such persons as the judge may require.

Order of
judge

8. After hearing the persons who attend on the appeal, the judge may confirm the decision of the council of the Corporation and dismiss the appeal, in which case the Corporation may proceed forthwith to remove or demolish the building, or the judge may make such other order as he deems advisable under the circumstances.

Commence-
ment

9. This Act comes into force on the day it receives Royal Assent.

Short title

10. This Act may be cited as *The Town of Lindsay Act, 1968-69*.







An Act respecting the
Town of Lindsay

1st Reading

November 28th, 1968

2nd Reading

March 10th, 1969

3rd Reading

March 25th, 1969

Mr. HODGSON (Victoria-Haliburton)

BILL Pr9

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

An Act respecting March Diamond Drilling Limited

MR. CARTON

(PRIVATE BILL)



BILL Pr9

1968-69

**An Act respecting
March Diamond Drilling Limited**

WHEREAS Cyril W. March, Daniel McLean and Donald Graff by their petition have represented that March Diamond Drilling Limited, herein called the Corporation, was incorporated by letters patent dated the 25th day of July, 1960; that the Provincial Secretary, by order dated the 24th day of November, 1966, and made under the authority of subsection 2 of section 326 of *The Corporations Act*, cancelled the letters patent of the Corporation and declared it to be dissolved on the 29th day of December, 1966; that the petitioners were all the directors and holders of all the common shares of the Corporation at the time of its dissolution; that the notice of default in filing annual returns required by the said subsection 2 of section 326 of *The Corporations Act* was sent to each of the persons of record on the files of the Department of the Provincial Secretary, of whom two, namely, Cyril W. March and Donald Graff, are petitioners; that the said notice was not received by Cyril W. March or Donald Graff and neither of them was aware of the dissolution of the Corporation until more than one year after the date thereof; that the Corporation at the time of its dissolution was actively carrying on the business authorized by its letters patent; and whereas the petitioners have prayed for special legislation reviving the Corporation; and whereas it is expedient to grant the prayer of the petition;

Preamble

R.S.O. 1960
c. 71

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. March Diamond Drilling Limited incorporated by letters patent dated the 25th day of July, 1960 is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a company incorporated by letters patent, including all its property, rights, privileges and franchises and subject to all

March
Diamond
Drilling
Limited
revived

its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The March Diamond Drilling Limited Act, 1968-69*.





An Act respecting
March Diamond Drilling Limited

1st Reading

2nd Reading

3rd Reading

Mr. CARTON

(*Private Bill*)

BILL Pr9

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

An Act respecting March Diamond Drilling Limited

MR. CARTON



BILL Pr9

1968-69

**An Act respecting
March Diamond Drilling Limited**

WHEREAS Cyril W. March, Daniel McLean and Donald Graff by their petition have represented that March Diamond Drilling Limited, herein called the Corporation, was incorporated by letters patent dated the 25th day of July, 1960; that the Provincial Secretary, by order dated the 24th day of November, 1966, and made under the authority of subsection 2 of section 326 of *The Corporations Act*, cancelled the letters patent of the Corporation and declared it to be dissolved on the 29th day of December, 1966; that the petitioners were all the directors and holders of all the common shares of the Corporation at the time of its dissolution; that the notice of default in filing annual returns required by the said subsection 2 of section 326 of *The Corporations Act* was sent to each of the persons of record on the files of the Department of the Provincial Secretary, of whom two, namely, Cyril W. March and Donald Graff, are petitioners; that the said notice was not received by Cyril W. March or Donald Graff and neither of them was aware of the dissolution of the Corporation until more than one year after the date thereof; that the Corporation at the time of its dissolution was actively carrying on the business authorized by its letters patent; and whereas the petitioners have prayed for special legislation reviving the Corporation; and whereas it is expedient to grant the prayer of the petition;

Preamble
R.S.O. 1960
c. 71

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. March Diamond Drilling Limited incorporated by letters patent dated the 25th day of July, 1960 is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a company incorporated by letters patent, including all its property, rights, privileges and franchises and subject to all

March
Diamond
Drilling
Limited
revived

its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The March Diamond Drilling Limited Act, 1968-69*.







An Act respecting
March Diamond Drilling Limited

1st Reading

November 28th, 1968

2nd Reading

March 10th, 1969

3rd Reading

March 25th, 1969

Mr. CARTON

BILL Pr10

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

An Act respecting the Town of Parry Sound

MR. JOHNSTON (Parry Sound)

(PRIVATE BILL)



BILL Pr10

1968-69

An Act respecting the Town of Parry Sound

WHEREAS The Corporation of the Town of Parry ^{Preamble} Sound by its petition has represented that prior to 1963 the councils of the municipalities of the Town of Parry Sound, the Village of Rosseau, the Township of Carling, the Township of Christie, the Township of Foley, the Township of Hagerman, the Township of Humphrey, the Township of McDougall, the Township of McKellar and the Township of McMurrich entered into an agreement for the construction of a Home for the Aged, the cost of which was to be shared by the said municipalities in proportion to their equalized assessments made pursuant to *The Homes for the Aged Act*; ^{R.S.O. 1960, c. 174} that in 1963 the equalized assessment for the Township of McDougall, one of the participating municipalities, was, pursuant to *The Homes for the Aged Act*, substantially reduced by the Department of Municipal Affairs from what it had been in previous years; that under subsection 20 of section 104 of *The Assessment Act* an appeal by any municipality ^{R.S.O. 1960, c. 23} from the last revised assessment as equalized for any purpose by the Department of Municipal Affairs must be made within thirty days after the mailing of the last revised assessment rolls as equalized to the municipality; and whereas the petitioner has prayed for special legislation to allow an appeal to be made to the Ontario Municipal Board from the decision of the Department of Municipal Affairs equalizing the assessments in 1963 for the participating municipalities in order to remedy any error or miscalculation that might have been made; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Notwithstanding subsection 20 of section 104 of *The Assessment Act*, ^{Appeal to O.M.B. R.S.O. 1960, cc. 23, 174} the council of The Corporation of the Town of Parry Sound may appeal the decision of the Department of Municipal Affairs made pursuant to *The Homes for the Aged Act* equalizing the assessment for the municipalities on the

west side of the Parry Sound District for the year 1963 to the Ontario Municipal Board within ninety days after this Act comes into force.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The Town of Parry Sound Act, 1968-69*.







An Act respecting the
Town of Parry Sound

1st Reading

2nd Reading

3rd Reading

MR. JOHNSTON (Parry Sound)

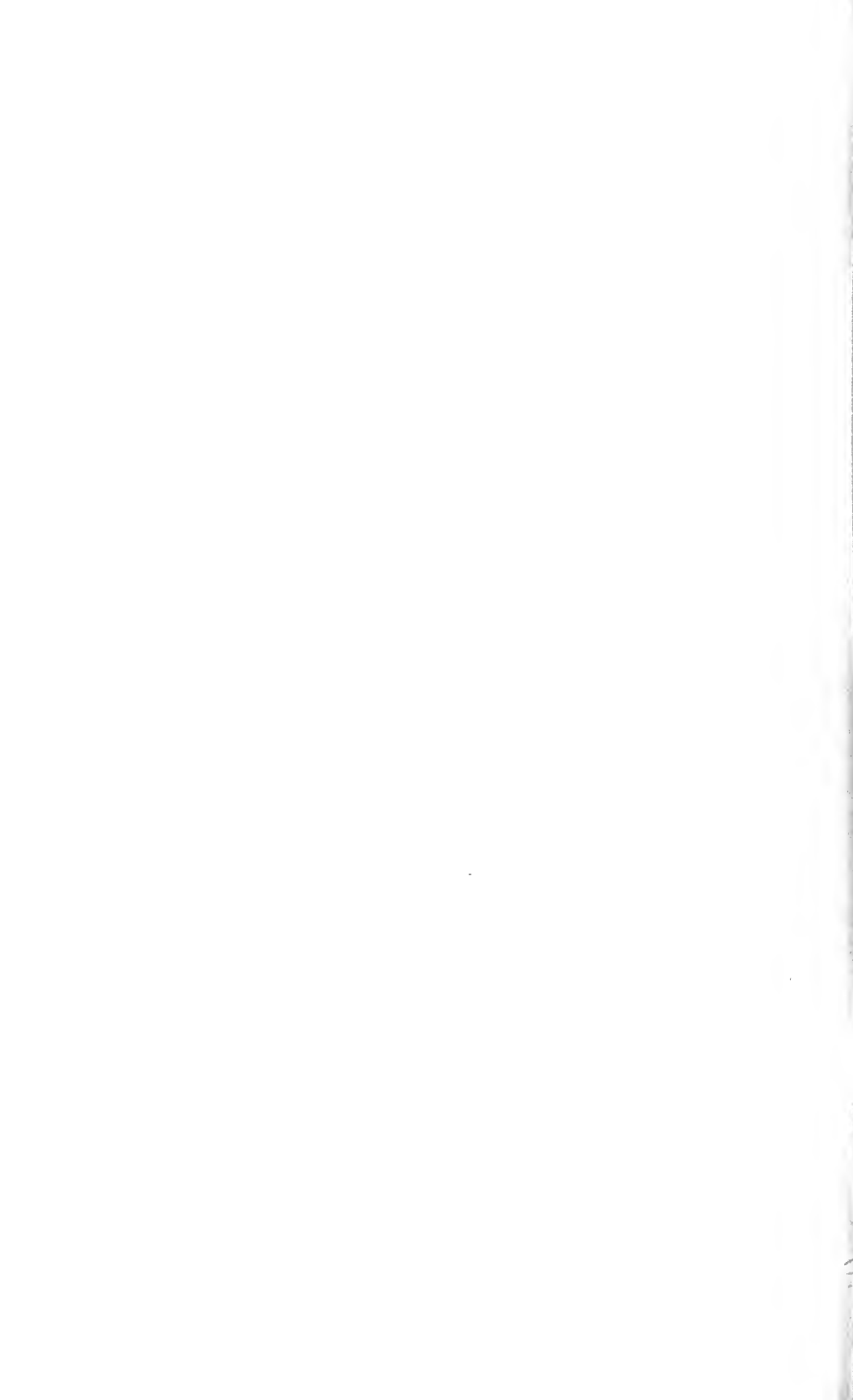
(Private Bill)

BILL Pr10

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

An Act respecting the Town of Parry Sound

MR. JOHNSTON (Parry Sound)



BILL Pr10

1968-69

An Act respecting the Town of Parry Sound

WHEREAS The Corporation of the Town of Parry ^{Preamble} Sound by its petition has represented that prior to 1963 the councils of the municipalities of the Town of Parry Sound, the Village of Rosseau, the Township of Carling, the Township of Christie, the Township of Foley, the Township of Hagerman, the Township of Humphrey, the Township of McDougall, the Township of McKellar and the Township of McMurrich entered into an agreement for the construction of a Home for the Aged, the cost of which was to be shared by the said municipalities in proportion to their equalized assessments made pursuant to *The Homes for the Aged Act*; ^{R.S.O. 1960, c. 174} that in 1963 the equalized assessment for the Township of McDougall, one of the participating municipalities, was, pursuant to *The Homes for the Aged Act*, substantially reduced by the Department of Municipal Affairs from what it had been in previous years; that under subsection 20 of section 104 of *The Assessment Act* an appeal by any municipality ^{R.S.O. 1960, c. 23} from the last revised assessment as equalized for any purpose by the Department of Municipal Affairs must be made within thirty days after the mailing of the last revised assessment rolls as equalized to the municipality; and whereas the petitioner has prayed for special legislation to allow an appeal to be made to the Ontario Municipal Board from the decision of the Department of Municipal Affairs equalizing the assessments in 1963 for the participating municipalities in order to remedy any error or miscalculation that might have been made; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Notwithstanding subsection 20 of section 104 of *The Assessment Act*, the council of The Corporation of the Town ^{Appeal to O.M.B.} of Parry Sound may appeal the decision of the Department ^{R.S.O. 1960, cc. 23, 174} of Municipal Affairs made pursuant to *The Homes for the Aged Act* equalizing the assessment for the municipalities on the

west side of the Parry Sound District for the year 1963 to the Ontario Municipal Board within ninety days after this Act comes into force.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The Town of Parry Sound Act, 1968-69*.





Am. Act. Assoc. / 1914

An Act respecting the
Town of Parry Sound

1st Reading

November 28th, 1968

2nd Reading

March 10th, 1969

3rd Reading

March 25th, 1969

Mr. JOHNSTON (Parry Sound)

BILL Pr11

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

An Act respecting the City of Cornwall

MR. VILLENEUVE

(PRIVATE BILL)



BILL Pr11

1968-69

An Act respecting the City of Cornwall

WHEREAS The Corporation of the City of Cornwall ^{Preamble} by its petition has prayed for special legislation in respect of the matter hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. By-law Number 647/68 for The Corporation of the City of Cornwall, set forth as the Schedule hereto, being a by-law covering the cost of the Guy Street storm sewer, is declared to be legal, valid and binding upon the Corporation and the ratepayers and inhabitants thereof. ^{By-law to reduce levy validated}

2. This Act comes into force on the day it receives Royal Assent. ^{Commencement}

3. This Act may be cited as *The City of Cornwall Act*, ^{Short title} 1968-69.

SCHEDULE

BY-LAW NUMBER 647

FOR THE CORPORATION OF THE CITY OF CORNWALL
FOR THE YEAR 1968

A BY-LAW to reduce the levy covering the cost of the storm sewer on Guy Street from Fourth Street to LaSalle Road in the City of Cornwall.

WHEREAS the Corporation of the City of Cornwall, by By-law Number 1932/66, authorized the construction of a storm sewer on Guy Street from Fourth Street to LaSalle Road in the said City of Cornwall, at an estimated cost of \$29,132.12 pursuant to *The Local Improvement Act*, which by-law directed that the special assessment be paid in ten annual instalments;

AND WHEREAS the final report of the City Engineer, as revised, found that the actual cost of the work was \$40,199.60 and directed that the cost of the work be charged against the abutting property at an equal rate per foot frontage in the sum of \$8.2227 per foot frontage;

AND WHEREAS the first levy was made in 1968 and the last levy is due to be made in 1977;

AND WHEREAS the Corporation of the City of Cornwall paid for the cost of the said work out of a reserve capital fund—debentures were not issued;

AND WHEREAS the said work was, in effect, a trunk sewer designed to service a much greater area than the area assessed, which resulted in a cost much higher than was estimated;

AND WHEREAS the owners have applied to the Council of the Corporation of the City of Cornwall to relieve them from part of the cost of the said work for the years 1968 to 1977 inclusive.

NOW, THEREFORE, the Council of the Corporation of the City of Cornwall enacts as follows:—

1. There shall be collected against the persons specially assessed under the Engineer's Report, as finally revised, which Report was prepared pursuant to said By-law Number 1932/66, a sum calculated at the rate of \$6.00 per foot frontage, and not at the rate of \$8.2227 per foot frontage as set out in the said Report, for the years 1968 to 1977 inclusive.

PASSED, SIGNED AND SEALED in Open Council this 15th day of October, 1968.

Mayor.

Clerk.





1st Reading

2nd Reading

3rd Reading

MR. VILLENEUVE

(Private Bill)

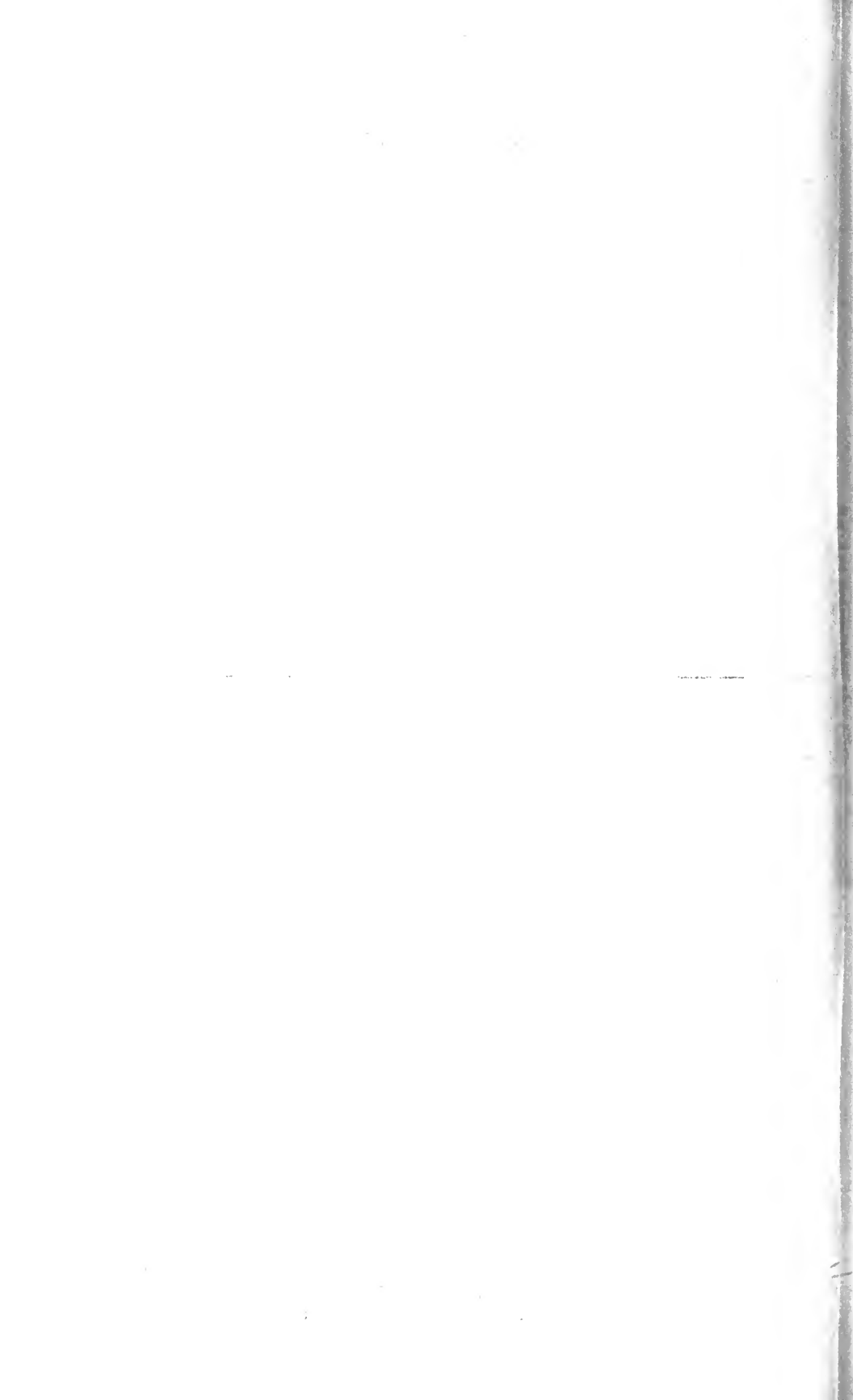
BILL Pr11

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the City of Cornwall

MR. VILLENEUVE

(Reprinted as amended by the Private Bills Committee)



BILL Pr11

1968-69

An Act respecting the City of Cornwall

WHEREAS The Corporation of the City of Cornwall ^{Preamble} by its petition has prayed for special legislation in respect of the matter hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. By-law Number 647/68 for The Corporation of the City of Cornwall, set forth as the Schedule hereto, being a by-law covering the cost of the Guy Street storm sewer, is declared to be valid and binding upon the Corporation and the ratepayers and inhabitants thereof. ^{By-law to reduce levy validated}

2. This Act comes into force on the day it receives Royal Assent. ^{Commencement}

3. This Act may be cited as *The City of Cornwall Act*, ^{Short title} 1968-69.

SCHEDULE

BY-LAW NUMBER 647

FOR THE CORPORATION OF THE CITY OF CORNWALL
FOR THE YEAR 1968

A BY-LAW to reduce the levy covering the cost of the storm sewer on Guy Street from Fourth Street to LaSalle Road in the City of Cornwall.

WHEREAS the Corporation of the City of Cornwall, by By-law Number 1932/66, authorized the construction of a storm sewer on Guy Street from Fourth Street to LaSalle Road in the said City of Cornwall, at an estimated cost of \$29,132.12 pursuant to *The Local Improvement Act*, which by-law directed that the special assessment be paid in ten annual instalments;

AND WHEREAS the final report of the City Engineer, as revised, found that the actual cost of the work was \$40,199.60 and directed that the cost of the work be charged against the abutting property at an equal rate per foot frontage in the sum of \$8.2227 per foot frontage;

AND WHEREAS the first levy was made in 1968 and the last levy is due to be made in 1977;

AND WHEREAS the Corporation of the City of Cornwall paid for the cost of the said work out of a reserve capital fund—debentures were not issued;

AND WHEREAS the said work was, in effect, a trunk sewer designed to service a much greater area than the area assessed, which resulted in a cost much higher than was estimated;

AND WHEREAS the owners have applied to the Council of the Corporation of the City of Cornwall to relieve them from part of the cost of the said work for the years 1968 to 1977 inclusive.

NOW, THEREFORE, the Council of the Corporation of the City of Cornwall enacts as follows:—

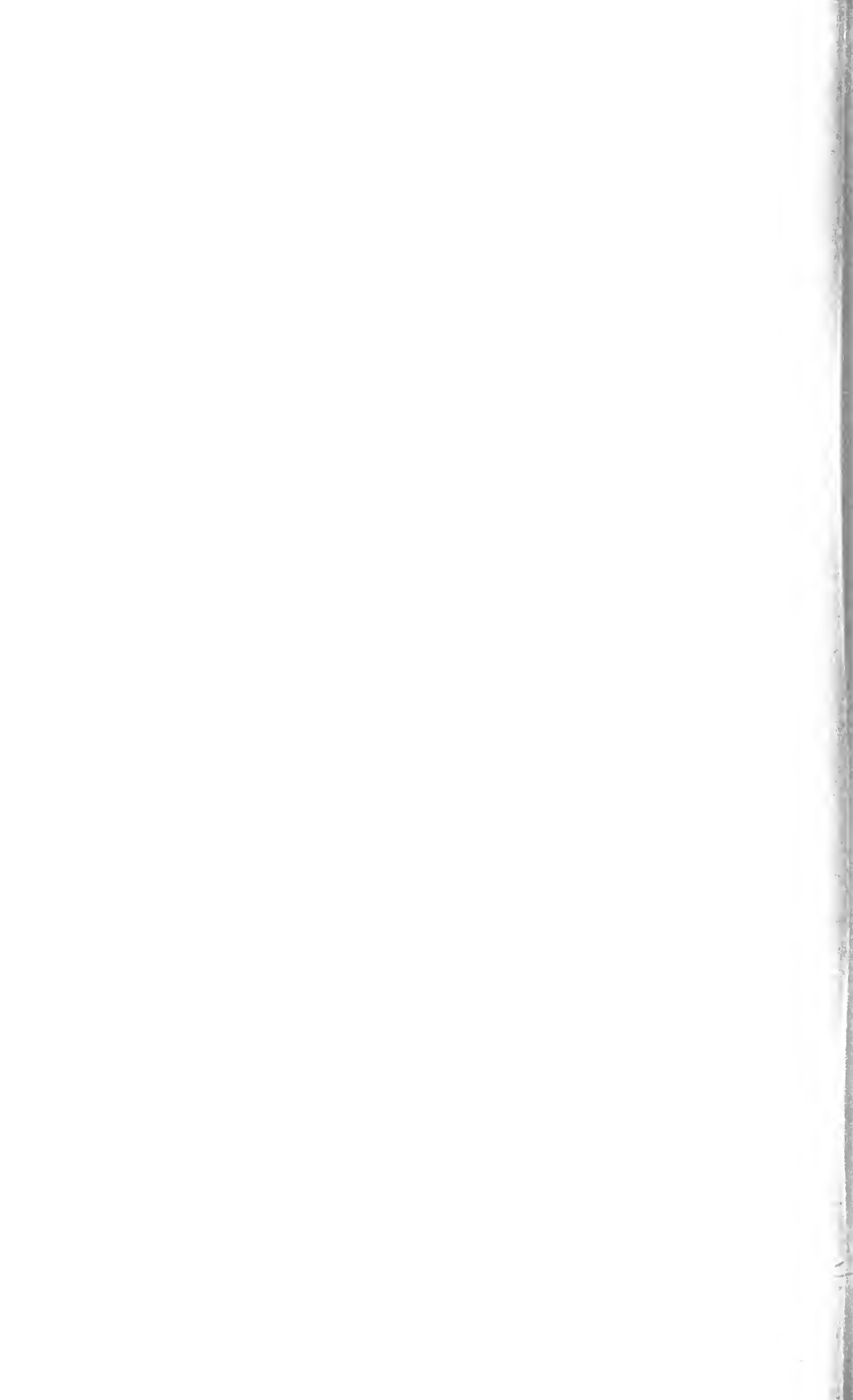
1. There shall be collected against the persons specially assessed under the Engineer's Report, as finally revised, which Report was prepared pursuant to said By-law Number 1932/66, a sum calculated at the rate of \$6.00 per foot frontage, and not at the rate of \$8.2227 per foot frontage as set out in the said Report, for the years 1968 to 1977 inclusive.

PASSED, SIGNED AND SEALED in Open Council this 15th day of October, 1968.

Mayor.

Clerk.





1st Reading

February 6th, 1969

2nd Reading

3rd Reading

MR. VILLENEUVE

*(Reprinted as amended by the
Private Bills Committee)*

BILL Pr11

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the City of Cornwall

MR. VILLENEUVE



BILL Pr11

1968-69

An Act respecting the City of Cornwall

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3. This Act may be cited as *The City of Cornwall Act*, ^{Short title} 1968-69.

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PASSED, SIGNED AND SEALED in Open Council this 15th day of October, 1968.

Mayor.

Clerk.







An Act respecting the City of Cornwall

1st Reading

February 6th, 1969

2nd Reading

March 10th, 1969

3rd Reading

March 25th, 1969

MR. VILLENEUVE

BILL Pr12

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the City of Toronto

MR. PRICE

(PRIVATE BILL)



BILL Pr12

1968-69

An Act respecting the City of Toronto

WHEREAS The Corporation of the City of Toronto, Preamble
 herein called the Corporation, by its petition has
 prayed for special legislation in respect of the matters herein-
 after set forth; and whereas it is expedient to grant the prayer
 of the petition;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario,
 enacts as follows:

1. Notwithstanding any general or special Act, the Cor- Letting of
right to
operate
means of
conveyance
in parks
authorized
R.S.O. 1960,
c. 249
 poration may let from year to year, or for any time not ex-
 ceeding ten years, the right to operate means of conveyance
 within a public park under the jurisdiction of the Corporation,
 other than on any highway as defined in *The Municipal Act*,
 subject to such regulations as the Corporation may prescribe.

2.—(1) For the purposes of subsection 8, “householder” Interpre-
tation
 means the person who, at the date of the by-law passed
 pursuant to subsection 2, occupies and is assessed as owner
 or tenant of a dwelling or apartment house separately occu-
 pied as a dwelling on the latest assessment roll of the muni-
 cipality returned by the assessor to the clerk as of the date
 of the said by-law.

(2) Notwithstanding *The Municipal Act*, where a vacancy Vacancy in
office of
alderman
by-election
for, fixing
day and
hour of
polling
R.S.O. 1960,
c. 260
 on the council of the Corporation occurs in the office of alder-
 man and an election to fill the vacancy has not been ordered
 in a judicial proceeding, a by-election shall be held to fill
 such vacancy for the remainder of the term and, notwith-
 standing *The Municipality of Metropolitan Toronto Act*,
 council shall by by-law fix the day and hours for the polling
 and such by-law shall be enacted by the council not less than
 sixty days before the day for polling.

(3) Where in a year in which an election is to be held a When
vacancy not
to be filled
 vacancy occurs in the office of alderman after the 31st day of
 March, a by-election shall not be held and such vacancy shall
 not be filled.

Time, hours
and place of
nomination
R.S.O. 1960,
c. 260

(4) Notwithstanding *The Municipality of Metropolitan Toronto Act*, the council shall by by-law fix the day, time and place for a meeting of the electors to take place for the nomination of candidates for the by-election and such day shall not be less than fourteen days before the day fixed for polling.

Advance
poll
R.S.O. 1960,
c. 249

(5) A by-law for the purposes set out in subsection 1 of section 90 of *The Municipal Act* may be passed at least twenty days before the day fixed for polling for the by-election.

Power of
clerk
re conduct
of election

(6) The clerk shall be the returning officer for the by-election and he shall have the power to do all things and make such appointments and designations as may be necessary for the conduct of the by-election according to law and, without restricting the generality of the foregoing, he shall have authority to designate all polling subdivisions, unite adjoining polling subdivisions, provide polling places for all polling subdivisions and appoint all personnel necessary for the due conduct of such by-election.

Voters list

(7) The voters list shall be prepared from the latest assessment roll returned by the assessor to the clerk as of the date of the by-law passed pursuant to subsection 2 and from the latest list of persons entitled to be entered on the resident voters list filed by the assessor with the clerk as of such date.

Qualification
of
candidates

(8) Every person is qualified to be elected to the office of alderman in a by-election held under this Act who,

- (a) is a householder residing in the municipality as of the date of the by-law passed pursuant to subsection 2, or on such date was rated on the latest assessment roll of the municipality returned by the assessor to the clerk as of such date for land held in his own right for an amount not less than \$400 and resides in or within five miles of the municipality, or is the wife or husband of such a householder and who resides in or within five miles of the municipality;
- (b) is a British subject;
- (c) is of the full age of twenty-one years; and
- (d) is not disqualified under *The Municipal Act* or any other Act.

Application
of Acts
R.S.O. 1960,
cc. 249, 420,
23, 254

(9) Except as otherwise provided herein, the provisions of *The Municipal Act*, *The Voters' Lists Act*, *The Assessment Act* and *The Municipal Franchise Extension Act* and any by-law providing for a resident voters list passed thereunder apply *mutatis mutandis* to by-elections held under this Act.

3.—(1) The council of the Corporation may pass by-laws prohibiting the erection or alteration of any building or structure or any class or classes thereof in any defined area or areas without the approval by the council of plans showing the height, location and spacing of the building or structure and the portions thereof in relation, respectively, to other buildings or structures and to each other, and the number, location and width of entrances and exits for motor vehicles and pedestrians to and from the parcel of land upon which the building or structure is or is to be erected.

Power to pass by-laws prohibiting erection of buildings in defined area without approval by council of plans

(2) Subsections 9 to 17 and 19 to 25 of section 30 of *The Planning Act* apply *mutatis mutandis* to any by-law passed under subsection 1.

Application of R.S.O. 1960, c. 296

(3) The Ontario Municipal Board shall not approve any by-law passed under subsection 1 or any by-law amending any such by-law, unless the area or areas defined in the by-law is or are covered by an official plan describing the policy of the council in respect of which it is necessary to prohibit the erection or alteration of buildings or structures without the approval by the council of the plans therefor, and stating that it is the policy of council not to deal with any application for its approval, pursuant to any by-law passed under subsection 1, of the plans for the erection or alteration of any building in such a manner as to reduce the maximum permissible floor area of the building below that provided for under any by-law applying to the land or area in question and passed under section 30 of *The Planning Act* or a predecessor thereof.

When Municipal Board not to approve by-laws

(4) A by-law passed under subsection 1 shall be enforceable in the same manner as a by-law passed under the authority of *The Municipal Act*, and any such by-law may impose penalties of not more than \$300, exclusive of costs, upon every person who contravenes any provision of any such by-law.

Penalties

R.S.O. 1960, c. 249

(5) Where an application to the council for its approval, pursuant to any by-law passed under subsection 1, of the plans for the erection or alteration of any building or structure is refused or the council refuses or neglects to make a decision thereon within one month after the receipt by the clerk of the application, the applicant may appeal to the Ontario Municipal Board and the Ontario Municipal Board shall hear the appeal and dismiss the same or approve the plans, provided that where council has refused the application the appeal shall be commenced within one month after the date of such refusal.

Appeal from refusal or neglect of council

4. This Act comes into force on the day it receives Royal Assent.

Commencement

5. This Act may be cited as *The City of Toronto Act*, 1968-69.

Short title



An Act respecting the City of Toronto

1st Reading

February 6th, 1969

2nd Reading

3rd Reading

MR. PRICE

(Private Bill)

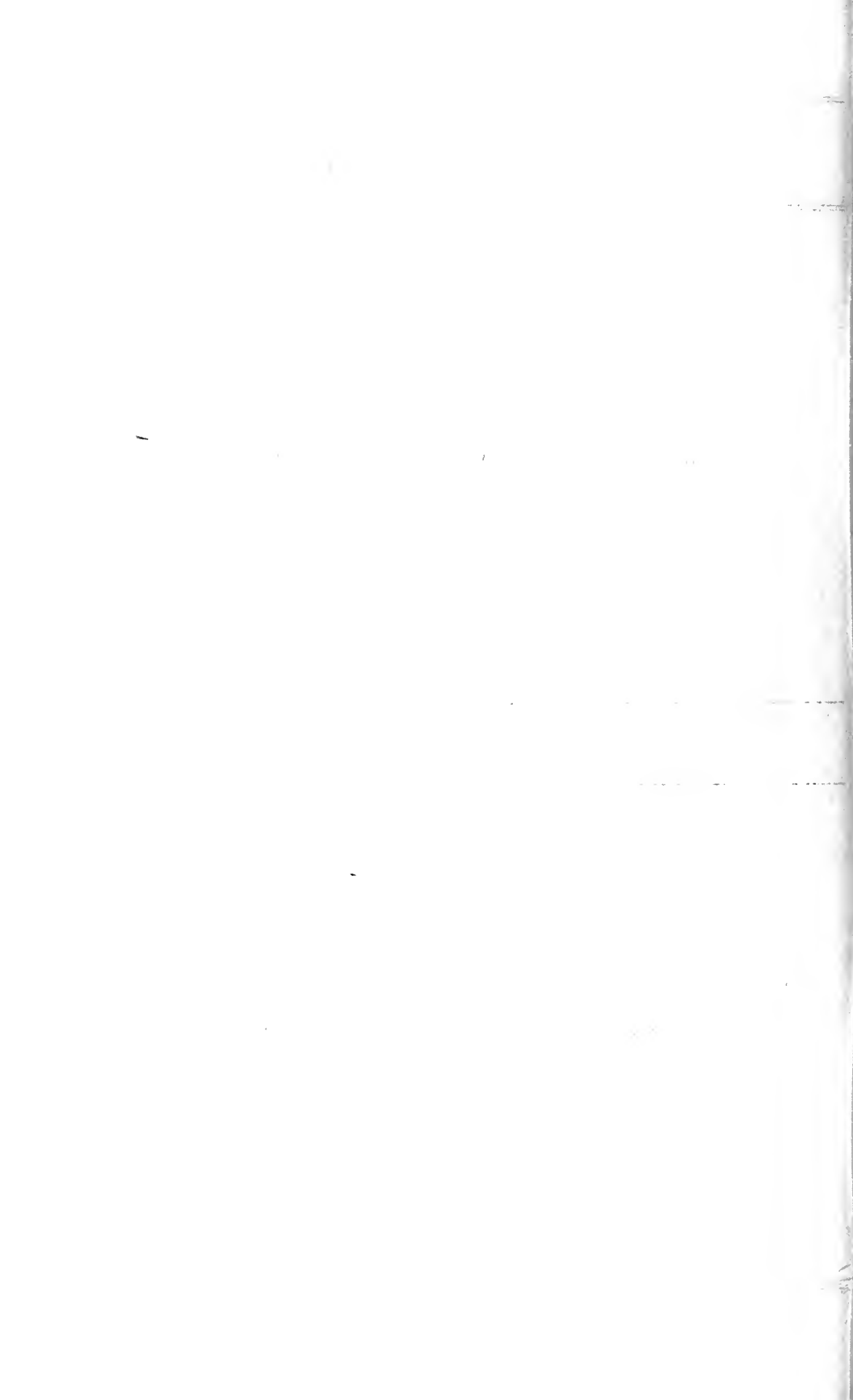
BILL Pr12

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the City of Toronto

MR. PRICE

(Reprinted as amended by the Private Bills Committee)



BILL Pr12

1968-69

An Act respecting the City of Toronto

WHEREAS The Corporation of the City of Toronto, ^{Preamble} herein called the Corporation, by its petition has prayed for special legislation in respect of the matters herein-after set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Notwithstanding any general or special Act, the Corporation may let from year to year, or for any time not exceeding ten years, the right to operate means of conveyance within a public park under the jurisdiction of the Corporation, other than on any highway as defined in *The Municipal Act*, subject to such regulations as the Corporation may prescribe. ^{Letting of right to operate means of conveyance in parks authorized R.S.O. 1960, c. 249}

2.—(1) For the purposes of subsection 8, "householder" means the person who, at the date of the by-law passed pursuant to subsection 2, occupies and is assessed as owner or tenant of a dwelling or apartment house separately occupied as a dwelling on the latest assessment roll of the municipality returned by the assessor to the clerk as of the date of the said by-law. ^{Interpretation}

(2) Notwithstanding *The Municipal Act*, where a vacancy on the council of the Corporation occurs in the office of alderman and an election to fill the vacancy has not been ordered in a judicial proceeding, a by-election shall be held within six months after the vacancy occurs to fill such vacancy for the remainder of the term and, notwithstanding *The Municipality of Metropolitan Toronto Act*, council shall by by-law fix the day and hours for the polling and such by-law shall be enacted by the council not less than sixty days before the day for polling. ^{Vacancy in office of alderman by-election for, fixing day and hour of polling R.S.O. 1960, c. 260}

(3) Where in a year in which an election is to be held a vacancy occurs in the office of alderman after the 31st day of March, a by-election shall not be held and such vacancy shall not be filled. ^{When vacancy not to be filled}

Time, hours
and place of
nomination
R.S.O. 1960,
c. 260

(4) Notwithstanding *The Municipality of Metropolitan Toronto Act*, the council shall by by-law fix the day, time and place for a meeting of the electors to take place for the nomination of candidates for the by-election and such day shall not be less than fourteen days before the day fixed for polling.

Advance
poll
R.S.O. 1960,
c. 249

(5) A by-law for the purposes set out in subsection 1 of section 90 of *The Municipal Act* may be passed at least twenty days before the day fixed for polling for the by-election.

Power of
clerk
re conduct
of election

(6) The clerk shall be the returning officer for the by-election and he shall have the power to do all things and make such appointments and designations as may be necessary for the conduct of the by-election according to law and, without restricting the generality of the foregoing, he shall have authority to designate all polling subdivisions, unite adjoining polling subdivisions, provide polling places for all polling subdivisions and appoint all personnel necessary for the due conduct of such by-election.

Voters list

(7) The voters list shall be prepared from the latest assessment roll returned by the assessor to the clerk as of the date of the by-law passed pursuant to subsection 2 and from the latest list of persons entitled to be entered on the resident voters list filed by the assessor with the clerk as of such date.

Qualification
of
candidates

(8) Every person is qualified to be elected to the office of alderman in a by-election held under this Act who,

- (a) is a householder residing in the municipality as of the date of the by-law passed pursuant to subsection 2, or on such date was rated on the latest assessment roll of the municipality returned by the assessor to the clerk as of such date for land held in his own right for an amount not less than \$400 and resides in or within five miles of the municipality, or is the wife or husband of such a householder and who resides in or within five miles of the municipality;
- (b) is a British subject;
- (c) is of the full age of twenty-one years; and
- (d) is not disqualified under *The Municipal Act* or any other Act.

Application
of Acts
R.S.O. 1960,
cc. 249, 420,
23, 254

(9) Except as otherwise provided herein, the provisions of *The Municipal Act*, *The Voters' Lists Act*, *The Assessment Act* and *The Municipal Franchise Extension Act* and any by-law providing for a resident voters list passed thereunder apply *mutatis mutandis* to by-elections held under this Act.

3. This Act comes into force on the day it receives Royal ^{Commence-} Assent._{ment}

4. This Act may be cited as *The City of Toronto Act*, ^{Short title} 1968-69.



ADMONITORY/ADJUDICATORY

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ADMONITORY/ADJUDICATORY

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ADMONITORY/ADJUDICATORY

An Act respecting the City of Toronto

1st Reading

February 6th, 1969

2nd Reading

3rd Reading

MR. PRICE

*(Reprinted as amended by
the Private Bills Committee)*

BILL Pr12

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the City of Toronto

MR. PRICE



BILL Pr12

1968-69

An Act respecting the City of Toronto

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2.—(1) For the purposes of subsection 8, “householder” means the person who, at the date of the by-law passed pursuant to subsection 2, occupies and is assessed as owner or tenant of a dwelling or apartment house separately occupied as a dwelling on the latest assessment roll of the municipality returned by the assessor to the clerk as of the date of the said by-law. ^{Interpretation}

(2) Notwithstanding *The Municipal Act*, where a vacancy on the council of the Corporation occurs in the office of alderman and an election to fill the vacancy has not been ordered in a judicial proceeding, a by-election shall be held within six months after the vacancy occurs to fill such vacancy for the remainder of the term and, notwithstanding *The Municipality of Metropolitan Toronto Act*, council shall by by-law fix the day and hours for the polling and such by-law shall be enacted by the council not less than sixty days before the day for polling. ^{Vacancy in office of alderman by-election for, fixing day and hour of polling R.S.O. 1960, c. 260}

(3) Where in a year in which an election is to be held a vacancy occurs in the office of alderman after the 31st day of March, a by-election shall not be held and such vacancy shall not be filled. ^{When vacancy not to be filled}

Time, hours
and place of
nomination
R.S.O. 1960,
c. 260

(4) Notwithstanding *The Municipality of Metropolitan Toronto Act*, the council shall by by-law fix the day, time and place for a meeting of the electors to take place for the nomination of candidates for the by-election and such day shall not be less than fourteen days before the day fixed for polling.

Advance
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R.S.O. 1960,
c. 249

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Power of
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(6) The clerk shall be the returning officer for the by-election and he shall have the power to do all things and make such appointments and designations as may be necessary for the conduct of the by-election according to law and, without restricting the generality of the foregoing, he shall have authority to designate all polling subdivisions, unite adjoining polling subdivisions, provide polling places for all polling subdivisions and appoint all personnel necessary for the due conduct of such by-election.

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(7) The voters list shall be prepared from the latest assessment roll returned by the assessor to the clerk as of the date of the by-law passed pursuant to subsection 2 and from the latest list of persons entitled to be entered on the resident voters list filed by the assessor with the clerk as of such date.

Qualification
of
candidates

(8) Every person is qualified to be elected to the office of alderman in a by-election held under this Act who,

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(b) is a British subject;

(c) is of the full age of twenty-one years; and

(d) is not disqualified under *The Municipal Act* or any other Act.

Application
of Acts
R.S.O. 1960,
cc. 249, 420,
23, 254

(9) Except as otherwise provided herein, the provisions of *The Municipal Act*, *The Voters' Lists Act*, *The Assessment Act* and *The Municipal Franchise Extension Act* and any by-law providing for a resident voters list passed thereunder apply *mutatis mutandis* to by-elections held under this Act.

3. This Act comes into force on the day it receives Royal ^{Commence-} Assent.
^{ment}

4. This Act may be cited as *The City of Toronto Act*, ^{Short title}
1968-69.



An Act respecting the City of Toronto

1st Reading

February 6th, 1969

2nd Reading

May 14th, 1969

3rd Reading

June 6th, 1969

MR. PRICE

BILL Pr13

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the City of Kitchener

MR. BREITHAUP

(PRIVATE BILL)



BILL Pr13

1968-69

An Act respecting the City of Kitchener

WHEREAS The Corporation of the City of Kitchener, ^{Preamble} herein called the Corporation, by its petition has prayed for special legislation in respect of the matters herein-after set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The council of the Corporation may, by by-law, passed ^{Grant of retirement allowances} without the approval of the Ontario Municipal Board, grant annual retirement allowances to Howard M. Crosby and Paul Gertz, former employees of the Kitchener Auditorium Board of Management, in the amounts of \$1,700 and \$600 respectively, payable monthly during their respective lives.

2. Any by-law of the Corporation passed under section 240 ^{By-law may be amended} of *The Municipal Act* that grants to an employee a retirement allowance that is less than the maximum amount that might ^{R.S.O. 1960, c. 249} have been granted under that section may be amended to increase the amount payable to an amount not greater than the said maximum.

3.—(1) The council of the Corporation may by by-law ^{Adoption of National Fire Code} adopt in whole or in part with such changes as the council deems necessary The National Fire Code of Canada by including the code in whole or in part in the by-law.

(2) Any person affected by an order made under a by-law ^{Rights of Appeal} passed under subsection 1 may appeal to the Fire Marshal and from the decision of the Fire Marshal to the county court judge of the County of Waterloo in the same manner, *mutatis mutandis* as provided for by *The Fire Marshals Act* ^{R.S.O. 1960, c. 148} in respect of orders made under that Act.

4.—(1) The power of the Corporation to acquire land ^{Power of Corporation to acquire land} under paragraph 49 of subsection 1 of section 379 of *The*

R.S.O. 1960, *Municipal Act* may be exercised in respect of land outside the limits of the City of Kitchener and within the Township of Waterloo.
c. 249

Idem (2) The Corporation may also acquire land within the Township of Waterloo for the purpose of providing roads or other municipal services to land acquired under subsection 1.

Commence-
ment **5.**—(1) This Act, except section 2, comes into force on the day it receives Royal Assent.

Idem (2) Section 2 shall be deemed to have come into force on the 7th day of October, 1968.

Short title **6.** This Act may be cited as *The City of Kitchener Act, 1968-69*.





1st Reading

February 6th, 1969

2nd Reading

3rd Reading

MR. BREITHAUPT

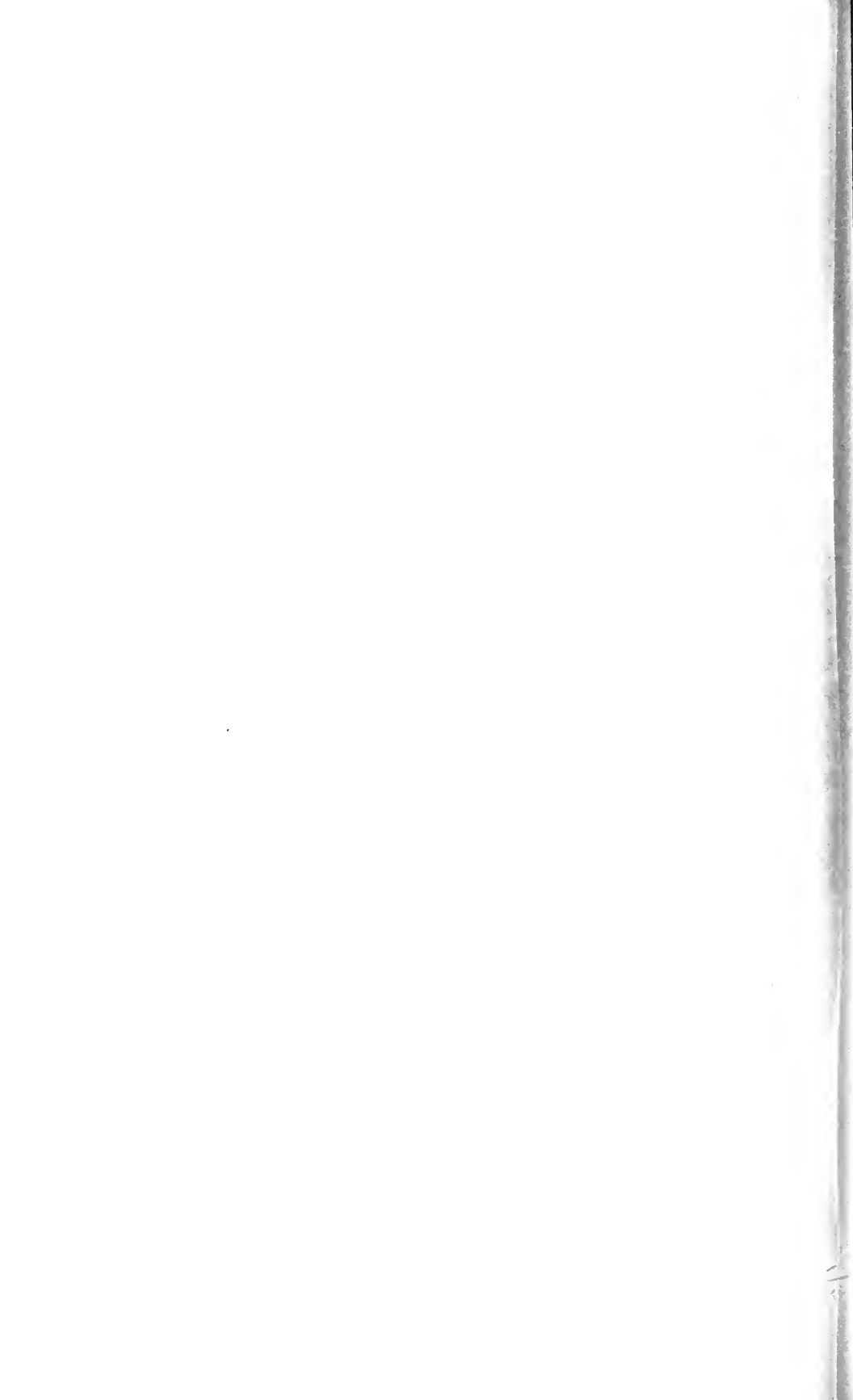
(Private Bill)

BILL Pr13

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the City of Kitchener

MR. BREITHAUP



BILL Pr13

1968-69

An Act respecting the City of Kitchener

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3.—(1) The council of the Corporation may by by-law ^{Adoption of National Fire Code} adopt in whole or in part with such changes as the council deems necessary The National Fire Code of Canada by including the code in whole or in part in the by-law.

(2) Any person affected by an order made under a by-law ^{Rights of Appeal} passed under subsection 1 may appeal to the Fire Marshal and from the decision of the Fire Marshal to the county court judge of the County of Waterloo in the same manner, *mutatis mutandis* as provided for by *The Fire Marshals Act* ^{R.S.O. 1960, c. 148} in respect of orders made under that Act.

4.—(1) The power of the Corporation to acquire land ^{Power of Corporation to acquire land} under paragraph 49 of subsection 1 of section 379 of *The*

R.S.O. 1960, c. 249, *Municipal Act* may be exercised in respect of land outside the limits of the City of Kitchener and within the Township of Waterloo.

Idem (2) The Corporation may also acquire land within the Township of Waterloo for the purpose of providing roads or other municipal services to land acquired under subsection 1.

Commencement **5.**—(1) This Act, except section 2, comes into force on the day it receives Royal Assent.

Idem (2) Section 2 shall be deemed to have come into force on the 7th day of October, 1968.

Short title **6.** This Act may be cited as *The City of Kitchener Act, 1968-69*.





An Act respecting the City of Kitchener

1st Reading

February 6th, 1969

2nd Reading

June 19th, 1969

3rd Reading

June 27th, 1969

MR. BREITHAUPF

BILL Pr14

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the County of Ontario

MR. NEWMAN (Ontario South)

(PRIVATE BILL)



An Act respecting the County of Ontario

WHEREAS The Corporation of the County of Ontario ^{Preamble} by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Notwithstanding section 56 of *The Assessment Act*, the ^{Extension of time to take assessment and return roll} time within which the assessment roll in the Township of Pickering in the County of Ontario was required to be taken and returned to the clerk in the year 1968 under the said ^{R.S.O. 1960, c. 23} section 56 is extended to and including the 16th day of January, 1969 and the court of revision shall hear and dispose of all appeals and shall certify the assessment roll not later than sixty days after this Act comes into force.

2. The assessment roll referred to in section 1, when ^{Validity and effect of roll} returned and revised by the court of revision, shall have the same validity and effect as if such assessment roll had been returned and revised in the year 1968 within the time prescribed by section 56 of *The Assessment Act*.

3. Notwithstanding anything in this Act, the rights of ^{Rights of appeal preserved} appeal of all persons under *The Assessment Act* and the times for appealing to the court of revision, the county court judge, the Ontario Municipal Board and every court to which an appeal may be made in respect of the assessment roll referred to in section 1 are preserved and continued to such extent as may be necessary to give effect to this Act.

4. This Act comes into force on the day it receives Royal ^{Commencement} Assent.

5. This Act may be cited as *The County of Ontario Act*, ^{Short title} 1968-69.

1st Reading

February 6th, 1969

2nd Reading

3rd Reading

Mr. NEWMAN (Ontario South)

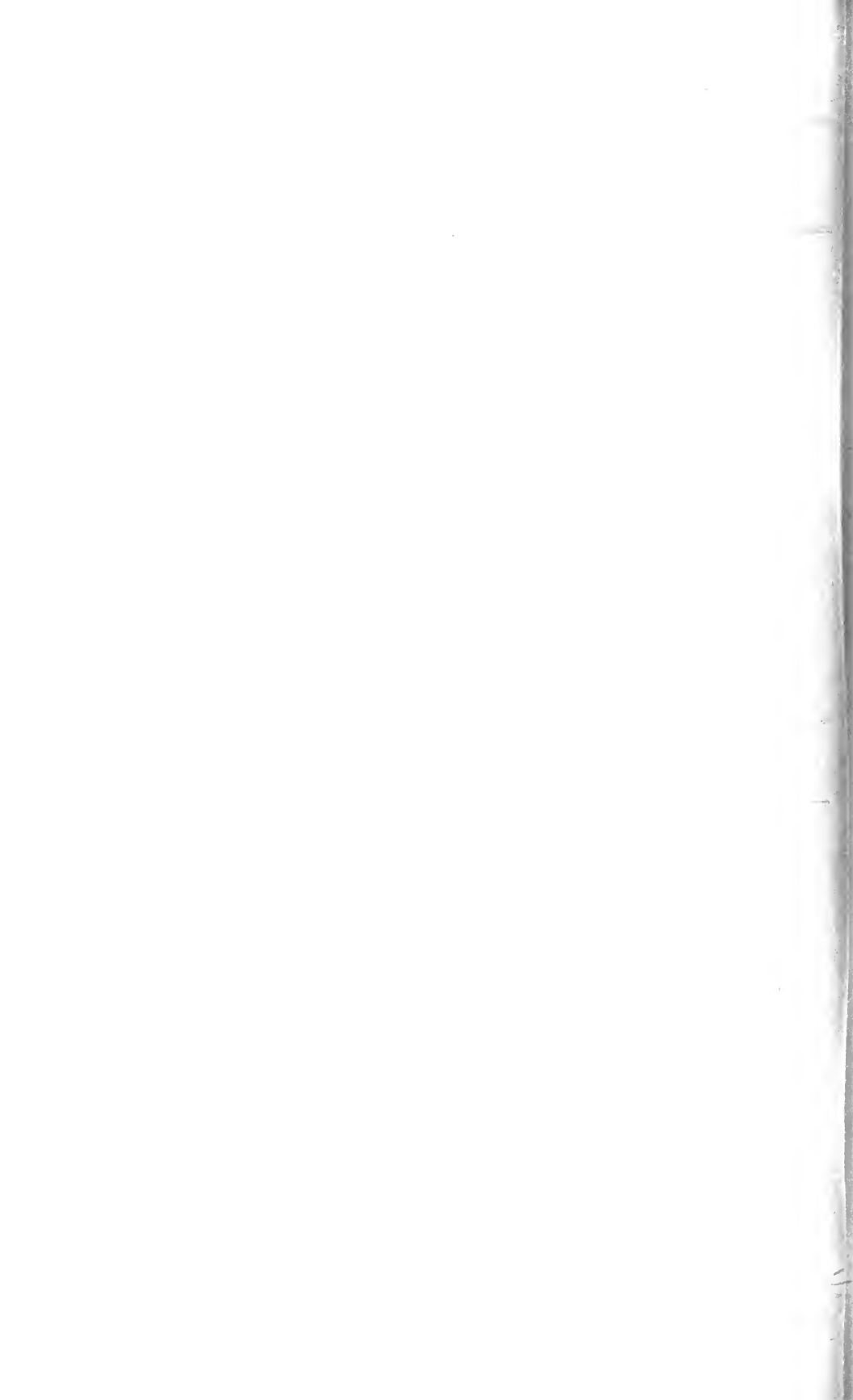
(Private Bill)

BILL Pr14

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the County of Ontario

MR. NEWMAN (Ontario South)



BILL Pr14

1968-69

An Act respecting the County of Ontario

WHEREAS The Corporation of the County of Ontario ^{Preamble} by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Notwithstanding section 56 of *The Assessment Act*, the ^{Extension of time to} time within which the assessment roll in the Township of ^{take} Pickering in the County of Ontario was required to be taken ^{assessment and return} and returned to the clerk in the year 1968 under the said ^{roll} section 56 is extended to and including the 16th day of ^{R.S.O. 1960,} January, 1969 and the court of revision shall hear and dispose ^{c. 23} of all appeals and shall certify the assessment roll not later than sixty days after this Act comes into force.

2. The assessment roll referred to in section 1, when ^{Validity and effect} returned and revised by the court of revision, shall have the ^{of roll} same validity and effect as if such assessment roll had been returned and revised in the year 1968 within the time prescribed by section 56 of *The Assessment Act*.

3. Notwithstanding anything in this Act, the rights of ^{Rights of} appeal of all persons under *The Assessment Act* and the times ^{appeal} for appealing to the court of revision, the county court judge, the Ontario Municipal Board and every court to which an ^{preserved} appeal may be made in respect of the assessment roll referred to in section 1 are preserved and continued to such extent as may be necessary to give effect to this Act.

4. This Act comes into force on the day it receives Royal ^{Commence-} Assent. ^{ment}

5. This Act may be cited as *The County of Ontario Act*, ^{Short title} 1968-69.

An Act respecting the County of Ontario

1st Reading

February 6th, 1969

2nd Reading

March 10th, 1969

3rd Reading

March 25th, 1969

MR. NEWMAN (Ontario South)

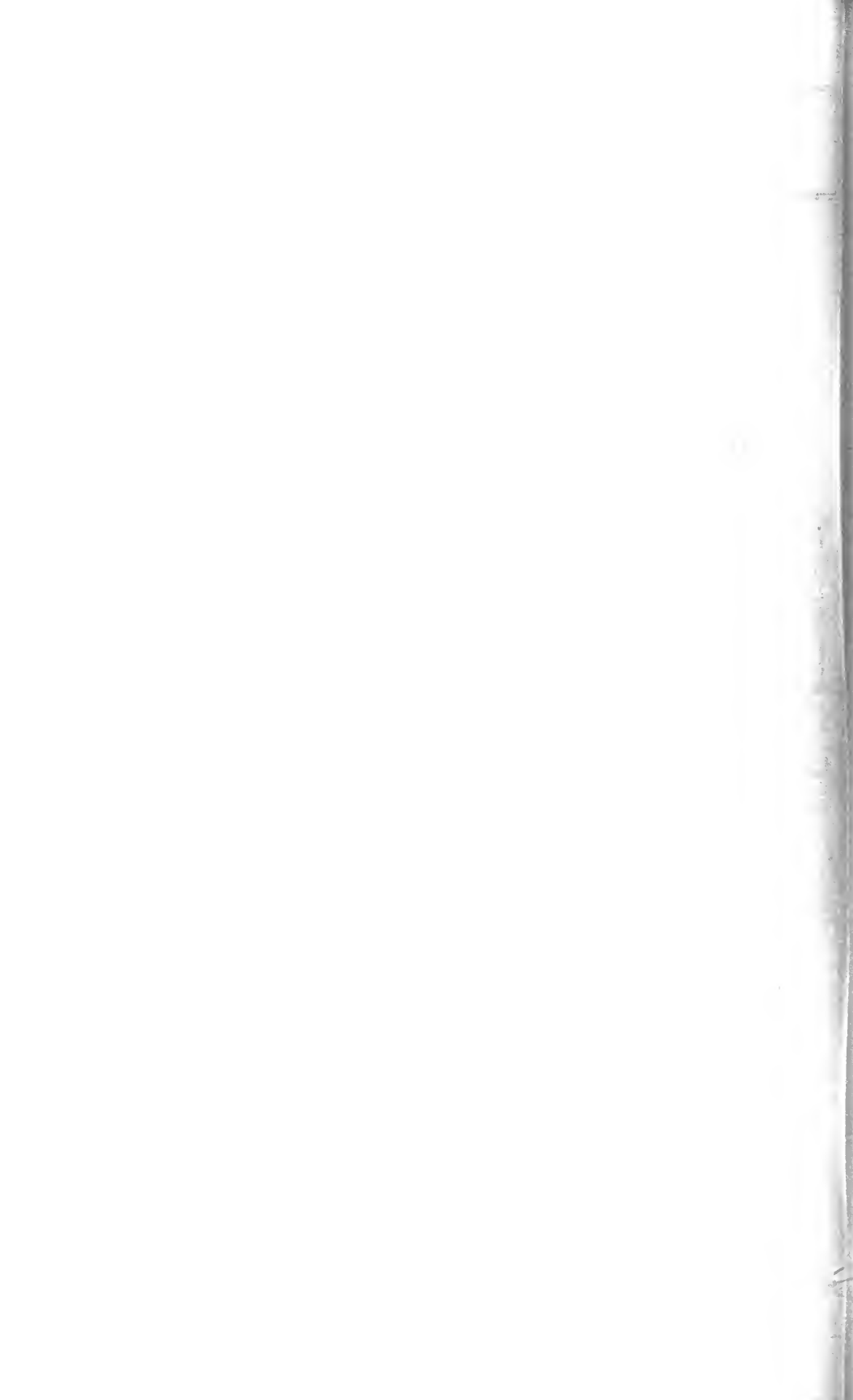
BILL Pr15

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

An Act respecting the Town of Mitchell, 1968-69

MR. EDIGHOFFER

(PRIVATE BILL)



BILL Pr15

1968-69

An Act respecting the Town of Mitchell, 1968-69

WHEREAS The Corporation of the Town of Mitchell, ^{Preamble} herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The council of the Corporation is hereby authorized <sup>By-law
re issue
of
debentures</sup> to pass a by-law, without obtaining the approval of the Ontario Municipal Board, providing for the issue of debentures of the Corporation in a principal amount not exceeding \$20,000, payable in not more than twenty years, to defray the cost of acquiring land for the purposes of establishing a sanitary land fill area.

2. Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* <sup>Application
of R.S.O.
1960, c. 274</sup> apply in respect of a by-law passed under section 1 and the debentures to be issued thereunder.

3. This Act comes into force on the day it receives Royal <sup>Commence-
ment</sup> Assent.

4. This Act may be cited as *The Town of Mitchell Act*, ^{Short title} 1968-69.

An Act respecting
the Town of Mitchell, 1968-69

1st Reading

2nd Reading

3rd Reading

MR. EDIGHORFER

(Private Bill)

BILL Pr15

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the Town of Mitchell

MR. EDIGHOFFER

(Reprinted as amended by the Private Bills Committee)



BILL Pr15

1968-69

An Act respecting the Town of Mitchell

WHEREAS The Corporation of the Town of Mitchell, ^{Preamble} herein called the Corporation, by its petition has prayed for special legislation in respect of the matters herein-after set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The council of the Corporation is hereby authorized ^{By-law} to pass a by-law, without obtaining the approval of the ^{re issue} Ontario Municipal Board, providing for the issue of debentures ^{of} of the Corporation in a principal amount not exceeding \$20,000, payable in not more than ten years, to defray the cost of acquiring land for the purposes of establishing a sanitary land fill area.

2. Sections 55, 56, 57 and 58 of *The Ontario Municipal* ^{Application} *Board Act* apply in respect of a by-law passed under section 1 ^{of R.S.O.} 1960, c. 274 and the debentures to be issued thereunder.

3. This Act comes into force on the day it receives Royal ^{Commence-} Assent. ^{ment}

4. This Act may be cited as *The Town of Mitchell Act*, ^{Short title} 1968-69.

An Act respecting
the Town of Mitchell

1st Reading

February 6th, 1969

2nd Reading

3rd Reading

MR. EDIGHOFFER

*(Reprinted as amended by the
Private Bills Committee)*

BILL Pr15

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the Town of Mitchell

MR. EDIGHOFFER



BILL Pr15

1968-69

An Act respecting the Town of Mitchell

WHEREAS The Corporation of the Town of Mitchell, ^{Preamble} herein called the Corporation, by its petition has prayed for special legislation in respect of the matters herein-after set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The council of the Corporation is hereby authorized ^{By-law re issue of debentures} to pass a by-law, without obtaining the approval of the Ontario Municipal Board, providing for the issue of debentures of the Corporation in a principal amount not exceeding \$20,000, payable in not more than ten years, to defray the cost of acquiring land for the purposes of establishing a sanitary land fill area.

2. Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* apply in respect of a by-law passed under section 1 ^{Application of R.S.O. 1960, c. 274} and the debentures to be issued thereunder.

3. This Act comes into force on the day it receives Royal ^{Commencement} Assent.

4. This Act may be cited as *The Town of Mitchell Act*, ^{Short title} 1968-69.

An Act respecting
the Town of Mitchell

1st Reading

February 6th, 1969

2nd Reading

March 10th, 1969

3rd Reading

March 25th, 1969

MR. EDIGHOFFER

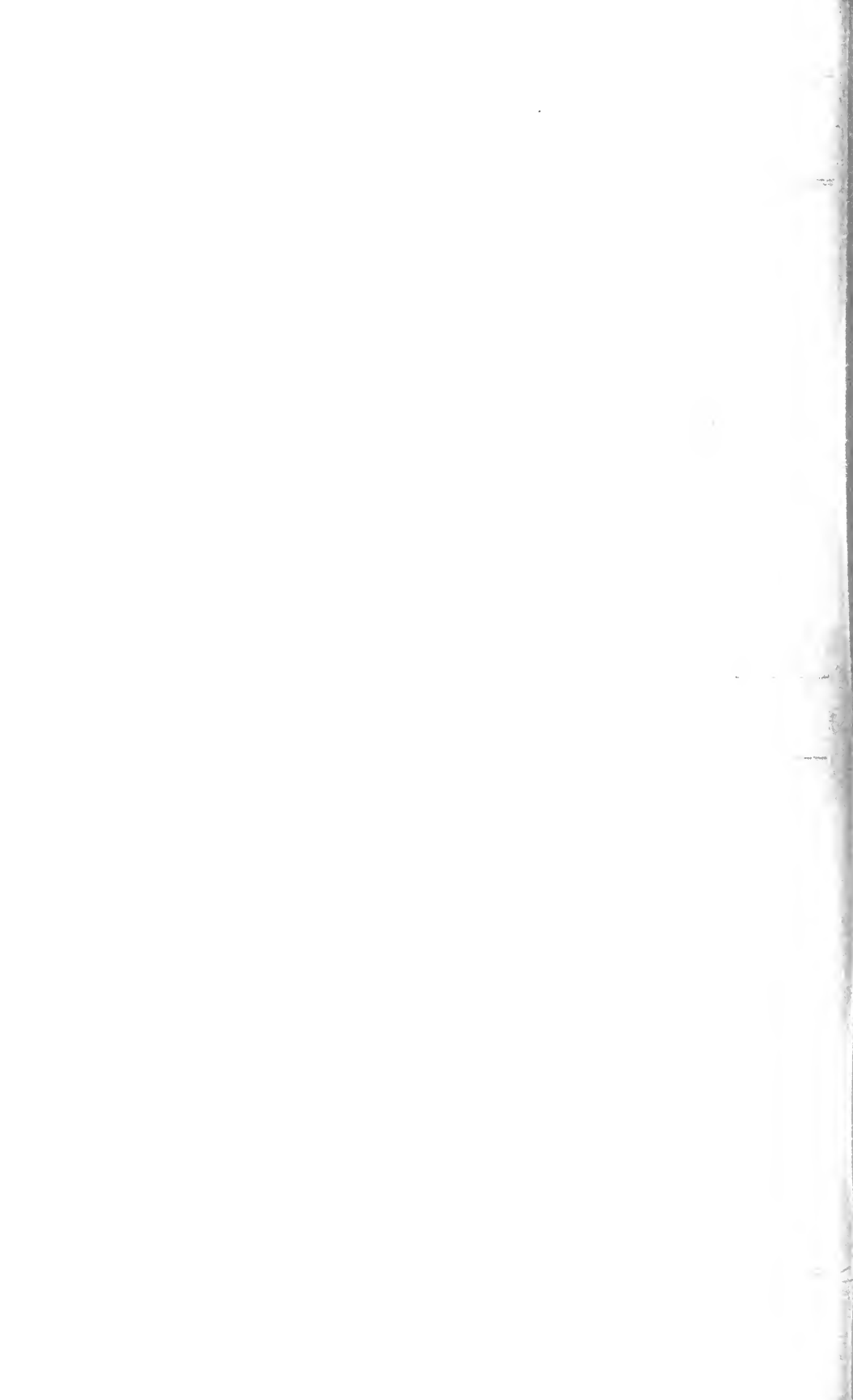
BILL Pr16

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the Borough of East York

MR. MEEN

(PRIVATE BILL)



An Act respecting the Borough of East York

WHEREAS The Corporation of the Borough of East York, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) In this Act,

Interpre-
tation

- (a) “non-residential property” means a building or structure or part of a building or structure not occupied and not capable of being occupied in whole or in part for the purposes of human habitation, and includes the land and premises appurtenant thereto and all outbuildings, fences and erections thereon;
- (b) “owner” includes the person for the time being managing or receiving the rent of or paying the municipal taxes on the land or premises in connection with which the word is used, whether on his own account or as agent or trustee of any other person or who would so receive the rent if such land and premises were let.

(2) The council of the Corporation may pass by-laws,

By-laws for
standard of
fitness of
non-
residential
property

- (a) fixing a standard of fitness to which all non-residential property shall conform;
- (b) requiring the owners of non-residential property that does not conform to the standard to make it so conform;
- (c) requiring the owners of buildings, structures or erections that form part of non-residential property and that do not conform to the standard to demolish all or any part thereof;

- (d) prohibiting the use of non-residential property that does not conform to the standard;
- (e) authorizing the placarding in such manner as the by-law may specify of non-residential property that does not conform to the standard, and prohibiting the pulling down or defacing of any such placard;
- (f) governing and regulating persons in the use and occupancy of non-residential property; and
- (g) providing for the appointment of a tribunal of inspectors, or both a tribunal and inspectors, for the administration and enforcement of the by-laws.

Advances to owners and municipal debentures authorized

(3) Where the owner of any non-residential property is unable to pay the expense of making it conform to the standard required by the by-laws, the Corporation may advance money to or for the benefit of the owner to the extent necessary to pay the expense, and the council of the Corporation may from time to time pass by-laws for the issue of debentures to raise money to be so advanced.

Lien for advances and repayment

(4) When the Corporation has advanced money as provided in subsection 3, it shall, upon the registration of a certificate under subsection 5, have a lien upon the non-residential property in respect of which the advance was made for the amount of the advance, together with interest thereon at a rate to be fixed from time to time by the council but which shall not exceed 6 per cent per annum, and the amount of the advance with the interest thereon is repayable to the Corporation by the owner of the non-residential property in equal consecutive annual payments, which shall be collected over a period of years to be determined by the council and which period shall not exceed ten years but need not be the same in the case of each advance, and, if default is made with respect to any of the payments hereinbefore provided, the whole of the balance of the advance, together with accrued interest thereon at the time of default, becomes due and payable forthwith, and the amount of such balance, including interest, shall be added to the collector's roll of taxes for the current year and shall be collected in the same manner as municipal taxes.

Registration of certificate of advance and repayment

(5) A certificate of the clerk of the Corporation setting out the amount advanced to or for the benefit of any owner under subsection 3, the rate of interest thereon and a description of the property in respect of which the amount was advanced, sufficient for registration, together with an affidavit verifying the signature of the clerk of the Corporation, shall be registered in the proper registry office or land titles office and, upon repayment in full to the Corporation of the amount advanced

and the interest thereon, a certificate of the clerk of the Corporation showing the repayment shall be similarly registered, and the property is thereupon freed from liability in respect of the advance and interest thereon and from the lien arising therefrom.

(6) If any owner of non-residential property fails within such time as may be specified by the Corporation or the tribunal appointed under subsection 2 to make the non-residential property conform to the standard required by a by-law passed under this section or fails to demolish all or any part of any building, structure or erection forming part of the non-residential property as directed by the Corporation or the tribunal, the Corporation or the tribunal, in addition to all other remedies, has the right to make the non-residential property conform to the standard or to demolish or cause to be demolished all or any part of any building, structure or erection forming part of the non-residential property, and to do any work on adjoining property necessitated by the work involved in making the non-residential property conform to the standard or by the demolition, and, for such purposes, with the servants and agents of the Corporation, from time to time to enter upon the lands of the owner and upon adjoining property, and neither the Corporation nor the tribunal is liable to compensate the owner or any person by reason of anything done by or on behalf of the Corporation or the tribunal under this subsection, and, for any amount expended by or on behalf of the Corporation or the tribunal in this subsection, the Corporation is entitled to a lien upon the non-residential property in respect of which the amount was expended, exercisable in the same manner as a lien for an advance under subsection 3, and, subject to the appeal provided by subsection 9, the certificate of the clerk of the Corporation as to the amount expended is final, and such amount shall be added to the collector's roll of taxes for the current year and shall be collected as taxes.

Performance
by Corpora-
tion and
collection
of cost

(7) A by-law passed under this section is enforceable in the same manner as a by-law passed under *The Municipal Act*.

Enforce-
ment of
by-laws
R.S.O. 1960,
c. 249

(8) Before proceeding under subsection 3 or 6, the Corporation or the tribunal appointed under subsection 2 shall notify any mortgagee appearing on the registered title, by registered letter, specifying wherein the non-residential property is defective, and, if all defects are not remedied within one month from such notification, subsections 3 and 6 apply.

Notice to
mortgagees

(9) Any person affected may appeal to the Ontario Municipal Board from a decision made under subsection 6 by the Corporation or by the tribunal appointed under subsection 2, and the decision of the Board is final.

Appeal to
O.M.B.

Powers of
inspectors

(10) For the enforcement of any by-law passed under this section, any inspector appointed under subsection 2 and any person acting under his instructions have the same right to enter, inspect and examine any non-residential property as an inspector under section 84 of *The Public Health Act*, and sections 84, 114 and 115, subsections 2 and 3 of section 116 and section 117 of such Act apply, *mutatis mutandis*.

R.O.S. 1960,
c. 321

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The Borough of East York Act, 1968-69*.

1st Reading

February 24th, 1969

2nd Reading

3rd Reading

MR. MEEN

(Private Bill)

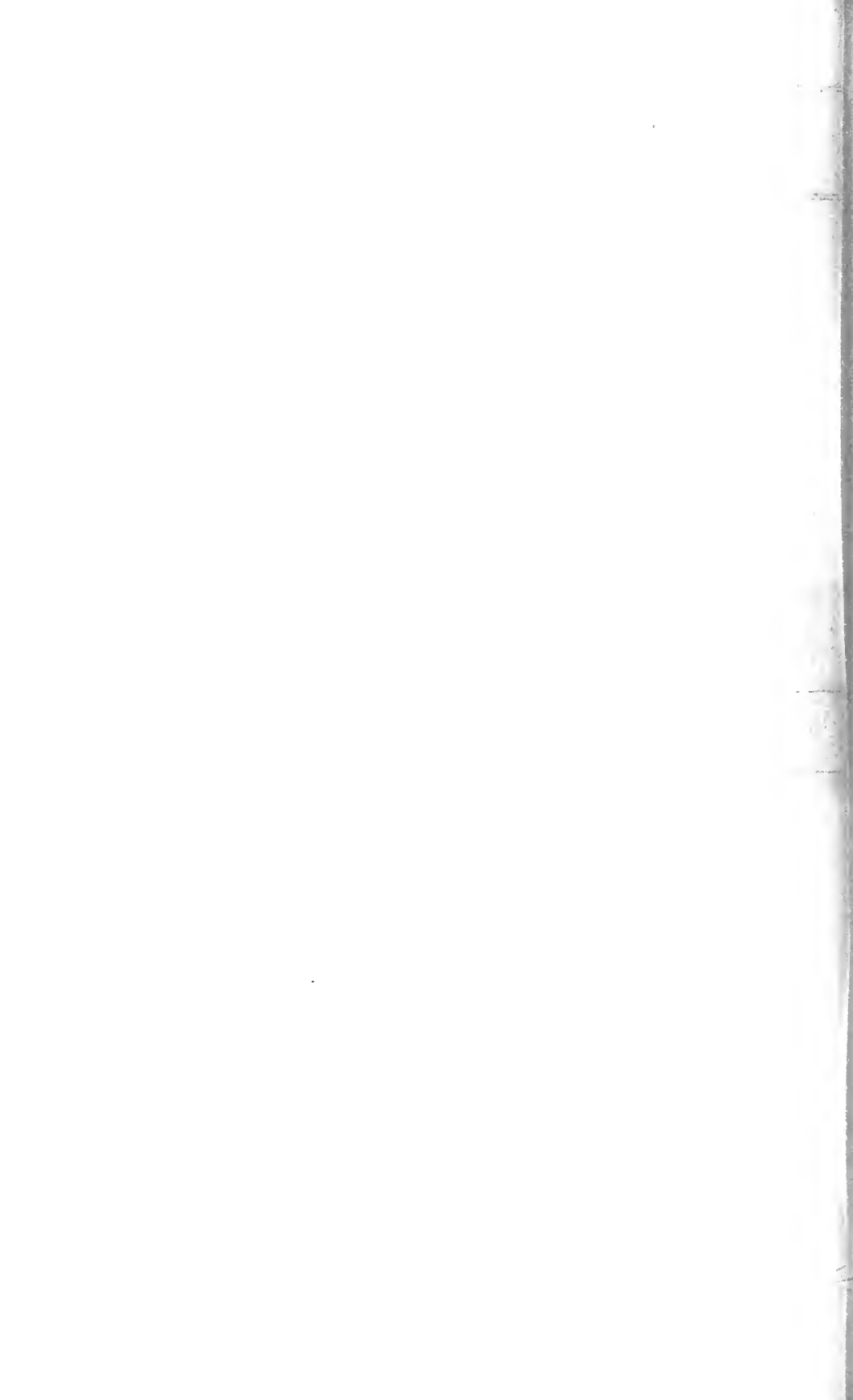
BILL Pr16

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the Borough of East York

MR. MEEN

(Reprinted as amended by the Private Bills Committee)



BILL Pr16

1968-69

An Act respecting the Borough of East York

WHEREAS The Corporation of the Borough of East York, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) In this Act,

Interpretation

(a) “non-residential property” means a building or structure or part of a building or structure not occupied and not capable of being occupied in whole or in part for the purposes of human habitation, and includes the land and premises appurtenant thereto and all outbuildings, fences and erections thereon;

(b) “owner” includes the person for the time being managing or receiving the rent of or paying the municipal taxes on the land or premises in connection with which the word is used, whether on his own account or as agent or trustee of any other person or who would so receive the rent if such land and premises were let.

(2) The council of the Corporation may pass by-laws,

By-laws for standard of fitness of non-residential property

(a) fixing a standard of fitness to which all non-residential property shall conform;

(b) requiring the owners of non-residential property that does not conform to the standard to make it so conform;

(c) requiring the owners of buildings, structures or erections that form part of non-residential property and that do not conform to the standard to demolish all or any part thereof;

- (d) prohibiting the use of non-residential property that does not conform to the standard;
- (e) authorizing the placarding in such manner as the by-law may specify of non-residential property that does not conform to the standard, and prohibiting the pulling down or defacing of any such placard;
- (f) governing and regulating persons in the use and occupancy of non-residential property; and
- (g) providing for the appointment of a tribunal of inspectors, or both a tribunal and inspectors, for the administration and enforcement of the by-laws.

Advances to owners and municipal debentures authorized

(3) Where the owner of any non-residential property is unable to pay the expense of making it conform to the standard required by the by-laws, the Corporation may advance money to or for the benefit of the owner to the extent necessary to pay the expense.

Lien for advances and repayment

(4) When the Corporation has advanced money as provided in subsection 3, it shall, upon the registration of a certificate under subsection 5, have a lien upon the non-residential property in respect of which the advance was made for the amount of the advance, together with interest thereon at a rate to be fixed from time to time by the council but which shall not exceed 6 per cent per annum, and the amount of the advance with the interest thereon is repayable to the Corporation by the owner of the non-residential property in equal consecutive annual payments, which shall be collected over a period of years to be determined by the council and which period shall not exceed ten years but need not be the same in the case of each advance, and, if default is made with respect to any of the payments hereinbefore provided, the whole of the balance of the advance, together with accrued interest thereon at the time of default, becomes due and payable forthwith, and the amount of such balance, including interest, shall be added to the collector's roll of taxes for the current year and shall be collected in the same manner as municipal taxes.

Registration of certificate of advance and repayment

(5) A certificate of the clerk of the Corporation setting out the amount advanced to or for the benefit of any owner under subsection 3, the rate of interest thereon and a description of the property in respect of which the amount was advanced, sufficient for registration, together with an affidavit verifying the signature of the clerk of the Corporation, shall be registered in the proper registry office or land titles office and, upon repayment in full to the Corporation of the amount advanced

and the interest thereon, a certificate of the clerk of the Corporation showing the repayment shall be similarly registered, and the property is thereupon freed from liability in respect of the advance and interest thereon and from the lien arising therefrom.

(6) If any owner of non-residential property fails within such time as may be specified by the Corporation or the tribunal appointed under subsection 2 to make the non-residential property conform to the standard required by a by-law passed under this section or fails to demolish all or any part of any building, structure or erection forming part of the non-residential property as directed by the Corporation or the tribunal, the Corporation or the tribunal, in addition to all other remedies, has the right to make the non-residential property conform to the standard or to demolish or cause to be demolished all or any part of any building, structure or erection forming part of the non-residential property, and to do any work on adjoining property necessitated by the work involved in making the non-residential property conform to the standard or by the demolition, and, for such purposes, with the servants and agents of the Corporation, from time to time to enter upon the lands of the owner and upon adjoining property, and neither the Corporation nor the tribunal is liable to compensate the owner or any person by reason of anything done by or on behalf of the Corporation or the tribunal under this subsection, and, for any amount expended by or on behalf of the Corporation or the tribunal in this subsection, the Corporation is entitled to a lien upon the non-residential property in respect of which the amount was expended, exercisable in the same manner as a lien for an advance under subsection 3, and, subject to the appeal provided by subsection 9, the certificate of the clerk of the Corporation as to the amount expended is final, and such amount shall be added to the collector's roll of taxes for the current year and shall be collected as taxes.

Performance
by Corpora-
tion and
collection
of cost

(7) A by-law passed under this section is enforceable in the same manner as a by-law passed under *The Municipal Act*.

Enforce-
ment of
by-laws
R.S.O. 1960,
c. 249

(8) Before proceeding under subsection 3 or 6, the Corporation or the tribunal appointed under subsection 2 shall notify any mortgagee appearing on the registered title, by registered letter, specifying wherein the non-residential property is defective, and, if all defects are not remedied within one month from such notification, subsections 3 and 6 apply.

Notice to
mortgagees

(9) Any person affected may appeal to the Ontario Municipal Board from a decision made under subsection 6 by the Corporation or by the tribunal appointed under subsection 2, and the decision of the Board is final.

Appeal to
O.M.B.

Powers of
inspectors

(10) When a by-law under this section is in effect, any inspector appointed under subsection 2 and any person acting under his instructions may, at all reasonable times and upon producing proper identification, enter and inspect any non-residential property to which the by-law applies.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The Borough of East York Act, 1968-69*.

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An Act respecting the
Borough of East York

1st Reading

February 24th, 1969

2nd Reading

3rd Reading

MR. MEEN

*(Reprinted as amended by
the Private Bills Committee)*

BILL Pr16

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the Borough of East York

MR. MEEN



BILL Pr16

1968-69

An Act respecting the Borough of East York

WHEREAS The Corporation of the Borough of East York, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) In this Act,

Interpre-
tation

- (a) "non-residential property" means a building or structure or part of a building or structure not occupied and not capable of being occupied in whole or in part for the purposes of human habitation, and includes the land and premises appurtenant thereto and all outbuildings, fences and erections thereon;
- (b) "owner" includes the person for the time being managing or receiving the rent of or paying the municipal taxes on the land or premises in connection with which the word is used, whether on his own account or as agent or trustee of any other person or who would so receive the rent if such land and premises were let.

(2) The council of the Corporation may pass by-laws,

By-laws for
standard of
fitness of
non-
residential
property

- (a) fixing a standard of fitness to which all non-residential property shall conform;
- (b) requiring the owners of non-residential property that does not conform to the standard to make it so conform;
- (c) requiring the owners of buildings, structures or erections that form part of non-residential property and that do not conform to the standard to demolish all or any part thereof;

- (d) prohibiting the use of non-residential property that does not conform to the standard;
- (e) authorizing the placarding in such manner as the by-law may specify of non-residential property that does not conform to the standard, and prohibiting the pulling down or defacing of any such placard;
- (f) governing and regulating persons in the use and occupancy of non-residential property; and
- (g) providing for the appointment of a tribunal of inspectors, or both a tribunal and inspectors, for the administration and enforcement of the by-laws.

Advances to owners and municipal debentures authorized

(3) Where the owner of any non-residential property is unable to pay the expense of making it conform to the standard required by the by-laws, the Corporation may advance money to or for the benefit of the owner to the extent necessary, to pay the expense.

Lien for advances and repayment

(4) When the Corporation has advanced money as provided in subsection 3, it shall, upon the registration of a certificate under subsection 5, have a lien upon the non-residential property in respect of which the advance was made for the amount of the advance, together with interest thereon at a rate to be fixed from time to time by the council but which shall not exceed 6 per cent per annum, and the amount of the advance with the interest thereon is repayable to the Corporation by the owner of the non-residential property in equal consecutive annual payments, which shall be collected over a period of years to be determined by the council and which period shall not exceed ten years but need not be the same in the case of each advance, and, if default is made with respect to any of the payments hereinbefore provided, the whole of the balance of the advance, together with accrued interest thereon at the time of default, becomes due and payable forthwith, and the amount of such balance, including interest, shall be added to the collector's roll of taxes for the current year and shall be collected in the same manner as municipal taxes.

Registration of certificate of advance and repayment

(5) A certificate of the clerk of the Corporation setting out the amount advanced to or for the benefit of any owner under subsection 3, the rate of interest thereon and a description of the property in respect of which the amount was advanced, sufficient for registration, together with an affidavit verifying the signature of the clerk of the Corporation, shall be registered in the proper registry office or land titles office and, upon repayment in full to the Corporation of the amount advanced

and the interest thereon, a certificate of the clerk of the Corporation showing the repayment shall be similarly registered, and the property is thereupon freed from liability in respect of the advance and interest thereon and from the lien arising therefrom.

(6) If any owner of non-residential property fails within such time as may be specified by the Corporation or the tribunal appointed under subsection 2 to make the non-residential property conform to the standard required by a by-law passed under this section or fails to demolish all or any part of any building, structure or erection forming part of the non-residential property as directed by the Corporation or the tribunal, the Corporation or the tribunal, in addition to all other remedies, has the right to make the non-residential property conform to the standard or to demolish or cause to be demolished all or any part of any building, structure or erection forming part of the non-residential property, and to do any work on adjoining property necessitated by the work involved in making the non-residential property conform to the standard or by the demolition, and, for such purposes, with the servants and agents of the Corporation, from time to time to enter upon the lands of the owner and upon adjoining property, and neither the Corporation nor the tribunal is liable to compensate the owner or any person by reason of anything done by or on behalf of the Corporation or the tribunal under this subsection, and, for any amount expended by or on behalf of the Corporation or the tribunal in this subsection, the Corporation is entitled to a lien upon the non-residential property in respect of which the amount was expended, exercisable in the same manner as a lien for an advance under subsection 3, and, subject to the appeal provided by subsection 9, the certificate of the clerk of the Corporation as to the amount expended is final, and such amount shall be added to the collector's roll of taxes for the current year and shall be collected as taxes.

Performance
by Corpora-
tion and
collection
of cost

(7) A by-law passed under this section is enforceable in the same manner as a by-law passed under *The Municipal Act*.

Enforce-
ment of
by-laws
R.S.O. 1960,
c. 249

(8) Before proceeding under subsection 3 or 6, the Corporation or the tribunal appointed under subsection 2 shall notify any mortgagee appearing on the registered title, by registered letter, specifying wherein the non-residential property is defective, and, if all defects are not remedied within one month from such notification, subsections 3 and 6 apply.

Notice to
mortgagees

(9) Any person affected may appeal to the Ontario Municipal Board from a decision made under subsection 6 by the Corporation or by the tribunal appointed under subsection 2, and the decision of the Board is final.

Appeal to
O.M.B.

- Powers of inspectors** (10) When a by-law under this section is in effect, any inspector appointed under subsection 2 and any person acting under his instructions may, at all reasonable times and upon producing proper identification, enter and inspect any non-residential property to which the by-law applies.
- Commencement** **2.** This Act comes into force on the day it receives Royal Assent.
- Short title** **3.** This Act may be cited as *The Borough of East York Act, 1968-69*.

1000
All for the best / 1845

An Act respecting the
Borough of East York

1st Reading

February 24th, 1969

2nd Reading

March 26th, 1969

3rd Reading

April 1st, 1969

MR. MEEN

BILL Pr17

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the County of Peel

MR. KENNEDY

(PRIVATE BILL)



BILL Pr17

1968-69

An Act respecting the County of Peel

WHEREAS The Corporation of the County of Peel by ^{Preamble} its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Notwithstanding section 56 of *The Assessment Act*, the ^{Extension of time to take assessment and return roll} time within which the assessment roll of each ward in the Township of Chinguacousy in the County of Peel was required to be taken and returned to the clerk in the year 1968 under the said section 56 is extended to and including the 31st day of December, 1968 and the court of revision shall hear and dispose of all appeals and certify such assessment rolls not later than sixty days after this Act comes into force. ^{R.S.O. 1960, c. 23}

2. The assessment rolls referred to in section 1, when ^{Validity and effect of roll} returned and revised by the court of revision, shall have the same validity and effect as if such assessment rolls had been returned and revised in the year 1968 within the time prescribed by section 56 of *The Assessment Act*.

3. Notwithstanding anything in this Act, the rights of ^{Rights of appeal preserved} appeal of all persons under *The Assessment Act* and the times for appealing to the court of revision, the county court judge, the Ontario Municipal Board and every court to which an appeal may be made in respect of the assessment rolls referred to in section 1 are preserved and continued to such extent as may be necessary to give effect to this Act.

4. This Act comes into force on the day it receives Royal ^{Commencement} Assent.

5. This Act may be cited as *The County of Peel Act*, ^{Short title} 1968-69.

1st Reading

February 6th, 1969

2nd Reading

3rd Reading

MR. KENNEDY

(Private Bill)

BILL Pr17

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the County of Peel

MR. KENNEDY



BILL Pr17

1968-69

An Act respecting the County of Peel

WHEREAS The Corporation of the County of Peel by ^{Preamble} its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Notwithstanding section 56 of *The Assessment Act*, the ^{Extension of time to take assessment and return roll} time within which the assessment roll of each ward in the Township of Chinguacousy in the County of Peel was required to be taken and returned to the clerk in the year 1968 ^{R.S.O. 1960, c. 23} under the said section 56 is extended to and including the 31st day of December, 1968 and the court of revision shall hear and dispose of all appeals and certify such assessment rolls not later than sixty days after this Act comes into force.

2. The assessment rolls referred to in section 1, when ^{Validity and effect of roll} returned and revised by the court of revision, shall have the same validity and effect as if such assessment rolls had been returned and revised in the year 1968 within the time prescribed by section 56 of *The Assessment Act*.

3. Notwithstanding anything in this Act, the rights of ^{Rights of appeal preserved} appeal of all persons under *The Assessment Act* and the times for appealing to the court of revision, the county court judge, the Ontario Municipal Board and every court to which an appeal may be made in respect of the assessment rolls referred to in section 1 are preserved and continued to such extent as may be necessary to give effect to this Act.

4. This Act comes into force on the day it receives Royal ^{Commencement} Assent.

5. This Act may be cited as *The County of Peel Act*, ^{Short title} 1968-69.

1st Reading

February 6th, 1969

2nd Reading

March 10th, 1969

3rd Reading

March 25th, 1969

MR. KENNEDY

BILL Pr18

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

**An Act respecting The Board of Education for
the City of Windsor**

MR. PEACOCK

(PRIVATE BILL)



BILL Pr18

1968-69

An Act respecting The Board of Education for the City of Windsor

WHEREAS The Board of Education for the City of Windsor by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Board of Education for the City of Windsor is hereby authorized to continue and complete the erection and equipping of Centennial Secondary School situate on the north side of Northwood Street in the City of Windsor, without obtaining the approval of the Ontario Municipal Board, at a cost not exceeding \$3,950,000.

Erection and equipping of Centennial Secondary School

2. The Council of the Corporation of the City of Windsor is hereby authorized to pass a by-law, without obtaining the approval of the Ontario Municipal Board, providing for the issue of debentures of the Corporation in a principal amount not exceeding \$2,150,000, payable in not more than twenty years, for the purpose of paying part of the cost of the undertaking referred to in section 1, and such by-law when duly passed shall be legal, valid and binding upon the Corporation and the ratepayers thereof.

By-law

3. Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* apply in respect of a by-law passed under section 2 and the debentures to be issued thereunder.

Application of R.S.O. 1960, c. 274, ss. 55-58

4. For the purposes of every Act, the Ontario Municipal Board shall be deemed to have issued an order under section 31 of *The Secondary Schools and Boards of Education Act* and section 64 of *The Ontario Municipal Board Act* approving the undertaking referred to in section 1 and authorizing the issue of debentures under section 2.

Order of O.M.B. deemed made R.S.O. 1960, cc. 362, 274

Commence-
ment **5.** This Act comes into force on the day it receives Royal Assent.

Short title **6.** This Act may be cited as *The Windsor Board of Education Act, 1968-69*.





An Act respecting The Board of Education
for the City of Windsor

1st Reading

2nd Reading

3rd Reading

MR. PEACOCK

(Private Bill)

BILL Pr18

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

**An Act respecting The Board of Education for
the City of Windsor**

MR. PEACOCK

(Reprinted as amended by the Private Bills Committee)



BILL Pr18

1968-69

An Act respecting The Board of Education for the City of Windsor

WHEREAS The Board of Education for the City of Windsor by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Board of Education for the City of Windsor is hereby authorized to continue and complete the erection and equipping of Centennial Secondary School situate on the north side of Northwood Street in the City of Windsor, without obtaining the approval of the Ontario Municipal Board, at a cost not exceeding \$3,950,000.

Erection and equipping of Centennial Secondary School

2. The Council of the Corporation of the City of Windsor or the Board of Education for the City of Windsor is hereby authorized to pass a by-law, without obtaining the approval of the Ontario Municipal Board, providing for the issue of debentures of the Corporation in a principal amount not exceeding \$2,150,000, payable in not more than twenty years, for the purpose of paying part of the cost of the undertaking referred to in section 1, and such by-law when duly passed shall be legal, valid and binding upon the Corporation and the ratepayers thereof.

By-law

3. Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* apply in respect of a by-law passed under section 2 and the debentures to be issued thereunder.

Application of R.S.O. 1960, c. 274, ss. 55-58

4. For the purposes of every Act, the Ontario Municipal Board shall be deemed to have issued an order under section 31 or 89 of *The Secondary Schools and Boards of Education Act* and section 64 of *The Ontario Municipal Board Act* approving the undertaking referred to in section 1 and authorizing the issue of debentures under section 2.

Order of O.M.B. deemed made R.S.O. 1960, cc. 362, 274

Commence-
ment

5. This Act comes into force on the day it receives Royal Assent.

Short title

6. This Act may be cited as *The Windsor Board of Education Act, 1968-69*.





An Act respecting The Board of Education
for the City of Windsor

1st Reading

December 13th, 1968

2nd Reading

3rd Reading

MR. PEACOCK

*(Reprinted as amended by the
Private Bills Committee)*

BILL Pr18

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

**An Act respecting The Board of Education for
the City of Windsor**

MR. PEACOCK



BILL Pr18

1968-69

An Act respecting The Board of Education for the City of Windsor

WHEREAS The Board of Education for the City of Windsor by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Board of Education for the City of Windsor is hereby authorized to continue and complete the erection and equipping of Centennial Secondary School situate on the north side of Northwood Street in the City of Windsor, without obtaining the approval of the Ontario Municipal Board, at a cost not exceeding \$3,950,000.

Erection and equipping of Centennial Secondary School

2. The Council of the Corporation of the City of Windsor or the Board of Education for the City of Windsor is hereby authorized to pass a by-law, without obtaining the approval of the Ontario Municipal Board, providing for the issue of debentures of the Corporation in a principal amount not exceeding \$2,150,000, payable in not more than twenty years, for the purpose of paying part of the cost of the undertaking referred to in section 1, and such by-law when duly passed shall be legal, valid and binding upon the Corporation and the ratepayers thereof.

By-law

3. Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* apply in respect of a by-law passed under section 2 and the debentures to be issued thereunder.

Application of R.S.O. 1960, c. 274, ss. 55-58

4. For the purposes of every Act, the Ontario Municipal Board shall be deemed to have issued an order under section 31 or 89 of *The Secondary Schools and Boards of Education Act* and section 64 of *The Ontario Municipal Board Act* approving the undertaking referred to in section 1 and authorizing the issue of debentures under section 2.

Order of O.M.B. deemed made R.S.O. 1960, cc. 362, 274

Commence-
ment

5. This Act comes into force on the day it receives Royal Assent.

Short title

6. This Act may be cited as *The Windsor Board of Education Act, 1968-69*.





Submitted to the Board of Directors of the
Company on 1/1/1911

An Act respecting The Board of Education
for the City of Windsor

1st Reading

December 13th, 1968

2nd Reading

March 10th, 1969

3rd Reading

March 25th, 1969

MR. PEACOCK

BILL Pr19

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

An Act respecting the City of Belleville

MR. POTTER

(PRIVATE BILL)



BILL Pr19

1968-69

An Act respecting the City of Belleville

WHEREAS The Corporation of the City of Belleville by ^{Preamble} its petition has prayed for special legislation with respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The mayor and aldermen of the council of The Corpora- ^{Term of} tion of the City of Belleville and the commissioners of the ^{office,} Public Utilities Commission of the City of Belleville shall be ^{election of} elected for a term of three years in the year 1969 and for a ^{mayor,} term of two years in the year 1972 and every two years there- ^{aldermen} after. ^{and Public} ^{Utilities} ^{commis-} ^{sioners}

2. Sections 2 and 3 of *The City of Belleville Act, 1965* are ^{1965, c. 144,} repealed. ^{ss. 2, 3,} ^{repealed}

3. This Act comes into force on the day it receives Royal ^{Commence-} Assent. ^{ment}

4. This Act may be cited as *The City of Belleville Act*, ^{Short title} 1968-69.

An Act respecting the City of Belleville

1st Reading

2nd Reading

3rd Reading

M^R. POTTER

(Private Bill)

BILL Pr19

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the City of Belleville

MR. POTTER



BILL Pr19

1968-69

An Act respecting the City of Belleville

WHEREAS The Corporation of the City of Belleville by ^{Preamble} its petition has prayed for special legislation with respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The mayor and aldermen of the council of The Corpora- ^{Term of} tion of the City of Belleville and the commissioners of the ^{office,} Public Utilities Commission of the City of Belleville shall be ^{election of} elected for a term of three years in the year 1969 and for a ^{mayor,} term of two years in the year 1972 and every two years there- ^{aldermen} after. ^{and Public} ^{Utilities} ^{commis-} ^{sioners}

2. Sections 2 and 3 of *The City of Belleville Act, 1965* are ^{1965, c. 144,} repealed. ^{ss. 2, 3,} ^{repealed}

3. This Act comes into force on the day it receives Royal ^{Commence-} Assent. ^{ment}

4. This Act may be cited as *The City of Belleville Act*, ^{Short title} 1968-69.

An Act respecting the City of Belleville

1st Reading

February 6th, 1969

2nd Reading

March 10th, 1969

3rd Reading

March 25th, 1969

MR. POTTER

BILL Pr20

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the City of Toronto

MR. PRICE

(PRIVATE BILL)



BILL Pr20

1968-69

An Act respecting the City of Toronto

WHEREAS The Corporation of the City of Toronto, ^{Preamble}
 herein called the Corporation, by its petition has prayed
 for special legislation in respect of the matters hereinafter set
 forth; and whereas it is expedient to grant the prayer of the
 petition;

Therefore, Her Majesty, by and with the advice and con-
 sent of the Legislative Assembly of the Province of Ontario,
 enacts as follows:

1. Notwithstanding any special or general Act, the City of <sup>Board of
control
dispensed
with</sup>
 Toronto shall not have a board of control.

2.—(1) The council of the Corporation may by by-law <sup>Authority
to establish
executive
committee</sup>
 establish an executive committee of the council composed of
 the mayor and such members of the council as may be ap-
 pointed by the council.

(2) Subject to section 9 of *The Municipal Act*, an executive <sup>Powers
R.S.O. 1960,
c. 249</sup>
 committee established under the authority of this Act shall
 have such powers as may be conferred by council.

(3) Each member of the executive committee, other than <sup>Remunera-
tion</sup>
 the mayor, shall, in addition to his remuneration as a member
 of the council, receive such remuneration as may be authorized
 by the council.

(4) Subject to this Act, where in any special or general Act <sup>Reference
deemed to
be to
executive
committee</sup>
 reference is made to the board of control of the City of Toron-
 to, such reference shall be deemed to be to the executive
 committee established under this Act.

3. This Act comes into force on the 1st day of January, <sup>Commence-
ment</sup>
 1970.

4. This Act may be cited as *The City of Toronto Act*, ^{Short title}
 1968-69 (No. 2).

An Act respecting the
City of Toronto

1st Reading

February 6th, 1969

2nd Reading

3rd Reading

MR. PRICE

(Private Bill)

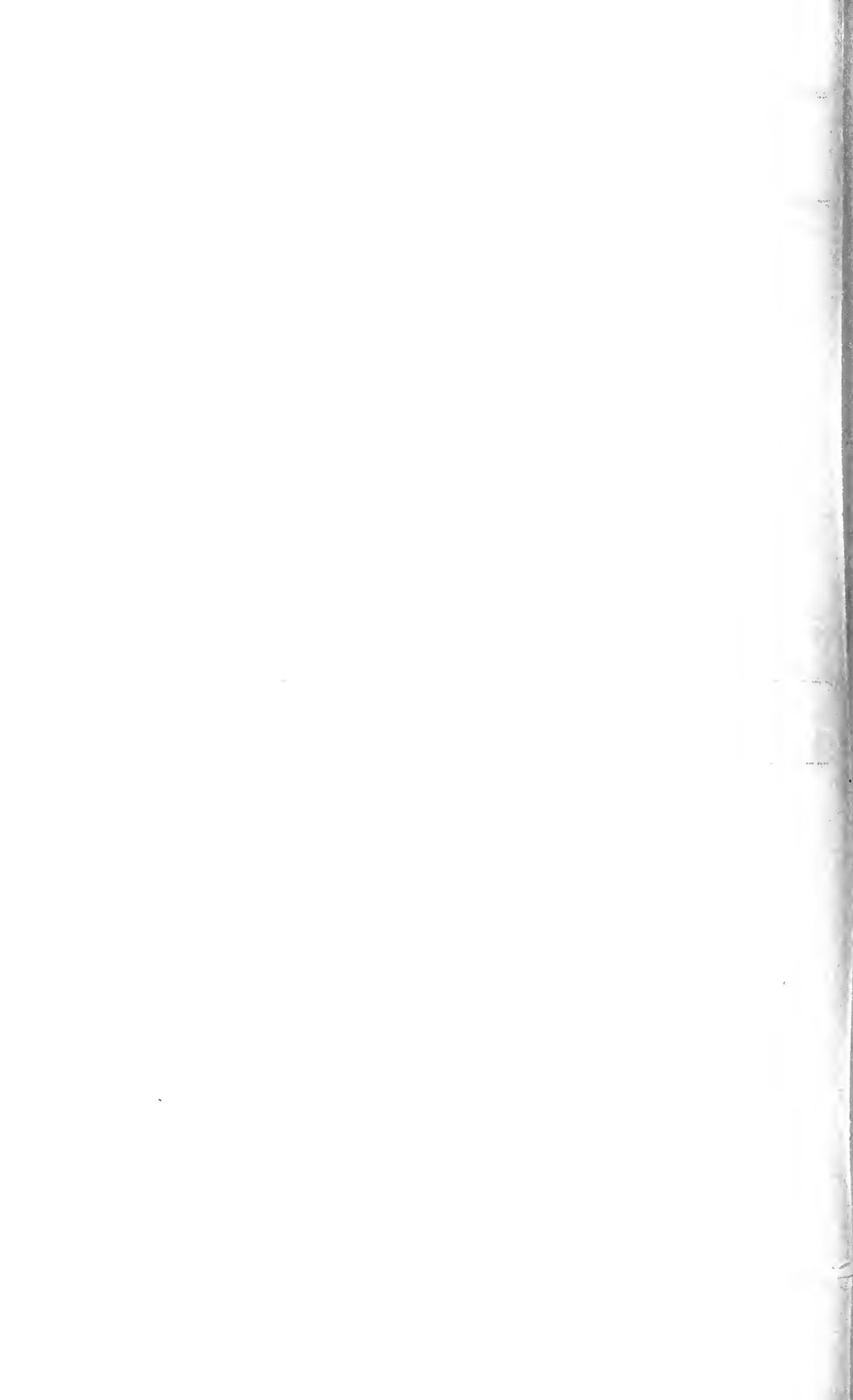
BILL Pr20

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the City of Toronto

MR. PRICE

(Reprinted for consideration by the Private Bills Committee)



BILL Pr20

1968-69

An Act respecting the City of Toronto

WHEREAS The Corporation of the City of Toronto, Preamble
 herein called the Corporation, by its petition has prayed
 for special legislation in respect of the matters hereinafter set
 forth; and whereas it is expedient to grant the prayer of the
 petition;

Therefore, Her Majesty, by and with the advice and con-
 sent of the Legislative Assembly of the Province of Ontario,
 enacts as follows:

1. Notwithstanding any general or special Act, the City of Board of
control
dispensed
with
 Toronto shall not have a board of control.

2.—(1) There shall be an executive committee of the Executive
Committee
 council of the Corporation composed of the mayor and four
 aldermen who are members of the council of The Municipality
 of Metropolitan Toronto.

(2) The executive committee has all the powers and duties Powers
 of a board of control under subsections 1 and 1a of section 206
 of *The Municipal Act* and subsections 2 to 15, 17 and 19 R.S.O. 1960,
c. 249
 of that section apply *mutatis mutandis*.

(3) At the first meeting of the council of the Corporation Term
 in each year after an election has been held, the council shall
 appoint the four aldermen to be members of the executive
 committee for that year and the two following years and
 section 198 of *The Municipal Act* shall not apply to such
 appointments.

(4) Where an alderman resigns from the executive com- Resigna-
tions
 mittee, he shall be deemed to have resigned his office and his
 seat in council.

(5) If a vacancy occurs on the executive committee, other Filling
vacancies
 than in the office of mayor, the council, at a meeting called
 for that purpose, shall appoint an alderman who is a member

of the council of The Municipality of Metropolitan Toronto to fill the vacancy for the unexpired term of the member whose seat has become vacant.

Remunera-
tion

(6) Each member of the executive committee, other than the mayor, shall, in addition to his remuneration as a member of the council, receive such remuneration as may be authorized by the council.

Reference
deemed to
be to
executive
committee

(7) Subject to this Act, where in any general or special Act reference is made to the board of control of the City of Toronto, such reference shall be deemed to be to the executive committee established under this Act.

Number
of wards

3. On and after the 1st day of January, 1970, the City of Toronto shall consist of eleven wards and, upon the application of the Corporation, the boundaries and numbers of such wards shall be determined by the Ontario Municipal Board in accordance with section 13 of *The Municipal Act* and the provisions of that section apply *mutatis mutandis*.

R.S.O. 1960,
c. 249

Composi-
tion of
council

R.S.O. 1960,
c. 266

4. Notwithstanding *The Municipality of Metropolitan Toronto Act*, and subject to section 2, the council of the City of Toronto, on and after the 1st day of January, 1970, shall be composed of a mayor elected by general vote who shall be the head of council and two aldermen for each of the eleven wards established under section 3, and municipal elections in the year 1969 shall be held to elect a council so constituted.

Commence-
ment

5.—(1) This Act, except sections 1 and 2, comes into force on the day it receives Royal Assent.

Idem

(2) Sections 1 and 2 come into force on the 1st day of January, 1970.

Short title

6. This Act may be cited as *The City of Toronto Act, 1968-69 (No. 2)*.





10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

An Act respecting the
City of Toronto

1st Reading

February 6th, 1969

2nd Reading

3rd Reading

MR. PRICE

*(Reprinted for consideration by
the Private Bills Committee)*

BILL Pr20

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the City of Toronto

MR. PRICE



BILL Pr20

1968-69

An Act respecting the City of Toronto

WHEREAS The Corporation of the City of Toronto, ^{Preamble} herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Notwithstanding any general or special Act, the City of Toronto shall not have a board of control. ^{Board of control dispensed with}

2.—(1) There shall be an executive committee of the council of the Corporation composed of the mayor and four aldermen who are members of the council of The Municipality of Metropolitan Toronto. ^{Executive Committee}

(2) The executive committee has all the powers and duties of a board of control under subsections 1 and 1a of section 206 of *The Municipal Act* and subsections 2 to 15, 17 and 19 of that section apply *mutatis mutandis*. ^{Powers R.S.O. 1960, c. 249}

(3) At the first meeting of the council of the Corporation in each year after an election has been held, the council shall appoint the four aldermen to be members of the executive committee for that year and the two following years and section 198 of *The Municipal Act* shall not apply to such appointments. ^{Term}

(4) Where an alderman resigns from the executive committee, he shall be deemed to have resigned his office and his seat in council. ^{Resignations}

(5) If a vacancy occurs on the executive committee, other than in the office of mayor, the council, at a meeting called for that purpose, shall appoint an alderman who is a member ^{Filling vacancies}

of the council of The Municipality of Metropolitan Toronto to fill the vacancy for the unexpired term of the member whose seat has become vacant.

Remuneration

(6) Each member of the executive committee, other than the mayor, shall, in addition to his remuneration as a member of the council, receive such remuneration as may be authorized by the council.

Reference deemed to be to executive committee

(7) Subject to this Act, where in any general or special Act reference is made to the board of control of the City of Toronto, such reference shall be deemed to be to the executive committee established under this Act.

Number of wards

3. On and after the 1st day of January, 1970, the City of Toronto shall consist of eleven wards and, upon the application of the Corporation, the boundaries and numbers of such wards shall be determined by the Ontario Municipal Board in accordance with section 13 of *The Municipal Act* and the provisions of that section apply *mutatis mutandis*.

R.S.O. 1960, c. 249

Composition of council

R.S.O. 1960, c. 266

4. Notwithstanding *The Municipality of Metropolitan Toronto Act*, and subject to section 2, the council of the City of Toronto, on and after the 1st day of January, 1970, shall be composed of a mayor elected by general vote who shall be the head of council and two aldermen for each of the eleven wards established under section 3, and municipal elections in the year 1969 shall be held to elect a council so constituted.

Commencement

5.—(1) This Act, except sections 1 and 2, comes into force on the day it receives Royal Assent.

Idem

(2) Sections 1 and 2 come into force on the 1st day of January, 1970.

Short title

6. This Act may be cited as *The City of Toronto Act, 1968-69 (No. 2)*.





11. 21. 1870

An Act respecting the
City of Toronto

1st Reading

February 6th, 1969

2nd Reading

May 14th, 1969

3rd Reading

June 6th, 1969

Mr. PRICE

BILL Pr21

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the City of Hamilton

MRS. PRITCHARD

(PRIVATE BILL)

TORONTO
PRINTED AND PUBLISHED BY FRANK FOGG, QUEEN'S PRINTER



BILL Pr21

1968-69

An Act respecting the City of Hamilton

WHEREAS The Corporation of the City of Hamilton, ^{Preamble} herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Notwithstanding *The Local Improvement Act*, ^{Payment of costs of private drain connections} where the Corporation,

- (a) constructs separate storm water sewers and sanitary sewers in the replacement, construction or reconstruction in whole or in part of any combined storm water sewer and sanitary sewer; and
- (b) undertakes, without the request of any of the owners of the abutting lands, the construction of private drain connections from the main sewer to the street line,

the costs of such private drain connections that otherwise would be specially assessed upon the particular lots to serve which they are constructed shall be paid by the Corporation from the estimates of revenue and expenditure of the Corporation adopted under section 297 of *The Municipal Act* for a fiscal year in which the Corporation by by-law ^{R.S.O. 1960, c. 243} authorizes and directs payment for private drain connections.

(2) The council of the Corporation may pass a by-law or by-laws in the year 1969 and thereafter authorizing and directing payment of the costs of construction of private drain connections in the year 1968 and thereafter. ^{Council may pass by-laws}

2.—(1) Notwithstanding subsection 9 of section 4 of *The Assessment Act*, the real property described in Instrument No. 37835 A.B. registered in the Registry Office for the ^{Lands deemed not liable to assessment and taxation} ^{R.S.O. 1960, c. 23}

Registry Division for the County of Wentworth on the 29th day of December, 1966 in the name of the Corporation as registered owner shall be deemed to have been not liable to assessment and taxation from and including the 31st day of December, 1966 to and including the 31st day of August, 1967.

Cancellation
of taxes

(2) Taxes in the amount of \$1,433.60 levied for the period set out in subsection 1 against the tenant or lessee of the real property referred to therein are cancelled.

Lands
vested in
Corporation

3.—(1) The lands described in Schedule A hereto are hereby vested in the Corporation freed from all trusts, limitations, conditions, restrictions, covenants or other defects affecting the lands.

Designation
of lands for
market
purposes

(2) The Corporation shall, in addition to any other use, permit the use of such part of the lands described in Schedule B hereto as the Corporation shall designate for market purposes in accordance with any by-laws or resolutions passed by the council of the Corporation under the provisions of *The Municipal Act* or any Act respecting the City of Hamilton affecting markets, but the provisions of this section shall not be deemed to restrict the Corporation in the exercise of any of its powers respecting any of such lands required for highway purposes, provided that the land so designated shall provide not less market space than the space being used for market purposes on the lands described in Schedule A on the day that this section comes into force.

R.S.O. 1960,
c. 243

(2) The Corporation shall, in addition to any other use, permit the use of such part of the lands described in Schedule B hereto as the Corporation shall designate for market purposes in accordance with any by-laws or resolutions passed by the council of the Corporation under the provisions of *The Municipal Act* or any Act respecting the City of Hamilton affecting markets, but the provisions of this section shall not be deemed to restrict the Corporation in the exercise of any of its powers respecting any of such lands required for highway purposes, provided that the land so designated shall provide not less market space than the space being used for market purposes on the lands described in Schedule A on the day that this section comes into force.

1959, c. 116,
s. 1,
Schedule
repealed

4. Section 1 of *The City of Hamilton Act, 1959* and the Schedule thereto are repealed.

Commence-
ment

5.—(1) This Act, except section 1, comes into force on the day it receives Royal Assent.

Idem

(2) Section 1 shall be deemed to have come into force on the 1st day of January, 1968.

Short title

6. This Act may be cited as *The City of Hamilton Act, 1968-69*.

SCHEDULE A

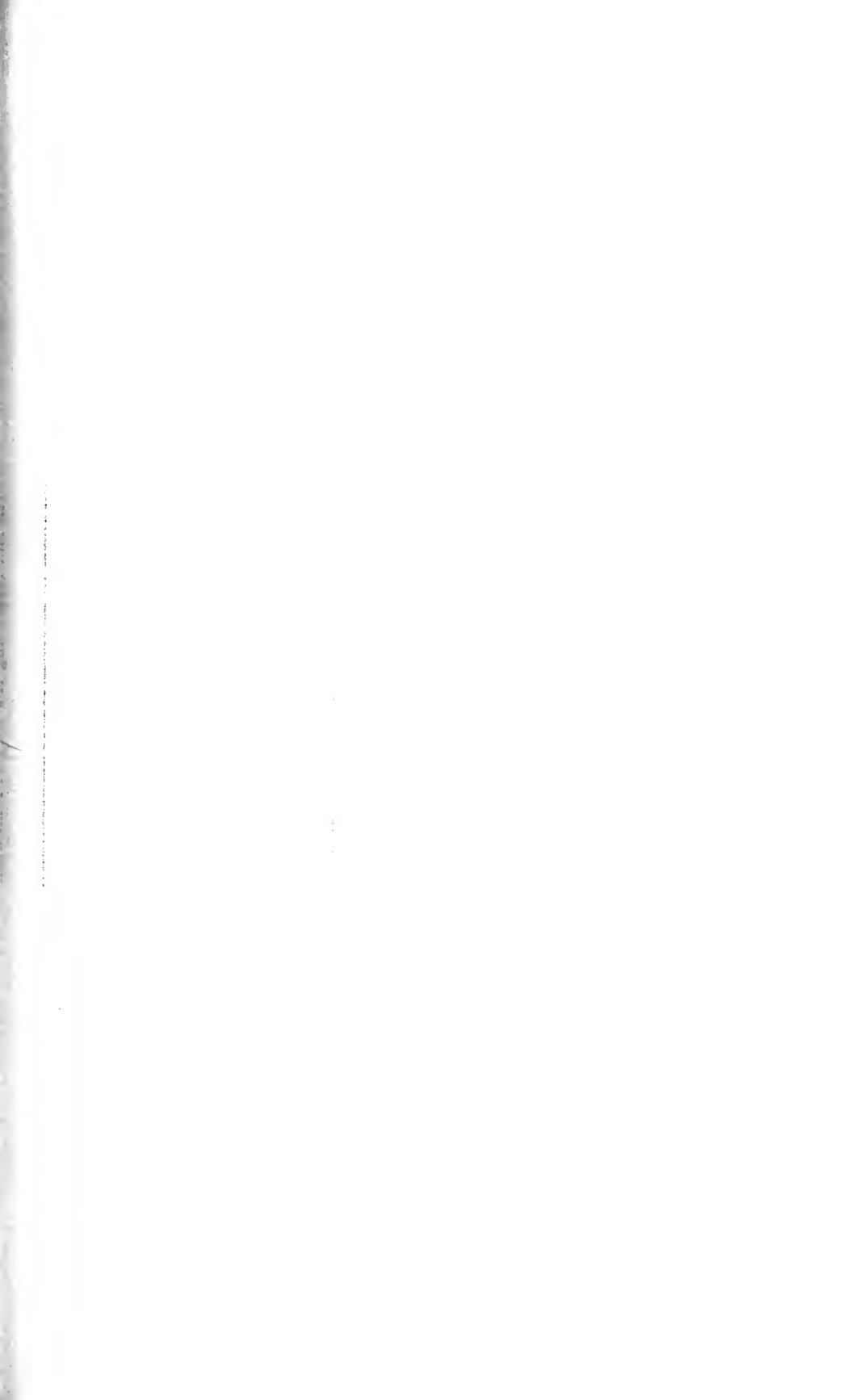
ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the County of Wentworth and Province of Ontario and being composed of part of David Kirkendall's Survey, registered in the Registry Office for the Registry Division of the County of Wentworth as Plan No. 39, and part of Andrew Miller's Seven Acre Tract, being in the block bounded by James Street, Merrick Street, MacNab Street and Market Square in the City of Hamilton, and which said parcel may be more particularly described as follows:

Beginning at a point in the southern limit of Merrick Street, distant therein westerly one hundred and seventy feet and five and one-quarter inches ($170' 5\frac{1}{4}"$) from the western limit of James Street; thence continuing westerly along the said southern limit of Merrick Street, two hundred feet and three inches ($200' 3"$) more or less to the eastern limit of MacNab Street; thence southerly along the said eastern limit of MacNab Street, two hundred and ninety-two feet and ten and three-quarter inches ($292' 10\frac{3}{4}"$) more or less to the northern limit of Market Square, as defined by City of Hamilton By-law No. 7583; thence easterly along the said northern limit of Market Square, two hundred and seventeen feet and seven and one-half inches ($217' 7\frac{1}{2}"$) more or less to the production southerly of the western limit of a twenty-foot ($20' 0"$) right-of-way granted to the T. Eaton Company Limited by Instrument No. 269534 N.S.; thence northerly to and along the western limit of the said right-of-way, three hundred and seventy-five feet and two and one-half inches ($375' 2\frac{1}{2}"$) more or less to the place of beginning.

SCHEDULE B

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Hamilton, in the County of Wentworth and Province of Ontario and being more particularly described as follows:

Beginning at the point where the northern limit of Merrick Street intersects the west limit of Bay Street; thence southerly along the west limit of Bay Street to the southerly limit of Main Street; thence easterly along the southerly limit of Main Street to the point where the same would be intersected by the production southerly of the westerly limit of Lot 22 in the block bounded by James Street, Main Street, MacNab Street and King Street, according to the unregistered survey known as P. H. Hamilton Survey; thence northerly to and along the westerly limit of the said Lot 22 to the northwest angle of that Lot; thence westerly along the projection of the northerly limit of that Lot to a point therein which point is distant 230 feet measured westerly therealong from the westerly limit of James Street; thence northerly and on a course parallel to the westerly limit of James Street to the northerly limit of Lot 20, according to the Plan to which reference is hereinbefore made; thence easterly along the northerly limit of the said Lot 20 and Lot 21, according to the same Survey, and continuing in a straight line to the point of intersection with the easterly limit of James Street; thence northerly along the easterly limit of James Street to the point of intersection with the northerly limit of Merrick Street; thence westerly along the northerly limit of Merrick Street to the place of beginning.



1st Reading

February 17th, 1968

2nd Reading

3rd Reading

Mrs. PRITCHARD

(Private Bill)

BILL Pr21

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the City of Hamilton

MRS. PRITCHARD

(Reprinted as amended by the Private Bills Committee)



BILL Pr21

1968-69

An Act respecting the City of Hamilton

WHEREAS The Corporation of the City of Hamilton, Preamble
 herein called the Corporation, by its petition has
 prayed for special legislation in respect of the matters herein-
 after set forth; and whereas it is expedient to grant the
 prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

- 1.**—(1) Notwithstanding *The Local Improvement Act*, Payment of costs of private drain connections R.S.O. 1960, c. 223
 where the Corporation,
- (a) constructs separate storm water sewers and sanitary sewers in the replacement, construction or reconstruction in whole or in part of any combined storm water sewer and sanitary sewer; and
 - (b) undertakes, without the request of any of the owners of the abutting lands, the construction of private drain connections from the main sewer to the street line,

the costs of such private drain connections that otherwise would be specially assessed upon the particular lots to serve which they are constructed shall be paid by the Corporation from the estimates of revenue and expenditure of the Corporation adopted under section 297 of *The Municipal Act* for a fiscal year in which the Corporation by by-law authorizes and directs payment for private drain connections. R.S.O. 1960, c. 249

(2) The council of the Corporation may pass a by-law or by-laws in the year 1969 and thereafter authorizing and directing payment of the costs of construction of private drain connections in the year 1968 and thereafter. Council may pass by-laws

2.—(1) Notwithstanding subsection 9 of section 4 of *The Assessment Act*, the real property described in Instrument No. 37835 A.B. registered in the Registry Office for the Lands deemed not liable to assessment and taxation R.S.O. 1960, c. 23

Registry Division for the County of Wentworth on the 29th day of December, 1966 in the name of the Corporation as registered owner shall be deemed to have been not liable to assessment and taxation from and including the 31st day of December, 1966 to and including the 31st day of August, 1967.

Cancellation
of taxes

(2) Taxes in the amount of \$1,433.60 levied for the period set out in subsection 1 against the tenant or lessee of the real property referred to therein are cancelled.

Lands
vested in
Corporation

3.—(1) The lands described in Schedule A hereto are hereby vested in the Corporation freed from all trusts, limitations, conditions, restrictions, covenants or other defects affecting the lands.

Designation
of lands
for market
purposes

(2) Notwithstanding subsection 1, upon application to the Corporation by the Hamilton Central Market Stall Holders Association, the Corporation, if it is satisfied that it is necessary to relocate temporarily the market operated on the lands described in Schedule A hereto, shall provide a temporary site of approximately one acre in area to be used as a market, such site to be located within the area bounded by Hunter, Merrick, Bay and John Streets in the City of Hamilton as may be decided upon from time to time by the Corporation.

Idem

(3) Notwithstanding subsection 2, where the Corporation is satisfied that it is necessary to relocate permanently the market referred to in subsection 2, it shall, in addition to any other use, permit the use of any part of the lands described in Schedule B hereto, as the Corporation shall designate for market purposes, in accordance with any by-laws or resolutions passed by the council of the Corporation under the provisions of *The Municipal Act* or any Act respecting the City of Hamilton affecting markets, provided that the part so designated shall be not less than one acre in area.

R.S.O. 1960,
c. 249

Powers not
restricted

(4) Nothing in this section shall be deemed to restrict the Corporation in the exercise of any of its powers respecting any of the lands referred to in subsections 2 and 3.

1959, c. 116,
s. 1,
Schedule
repealed

4. Section 1 of *The City of Hamilton Act, 1959* and the Schedule thereto are repealed.

Commence-
ment

5.—(1) This Act, except section 1, comes into force on the day it receives Royal Assent.

Idem

(2) Section 1 shall be deemed to have come into force on the 1st day of January, 1968.

Short title

6. This Act may be cited as *The City of Hamilton Act, 1968-69*.

SCHEDULE A

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the County of Wentworth and Province of Ontario and being composed of part of David Kirkendall's Survey, registered in the Registry Office for the Registry Division of the County of Wentworth as Plan No. 39, and part of Andrew Miller's Seven Acre Tract, being in the block bounded by James Street, Merrick Street, MacNab Street and Market Square in the City of Hamilton, and which said parcel may be more particularly described as follows:

Beginning at a point in the southern limit of Merrick Street, distant therein westerly one hundred and seventy feet and five and one-quarter inches ($170' 5\frac{1}{4}"$) from the western limit of James Street; thence continuing westerly along the said southern limit of Merrick Street, two hundred feet and three inches ($200' 3"$) more or less to the eastern limit of MacNab Street; thence southerly along the said eastern limit of MacNab Street, two hundred and ninety-two feet and ten and three-quarter inches ($292' 10\frac{3}{4}"$) more or less to the northern limit of Market Square, as defined by City of Hamilton By-law No. 7583; thence easterly along the said northern limit of Market Square, two hundred and seventeen feet and seven and one-half inches ($217' 7\frac{1}{2}"$) more or less to the production southerly of the western limit of a twenty-foot ($20' 0"$) right-of-way granted to the T. Eaton Company Limited by Instrument No. 269534 N.S.; thence northerly to and along the western limit of the said right-of-way, three hundred and seventy-five feet and two and one-half inches ($375' 2\frac{1}{2}"$) more or less to the place of beginning.

SCHEDULE B

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Hamilton, in the County of Wentworth and Province of Ontario and being more particularly described as follows:

Beginning at the point where the northern limit of Merrick Street intersects the west limit of Bay Street; thence southerly along the west limit of Bay Street to the southerly limit of Main Street; thence easterly along the southerly limit of Main Street to the point where the same would be intersected by the production southerly of the westerly limit of Lot 22 in the block bounded by James Street, Main Street, MacNab Street and King Street, according to the unregistered survey known as P. H. Hamilton Survey; thence northerly to and along the westerly limit of the said Lot 22 to the northwest angle of that Lot; thence westerly along the projection of the northerly limit of that Lot to a point therein which point is distant 230 feet measured westerly therealong from the westerly limit of James Street; thence northerly and on a course parallel to the westerly limit of James Street to the northerly limit of Lot 20, according to the Plan to which reference is hereinbefore made; thence easterly along the northerly limit of the said Lot 20 and Lot 21, according to the same Survey, and continuing in a straight line to the point of intersection with the easterly limit of James Street; thence northerly along the easterly limit of James Street to the point of intersection with the northerly limit of Merrick Street; thence westerly along the northerly limit of Merrick Street to the place of beginning.

1st Reading

February 17th, 1969

2nd Reading

3rd Reading

Mrs. PRITCHARD

*(Reprinted as amended by
the Private Bills Committee)*

BILL Pr21

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the City of Hamilton

MRS. PRITCHARD



BILL Pr21

1968-69

An Act respecting the City of Hamilton

WHEREAS The Corporation of the City of Hamilton, Preamble
 herein called the Corporation, by its petition has
 prayed for special legislation in respect of the matters herein-
 after set forth; and whereas it is expedient to grant the
 prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

- 1.**—(1) Notwithstanding *The Local Improvement Act*, Payment of costs of private drain connections R.S.O. 1960, c. 223
 where the Corporation,
- (a) constructs separate storm water sewers and sanitary sewers in the replacement, construction or reconstruction in whole or in part of any combined storm water sewer and sanitary sewer; and
 - (b) undertakes, without the request of any of the owners of the abutting lands, the construction of private drain connections from the main sewer to the street line,

the costs of such private drain connections that otherwise would be specially assessed upon the particular lots to serve which they are constructed shall be paid by the Corporation from the estimates of revenue and expenditure of the Corporation adopted under section 297 of *The Municipal* R.S.O. 1960, c. 249
Act for a fiscal year in which the Corporation by by-law authorizes and directs payment for private drain connections.

(2) The council of the Corporation may pass a by-law or by-laws in the year 1969 and thereafter authorizing and directing payment of the costs of construction of private drain connections in the year 1968 and thereafter. Council may pass by-laws

2.—(1) Notwithstanding subsection 9 of section 4 of *The Assessment Act*, the real property described in Instrument No. 37835 A.B. registered in the Registry Office for the Lands deemed not liable to assessment and taxation R.S.O. 1960, c. 23

Registry Division for the County of Wentworth on the 29th day of December, 1966 in the name of the Corporation as registered owner shall be deemed to have been not liable to assessment and taxation from and including the 31st day of December, 1966 to and including the 31st day of August, 1967.

Cancellation
of taxes

(2) Taxes in the amount of \$1,433.60 levied for the period set out in subsection 1 against the tenant or lessee of the real property referred to therein are cancelled.

Lands
vested in
Corporation

3.—(1) The lands described in Schedule A hereto are hereby vested in the Corporation freed from all trusts, limitations, conditions, restrictions, covenants or other defects affecting the lands.

Designation
of lands
for market
purposes

(2) Notwithstanding subsection 1, upon application to the Corporation by the Hamilton Central Market Stall Holders Association, the Corporation, if it is satisfied that it is necessary to relocate temporarily the market operated on the lands described in Schedule A hereto, shall provide a temporary site of approximately one acre in area to be used as a market, such site to be located within the area bounded by Hunter, Merrick, Bay and John Streets in the City of Hamilton as may be decided upon from time to time by the Corporation.

Idem

(3) Notwithstanding subsection 2, where the Corporation is satisfied that it is necessary to relocate permanently the market referred to in subsection 2, it shall, in addition to any other use, permit the use of any part of the lands described in Schedule B hereto, as the Corporation shall designate for market purposes, in accordance with any by-laws or resolutions passed by the council of the Corporation under the provisions of *The Municipal Act* or any Act respecting the City of Hamilton affecting markets, provided that the part so designated shall be not less than one acre in area.

R.S.O. 1960,
c. 249

Powers not
restricted

(4) Nothing in this section shall be deemed to restrict the Corporation in the exercise of any of its powers respecting any of the lands referred to in subsections 2 and 3.

1959, c. 116,
s. 1,
Schedule
repealed

4. Section 1 of *The City of Hamilton Act, 1959* and the Schedule thereto are repealed.

Commence-
ment

5.—(1) This Act, except section 1, comes into force on the day it receives Royal Assent.

Idem

(2) Section 1 shall be deemed to have come into force on the 1st day of January, 1968.

Short title

6. This Act may be cited as *The City of Hamilton Act, 1968-69*.

SCHEDULE A

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the County of Wentworth and Province of Ontario and being composed of part of David Kirkendall's Survey, registered in the Registry Office for the Registry Division of the County of Wentworth as Plan No. 39, and part of Andrew Miller's Seven Acre Tract, being in the block bounded by James Street, Merrick Street, MacNab Street and Market Square in the City of Hamilton, and which said parcel may be more particularly described as follows:

Beginning at a point in the southern limit of Merrick Street, distant therein westerly one hundred and seventy feet and five and one-quarter inches ($170' 5\frac{1}{4}"$) from the western limit of James Street; thence continuing westerly along the said southern limit of Merrick Street, two hundred feet and three inches ($200' 3"$) more or less to the eastern limit of MacNab Street; thence southerly along the said eastern limit of MacNab Street, two hundred and ninety-two feet and ten and three-quarter inches ($292' 10\frac{3}{4}"$) more or less to the northern limit of Market Square, as defined by City of Hamilton By-law No. 7583; thence easterly along the said northern limit of Market Square, two hundred and seventeen feet and seven and one-half inches ($217' 7\frac{1}{2}"$) more or less to the production southerly of the western limit of a twenty-foot ($20' 0"$) right-of-way granted to the T. Eaton Company Limited by Instrument No. 269534 N.S.; thence northerly to and along the western limit of the said right-of-way, three hundred and seventy-five feet and two and one-half inches ($375' 2\frac{1}{2}"$) more or less to the place of beginning.

SCHEDULE B

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Hamilton, in the County of Wentworth and Province of Ontario and being more particularly described as follows:

Beginning at the point where the northern limit of Merrick Street intersects the west limit of Bay Street; thence southerly along the west limit of Bay Street to the southerly limit of Main Street; thence easterly along the southerly limit of Main Street to the point where the same would be intersected by the production southerly of the westerly limit of Lot 22 in the block bounded by James Street, Main Street, MacNab Street and King Street, according to the unregistered survey known as P. H. Hamilton Survey; thence northerly to and along the westerly limit of the said Lot 22 to the northwest angle of that Lot; thence westerly along the projection of the northerly limit of that Lot to a point therein which point is distant 230 feet measured westerly therealong from the westerly limit of James Street; thence northerly and on a course parallel to the westerly limit of James Street to the northerly limit of Lot 20, according to the Plan to which reference is hereinbefore made; thence easterly along the northerly limit of the said Lot 20 and Lot 21, according to the same Survey, and continuing in a straight line to the point of intersection with the easterly limit of James Street; thence northerly along the easterly limit of James Street to the point of intersection with the northerly limit of Merrick Street; thence westerly along the northerly limit of Merrick Street to the place of beginning.



An Act respecting the City of Hamilton

1st Reading

February 17th, 1969

2nd Reading

May 12th, 1969

3rd Reading

June 6th, 1969

MRS. PRITCHARD

BILL Pr22

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

An Act respecting the Township of Teck

MR. JACKSON

(PRIVATE BILL)



BILL Pr22

1968-69

An Act respecting the Township of Teck

WHEREAS The Corporation of the Township of Teck ^{Preamble} by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Province of Ontario, enacts as follows:

1. The council of The Corporation of the Township of Teck may pass a by-law, without obtaining the approval of the Ontario Municipal Board, providing for the issue of a debenture or debentures in a principal amount not exceeding \$187,158, payable in not more than twenty years, for the purpose of paying the cost of an addition and alterations to the Kirkland Lake Collegiate and Vocational Institute. ^{Debenture by-law authorized}

2. Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* apply in respect of a by-law passed under section 1 and the debenture or debentures to be issued thereunder. ^{Application of R.S.O. 1960, c. 274}

3. For the purposes of every Act, the Ontario Municipal Board shall be deemed to have issued an order under section 31 of *The Secondary Schools and Boards of Education Act* and section 64 of *The Ontario Municipal Board Act* authorizing The Corporation of the Township of Teck to proceed with the undertaking referred to in section 1 and authorizing the Corporation to issue a debenture or debentures under section 1. ^{By-law deemed approved by O.M.B. R.S.O. 1960, cc. 362, 274}

4. This Act comes into force on the day it receives Royal Assent. ^{Commencement}

5. This Act may be cited as *The Township of Teck Act*, ^{Short title} 1968-69.

An Act respecting the Township of Teck

1st Reading

2nd Reading

3rd Reading

MR. JACKSON

(*Private Bill*)

BILL Pr22

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the Township of Teck

MR. JACKSON



BILL Pr22

1968-69

An Act respecting the Township of Teck

WHEREAS The Corporation of the Township of Teck ^{Preamble} by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Province of Ontario, enacts as follows:

1. The council of The Corporation of the Township of Teck may pass a by-law, without obtaining the approval of the Ontario Municipal Board, providing for the issue of a debenture or debentures in a principal amount not exceeding \$187,158, payable in not more than twenty years, for the purpose of paying the cost of an addition and alterations to the Kirkland Lake Collegiate and Vocational Institute. ^{Debenture by-law authorized}

2. Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* apply in respect of a by-law passed under section 1 and the debenture or debentures to be issued thereunder. ^{Application of R.S.O. 1960 c. 274}

3. For the purposes of every Act, the Ontario Municipal Board shall be deemed to have issued an order under section 31 of *The Secondary Schools and Boards of Education Act* and section 64 of *The Ontario Municipal Board Act* authorizing The Corporation of the Township of Teck to proceed with the undertaking referred to in section 1 and authorizing the Corporation to issue a debenture or debentures under section 1. ^{By-law deemed approved by O.M.B. R.S.O. 1960, cc. 362, 274}

4. This Act comes into force on the day it receives Royal Assent. ^{Commencement}

5. This Act may be cited as *The Township of Teck Act*, ^{Short title} 1968-69.

An Act respecting the Township of Teck

1st Reading

February 17th, 1969

2nd Reading

March 10th, 1969

3rd Reading

March 25th, 1969

MR. JACKSON

BILL Pr23

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting Maimonides Schools for Jewish Studies

MR. SINGER

(PRIVATE BILL)



BILL Pr23

1968-69

**An Act respecting
Maimonides Schools for Jewish Studies**

WHEREAS Harry P. Botnick, Abraham Bleeman, ^{Preamble} Yaakov S. Weinberg, Sandor Hofstedter, Wilferd Gordon, Q.C., Mark A. Levy, Alex Rubin, Gedalyah Felder, Nachum L. Rabinovitch and Nota Schiller by their petition have represented that it is desirable to incorporate an institution for studies and research in higher Jewish learning and cognate fields within the Province of Ontario; and whereas the petitioners have prayed for special legislation to effect such purpose; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Harry P. Botnick, Abraham Bleeman, Yaakov S. ^{Incorporation} Weinberg, Sandor Hofstedter, Wilferd Gordon, Q.C., Mark A. Levy, Alex Rubin, Gedalyah Felder, Nachum L. Rabinovitch, Nota Schiller and such other persons as may hereafter be elected or appointed President, or a member of the Senate or Board of Governors of Maimonides Schools, are hereby constituted a body politic and corporate with perpetual succession and a common seal under the name of "Maimonides Schools for Jewish Studies", hereinafter called Maimonides Schools.

2. Maimonides Schools has university powers, including ^{Powers} the power,

- (a) to establish and maintain faculties, institutes, departments, chairs and courses for studies and research ^{Faculties} in higher Jewish learning and cognate fields;
- (b) to establish and maintain a faculty of Rabbinnics and Theology;

- Degrees (c) to grant in all branches of higher Jewish learning any and all university degrees and honorary degrees and diplomas; provided that any general courses shall be taken at or under the supervision of a university with degree-granting rights conferred by the Legislature of the Province of Ontario;
- Affiliation (d) to affiliate with, or take into affiliation or federate with, other colleges, schools, universities and institutions of learning on such terms and for such periods of time as the Board of Governors may determine;
- Publications (e) to publish and distribute periodicals and books related to studies and research in higher Jewish learning;
- Fellowships (f) to establish fellowships for students engaged in studies and research in higher Jewish learning.

Property
R.S.O. 1960,
c. 191

3.—(1) Maimonides Schools has in addition to the powers, rights and privileges mentioned in section 26 of *The Interpretation Act*, the power to purchase or otherwise acquire, take or receive by gift, deed, bequest or devise or otherwise any real or personal property absolutely or in trust and to hold and enjoy any estate or property whatsoever, and to sell, grant, convey, mortgage, hypothecate, pledge, charge, lease and otherwise dispose of the same or any part thereof from time to time as occasion may require, and to acquire other estate and property in addition thereto without licence in mortmain and without limitation as to the period of holding.

Borrowing
Powers

- (2) Maimonides Schools has power,
- (a) to borrow money on its credit in such amounts, on such terms and from such persons, firms and corporations, including chartered banks, as may be determined by the Board of Governors;
- (b) to make, draw and endorse promissory notes or bills of exchange;
- (c) to mortgage, hypothecate, pledge or charge any or all of its personal and real property to secure any money so borrowed or the fulfilment of the obligation incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it;
- (d) to issue bonds, debentures and obligations on such terms and conditions as the Board of Governors

may decide and to pledge or sell such bonds, debentures and obligations for such sums and at such prices as the Board of Governors may decide and may mortgage, charge, hypothecate or pledge all or any part of its real or personal property to secure any such bonds, debentures and obligations.

4. The funds of Maimonides Schools not immediately re-^{Investment powers}quired for its purposes and the proceeds of all property that come into Maimonides Schools, subject to any trusts affecting the same, may be invested and reinvested in such investments as the Board of Governors of Maimonides Schools deems proper and all its property and revenue shall be applied for the attainment of the objects for which Maimonides Schools is constituted and to the payment of expenses incurred for objects legitimately connected with or depending on the purposes aforesaid.

5.—(1) There shall be a Board of Governors of Maimonides Schools that shall consist of the persons named in section 1, who shall hold office until their successors are elected or appointed, and such other persons, not exceeding eighteen in number, as may be elected or appointed in such manner and for such term as may be provided in the by-laws of the Board.^{Board of Governors}

(2) The Board of Governors shall appoint persons to fill^{Vacancies} vacancies that occur in the Board.

(3) If, within any fiscal year of Maimonides Schools, a member of the Board of Governors, not having been granted leave of absence by the Board, attends less than 50 per cent of the regular meetings of the Board, the Board may, by resolution, declare vacant the seat of such member.^{Idem}

6. The Board of Governors has the control, management and government of Maimonides Schools and has power to make by-laws, rules and regulations not contrary to law or the provisions of this Act,^{Management of Maimonides Schools}

- (a) for the working and management of Maimonides Schools;
- (b) for determining the number of members of the Board that shall constitute a quorum;
- (c) respecting the election or appointment of members of the Board; and
- (d) regulating all matters pertaining to meetings of the Board.

President

7.—(1) The first President of Maimonides Schools shall be Rabbi Yaakov S. Weinberg, and his successors and all subsequent Presidents shall be appointed by the Board of Governors and the Senate of Maimonides Schools from a panel of candidates to be recommended by an international board of educators in higher Jewish learning, which board shall be appointed by the Senate.

Idem

(2) The President shall be responsible, with the advice of the Senate of Maimonides Schools, for supervising, directing and regulating the system of education of Maimonides Schools, for determining the courses of study and standards of admission and qualifications for degrees, for conferring degrees, and for appointing and removing members of the faculty and the officers and servants of Maimonides Schools.

Senate

8.—(1) There shall be a Senate of Maimonides Schools composed of,

- (a) the President, who shall be its Chairman;
- (b) two members of the Board of Governors;
- (c) one representative elected by the student body;
- (d) the Dean or Director, as the case may be, of each faculty or department of Maimonides Schools;
- (e) not fewer than three and not more than seven members of the faculty to be elected by the faculty.

Vacancy

(2) The body possessing the power of election or appointment may fill a vacancy on the Senate for the unexpired portion of any term.

Liability
of members,
etc.

9. Nothing herein contained has the effect or shall be construed to have the effect of rendering all or any of the members or officers of Maimonides Schools, or any person whatsoever, individually liable or accountable for or by reason of any debt, contract or security incurred or entered into for or by reason of Maimonides Schools or for or on account or in respect of any matter or thing whatsoever relating to Maimonides Schools.

Tax
exemption

10. Property vested in Maimonides Schools and any property leased to and occupied by Maimonides Schools are not liable for taxation for provincial, municipal or school purposes and are exempt from every description of such taxation, so long as the same are actually used and occupied for the purposes of the Maimonides Schools.

11. All property vested in Maimonides Schools shall, as far as the application thereto of any statute of limitations is concerned, be deemed to have been and to be real property vested in the Crown for the public use of Ontario.

12. Real property vested in Maimonides Schools is not liable to be entered upon, used or taken by any corporation, except a municipal corporation, or by any person possessing the right of taking real property compulsorily for any purpose, and no power to expropriate real property hereafter conferred extends to such real property unless in the Act conferring the power it is made in express terms to apply thereto.

13. This Act comes into force on the day it receives Royal Assent.

14. This Act may be cited as *The Maimonides Schools for Jewish Studies Act, 1968-69*.

An Act respecting
Maimonides Schools for Jewish Studies

1st Reading

2nd Reading

3rd Reading

MR. SINGER

(*Private Bill*)

BILL Pr23

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting Maimonides Schools for Jewish Studies

MR. SINGER

(Reprinted as amended by the Private Bills Committee)



BILL Pr23

1968-69

An Act respecting Maimonides Schools for Jewish Studies

WHEREAS Harry P. Botnick, Abraham Bleeman, ^{Preamble} Yaakov S. Weinberg, Sandor Hofstedter, Wilferd Gordon, Q.C., Mark A. Levy, Alex Rubin, Gedalyah Felder, Nachum L. Rabinovitch and Nota Schiller by their petition have represented that it is desirable to incorporate an institution for studies and research in higher Jewish learning and cognate fields within the Province of Ontario; and whereas the petitioners have prayed for special legislation to effect such purpose; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Harry P. Botnick, Abraham Bleeman, Yaakov S. ^{Incorporation} Weinberg, Sandor Hofstedter, Wilferd Gordon, Q.C., Mark A. Levy, Alex Rubin, Gedalyah Felder, Nachum L. Rabinovitch, Nota Schiller and such other persons as may hereafter be elected or appointed President, or a member of the Senate or Board of Governors of Maimonides Schools, are hereby constituted a body politic and corporate with perpetual succession and a common seal under the name of "Maimonides Schools for Jewish Studies", hereinafter called Maimonides Schools.

2. Maimonides Schools has the following university ^{Powers} powers:

- (a) to establish and maintain a faculty of Rabbinics ^{Faculty institutes, etc.} and Theology, and institutes, departments, chairs and courses for studies and research in higher Jewish learning;
- (b) to grant in all branches of higher Jewish learning all ^{Degrees} university degrees that are specific in their designa-

tion to branches of higher Jewish learning, and such diplomas as it deems appropriate, but such power shall only be effective if, as the result of federation, affiliation or agreement, provision is in effect for courses not directly related to higher Jewish learning to be taken by its students at or under the supervision of a university which has had degree-granting rights conferred by the Legislature of the Province of Ontario.

- Affiliation (c) to affiliate with, or take into affiliation or federate with, other colleges, schools, universities and institutions of learning on such terms and for such periods of time as the Board of Governors may determine;
- Publications (d) to publish and distribute periodicals and books related to studies and research in higher Jewish learning;
- Fellowships (e) to establish fellowships for students engaged in studies and research in higher Jewish learning.

Property
R.S.O. 1960,
c. 191

3.—(1) Maimonides Schools has in addition to the powers, rights and privileges mentioned in section 26 of *The Interpretation Act*, the power to purchase or otherwise acquire, take or receive by gift, deed, bequest or devise or otherwise any real or personal property necessary for its actual use and occupation or for carrying on its undertaking absolutely or in trust and to hold and enjoy any estate or property whatsoever, and to sell, grant, convey, mortgage, hypothecate, pledge, charge, lease and otherwise dispose of the same or any part thereof from time to time as occasion may require, and to acquire other estate and property in addition thereto without licence in mortmain and without limitation as to the period of holding.

Borrowing
Powers

- (2) Maimonides Schools has power,
- (a) to borrow money on its credit in such amounts, on such terms and from such persons, firms and corporations, including chartered banks, as may be determined by the Board of Governors;
- (b) to make, draw and endorse promissory notes or bills of exchange;
- (c) to mortgage, hypothecate, pledge or charge any or all of its personal and real property to secure any money so borrowed or the fulfilment of the obligation incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it;

- (d) to issue bonds, debentures and obligations on such terms and conditions as the Board of Governors may decide and to pledge or sell such bonds, debentures and obligations for such sums and at such prices as the Board of Governors may decide and may mortgage, charge, hypothecate or pledge all or any part of its real or personal property to secure any such bonds, debentures and obligations.

4. The funds of Maimonides Schools not immediately required for its purposes and the proceeds of all property that come into Maimonides Schools, subject to any trusts affecting the same, may be invested and reinvested in such investments as the Board of Governors of Maimonides Schools deems proper and all its property and revenue shall be applied for the attainment of the objects for which Maimonides Schools is constituted and to the payment of expenses incurred for objects legitimately connected with or depending on the purposes aforesaid. ^{Investment powers}

5.—(1) There shall be a Board of Governors of Maimonides Schools that shall consist of the persons named in section 1, who shall hold office until their successors are elected or appointed, and such other persons, not exceeding eighteen in number, as may be elected or appointed in such manner and for such term as may be provided in the by-laws of the Board. ^{Board of Governors}

(2) The Board of Governors shall appoint persons to fill vacancies that occur in the Board. ^{Vacancies}

(3) If, within any fiscal year of Maimonides Schools, a member of the Board of Governors, not having been granted leave of absence by the Board, attends less than 50 per cent of the regular meetings of the Board, the Board may, by resolution, declare vacant the seat of such member. ^{Idem}

6. The Board of Governors has the control, management and government of Maimonides Schools and has power to make by-laws, rules and regulations not contrary to law or the provisions of this Act, ^{Management of Maimonides Schools}

- (a) for the working and management of Maimonides Schools;
- (b) for determining the number of members of the Board that shall constitute a quorum;
- (c) respecting the election or appointment of members of the Board; and
- (d) regulating all matters pertaining to meetings of the Board.

President **7.**—(1) The first President of Maimonides Schools shall be Rabbi Yaakov S. Weinberg, and his successors and all subsequent Presidents shall be appointed by the Board of Governors and the Senate of Maimonides Schools from a panel of candidates to be recommended by an international board of educators in higher Jewish learning, which board shall be appointed by the Senate.

Idem (2) The President shall be responsible, with the advice of the Senate of Maimonides Schools, for supervising, directing and regulating the system of education of Maimonides Schools, for determining the courses of study and standards of admission and qualifications for degrees, for conferring degrees, and for appointing and removing members of the faculty and the officers and servants of Maimonides Schools.

Senate **8.**—(1) There shall be a Senate of Maimonides Schools composed of,

(a) the President, who shall be its Chairman;

(b) two members of the Board of Governors;

(c) two representatives elected by the student body;

(d) the Dean or Director, as the case may be, of each faculty or department of Maimonides Schools;

(e) not fewer than three and not more than seven members of the faculty to be elected by the faculty.

Vacancy (2) The body possessing the power of election or appointment may fill a vacancy on the Senate for the unexpired portion of any term.

Liability of members, etc. **9.** Nothing herein contained has the effect or shall be construed to have the effect of rendering all or any of the members or officers of Maimonides Schools, or any person whatsoever, individually liable or accountable for or by reason of any debt, contract or security incurred or entered into for or by reason of Maimonides Schools or for or on account or in respect of any matter or thing whatsoever relating to Maimonides Schools.

Tax exemption **10.** Property vested in Maimonides Schools and any property leased to and occupied by Maimonides Schools are not liable for taxation for provincial, municipal or school purposes and are exempt from every description of such taxation, so long as the same are actually used and occupied for the purposes of the Maimonides Schools.

11. All property vested in Maimonides Schools shall, as far as the application thereto of any statute of limitations is concerned, be deemed to have been and to be real property vested in the Crown for the public use of Ontario.

12. Real property vested in Maimonides Schools is not liable to be entered upon, used or taken by any corporation, except a municipal corporation, or by any person possessing the right of taking real property compulsorily for any purpose, and no power to expropriate real property hereafter conferred extends to such real property unless in the Act conferring the power it is made in express terms to apply thereto.

13. This Act comes into force on the day it receives Royal Assent.

14. This Act may be cited as *The Maimonides Schools for Jewish Studies Act, 1968-69*.

An Act respecting
Maimonides Schools for Jewish Studies

1st Reading

February 24th, 1969

2nd Reading

3rd Reading

MR. SINGER

*(Reprinted as amended by
the Private Bills Committee)*

BILL Pr23

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting Maimonides Schools for Jewish Studies

MR. SINGER



BILL Pr23

1968-69

**An Act respecting
Maimonides Schools for Jewish Studies**

WHEREAS Harry P. Botnick, Abraham Bleeman, ^{Preamble} Yaakov S. Weinberg, Sandor Hofstedter, Wilferd Gordon, Q.C., Mark A. Levy, Alex Rubin, Gedalyah Felder, Nachum L. Rabinovitch and Nota Schiller by their petition have represented that it is desirable to incorporate an institution for studies and research in higher Jewish learning and cognate fields within the Province of Ontario; and whereas the petitioners have prayed for special legislation to effect such purpose; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Harry P. Botnick, Abraham Bleeman, Yaakov S. ^{Incorporation} Weinberg, Sandor Hofstedter, Wilferd Gordon, Q.C., Mark A. Levy, Alex Rubin, Gedalyah Felder, Nachum L. Rabinovitch, Nota Schiller and such other persons as may hereafter be elected or appointed President, or a member of the Senate or Board of Governors of Maimonides Schools, are hereby constituted a body politic and corporate with perpetual succession and a common seal under the name of "Maimonides Schools for Jewish Studies", hereinafter called Maimonides Schools.

2. Maimonides Schools has the following university ^{Powers} powers:

- (a) to establish and maintain a faculty of Rabbinnics ^{Faculty} and Theology, and institutes, departments, chairs ^{institutes,} and courses for studies and research in higher Jewish learning; ^{etc.}
- (b) to grant in all branches of higher Jewish learning all ^{Degrees} university degrees that are specific in their designa-

tion to branches of higher Jewish learning, and such diplomas as it deems appropriate, but such power shall only be effective if, as the result of federation, affiliation or agreement, provision is in effect for courses not directly related to higher Jewish learning to be taken by its students at or under the supervision of a university which has had degree-granting rights conferred by the Legislature of the Province of Ontario.

Affiliation

(c) to affiliate with, or take into affiliation or federate with, other colleges, schools, universities and institutions of learning on such terms and for such periods of time as the Board of Governors may determine;

Publications

(d) to publish and distribute periodicals and books related to studies and research in higher Jewish learning;

Fellowships

(e) to establish fellowships for students engaged in studies and research in higher Jewish learning.

Property
R.S.O. 1960,
c. 191

3.—(1) Maimonides Schools has in addition to the powers, rights and privileges mentioned in section 26 of *The Interpretation Act*, the power to purchase or otherwise acquire, take or receive by gift, deed, bequest or devise or otherwise any real or personal property necessary for its actual use and occupation or for carrying on its undertaking absolutely or in trust and to hold and enjoy any estate or property whatsoever, and to sell, grant, convey, mortgage, hypothecate, pledge, charge, lease and otherwise dispose of the same or any part thereof from time to time as occasion may require, and to acquire other estate and property in addition thereto without licence in mortmain and without limitation as to the period of holding.

Borrowing
Powers

(2) Maimonides Schools has power,

(a) to borrow money on its credit in such amounts, on such terms and from such persons, firms and corporations, including chartered banks, as may be determined by the Board of Governors;

(b) to make, draw and endorse promissory notes or bills of exchange;

(c) to mortgage, hypothecate, pledge or charge any or all of its personal and real property to secure any money so borrowed or the fulfilment of the obligation incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it;

- (d) to issue bonds, debentures and obligations on such terms and conditions as the Board of Governors may decide and to pledge or sell such bonds, debentures and obligations for such sums and at such prices as the Board of Governors may decide and may mortgage, charge, hypothecate or pledge all or any part of its real or personal property to secure any such bonds, debentures and obligations.

4. The funds of Maimonides Schools not immediately required for its purposes and the proceeds of all property that come into Maimonides Schools, subject to any trusts affecting the same, may be invested and reinvested in such investments as the Board of Governors of Maimonides Schools deems proper and all its property and revenue shall be applied for the attainment of the objects for which Maimonides Schools is constituted and to the payment of expenses incurred for objects legitimately connected with or depending on the purposes aforesaid. ^{Investment powers}

5.—(1) There shall be a Board of Governors of Maimonides Schools that shall consist of the persons named in section 1, who shall hold office until their successors are elected or appointed, and such other persons, not exceeding eighteen in number, as may be elected or appointed in such manner and for such term as may be provided in the by-laws of the Board. ^{Board of Governors}

(2) The Board of Governors shall appoint persons to fill vacancies that occur in the Board. ^{Vacancies}

(3) If, within any fiscal year of Maimonides Schools, a member of the Board of Governors, not having been granted leave of absence by the Board, attends less than 50 per cent of the regular meetings of the Board, the Board may, by resolution, declare vacant the seat of such member. ^{Idem}

6. The Board of Governors has the control, management and government of Maimonides Schools and has power to make by-laws, rules and regulations not contrary to law or the provisions of this Act, ^{Management of Maimonides Schools}

- (a) for the working and management of Maimonides Schools;
- (b) for determining the number of members of the Board that shall constitute a quorum;
- (c) respecting the election or appointment of members of the Board; and
- (d) regulating all matters pertaining to meetings of the Board.

President

7.—(1) The first President of Maimonides Schools shall be Rabbi Yaakov S. Weinberg, and his successors and all subsequent Presidents shall be appointed by the Board of Governors and the Senate of Maimonides Schools from a panel of candidates to be recommended by an international board of educators in higher Jewish learning, which board shall be appointed by the Senate.

Idem

(2) The President shall be responsible, with the advice of the Senate of Maimonides Schools, for supervising, directing and regulating the system of education of Maimonides Schools, for determining the courses of study and standards of admission and qualifications for degrees, for conferring degrees, and for appointing and removing members of the faculty and the officers and servants of Maimonides Schools.

Senate

8.—(1) There shall be a Senate of Maimonides Schools composed of,

- (a) the President, who shall be its Chairman;
- (b) two members of the Board of Governors;
- (c) two representatives elected by the student body;
- (d) the Dean or Director, as the case may be, of each faculty or department of Maimonides Schools;
- (e) not fewer than three and not more than seven members of the faculty to be elected by the faculty.

Vacancy

(2) The body possessing the power of election or appointment may fill a vacancy on the Senate for the unexpired portion of any term.

Liability
of members,
etc.

9. Nothing herein contained has the effect or shall be construed to have the effect of rendering all or any of the members or officers of Maimonides Schools, or any person whatsoever, individually liable or accountable for or by reason of any debt, contract or security incurred or entered into for or by reason of Maimonides Schools or for or on account or in respect of any matter or thing whatsoever relating to Maimonides Schools.

Tax
exemption

10. Property vested in Maimonides Schools and any property leased to and occupied by Maimonides Schools are not liable for taxation for provincial, municipal or school purposes and are exempt from every description of such taxation, so long as the same are actually used and occupied for the purposes of the Maimonides Schools.

11. All property vested in Maimonides Schools shall, as far as the application thereto of any statute of limitations is concerned, be deemed to have been and to be real property vested in the Crown for the public use of Ontario.

12. Real property vested in Maimonides Schools is not liable to be entered upon, used or taken by any corporation, except a municipal corporation, or by any person possessing the right of taking real property compulsorily for any purpose, and no power to expropriate real property hereafter conferred extends to such real property unless in the Act conferring the power it is made in express terms to apply thereto.

13. This Act comes into force on the day it receives Royal Assent.

14. This Act may be cited as *The Maimonides Schools for Jewish Studies Act, 1968-69*.

An Act respecting
Maimonides Schools for Jewish Studies

1st Reading

February 24th, 1969

2nd Reading

March 14th, 1969

3rd Reading

March 25th, 1969

MR. SINGER

BILL Pr24

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

An Act respecting the Town of Whitby

MR. NEWMAN (Ontario South)

(PRIVATE BILL)



BILL Pr24

1968-69

An Act respecting the Town of Whitby

WHEREAS The Corporation of the Town of Whitby, ^{Preamble} herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Notwithstanding paragraph 99 of subsection 1 of section 379 of *The Municipal Act*, the council of the Corporation may pass by-laws for entering into agreements with suppliers and distributors of cable television or community television systems for the use by them of any highway or public place, and to erect and maintain thereon poles, towers, wires, cables, amplifiers and other accessory equipment and to construct and lay down pipes, ducts and conduits for enclosing wires, cables, amplifiers and other accessory equipment for the purpose of transmitting electrical or electric impulses, signals and messages of every nature and kind, including those of alarm and protection systems, radio programmes or part thereof and television programmes or part thereof and for such consideration and on such terms and conditions as may be agreed upon. ^{Agreements for use of public lands for cable television systems}

2. By-law No. 106-68 of the Corporation, as amended by ^{By-law confirmed} By-law No. 155-69, being "A by-law of The Corporation of the Town of Whitby for authorizing and regulating the erection and maintenance of service wires, amplifiers and other accessory equipment on any highway in the Town of Whitby for the purpose of maintaining and operating in the Town of Whitby a community television system for the interception, sale and distribution of television signals", set forth in the Schedule hereto, is hereby validated and confirmed and declared to be legal.

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. This Act may be cited as *The Town of Whitby Act, 1968-69*.

SCHEDULE

THE CORPORATION OF THE TOWN OF WHITBY

BY-LAW 106-68

A BY-LAW of the Corporation of the Town of Whitby for authorizing and regulating erection and maintenance of service wires, amplifiers and other accessory equipment on any highway in the Town of Whitby for the purpose of maintaining and operating in the Town of Whitby, a community television system for the interception, sale and distribution of television signals.

WHEREAS the Council of The Corporation of the Town of Whitby is by paragraph 99 of section 379 (1) of *The Municipal Act* authorized to pass by-laws for authorizing and regulating the erection and maintenance of service wires, amplifiers and other accessory equipment on any highway in the Town of Whitby for the purpose of maintaining and operating in the Town of Whitby a community television system for the interception, sale and distribution of television signals;

AND WHEREAS it is expedient to enact as hereinafter set forth;

THEREFORE the Council of The Corporation of the Town of Whitby enacts as follows:

1. No person shall construct, erect, operate or maintain in, upon, along, across, above, over and under any highway in the Town of Whitby any service wires, underground conduits, manholes, amplifiers and other television conductors and fixtures necessary for the maintenance and operation of a community television system for the interception, sale and distribution of television signals without first obtaining a permit from the Engineer of the Corporation.

2. No person shall be granted a permit referred to in paragraph 1 of this by-law unless and until he procures a licence from the Department of Transport of the Government of Canada which licence permits him to install and operate a community antenna television system in a defined area in the Town of Whitby.

3. The provisions of *The Radio Act* and the regulations made thereunder are hereby adopted and are intended to form part of this by-law.

4. No permit shall be issued to an applicant unless and until he has entered into an agreement with the Town of Whitby prescribing the consideration, terms and conditions of the grant of user by the Town to the applicant of any portion of a highway in the Town of Whitby.

5. Every person who contravenes any of the provisions of this by-law shall, upon conviction thereof, forfeit and pay at the discretion of the magistrate a penalty not exceeding the sum of \$300.00 (exclusive of costs) for each offence.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED this 9th day of September, 1968.

..... Clerk Mayor

THE CORPORATION OF THE TOWN OF WHITBY

BY-LAW No. 155-69

BEING A BY-LAW to amend By-law No. 106-68.

WHEREAS the operations of community antenna television systems have been brought within the provisions of the new *Broadcasting Act R.S.C.*;

AND WHEREAS it is necessary to amend former by-law 106-68 of the Town of Whitby as hereinafter set forth;

NOW THEREFORE BE IT ENACTED AND IT IS HEREBY ENACTED by the Council of The Corporation of the Town of Whitby as follows:

1. Paragraph 2 of By-law 106-68 is repealed and the following provision is substituted therefor.

"No person shall be granted a permit referred to in paragraph 1 of this by-law unless and until he has complied with the provisions of *The Broadcasting Act* respecting permission to install and operate community antenna and television systems in any defined area in the Town of Whitby."

2. Paragraph 3 of By-law 106-68 is hereby repealed and the following provision is substituted therefor.

"The provisions of *The Radio Act* and the regulations made thereunder and the provisions of *The Broadcasting Act, R.S.C. 1968*, Chapter 25, and the regulations made thereunder, are hereby adopted and are intended to form part of this by-law."

THIS BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED this 20th day of January, 1969.

.....
Clerk

.....
Mayor

THE LIFE OF SAMUEL JOHNSON

1st Reading

2nd Reading

3rd Reading

MR. NEWMAN (Ontario South)

(Private Bill)

BILL Pr25

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting Carleton University

MR. LAWRENCE (Carleton East)

(PRIVATE BILL)



BILL Pr25

1968-69

An Act respecting Carleton University

WHEREAS Carleton University by its petition has ^{Preamble} shown that it is a body incorporated under the laws of Ontario, having as parts of its constitution a Senate and Faculty Boards, as defined more particularly in *The Carleton University Act, 1952*, and has prayed for certain changes in its constitution; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *e* of section 1 of *The Carleton University Act, 1952*, ^{1952, c. 117,} as amended by section 1 of *The Carleton University Act, 1957* ^{s. 1, cl. *e*,} ^{re-enacted} is repealed and the following substituted therefor:

- (*e*) "Faculty Board" means the teaching staff of each respective faculty or school of the University of the rank of professor, associate professor, assistant professor or lecturer, together with such students of the faculty or school as may be chosen to be members of each Faculty Board according to procedures established by by-law.

2. Section 21 of *The Carleton University Act, 1952*, as ^{1952, c. 117,} amended by section 1 of *The Carleton University Act, 1957*, ^{s. 21,} ^{re-enacted} is repealed and the following substituted therefor:

- 21.—(1) There shall be a Senate of the University ^{Senate} consisting of such persons chosen in such manner and at such times as are determined by by-law, provided that at least one-half the total number of persons comprising the Senate shall be elected by the Faculty Boards of the University from the members of the Faculty Boards, in such manner as such by-laws may specify.

No ineligible
member or
invalid act
by reason
of age

- (2) No person shall be ineligible to be a member of a Faculty Board or of the Senate or of the Board of Governors by reason only of his being under twenty-one years of age, and no act of any such bodies of the University shall be invalid by reason only of a member or members of such bodies being under twenty-one years of age.

Commence-
ment

- 3.** This Act comes into force on the day it receives Royal Assent.

Short title

- 4.** This Act may be cited as *The Carleton University Act, 1968-69*.





1st Reading

2nd Reading

3rd Reading

MR. LAWRENCE (Carleton East)

(Private Bill)

BILL Pr25

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting Carleton University

MR. LAWRENCE (Carleton East)



BILL Pr25

1968-69

An Act respecting Carleton University

WHEREAS Carleton University by its petition has ^{Preamble} shown that it is a body incorporated under the laws of Ontario, having as parts of its constitution a Senate and Faculty Boards, as defined more particularly in *The Carleton University Act, 1952*, and has prayed for certain changes in its constitution; and whereas it is expedient to grant the prayer of the petition; ^{1952, c. 117}

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *e* of section 1 of *The Carleton University Act, 1952*, ^{1952, c. 117,}
as amended by section 1 of *The Carleton University Act, 1957*, ^{s. 1, cl. *e*,}
is repealed and the following substituted therefor: ^{re-enacted}

(*e*) "Faculty Board" means the teaching staff of each respective faculty or school of the University of the rank of professor, associate professor, assistant professor or lecturer, together with such students of the faculty or school as may be chosen to be members of each Faculty Board according to procedures established by by-law.

2. Section 21 of *The Carleton University Act, 1952*, as ^{1952, c. 117,}
amended by section 1 of *The Carleton University Act, 1957*, ^{s. 21,}
is repealed and the following substituted therefor: ^{re-enacted}

21.—(1) There shall be a Senate of the University con- ^{Senate}
sisting of such persons chosen in such manner and at such times as are determined by by-law, provided that at least one-half the total number of persons comprising the Senate shall be elected by the Faculty Boards of the University from the members of the Faculty Boards, in such manner as such by-laws may specify.

No ineligible
member or
invalid act
by reason
of age

- (2) No person shall be ineligible to be a member of a Faculty Board or of the Senate or of the Board of Governors by reason only of his being under twenty-one years of age, and no act of any such bodies of the University shall be invalid by reason only of a member or members of such bodies being under twenty-one years of age.

Commence-
ment

- 3.** This Act comes into force on the day it receives Royal Assent.

Short title

- 4.** This Act may be cited as *The Carleton University Act, 1968-69*.





At the end of the day, the sun was shining brightly.

1st Reading

February 17th, 1969

2nd Reading

March 10th, 1969

3rd Reading

March 26th, 1969

MR. LAWRENCE (Carleton East)

BILL Pr26

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting The Tilbury Public School Board

MR. RUSTON

(PRIVATE BILL)



BILL Pr26

1968-69

**An Act respecting
The Tilbury Public School Board**

WHEREAS the trustees of the William J. Miller Trust ^{Preamble} by their petition have prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 2 of *The Tilbury Public School Board Act, 1966* <sup>1966, c. 185,
s. 2,
re-enacted</sup> is repealed and the following substituted therefor:

- 2.—(1) The trustees of the William J. Miller Trust shall ^{Trustees} be three persons appointed by The Kent County Board of Education or its successor who are public school ratepayers and residents of the Town of Tilbury.
- (2) The trustees shall hold office for a term of three ^{Term of office} years, except that on the first appointment of trustees hereunder one trustee shall be appointed for one year, one for two years and one for three years.
- (3) Each trustee shall hold office until the 31st day of ^{Idem} December of the last year of the term for which he is appointed and until his successor is appointed, and he shall be eligible for reappointment.
- (4) Where a vacancy occurs from any cause before the ^{Vacancies} expiration of the term of office for which a trustee has been appointed, The Kent County Board of Education or its successor shall appoint a qualified person to fill the vacancy for the unexpired portion of the term of office.

Commence-
ment

2. This Act shall be deemed to have come into force on the 31st day of December, 1968.

Short title

3. This Act may be cited as *The Tilbury Public School Board Act, 1968-69.*





An Act respecting
The Tilbury Public School Board

1st Reading

February 17th, 1969

2nd Reading

3rd Reading

MR. RUSTON

(Private Bill)

BILL Pr26

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting The Tilbury Public School Board

MR. RUSTON



BILL Pr26

1968-69

**An Act respecting
The Tilbury Public School Board**

WHEREAS the trustees of the William J. Miller Trust ^{Preamble} by their petition have prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 2 of *The Tilbury Public School Board Act, 1966* ^{1966, c. 185, s. 2, re-enacted} is repealed and the following substituted therefor:

- 2.—(1) The trustees of the William J. Miller Trust shall ^{Trustees} be three persons appointed by The Kent County Board of Education or its successor who are public school ratepayers and residents of the Town of Tilbury.
- (2) The trustees shall hold office for a term of three ^{Term of office} years, except that on the first appointment of trustees hereunder one trustee shall be appointed for one year, one for two years and one for three years.
- (3) Each trustee shall hold office until the 31st day of ^{Idem} December of the last year of the term for which he is appointed and until his successor is appointed, and he shall be eligible for reappointment.
- (4) Where a vacancy occurs from any cause before the ^{Vacancies} expiration of the term of office for which a trustee has been appointed, The Kent County Board of Education or its successor shall appoint a qualified person to fill the vacancy for the unexpired portion of the term of office.

Commence-
ment

2. This Act shall be deemed to have come into force on the 31st day of December, 1968.

Short title

3. This Act may be cited as *The Tilbury Public School Board Act, 1968-69*.







An Act respecting
The Tilbury Public School Board

1st Reading

February 17th, 1969

2nd Reading

March 10th, 1969

3rd Reading

March 25th, 1969

Mr. RUSTON

BILL Pr27

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting Co-ordinated Arts Services

MR. DUNLOP

(PRIVATE BILL)



BILL Pr27

1968-69

An Act respecting Co-ordinated Arts Services

WHEREAS the persons named in section 1 have by their ^{Preamble} petition prayed that they are desirous of being incorporated under the name "Co-ordinated Arts Services", herein called the Corporation, for the purpose of providing co-ordinated services for the assistance and benefit of the performing arts carried on by corporations and organizations; and whereas the petitioners have prayed that special legislation be passed for such purposes; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Lawrence Michael Baldwin, Trust Officer, Kenneth ^{Incorporation} Harold John Clarke, Executive, Herman Berthold Geiger-Torel, Managing Director, Arthur Ellis Gelber, Executive, William Hugh Graham, Executive, Walter Homburger, Managing Director, James Mavor Moore, Managing Director, Robert Edward Peel, Executive, Wallace Arven Russell, Manager, Muriel Sherrin, General Manager, Raymond Frederick Wickens, Administrative Director, all of The Municipality of Metropolitan Toronto in the County of York; Calvin Gordon Rand, Executive, of the City of Buffalo in the United States of America; William Tennent Wylie, General Manager, of the City of Stratford in the County of Perth and Frederick Gerald Townsend, Chartered Accountant, of the Town of Streetsville in the County of Peel, together with such other persons as hereinafter become members of the Corporation, are hereby constituted a body corporate and politic under the name Co-ordinated Arts Services.

2. The head office of the Corporation shall be situate in ^{Head Office} The Municipality of Metropolitan Toronto.

3. The Corporation shall have the following objects: ^{Objects of Corporation}

- (a) To foster and assist in the co-ordination of services between the performing arts or other artistic or cultural organizations in order to achieve efficiencies therein or integration thereof.
- (b) To provide services for the benefit and assistance of the performing arts or other artistic or cultural organizations including, without limiting the generality of the foregoing, assistance in the investigation, establishment, development, management and operation of all types of equipment, systems and facilities necessary or incidental to the undertakings carried on by such performing arts or other artistic or cultural organizations.
- (c) To assess or otherwise charge the performing arts or other artistic or cultural organizations that utilize any of the aforesaid services the appropriate cost thereof.
- (d) To solicit for government grants, both private and public donations, bequests, legacies or other gifts for the purpose of carrying on the aforesaid services.

Corporation
not carried
on for
purpose of
gain

4. The Corporation shall be carried on without the purpose of gain to its members and any profits or other accretions to the Corporation shall be used in promoting its objects.

Members of
Corporation

5. The members of the Corporation shall be such of the performing arts or other artistic or cultural organizations that apply therefor and are accepted as members by the Board of Directors of the Corporation.

Appoint-
ment
of directors

6.—(1) Each member of the Corporation shall appoint two persons to serve as directors of the Corporation, one of whom shall be an employee or otherwise represent the management of such member and the other of whom shall not be an employee of such member but shall otherwise represent the policy of such member, and, subject to subsection 2, the persons so appointed from time to time shall form the Board of Directors of the Corporation.

Alternate
directors

(2) Any director appointed under subsection 1 may, with the approval of the member that such director represents, designate an alternate director to serve from time to time in his place and stead by reason of his absence or inability to serve, as the occasion may require, and such alternate director shall in such case have all the powers and duties as if he were appointed a director under subsection 1 provided that such alternate director shall represent either the management of the member or the policy of the member in the same manner as the director who designates him represents that member.

(3) For the purposes of this section, a person shall be qualified to represent the policy of a member if such person is known as a director of such member or otherwise is elected to the policy-making board or committee of such member. Qualification to represent policy

(4) The first directors of the Corporation shall be those persons named in section 1 and such alternate directors as each director designates under subsection 2. First directors

(5) All directors shall serve without remuneration and shall be appointed or designated, as the case may be, for a term of one year and are eligible for reappointment or redesignation, as the case may be. Term of office, re-appointment

(6) The affairs of the Corporation shall be managed by the Board of Directors who shall have power to pass by-laws regulating the affairs of the Corporation and, without limiting the generality of the foregoing, the Board of Directors may pass by-laws regulating, Management of Corporation, by-laws

- (a) the calling of and procedure at meetings of the Board of Directors, the time for and the place of such meetings, the quorum at meetings of the Board of Directors and the filling of vacancies in the Board of Directors by reason of death, resignation or otherwise;
- (b) the appointment, functions, powers, duties, remuneration and removal of officers, servants, agents and employees of the Corporation and the security, if any, to be given by them to the Corporation;
- (c) the admission of such of the performing arts or other artistic or cultural organizations that apply therefor as members of the Corporation, and the qualification and conditions of membership;
- (d) the assessment or charging of membership fees, dues or other charges, and the suspension, termination and transfer of membership;
- (e) the calling of and the procedure at meetings of members, the time for and the place of such meetings and the quorum at meetings of members;
- (f) the distribution and disposal of the property and assets of the Corporation upon its dissolution;
- (g) the appointment from time to time of an Executive Committee of the Board of Directors and such other committee or committees as the Board of Directors may authorize;

- (h) the borrowing of money on the credit of the Corporation and the charging, mortgaging, hypothecating or pledging all or any of the real or personal property of the Corporation to secure any money borrowed or other debt or any other obligation or liability of the Corporation; and
- (i) the conduct in all other particulars of the affairs of the Corporation,

provided that any by-law passed pursuant to this subsection and a repeal, amendment or re-enactment thereof, is effective only until the next general meeting of members unless confirmed thereat, and, in default of confirmation thereat, ceases to have effect at and from that time, and in that case no new by-law of the same or like substance has any effect until confirmed at a general meeting of the members, and provided further that no act done or right acquired under any by-law is prejudicially affected by any rejection, amendment or other dealing at a general meeting of members.

Commence-
ment

7. This Act comes into force on the day it receives Royal Assent.

Short title

8. This Act may be cited as *The Co-ordinated Arts Services Act, 1968-69*.

An Act respecting
Co-ordinated Arts Services

1st Reading

February 17th, 1969

2nd Reading

3rd Reading

MR. DUNLOP

(Private Bill)

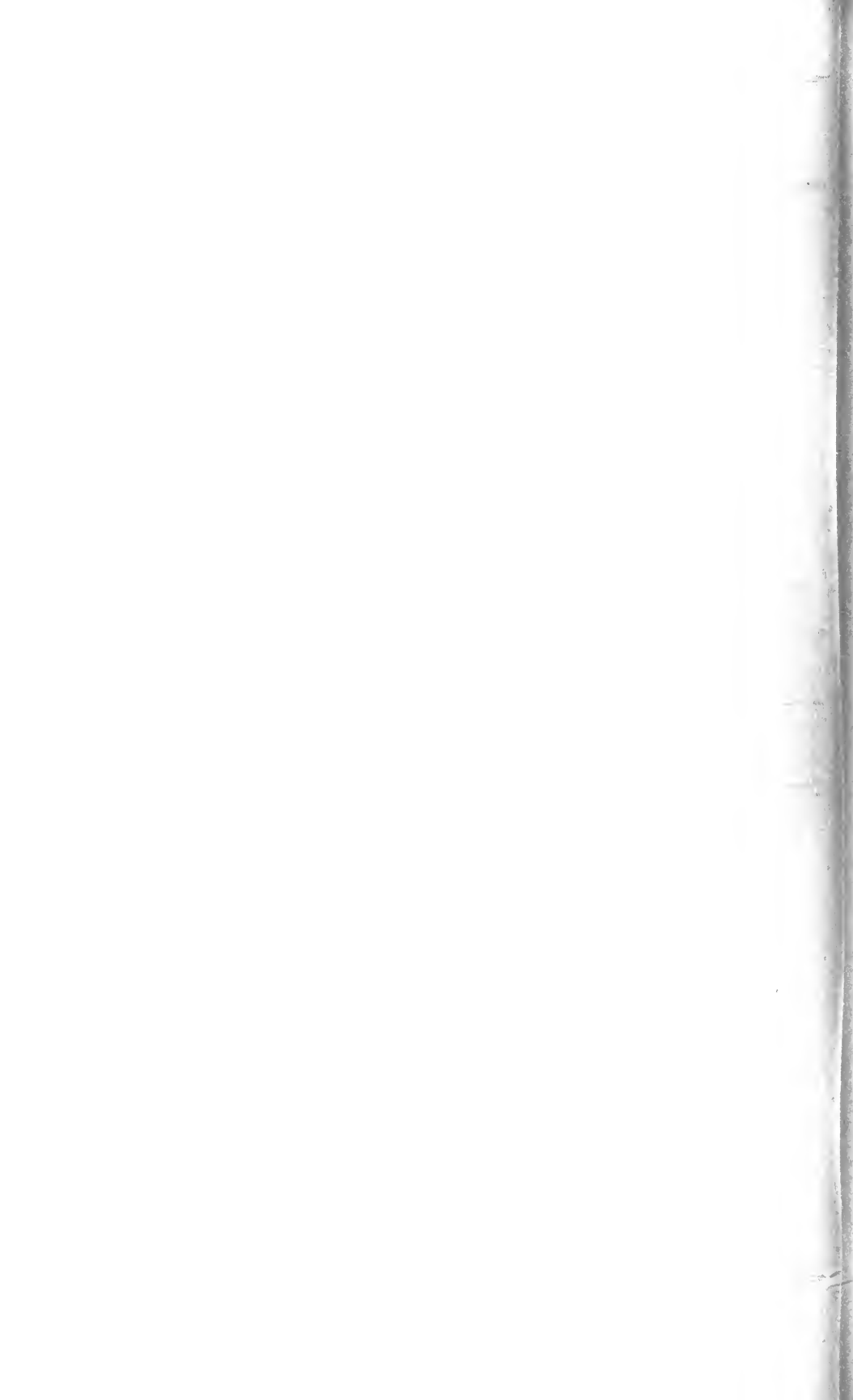
BILL Pr27

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting Co-ordinated Arts Services

MR. DUNLOP

(Reprinted as amended by the Private Bills Committee)



BILL Pr27

1968-69

An Act respecting Co-ordinated Arts Services

WHEREAS the persons named in section 1 have by their ^{Preamble} petition prayed that they are desirous of being incorporated under the name "Co-ordinated Arts Services", herein called the Corporation, for the purpose of providing co-ordinated services for the assistance and benefit of the performing arts carried on by corporations and organizations; and whereas the petitioners have prayed that special legislation be passed for such purposes; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Lawrence Michael Baldwin, Trust Officer, Kenneth ^{Incorporation} Harold John Clarke, Executive, Herman Berthold Geiger-Torel, Managing Director, Arthur Ellis Gelber, Executive, William Hugh Graham, Executive, Walter Homburger, Managing Director, James Mavor Moore, Managing Director, Robert Edward Peel, Executive, Wallace Arven Russell, Manager, Muriel Sherrin, General Manager, Raymond Frederick Wickens, Administrative Director, all of The Municipality of Metropolitan Toronto in the County of York; Calvin Gordon Rand, Executive, of the City of Buffalo in the United States of America; William Tennent Wylie, General Manager, of the City of Stratford in the County of Perth and Frederick Gerald Townsend, Chartered Accountant, of the Town of Streetsville in the County of Peel, together with such other persons as hereinafter become members of the Corporation, are hereby constituted a body corporate and politic under the name Co-ordinated Arts Services.

2. The head office of the Corporation shall be situate in ^{Head Office} The Municipality of Metropolitan Toronto.

3. The Corporation shall have the following objects: ^{Objects of Corporation}

- (a) To foster and assist in the co-ordination of services between the performing arts or other artistic or cultural organizations in order to achieve efficiencies therein or integration thereof.
- (b) To provide services for the benefit and assistance of the performing arts or other artistic or cultural organizations including, without limiting the generality of the foregoing, assistance in the investigation, establishment, development, management and operation of all types of equipment, systems and facilities necessary or incidental to the undertakings carried on by such performing arts or other artistic or cultural organizations.
- (c) To assess or otherwise charge the performing arts or other artistic or cultural organizations that utilize any of the aforesaid services the appropriate cost thereof.
- (d) To solicit and receive grants, donations, bequests, legacies or other gifts for the purpose of carrying on the aforesaid services.

Corporation
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gain

4. The Corporation shall be carried on without the purpose of gain to its members and any profits or other accretions to the Corporation shall be used in promoting its objects.

Members of
Corporation

5. The members of the Corporation shall be such of the performing arts or other artistic or cultural organizations that apply therefor and are accepted as members by the Board of Directors of the Corporation.

Appoint-
ment
of directors

6.—(1) Each member of the Corporation shall appoint two persons to serve as directors of the Corporation, one of whom shall be an employee or otherwise represent the management of such member and the other of whom shall not be an employee of such member but shall otherwise represent the policy of such member, and, subject to subsection 2, the persons so appointed from time to time shall form the Board of Directors of the Corporation.

Alternate
directors

(2) Any director appointed under subsection 1 may, with the approval of the member that such director represents, designate an alternate director to serve from time to time in his place and stead by reason of his absence or inability to serve, as the occasion may require, and such alternate director shall in such case have all the powers and duties as if he were appointed a director under subsection 1 provided that such alternate director shall represent either the management of the member or the policy of the member in the same manner as the director who designates him represents that member.

(3) For the purposes of this section, a person shall be qualified to represent the policy of a member if such person is known as a director of such member or otherwise is elected to the policy-making board or committee of such member. ^{Qualification to represent policy}

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(6) The affairs of the Corporation shall be managed by the Board of Directors who shall have power to pass by-laws regulating the affairs of the Corporation and, without limiting the generality of the foregoing, the Board of Directors may pass by-laws regulating, ^{Management of Corporation, by-laws}

(a) the calling of and procedure at meetings of the Board of Directors, the time for and the place of such meetings, the quorum at meetings of the Board of Directors and the filling of vacancies in the Board of Directors by reason of death, resignation or otherwise;

(b) the appointment, functions, powers, duties, remuneration and removal of officers, servants, agents and employees of the Corporation and the security, if any, to be given by them to the Corporation;

(c) the admission of such of the performing arts or other artistic or cultural organizations that apply therefor as members of the Corporation, and the qualification and conditions of membership;

(d) the assessment or charging of membership fees, dues or other charges, and the suspension, termination and transfer of membership;

(e) the calling of and the procedure at meetings of members, the time for and the place of such meetings and the quorum at meetings of members;

(f) the distribution and disposal of the property and assets of the Corporation upon its dissolution;

(g) the appointment from time to time of an Executive Committee of the Board of Directors and such other committee or committees as the Board of Directors may authorize;

- (h) the borrowing of money on the credit of the Corporation and the charging, mortgaging, hypothecating or pledging all or any of the real or personal property of the Corporation to secure any money borrowed or other debt or any other obligation or liability of the Corporation; and
- (i) the conduct in all other particulars of the affairs of the Corporation,

provided that any by-law passed pursuant to this subsection and a repeal, amendment or re-enactment thereof, is effective only until the next general meeting of members unless confirmed thereat, and, in default of confirmation thereat, ceases to have effect at and from that time, and in that case no new by-law of the same or like substance has any effect until confirmed at a general meeting of the members, and provided further that no act done or right acquired under any by-law is prejudicially affected by any rejection, amendment or other dealing at a general meeting of members.

Commence-
ment

7. This Act comes into force on the day it receives Royal Assent.

Short title

8. This Act may be cited as *The Co-ordinated Arts Services Act, 1968-69*.



1st Reading

February 17th, 1969

2nd Reading

3rd Reading

MR. DUNLOP

*(Reprinted as amended by the
Private Bills Committee)*

BILL Pr27

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting Co-ordinated Arts Services

MR. DUNLOP



BILL Pr27

1968-69

An Act respecting Co-ordinated Arts Services

WHEREAS the persons named in section 1 have by their ^{Preamble} petition prayed that they are desirous of being incorporated under the name "Co-ordinated Arts Services", herein called the Corporation, for the purpose of providing co-ordinated services for the assistance and benefit of the performing arts carried on by corporations and organizations; and whereas the petitioners have prayed that special legislation be passed for such purposes; and whereas it is expedient to grant the prayer of the petition;

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- (b) the appointment, functions, powers, duties, remuneration and removal of officers, servants, agents and employees of the Corporation and the security, if any, to be given by them to the Corporation;
- (c) the admission of such of the performing arts or other artistic or cultural organizations that apply therefor as members of the Corporation, and the qualification and conditions of membership;
- (d) the assessment or charging of membership fees, dues or other charges, and the suspension, termination and transfer of membership;
- (e) the calling of and the procedure at meetings of members, the time for and the place of such meetings and the quorum at meetings of members;
- (f) the distribution and disposal of the property and assets of the Corporation upon its dissolution;
- (g) the appointment from time to time of an Executive Committee of the Board of Directors and such other committee or committees as the Board of Directors may authorize;

- (h) the borrowing of money on the credit of the Corporation and the charging, mortgaging, hypothecating or pledging all or any of the real or personal property of the Corporation to secure any money borrowed or other debt or any other obligation or liability of the Corporation; and
- (i) the conduct in all other particulars of the affairs of the Corporation,

provided that any by-law passed pursuant to this subsection and a repeal, amendment or re-enactment thereof, is effective only until the next general meeting of members unless confirmed thereat, and, in default of confirmation thereat, ceases to have effect at and from that time, and in that case no new by-law of the same or like substance has any effect until confirmed at a general meeting of the members, and provided further that no act done or right acquired under any by-law is prejudicially affected by any rejection, amendment or other dealing at a general meeting of members.

Commence-
ment

7. This Act comes into force on the day it receives Royal Assent.

Short title

8. This Act may be cited as *The Co-ordinated Arts Services Act, 1968-69*.

1000

An Act respecting
Co-ordinated Arts Services

1st Reading

February 17th, 1969

2nd Reading

March 10th, 1969

3rd Reading

March 25th, 1969

MR. DUNLOP

BILL Pr28

2ND SESSION, 28TH LEGISLATURE, ONTARIO
17 ELIZABETH II, 1968-69

An Act respecting the City of Sarnia

MR. BULLBROOK

(PRIVATE BILL)



BILL Pr28

1968-69

An Act respecting the City of Sarnia

WHEREAS The Corporation of the City of Sarnia, ^{Preamble} herein called the Corporation, by its petition has represented that Sarnia Transit Company Limited, herein called the Company, is operating a bus transportation system in the City of Sarnia under the terms of an agreement bearing date the 1st day of August, 1959, that the agreement was authorized by By-law No. 4653 of the City of Sarnia; that the by-law and agreement were confirmed and declared to be and to have been on and after the 1st day of August, 1959 legal, valid and binding upon the parties thereto and their respective successors and assigns by Statutes of Ontario, 1960, Chapter 165, *The City of Sarnia Act, 1960*.

That a by-law of the Corporation to authorize the execution of an agreement bearing date the 4th day of November, 1968, with the Company and Mervyn Davies and W. John Davies, providing for the operation of the bus transportation system for a further period of ten years from the 1st day of September, 1969, was assented to on the 2nd day of December, 1968 by the municipal electors of the City of Sarnia qualified to vote on money by-laws; and whereas the petitioner has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. By-law No. 6108, passed by the council of the Corporation on the 9th day of December, 1968, and the agreement scheduled thereto, dated the 4th day of November, 1968, and made between the Corporation and the Company and Mervyn Davies and W. John Davies, granting to the Company an exclusive franchise to operate a bus transportation system in the City of Sarnia upon and subject to the terms and conditions set forth in the agreement, both as set forth in the Schedule hereto, are and each of them is hereby ^{By-law and bus franchise agreement confirmed}

confirmed and declared to be legal, valid and binding upon the parties thereto and their respective successors and assigns; and the council of the Corporation is hereby authorized and empowered to pass such by-laws, to enter into such other agreements and to do such other matters and things as may be deemed necessary by the Corporation for the full and proper carrying out of the provisions of the agreement.

Exclusive
authority

2. No person other than the Company shall, during the term of the agreement in the Schedule, operate a local passenger transportation service within the City of Sarnia, with the exception of steam railways, taxis not operated as jitneys, buses owned and operated by a board of education, school board or private school, and buses owned and operated by any corporation or organization solely for the purposes of the corporation or organization, provided no fare or fee is charged for transportation.

R.S.O. 1960,
c. 18,
to apply

3. *The Arbitrations Act* applies to every arbitration under section 12 of the agreement in the Schedule and the board of arbitration shall consist of three persons, one appointed by each of the parties to the said agreement and the third by the two arbitrators so appointed.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The City of Sarnia Act, 1968-69*.

SCHEDULE

BY-LAW NUMBER 6108

A BY-LAW to authorize an Agreement with Sarnia Transit Company Limited.

WHEREAS it is deemed expedient to authorize the execution of an Agreement between The Corporation of the City of Sarnia and Sarnia Transit Company Limited granting the said Company the exclusive right and franchise to maintain and operate buses for the conveyance of passengers in the City of Sarnia for a period of ten (10) years commencing on September 1st, 1969 on the terms set out in the said Agreement.

NOW THEREFORE the Municipal Council of The Corporation of the City of Sarnia enacts as follows:

1. That the proposed Agreement to be dated as of the 4th day of November, 1968 between The Corporation of the City of Sarnia and Sarnia Transit Company Limited granting to Sarnia Transit Company Limited the exclusive right and franchise to maintain and operate buses for the conveyance of passengers within the limits of the City of Sarnia for a period of ten (10) years commencing on the 1st day of September, 1969 (a copy of which Agreement is set out in the Schedule annexed hereto and forming part of this By-law) is hereby approved and authorized.

2. That the Mayor and Clerk of The Corporation of the City of Sarnia be and they are hereby authorized and directed to execute and deliver the said Agreement on behalf of The Corporation of the City of Sarnia and to affix the Corporate Seal of the Corporation thereto.

PASSED this 9th day of December, 1968.

PAUL D. BLUNDY,
Mayor.

G. A. M. THOMAS,
Clerk.

SCHEDULE TO BY-LAW NUMBER 6108

MEMORANDUM OF AGREEMENT made as of the 4th day of November, 1968.

BETWEEN:

THE CORPORATION OF THE CITY OF SARNIA,
hereinafter called the "CITY"

OF THE FIRST PART,

— and —

SARNIA TRANSIT COMPANY LIMITED,
hereinafter called the "COMPANY"

OF THE SECOND PART,

— and —

MERVYN DAVIES, of the Township of Sarnia,
Bus Operator, and
W. JOHN DAVIES, of the City of Sarnia, in the
County of Lambton, Bus Operator,

hereinafter called the "PARTIES"

OF THE THIRD PART.

WHEREAS the City and the Company entered into an Agreement under which the Company has and is providing, operating and maintaining an adequate and efficacious public transportation system in the City of Sarnia for a period of ten (10) years from the 1st day of September, 1959;

AND WHEREAS it is desirable that the said transportation system should be continued for a further period of ten (10) years;

AND WHEREAS the Parties of the Third Part are the sole stockholders of the "Company".

NOW THEREFORE THIS AGREEMENT WITNESSETH that the Parties hereto have agreed as follows:

1. Subject to the assent of the municipal electors of the City as required under *The Municipal Franchises Act*, the City hereby grants to the Company the exclusive right and franchise to maintain and operate buses for the conveyance of passengers within the limits of the City as such limits may, from time to time, exist, for a period of ten (10) years from the 1st day of September, 1969 to the 31st day of August, 1979, both dates inclusive.

2. The Company shall provide an adequate and efficacious transportation system.

3. The rates for fares and charges to be charged by the Company initially shall be as set forth in the schedule hereto and shall be collected by and belong exclusively to the Company.

4. The City shall implement the establishment of an efficacious service by taking all steps necessary or desirable to that end, including without limiting the generality of the foregoing:

- (a) Granting authority for the establishment and enforcement of recognized bus stops evidenced by signs for the exclusive use of buses;

- (b) Granting authority for and enforcing the prohibition of parking within bus stop areas during the period of bus operation by the Company.
- (c) Assuring the co-operation of the Police Force of the City in the expeditious movement of buses, particularly during rush hours, and when detours become necessary due to fires or other causes.

5. The Company shall not operate a bus route on any street of the City without first obtaining the consent of the City to operate on such street.

6. The Company, however, shall have the right to manage its business and run its buses on such schedules, at such times and on such routes as it may deem to be in the best interests of the transportation service.

7. The Company shall establish the tariff of fares and charges as set out in the schedule hereto and agrees that these shall not be changed by the Company during the period from 1st of September, 1969 to 31st of August, 1974 and thereafter these shall not be changed without prior notification to the Council of the City, and, except by order of the Ontario Municipal Board on application to it without the concurrence of the Council of the City. It is understood and agreed that, notwithstanding anything contained in paragraph 16 hereof, any decision of the Ontario Municipal Board affecting the tariff of fares and charges shall not preclude the Company from making more than one application during the term of this agreement subsequent to 31st of August, 1974 to change the tariff of fares and charges. It is further understood and agreed that the Company will not make an application for a change in the tariff of fares and charges more often than once in any period of twelve months without the concurrence of the Council of the City.

8. It is understood and agreed that the revenues and expenses pertaining to the operation of charter, interurban or special trips operated by the Company are excluded from the provisions of this agreement.

9. The City shall be responsible for the repair and maintenance of roadways, curbs and sidewalks on bus routes and at bus stops, and for the removal of snow and ice from bus routes and at bus stops, and the cost of such maintenance, repair or removal shall be borne by the City.

10. The City shall pay to the Company for the transportation service for the period from the 1st day of September, 1969 to the 31st day of August, 1970 the sum of \$8,166.66 per month, which sum shall be payable on the 1st day of each month during the said period; and for the period from the 1st day of September, 1970 to the 31st day of August, 1971 the sum of \$8,666.66 per month, which sum shall be payable on the 1st day of each month during the said period; and for the period from the 1st day of September, 1971 to the 31st day of August, 1972 the sum of \$9,166.66 per month, which sum shall be payable on the 1st day of each month during the said period; and for the period from the 1st day of September, 1972 to the 31st day of August, 1974 the sum of \$9,583.33 per month, which sum shall be payable on the 1st day of each month during the said period. Within six months after the 1st day of September, 1974, either party may notify the other party that an adjustment in the amount of the monthly payment for transportation is required. In the event that the parties are unable to agree upon an adjustment of the said amount within one month after the receipt of such notice, the provisions of Section 16 of this agreement shall apply to such disagreement. Until such time as a re-adjustment is made in the amount of the monthly payment, the amount being paid each month shall continue to be paid by the City to the Company during the remainder of the term of franchise hereby granted. The said amounts paid to provide for transportation shall be met by rates levied on all the rateable property in the City of Sarnia.

11. That should the parties of the Third Part or either of them desire to dispose of any shares of stock in the Company during the term of this agreement, the same shall not be sold or transferred either directly or indirectly without the consent of the City in writing having been first

obtained; provided that such consent shall not be required with respect to the transfer of any such shares to the wife or child of the holder thereof. In the event of the sale or transfer of any shares with the consent of the City, no subsequent sale or transfer shall be made by the holder thereof without the consent of the City in writing having been first obtained. That the number of shares issued by the Company shall not be increased without the consent of the City in writing having been first obtained. In the event that the holder of any shares is of the opinion that the consent of the City is being withheld unreasonably, the provisions of Section 16 of this agreement shall apply.

12. On one year's prior written notice to the Company, the City in any year during the term of the franchise may purchase the transportation system maintained and operated by the Company, by payment in full of the purchase price for all the then outstanding issued shares in the capital stock of the Company. The purchase price shall be determined by a Board of Arbitration three months before the effective date of the purchase of the transportation system by the City. The Board of Arbitration shall determine the value of the property of the Company on the basis of the actual value thereof, without regard to the way in which it is being used, its cost or its book value or the net revenue received therefrom.

13. The Company covenants and agrees that during the term of the franchise it will not cease its operations in the City without giving six months' prior written notice to the City of the Company's intention to cease operations in the City. During the period of three months following the giving of any such notice the City may purchase the transportation system maintained and operated by the Company by payment in full of the purchase price for all the then outstanding issued shares in the capital stock of the Company. The said purchase price shall be determined by a Board of Arbitration in the manner provided in paragraph 12 hereof.

14. The Company shall not be held to be in default hereunder for failure to operate, if such failure is the result of fire, act of God, strike or other cause beyond the control of the Company, and, in the event of such an occurrence, the City shall not be liable to pay the Company the equivalent portion of the payment required under paragraph 10 hereof pro-rated on a day to day basis during the period in which the Company has ceased to operate.

15. The Company shall at all times during the said term indemnify and save harmless the City, should the City be held in any way liable for the operation of the Company's buses and shall protect itself with an insurance policy or policies against accidents or liability to the public and/or passengers, and for property damage, as required by *The Highway Traffic Act* of the Province of Ontario and Regulations made thereunder, and *The Public Vehicles Act*, or any other law of the Province of Ontario, and the Company shall produce to the Council at a meeting held not later than the 1st day of March in every year every policy or guaranteed contract so made.

16. Any dispute between the City and the Company, including any dispute respecting service or the interpretation of this agreement, shall be referred to and determined by the Ontario Municipal Board, whose decision shall be final and binding upon the parties hereto and from which decision there shall be no appeal.

17. The City shall immediately take all necessary action to make this agreement legal, valid and binding upon the parties hereto, including, without limiting the generality of the foregoing, the enactment of a By-law and the submission of the same, pursuant to *The Municipal Franchises Act*, to the municipal electors of the City for their assent thereto and if the assent of the electors is given, the City shall apply to the Legislature of the Province of Ontario at its next regular session for legislation confirming and ratifying this agreement, and declaring the same to be legal, valid and binding upon the parties hereto.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their respective seals under the hands of their proper officers duly authorized in that behalf.

SIGNED, SEALED AND
DELIVERED

NANCY HAINES.

NANCY HAINES.

THE CORPORATION OF THE
CITY OF SARNIA:

PAUL D. BLUNDY,
Mayor.

G. A. M. THOMAS,
Clerk.

SARNIA TRANSIT COMPANY
LIMITED:

MERVYN DAVIES,
President.

JOHN D. GEORGE,
Secretary.

MERVYN DAVIES.

W. JOHN DAVIES.

SCHEDULE TO AGREEMENT

FARES AND CHARGES

- (a) Adults — Cash fare of Twenty Cents (20c.) or five tickets for Ninety Cents (90c.) to be sold in strips only.
- (b) Children — Cash fare of Ten Cents (10c.).
- Children are defined as and shall mean only minors under fifty-four inches (54") in height. Children under three (3) years of age, if accompanied by an adult, shall be carried free.
- (c) Tickets — Each ticket shall be good for one fare.
- (d) Transfers — Free transfers shall be given as follows:
- One per fare, good for one continuous journey in one direction to destination within the City on all connecting buses of the Company within the City; but obtainable only at the time of payment of fare. Rolled up, crumpled or otherwise mutilated transfers which are not easily discernible, may be refused.
- (e) THE ABOVE FARES shall be charged and be payable on entering the Company's buses.

An Act respecting the City of Sarnia

1st Reading

2nd Reading

3rd Reading

MR. BULLBROOK

(Private Bill)

BILL Pr28

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the City of Sarnia

MR. BULLBROOK

(Reprinted as amended by the Private Bills Committee)

BILL Pr28

1968-69

An Act respecting the City of Sarnia

WHEREAS The Corporation of the City of Sarnia, ^{Preamble} herein called the Corporation, by its petition has represented that Sarnia Transit Company Limited, herein called the Company, is operating a bus transportation system in the City of Sarnia under the terms of an agreement bearing date the 1st day of August, 1959, that the agreement was authorized by By-law No. 4653 of the City of Sarnia; that the by-law and agreement were confirmed and declared to be and to have been on and after the 1st day of August, 1959 legal, valid and binding upon the parties thereto and their respective successors and assigns by Statutes of Ontario, 1960, Chapter 165, *The City of Sarnia Act, 1960*.

That a by-law of the Corporation to authorize the execution of an agreement bearing date the 4th day of November, 1968, with the Company and Mervyn Davies and W. John Davies, providing for the operation of the bus transportation system for a further period of ten years from the 1st day of September, 1969, was assented to on the 2nd day of December, 1968 by the municipal electors of the City of Sarnia qualified to vote on money by-laws; and whereas the petitioner has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. By-law No. 6108, passed by the council of the Corporation on the 9th day of December, 1968, and the agreement scheduled thereto, dated the 4th day of November, 1968, and made between the Corporation and the Company and Mervyn Davies and W. John Davies, granting to the Company an exclusive franchise to operate a bus transportation system in the City of Sarnia upon and subject to the terms and conditions set forth in the agreement, both as set forth in the Schedule hereto, are and each of them is hereby ^{By-law and bus franchise agreement confirmed}

confirmed and declared to be valid and binding upon the parties thereto and their respective successors and assigns; and the council of the Corporation is hereby authorized and empowered to pass such by-laws, to enter into such other agreements and to do such other matters and things as may be deemed necessary by the Corporation for the full and proper carrying out of the provisions of the agreement.

Exclusive
authority

2. No person other than the Company shall, during the term of the agreement in the Schedule, operate a local passenger transportation service within the City of Sarnia, with the exception of steam railways, taxis not operated as jitneys, buses owned and operated by a board of education, school board or private school, and buses owned and operated by any corporation or organization solely for the purposes of the corporation or organization, provided no fare or fee is charged for transportation.

R.S.O. 1960,
c. 18,
to apply

3. *The Arbitrations Act* applies to every arbitration under section 12 of the agreement in the Schedule and the board of arbitration shall consist of three persons, one appointed by each of the parties to the said agreement and the third by the two arbitrators so appointed.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The City of Sarnia Act, 1968-69*.

SCHEDULE

BY-LAW NUMBER 6108

A BY-LAW to authorize an Agreement with Sarnia Transit Company Limited.

WHEREAS it is deemed expedient to authorize the execution of an Agreement between The Corporation of the City of Sarnia and Sarnia Transit Company Limited granting the said Company the exclusive right and franchise to maintain and operate buses for the conveyance of passengers in the City of Sarnia for a period of ten (10) years commencing on September 1st, 1969 on the terms set out in the said Agreement.

Now THEREFORE the Municipal Council of The Corporation of the City of Sarnia enacts as follows:

1. That the proposed Agreement to be dated as of the 4th day of November, 1968 between The Corporation of the City of Sarnia and Sarnia Transit Company Limited granting to Sarnia Transit Company Limited the exclusive right and franchise to maintain and operate buses for the conveyance of passengers within the limits of the City of Sarnia for a period of ten (10) years commencing on the 1st day of September, 1969 (a copy of which Agreement is set out in the Schedule annexed hereto and forming part of this By-law) is hereby approved and authorized.

2. That the Mayor and Clerk of The Corporation of the City of Sarnia be and they are hereby authorized and directed to execute and deliver the said Agreement on behalf of The Corporation of the City of Sarnia and to affix the Corporate Seal of the Corporation thereto.

PASSED this 9th day of December, 1968.

PAUL D. BLUNDY,
Mayor.

G. A. M. THOMAS,
Clerk.

SCHEDULE TO BY-LAW NUMBER 6108

MEMORANDUM OF AGREEMENT made as of the 4th day of November, 1968.

BETWEEN:

THE CORPORATION OF THE CITY OF SARNIA,
hereinafter called the "CITY"

OF THE FIRST PART,

— and —

SARNIA TRANSIT COMPANY LIMITED,
hereinafter called the "COMPANY"

OF THE SECOND PART,

— and —

MERVYN DAVIES, of the Township of Sarnia,
Bus Operator, and
W. JOHN DAVIES, of the City of Sarnia, in the
County of Lambton, Bus Operator,
hereinafter called the "PARTIES"

OF THE THIRD PART.

WHEREAS the City and the Company entered into an Agreement under which the Company has and is providing, operating and maintaining an adequate and efficacious public transportation system in the City of Sarnia for a period of ten (10) years from the 1st day of September, 1959;

AND WHEREAS it is desirable that the said transportation system should be continued for a further period of ten (10) years;

AND WHEREAS the Parties of the Third Part are the sole stockholders of the "Company".

NOW THEREFORE THIS AGREEMENT WITNESSETH that the Parties hereto have agreed as follows:

1. Subject to the assent of the municipal electors of the City as required under *The Municipal Franchises Act*, the City hereby grants to the Company the exclusive right and franchise to maintain and operate buses for the conveyance of passengers within the limits of the City as such limits may, from time to time, exist, for a period of ten (10) years from the 1st day of September, 1969 to the 31st day of August, 1979, both dates inclusive.

2. The Company shall provide an adequate and efficacious transportation system.

3. The rates for fares and charges to be charged by the Company initially shall be as set forth in the schedule hereto and shall be collected by and belong exclusively to the Company.

4. The City shall implement the establishment of an efficacious service by taking all steps necessary or desirable to that end, including without limiting the generality of the foregoing:

- (a) Granting authority for the establishment and enforcement of recognized bus stops evidenced by signs for the exclusive use of buses;

- (b) Granting authority for and enforcing the prohibition of parking within bus stop areas during the period of bus operation by the Company.
- (c) Assuring the co-operation of the Police Force of the City in the expeditious movement of buses, particularly during rush hours, and when detours become necessary due to fires or other causes.

5. The Company shall not operate a bus route on any street of the City without first obtaining the consent of the City to operate on such street.

6. The Company, however, shall have the right to manage its business and run its buses on such schedules, at such times and on such routes as it may deem to be in the best interests of the transportation service.

7. The Company shall establish the tariff of fares and charges as set out in the schedule hereto and agrees that these shall not be changed by the Company during the period from 1st of September, 1969 to 31st of August, 1974 and thereafter these shall not be changed without prior notification to the Council of the City, and, except by order of the Ontario Municipal Board on application to it without the concurrence of the Council of the City. It is understood and agreed that, notwithstanding anything contained in paragraph 16 hereof, any decision of the Ontario Municipal Board affecting the tariff of fares and charges shall not preclude the Company from making more than one application during the term of this agreement subsequent to 31st of August, 1974 to change the tariff of fares and charges. It is further understood and agreed that the Company will not make an application for a change in the tariff of fares and charges more often than once in any period of twelve months without the concurrence of the Council of the City.

8. It is understood and agreed that the revenues and expenses pertaining to the operation of charter, interurban or special trips operated by the Company are excluded from the provisions of this agreement.

9. The City shall be responsible for the repair and maintenance of roadways, curbs and sidewalks on bus routes and at bus stops, and for the removal of snow and ice from bus routes and at bus stops, and the cost of such maintenance, repair or removal shall be borne by the City.

10. The City shall pay to the Company for the transportation service for the period from the 1st day of September, 1969 to the 31st day of August, 1970 the sum of \$8,166.66 per month, which sum shall be payable on the 1st day of each month during the said period; and for the period from the 1st day of September, 1970 to the 31st day of August, 1971 the sum of \$8,666.66 per month, which sum shall be payable on the 1st day of each month during the said period; and for the period from the 1st day of September, 1971 to the 31st day of August, 1972 the sum of \$9,166.66 per month, which sum shall be payable on the 1st day of each month during the said period; and for the period from the 1st day of September, 1972 to the 31st day of August, 1974 the sum of \$9,583.33 per month, which sum shall be payable on the 1st day of each month during the said period. Within six months after the 1st day of September, 1974, either party may notify the other party that an adjustment in the amount of the monthly payment for transportation is required. In the event that the parties are unable to agree upon an adjustment of the said amount within one month after the receipt of such notice, the provisions of Section 16 of this agreement shall apply to such disagreement. Until such time as a re-adjustment is made in the amount of the monthly payment, the amount being paid each month shall continue to be paid by the City to the Company during the remainder of the term of franchise hereby granted. The said amounts paid to provide for transportation shall be met by rates levied on all the rateable property in the City of Sarnia.

11. That should the parties of the Third Part or either of them desire to dispose of any shares of stock in the Company during the term of this agreement, the same shall not be sold or transferred either directly or indirectly without the consent of the City in writing having been first

obtained; provided that such consent shall not be required with respect to the transfer of any such shares to the wife or child of the holder thereof. In the event of the sale or transfer of any shares with the consent of the City, no subsequent sale or transfer shall be made by the holder thereof without the consent of the City in writing having been first obtained. That the number of shares issued by the Company shall not be increased without the consent of the City in writing having been first obtained. In the event that the holder of any shares is of the opinion that the consent of the City is being withheld unreasonably, the provisions of Section 16 of this agreement shall apply.

12. On one year's prior written notice to the Company, the City in any year during the term of the franchise may purchase the transportation system maintained and operated by the Company, by payment in full of the purchase price for all the then outstanding issued shares in the capital stock of the Company. The purchase price shall be determined by a Board of Arbitration three months before the effective date of the purchase of the transportation system by the City. The Board of Arbitration shall determine the value of the property of the Company on the basis of the actual value thereof, without regard to the way in which it is being used, its cost or its book value or the net revenue received therefrom.

13. The Company covenants and agrees that during the term of the franchise it will not cease its operations in the City without giving six months' prior written notice to the City of the Company's intention to cease operations in the City. During the period of three months following the giving of any such notice the City may purchase the transportation system maintained and operated by the Company by payment in full of the purchase price for all the then outstanding issued shares in the capital stock of the Company. The said purchase price shall be determined by a Board of Arbitration in the manner provided in paragraph 12 hereof.

14. The Company shall not be held to be in default hereunder for failure to operate, if such failure is the result of fire, act of God, strike or other cause beyond the control of the Company, and, in the event of such an occurrence, the City shall not be liable to pay the Company the equivalent portion of the payment required under paragraph 10 hereof pro-rated on a day to day basis during the period in which the Company has ceased to operate.

15. The Company shall at all times during the said term indemnify and save harmless the City, should the City be held in any way liable for the operation of the Company's buses and shall protect itself with an insurance policy or policies against accidents or liability to the public and/or passengers, and for property damage, as required by *The Highway Traffic Act* of the Province of Ontario and Regulations made thereunder, and *The Public Vehicles Act*, or any other law of the Province of Ontario, and the Company shall produce to the Council at a meeting held not later than the 1st day of March in every year every policy or guaranteed contract so made.

16. Any dispute between the City and the Company, including any dispute respecting service or the interpretation of this agreement, shall be referred to and determined by the Ontario Municipal Board, whose decision shall be final and binding upon the parties hereto and from which decision there shall be no appeal.

17. The City shall immediately take all necessary action to make this agreement legal, valid and binding upon the parties hereto, including, without limiting the generality of the foregoing, the enactment of a By-law and the submission of the same, pursuant to *The Municipal Franchises Act*, to the municipal electors of the City for their assent thereto and if the assent of the electors is given, the City shall apply to the Legislature of the Province of Ontario at its next regular session for legislation confirming and ratifying this agreement, and declaring the same to be legal, valid and binding upon the parties hereto.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their respective seals under the hands of their proper officers duly authorized in that behalf.

SIGNED, SEALED AND
DELIVERED

NANCY HAINES.

NANCY HAINES.

THE CORPORATION OF THE
CITY OF SARNIA:

PAUL D. BLUNDY,
Mayor.

G. A. M. THOMAS,
Clerk.

SARNIA TRANSIT COMPANY
LIMITED:

MERVYN DAVIES,
President.

JOHN D. GEORGE,
Secretary.

MERVYN DAVIES.

W. JOHN DAVIES.

SCHEDULE TO AGREEMENT

FARES AND CHARGES

- (a) Adults — Cash fare of Twenty Cents (20c.) or five tickets for Ninety Cents (90c.) to be sold in strips only.
- (b) Children — Cash fare of Ten Cents (10c.).
 Children are defined as and shall mean only minors under fifty-four inches (54") in height. Children under three (3) years of age, if accompanied by an adult, shall be carried free.
- (c) Tickets — Each ticket shall be good for one fare.
- (d) Transfers — Free transfers shall be given as follows:
 One per fare, good for one continuous journey in one direction to destination within the City on all connecting buses of the Company within the City; but obtainable only at the time of payment of fare. Rolled up, crumpled or otherwise mutilated transfers which are not easily discernible, may be refused.
- (e) THE ABOVE FARES shall be charged and be payable on entering the Company's buses.

An Act respecting the City of Sarnia

1st Reading

February 24th, 1969

2nd Reading

3rd Reading

MR. BULLBROOK

*(Reprinted as amended by the
Private Bills Committee)*

BILL Pr28

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the City of Sarnia

MR. BULLBROOK



BILL Pr28

1968-69

An Act respecting the City of Sarnia

WHEREAS The Corporation of the City of Sarnia,^{Preamble} herein called the Corporation, by its petition has represented that Sarnia Transit Company Limited, herein called the Company, is operating a bus transportation system in the City of Sarnia under the terms of an agreement bearing date the 1st day of August, 1959, that the agreement was authorized by By-law No. 4653 of the City of Sarnia; that the by-law and agreement were confirmed and declared to be and to have been on and after the 1st day of August, 1959 legal, valid and binding upon the parties thereto and their respective successors and assigns by Statutes of Ontario, 1960, Chapter 165, *The City of Sarnia Act, 1960*.

That a by-law of the Corporation to authorize the execution of an agreement bearing date the 4th day of November, 1968, with the Company and Mervyn Davies and W. John Davies, providing for the operation of the bus transportation system for a further period of ten years from the 1st day of September, 1969, was assented to on the 2nd day of December, 1968 by the municipal electors of the City of Sarnia qualified to vote on money by-laws; and whereas the petitioner has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. By-law No. 6108, passed by the council of the Corporation on the 9th day of December, 1968, and the agreement scheduled thereto, dated the 4th day of November, 1968, and made between the Corporation and the Company and Mervyn Davies and W. John Davies, granting to the Company an exclusive franchise to operate a bus transportation system in the City of Sarnia upon and subject to the terms and conditions set forth in the agreement, both as set forth in the Schedule hereto, are and each of them is hereby ^{By-law and bus franchise agreement confirmed}

confirmed and declared to be valid and binding upon the parties thereto and their respective successors and assigns; and the council of the Corporation is hereby authorized and empowered to pass such by-laws, to enter into such other agreements and to do such other matters and things as may be deemed necessary by the Corporation for the full and proper carrying out of the provisions of the agreement.

Exclusive
authority

2. No person other than the Company shall, during the term of the agreement in the Schedule, operate a local passenger transportation service within the City of Sarnia, with the exception of steam railways, taxis not operated as jitneys, buses owned and operated by a board of education, school board or private school, and buses owned and operated by any corporation or organization solely for the purposes of the corporation or organization, provided no fare or fee is charged for transportation.

R.S.O. 1960,
c. 18,
to apply

3. *The Arbitrations Act* applies to every arbitration under section 12 of the agreement in the Schedule and the board of arbitration shall consist of three persons, one appointed by each of the parties to the said agreement and the third by the two arbitrators so appointed.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The City of Sarnia Act, 1968-69*.

SCHEDULE

BY-LAW NUMBER 6108

A BY-LAW to authorize an Agreement with Sarnia Transit Company Limited.

WHEREAS it is deemed expedient to authorize the execution of an Agreement between The Corporation of the City of Sarnia and Sarnia Transit Company Limited granting the said Company the exclusive right and franchise to maintain and operate buses for the conveyance of passengers in the City of Sarnia for a period of ten (10) years commencing on September 1st, 1969 on the terms set out in the said Agreement.

NOW THEREFORE the Municipal Council of The Corporation of the City of Sarnia enacts as follows:

1. That the proposed Agreement to be dated as of the 4th day of November, 1968 between The Corporation of the City of Sarnia and Sarnia Transit Company Limited granting to Sarnia Transit Company Limited the exclusive right and franchise to maintain and operate buses for the conveyance of passengers within the limits of the City of Sarnia for a period of ten (10) years commencing on the 1st day of September, 1969 (a copy of which Agreement is set out in the Schedule annexed hereto and forming part of this By-law) is hereby approved and authorized.

2. That the Mayor and Clerk of The Corporation of the City of Sarnia be and they are hereby authorized and directed to execute and deliver the said Agreement on behalf of The Corporation of the City of Sarnia and to affix the Corporate Seal of the Corporation thereto.

PASSED this 9th day of December, 1968.

PAUL D. BLUNDY,
Mayor.

G. A. M. THOMAS,
Clerk.

SCHEDULE TO BY-LAW NUMBER 6108

MEMORANDUM OF AGREEMENT made as of the 4th day of November, 1968.

BETWEEN:

THE CORPORATION OF THE CITY OF SARNIA,
hereinafter called the "CITY"

OF THE FIRST PART,

— and —

SARNIA TRANSIT COMPANY LIMITED,
hereinafter called the "COMPANY"

OF THE SECOND PART,

— and —

MERVYN DAVIES, of the Township of Sarnia,
Bus Operator, and
W. JOHN DAVIES, of the City of Sarnia, in the
County of Lambton, Bus Operator,

hereinafter called the "PARTIES"

OF THE THIRD PART.

WHEREAS the City and the Company entered into an Agreement under which the Company has and is providing, operating and maintaining an adequate and efficacious public transportation system in the City of Sarnia for a period of ten (10) years from the 1st day of September, 1959;

AND WHEREAS it is desirable that the said transportation system should be continued for a further period of ten (10) years;

AND WHEREAS the Parties of the Third Part are the sole stockholders of the "Company".

NOW THEREFORE THIS AGREEMENT WITNESSETH that the Parties hereto have agreed as follows:

1. Subject to the assent of the municipal electors of the City as required under *The Municipal Franchises Act*, the City hereby grants to the Company the exclusive right and franchise to maintain and operate buses for the conveyance of passengers within the limits of the City as such limits may, from time to time, exist, for a period of ten (10) years from the 1st day of September, 1969 to the 31st day of August, 1979, both dates inclusive.

2. The Company shall provide an adequate and efficacious transportation system.

3. The rates for fares and charges to be charged by the Company initially shall be as set forth in the schedule hereto and shall be collected by and belong exclusively to the Company.

4. The City shall implement the establishment of an efficacious service by taking all steps necessary or desirable to that end, including without limiting the generality of the foregoing:

- (a) Granting authority for the establishment and enforcement of recognized bus stops evidenced by signs for the exclusive use of buses;

- (b) Granting authority for and enforcing the prohibition of parking within bus stop areas during the period of bus operation by the Company.
- (c) Assuring the co-operation of the Police Force of the City in the expeditious movement of buses, particularly during rush hours, and when detours become necessary due to fires or other causes.

5. The Company shall not operate a bus route on any street of the City without first obtaining the consent of the City to operate on such street.

6. The Company, however, shall have the right to manage its business and run its buses on such schedules, at such times and on such routes as it may deem to be in the best interests of the transportation service.

7. The Company shall establish the tariff of fares and charges as set out in the schedule hereto and agrees that these shall not be changed by the Company during the period from 1st of September, 1969 to 31st of August, 1974 and thereafter these shall not be changed without prior notification to the Council of the City, and, except by order of the Ontario Municipal Board on application to it without the concurrence of the Council of the City. It is understood and agreed that, notwithstanding anything contained in paragraph 16 hereof, any decision of the Ontario Municipal Board affecting the tariff of fares and charges shall not preclude the Company from making more than one application during the term of this agreement subsequent to 31st of August, 1974 to change the tariff of fares and charges. It is further understood and agreed that the Company will not make an application for a change in the tariff of fares and charges more often than once in any period of twelve months without the concurrence of the Council of the City.

8. It is understood and agreed that the revenues and expenses pertaining to the operation of charter, interurban or special trips operated by the Company are excluded from the provisions of this agreement.

9. The City shall be responsible for the repair and maintenance of roadways, curbs and sidewalks on bus routes and at bus stops, and for the removal of snow and ice from bus routes and at bus stops, and the cost of such maintenance, repair or removal shall be borne by the City.

10. The City shall pay to the Company for the transportation service for the period from the 1st day of September, 1969 to the 31st day of August, 1970 the sum of \$8,166.66 per month, which sum shall be payable on the 1st day of each month during the said period; and for the period from the 1st day of September, 1970 to the 31st day of August, 1971 the sum of \$8,666.66 per month, which sum shall be payable on the 1st day of each month during the said period; and for the period from the 1st day of September, 1971 to the 31st day of August, 1972 the sum of \$9,166.66 per month, which sum shall be payable on the 1st day of each month during the said period; and for the period from the 1st day of September, 1972 to the 31st day of August, 1974 the sum of \$9,583.33 per month, which sum shall be payable on the 1st day of each month during the said period. Within six months after the 1st day of September, 1974, either party may notify the other party that an adjustment in the amount of the monthly payment for transportation is required. In the event that the parties are unable to agree upon an adjustment of the said amount within one month after the receipt of such notice, the provisions of Section 16 of this agreement shall apply to such disagreement. Until such time as a re-adjustment is made in the amount of the monthly payment, the amount being paid each month shall continue to be paid by the City to the Company during the remainder of the term of franchise hereby granted. The said amounts paid to provide for transportation shall be met by rates levied on all the rateable property in the City of Sarnia.

11. That should the parties of the Third Part or either of them desire to dispose of any shares of stock in the Company during the term of this agreement, the same shall not be sold or transferred either directly or indirectly without the consent of the City in writing having been first

obtained; provided that such consent shall not be required with respect to the transfer of any such shares to the wife or child of the holder thereof. In the event of the sale or transfer of any shares with the consent of the City, no subsequent sale or transfer shall be made by the holder thereof without the consent of the City in writing having been first obtained. That the number of shares issued by the Company shall not be increased without the consent of the City in writing having been first obtained. In the event that the holder of any shares is of the opinion that the consent of the City is being withheld unreasonably, the provisions of Section 16 of this agreement shall apply.

12. On one year's prior written notice to the Company, the City in any year during the term of the franchise may purchase the transportation system maintained and operated by the Company, by payment in full of the purchase price for all the then outstanding issued shares in the capital stock of the Company. The purchase price shall be determined by a Board of Arbitration three months before the effective date of the purchase of the transportation system by the City. The Board of Arbitration shall determine the value of the property of the Company on the basis of the actual value thereof, without regard to the way in which it is being used, its cost or its book value or the net revenue received therefrom.

13. The Company covenants and agrees that during the term of the franchise it will not cease its operations in the City without giving six months' prior written notice to the City of the Company's intention to cease operations in the City. During the period of three months following the giving of any such notice the City may purchase the transportation system maintained and operated by the Company by payment in full of the purchase price for all the then outstanding issued shares in the capital stock of the Company. The said purchase price shall be determined by a Board of Arbitration in the manner provided in paragraph 12 hereof.

14. The Company shall not be held to be in default hereunder for failure to operate, if such failure is the result of fire, act of God, strike or other cause beyond the control of the Company, and, in the event of such an occurrence, the City shall not be liable to pay the Company the equivalent portion of the payment required under paragraph 10 hereof pro-rated on a day to day basis during the period in which the Company has ceased to operate.

15. The Company shall at all times during the said term indemnify and save harmless the City, should the City be held in any way liable for the operation of the Company's buses and shall protect itself with an insurance policy or policies against accidents or liability to the public and/or passengers, and for property damage, as required by *The Highway Traffic Act* of the Province of Ontario and Regulations made thereunder, and *The Public Vehicles Act*, or any other law of the Province of Ontario, and the Company shall produce to the Council at a meeting held not later than the 1st day of March in every year every policy or guaranteed contract so made.

16. Any dispute between the City and the Company, including any dispute respecting service or the interpretation of this agreement, shall be referred to and determined by the Ontario Municipal Board, whose decision shall be final and binding upon the parties hereto and from which decision there shall be no appeal.

17. The City shall immediately take all necessary action to make this agreement legal, valid and binding upon the parties hereto, including, without limiting the generality of the foregoing, the enactment of a By-law and the submission of the same, pursuant to *The Municipal Franchises Act*, to the municipal electors of the City for their assent thereto and if the assent of the electors is given, the City shall apply to the Legislature of the Province of Ontario at its next regular session for legislation confirming and ratifying this agreement, and declaring the same to be legal, valid and binding upon the parties hereto.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their respective seals under the hands of their proper officers duly authorized in that behalf.

SIGNED, SEALED AND
DELIVERED

NANCY HAINES.

NANCY HAINES.

THE CORPORATION OF THE
CITY OF SARNIA:

PAUL D. BLUNDY,
Mayor.

G. A. M. THOMAS,
Clerk.

SARNIA TRANSIT COMPANY
LIMITED:

MERVYN DAVIES,
President.

JOHN D. GEORGE,
Secretary.

MERVYN DAVIES.

W. JOHN DAVIES.

SCHEDULE TO AGREEMENT

FARES AND CHARGES

- (a) Adults — Cash fare of Twenty Cents (20c.) or five tickets for Ninety Cents (90c.) to be sold in strips only.
- (b) Children — Cash fare of Ten Cents (10c.).
 Children are defined as and shall mean only minors under fifty-four inches (54") in height. Children under three (3) years of age, if accompanied by an adult, shall be carried free.
- (c) Tickets — Each ticket shall be good for one fare.
- (d) Transfers — Free transfers shall be given as follows:
 One per fare, good for one continuous journey in one direction to destination within the City on all connecting buses of the Company within the City; but obtainable only at the time of payment of fare. Rolled up, crumpled or otherwise mutilated transfers which are not easily discernible, may be refused.
- (e) THE ABOVE FARES shall be charged and be payable on entering the Company's buses.

An Act respecting the City of Sarnia

1st Reading

February 17th, 1969

2nd Reading

March 10th, 1969

3rd Reading

March 25th, 1969

MR. BULLBROOK

BILL Pr29

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the City of Peterborough

MR. PITMAN

(PRIVATE BILL)

BILL Pr29

1968-69

An Act respecting the City of Peterborough

WHEREAS The Corporation of the City of Peter-^{Preamble}borough by its petition has represented that on the 7th day of October, 1968 the council of The Corporation of the City of Peterborough gave first and second readings to By-law No. 1968-130, entitled "A by-law to authorize The Corporation of the City of Peterborough to enter into an agreement with Border Transit Limited granting to Border Transit Limited the exclusive right to operate buses for the conveyance of passengers within the limits of the City of Peterborough for a period of five years from the 1st day of January, 1969 and obligating the Corporation to pay annually to Border Transit Limited such amount of money as may be necessary to provide Border Transit Limited with a profit in the operations of such buses to the extent set out in the said agreement,"; that the by-law has been assented to by the municipal electors qualified to vote on money by-laws for the City of Peterborough; and whereas the Corporation has prayed for special legislation in respect of the matter hereinafter set forth; and whereas it is expedient to grant the prayer of the Petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The council of The Corporation of the City of Peter-<sup>Authoriza-
tion to
enter into
agreement</sup>borough is hereby authorized to give third reading to and finally pass By-law No. 1968-130, set forth in the Schedule hereto, to enter into the agreement forming part of the by-law and to enact the by-law referred to in paragraph 16 of the agreement in the form set forth in Schedule "A" to the agreement.

2. This Act comes into force on the day it receives Royal<sup>Commence-
ment</sup> Assent.

3. This Act may be cited as *The City of Peterborough Act*,^{Short title} 1968-69.

SCHEDULE

BY-LAW NUMBER 1968-130

A BY-LAW to authorize The Corporation of the City of Peterborough to enter into an agreement with Border Transit Limited granting to Border Transit Limited the exclusive right to operate buses for the conveyance of passengers within the limits of the City of Peterborough for a period of five years from the 1st day of January, 1969 and obligating the Corporation to pay annually to Border Transit Limited such amount of money as may be necessary to provide Border Transit Limited with a profit in the operations of such buses to the extent set out in the said agreement.

THE CORPORATION OF THE CITY OF PETERBOROUGH by the Council thereof enacts as follows:

1. That the Agreement between the Corporation of the City of Peterborough and Border Transit Limited set forth in the schedule attached hereto and forming part of this By-law is hereby approved and authorized.

2. That the Mayor and Clerk are hereby authorized and directed to enter into, execute, affix the corporate seal and deliver the said agreement on behalf of the Corporation of the City of Peterborough.

READ A FIRST AND SECOND TIME this 7th day of October, 1968.

JOSEPH J. BEHAN, *Mayor*.

E. A. OUTRAM, *Clerk*.

READ A THIRD TIME and finally passed this day of , 1969.

Mayor.

Clerk.

SCHEDULE

THIS AGREEMENT made in duplicate this 8th day of October, A.D. 1968.

BETWEEN:

THE CORPORATION OF THE CITY OF PETERBOROUGH,
hereinafter called the Corporation,

OF THE FIRST PART,

— and —

BORDER TRANSIT LIMITED,
hereinafter called the Company,

OF THE SECOND PART.

WHEREAS the Parties hereto entered into an Agreement dated the 5th day of November, 1963, relating to conveyance of passengers by bus, which Agreement expires on the 31st day of December, 1968;

AND WHEREAS the Parties hereto are desirous of entering into a further Agreement upon the terms and conditions hereinafter set out;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and other good and valuable consideration, the parties hereto hereby agree as follows:

1. In this agreement the words "deficit", "depreciation", "net profit" and "capital assets" are used with reference only to the maintenance and operation of buses by the Company for the conveyance of passengers within the limits of the City of Peterborough in accordance with the terms of this agreement and other operations presently carried on by the Company within the limits of the City of Peterborough, it being understood that the Company is under no obligation to continue such other operations.

2. Subject to the due performance by the Company of its obligations under this Agreement, the Corporation hereby grants to the Company the exclusive right to maintain and operate buses for the conveyance of passengers within the limits of the City of Peterborough for a period of five (5) years from and including the 1st day of January, 1969, to and including the 31st day of December, 1973. The franchise hereby granted relates only to the picking up, conveyance and discharge of passengers within the limits of the City of Peterborough and does not extend or apply to the operation of buses operating between any point within the City of Peterborough and points outside the City of Peterborough where passengers are not conveyed from one point within the City of Peterborough to another and does not apply to passengers conveyed within the City of Peterborough by taxi cab or ambulance. WITHOUT RESTRICTING the generality of the foregoing, it is understood and agreed that the Company shall have the exclusive right to pick up, convey and discharge students within the limits of the City of Peterborough, and the exclusive right to enter into and contract for the conveyance of students within the limits of the said City of Peterborough.

3. During the period of this Agreement the Company shall maintain and operate an adequate number of buses of reasonably modern design and type for the conveyance of passengers within the City of Peterborough on such routes and at such times as the Corporation shall by resolution determine and in the meantime on such routes and at such times as are set forth in the schedule forming part of the agreement between the parties dated April 20, 1958, as last varied by the parties. All buses so used shall

be kept at all times in a good and sufficient state of repair; shall be kept clean inside and out, and shall be lighted and heated at such hours and for such periods of the year as may be necessary. The Corporation agrees to consult with the Company with respect to proposed changes in routes and schedules but the decision of the Corporation in this regard shall be final. The Corporation will give the Company reasonable notice of any changes in routes and schedules.

4. During the term of this Agreement the Company shall pay to the Corporation an annual licence fee of \$100.00 in two equal instalments on June 30th and December 31st.

5. The rate of fares for conveyance of passengers shall be

Adult fare — 20c. cash or 3 tickets for 50c.

Children under 58 inches in height — 10c. cash or 6 tickets for 50c.

Such fares shall not be changed, altered or otherwise varied by the Company without the consent of the Council of the Corporation as expressed by by-law;

6. During each of the years 1969, 1970, 1971, 1972 and 1973, the Corporation will pay to the Company annually a basic sum of \$45,000.00 by monthly instalments of \$3,750.00 each.

7. If the payment by the Corporation to the Company of the subsidy referred to in paragraph 6 hereof shall result in the Company making a net profit in any such year after payment of Federal and Provincial Corporation taxes of less than \$15,050.00, the Corporation shall forthwith pay to the Company an additional amount equal to the difference between such net profit and the sum of \$15,050.00 and if the payment of the said subsidy by the Corporation to the Company shall result in the Company making a net profit in any year after payment of Federal and Provincial Corporation taxes of more than \$15,050.00 the Company shall forthwith pay to the Corporation an amount equal to the difference between such net profit and the sum of \$15,050.00.

For the purposes of paragraph 7, net profits shall be determined after deducting from the gross revenue of the Company all reasonable and proper expenses, including an allowance for depreciation in the manner set out in paragraph 9 hereof provided that the Company shall not deduct as an expense any amount paid for managerial or executive salaries (including directors' and officers' fees) in excess of \$15,000.00 per annum, without the consent of the Corporation.

8. IN THE EVENT that the Company shall fail to perform its obligations as set forth in this Agreement or in the event that the Corporation shall fail to fulfil its obligations as set forth in this Agreement, then either party shall have the right at any time thereafter to terminate this Agreement upon three (3) months' written notice to the other party. In the event this agreement is so terminated on a date other than the 31st day of December in any year, the amount of the subsidy referred to in paragraph 6 hereof for the year in which the termination occurs shall be reduced proportionately and in such event the amount of net profit where referred to in paragraph 7 hereof shall be reduced by the proportion that the period of the year remaining after the date of termination bears to the whole of the year and any amount payable by either the Corporation or the Company thereunder shall be adjusted accordingly.

9. For the purpose of calculating the payments referred to in Paragraph 7 hereof, the Company shall be entitled to an annual allowance of \$19,000.00 for depreciation upon all buses and motor vehicles presently owned by the Company and subsequently acquired by it up to a maximum cost for such subsequent acquisitions of \$110,000.00 provided that should the cost of acquisition of such additional buses and motor vehicles exceed \$110,000.00 then the annual allowance shall be increased by 20% multiplied by the amount of such excess. The Company shall not be entitled to purchase capital assets of any kind at a cost in excess of \$1,000.00 without the express consent of the Corporation as expressed by Resolution of the Council.

In addition, the Company shall be entitled to claim depreciation allowance on its capital assets other than buses or other motor vehicles at the maximum rates allowed by the Department of National Revenue. In such calculations no allowance shall be made by the Company for Corporation Income Tax payable by the Company with respect to the recapture of depreciation.

10. The Corporation will pay the Company by monthly payment on the 15th day of each month, one-twelfth of the basic amount set out in paragraph 6 hereof. Any amount payable by the Corporation or the Company, if any, pursuant to paragraph 7 hereof for operations of the previous year shall be paid to the Company or the Corporation within thirty days after receipt by the Corporation of an audited Profit and Loss Statement relating to the operations of said period. The auditor of the Corporation shall have the right at all reasonable times during the currency of this Agreement to examine and verify such of the Company's books of account, vouchers and records, as may be necessary to determine the profit or loss of the Company and the amount of subsidy payable hereunder or the amount to which the City is entitled to receive by way of refund.

11. The Company may apply in writing to the Council of the Corporation for a further renewal or extension of the Franchise granted and extended hereunder or as amended, and such application shall be filed with the Clerk of the Council of the Corporation on or before the 1st day of June, 1972.

12. The Company shall at all times during the said term indemnify and save harmless the Corporation, should the Corporation be held in any way liable for the operation of the Company's buses, and shall protect itself with an insurance policy or policies against accidents or liability to the public and/or passengers, and for property damage, as required by *The Highway Traffic Act* of the Province of Ontario and Regulations made thereunder, and *The Public Vehicles Act*, and the Company shall produce to the Council at a meeting held not later than the 1st day of March in every year every policy or guaranteed contract so made.

13. The Corporation shall during the said term by by-law provide sufficient bus stops as the Company may require to conduct its business of carrying passengers as may be agreed upon between the parties hereto and shall adequately mark said bus stops.

14. The Corporation shall during said term by by-law regulate traffic in the City of Peterborough to enable the Company to operate its buses efficiently.

15. The Council of the Corporation shall forthwith at its own expense take or cause to be taken all necessary steps to lawfully pass or cause to be passed, a by-law of the Corporation with the assent of the qualified electors, to authorize the Corporation to enter into this Agreement, and upon the date when said by-law is finally passed, this Agreement shall become effective.

16. The Corporation shall forthwith after this Agreement becomes effective, pass a By-law in the form set out as Schedule "A" hereto.

17. Upon the expiration of this Agreement or upon the termination of this agreement by either party pursuant to paragraph 8 hereof, the Corporation shall for a period of three months thereafter have a sole, irrevocable and exclusive option to purchase all the assets and property of the Company used in connection with its operations in the City of Peterborough at a price to be agreed upon by the parties or upon their failure to agree, at a price to be determined under the provisions of *The Arbitrations Act* of Ontario. It is agreed that in determining the price to be paid to the Company:

- (a) nothing shall be taken into account or allowed for the franchise hereby granted;

- (b) the price of buses and other motor vehicles acquired by the Company up until December 31, 1963 shall be the undepreciated capital cost thereof (which in this agreement means the original capital cost after deduction of accumulated depreciation allowance), the said undepreciated capital cost having been determined at December 31, 1963 to be \$60,000.00. With respect to the buses or other motorized equipment purchased after the year 1963, the purchase price shall be the original capital cost less the depreciation allowances made by the Corporation from January 1, 1964 to the date of sale;
- (c) the price of all other assets and property of the Company shall be the actual market value thereof at the date of acceptance of the option.

The said option may be accepted by the Corporation giving written notice of such acceptance to the Company delivered by registered mail at its place of business in the City of Peterborough and upon the acceptance of such option all the said assets and property of the Company shall forthwith become the property of the Corporation and the Company agrees to execute all such instruments and assurances as may be necessary to effectively transfer title in the said assets and property to the Corporation. Upon the price being determined as aforesaid it shall immediately become due and payable by the Corporation to the Company together with interest thereon at the rate of six per cent per annum calculated from the date of the acceptance of the option. In the event the Corporation fails to accept the option within the said period of three months, then the Corporation will immediately buy from the Company and the Company will immediately sell to the Corporation all buses and other motor vehicles acquired by the Company after January 1st, 1969, and then being used by the Company in connection with its operations in the City of Peterborough, at the undepreciated capital cost thereof.

18. The Company shall not be liable for damages arising from the cessation or interruption of the bus service herein caused by fire, flood, act of God, strike or other circumstance beyond the control of the Company.

19. The Company shall not assign this agreement and/or sell its assets and property used in connection with its operations in the City of Peterborough to any person or corporation without the express consent of the Corporation as expressed by by-law of the Council thereof provided, however, that such consent of the Corporation shall not be unreasonably withheld, and provided also that upon being advised by the Company of its intention to assign this agreement and/or sell its said assets or property the Corporation shall immediately become entitled to a sole, irrevocable and exclusive option for a period of three months thereafter to purchase all the said assets and property of the Company at the price and upon the terms and conditions set forth in paragraph 17 hereof and upon the acceptance of such option by the Corporation the franchise hereby granted shall immediately be terminated.

20. If at any time during or after the said term of the agreement any dispute, difference or question shall arise between the parties hereto, or any of their representatives, touching this agreement, or any part thereof, or the construction meaning or effect of this agreement or any part thereof, or anything herein contained, or the rights or liabilities of the parties, or their representatives, under this agreement or otherwise, in relation to the premises, and if said matter cannot be settled by the parties hereto by negotiation, then every such dispute, difference or question shall be referred to a single arbitrator, if the parties agree upon one, otherwise to three arbitrators, one to be appointed by each party to the reference, and the third arbitrator to be a Judge of any County of the Province of Ontario and to be appointed by the Parties hereto in writing before they enter upon the business of the reference. If either party shall refuse or neglect to appoint an arbitrator within thirty days after the other Party shall have appointed an arbitrator, and shall have served a written notice upon the first-mentioned party requiring such party to make such appointment, then the arbitrator first appointed shall, at the request of

the party appointing him, proceed to hear and determine the matter in difference as if he were a single arbitrator appointed by both parties for the purpose, and the award or determination which shall be made by the said arbitrator, shall be final and binding on the parties hereto their successors and assigns, and shall not be subject to appeal to any Court or Courts.

21. The Corporation agrees to appoint each year a special Committee for the purpose of assisting the Company in policy matters relating to routes, rates, and other matters relating to the efficient operation of the Company.

22. THIS AGREEMENT shall enure to the benefit of and be binding upon the parties hereto, their respective successors and assigns.

IN WITNESS WHEREOF the said Parties hereto have hereunto affixed their Corporate seals attested by the hands of their proper signing officers in that behalf.

THE CORPORATION OF THE CITY OF
PETERBOROUGH:

Per:
Mayor.

.....
Clerk.

BORDER TRANSIT LIMITED:

Per:
President.

.....
Secretary.

Schedule "A" to the Agreement

BY-LAW NO.

Being a By-law of the City of Peterborough passed for the purposes of fully carrying out the provisions of a certain Agreement between the Corporation of the City of Peterborough and Border Transit Limited.

WHEREAS the Corporation of the City of Peterborough on the day of _____, A.D. 196____, entered into an Agreement between Border Transit Limited granting to Border Transit Limited the exclusive right to operate buses for the conveyance of passengers within the limits of the City of Peterborough for a period of five years from the 1st day of January, 1969.

AND WHEREAS the said Agreement was authorized by By-law Number 196____, passed on the _____ day of _____.

AND WHEREAS the said Act provided, among other things, that "The said Corporation is hereby authorized and empowered to pass such other by-laws, to enter into such other agreements, and to do all such other acts, matters and things as may be deemed necessary by the said Corporation to fully carry out the provisions of the said Agreement."

AND WHEREAS the said Act provided further that "Where jurisdiction respecting any of the matters mentioned in said Agreement is now or may hereafter be vested in the Police Commissioners of the said City, or any other authority, such powers as may be necessary to enable the Council to carry out the provisions of the said Agreement shall be exercised by the Council of the said Corporation instead of the said commissioners or other authority."

AND WHEREAS the within By-law is deemed necessary to fully carry out the provisions of the said Agreement.

NOW THEREFORE The Corporation of the City of Peterborough by the Council thereof enacts as follows:

INTERPRETATION

1. In this By-law,

- (a) "omnibus" means a motor or other vehicle having a capacity for the conveyance of more than six persons at one time, besides the driver.

APPLICATION OF BY-LAW

2. The Provisions of this By-law do not apply with respect to,

- (a) any vehicle operated by Border Transit Limited; or
- (b) any ambulance or taxi cab lawfully operated under licence of the Board of Commissioners of Police of the City of Peterborough and for the regular city tariff; or
- (c) any omnibus owned and operated by a Board of Education, School Board or private school or University; or
- (d) any omnibus owned and operated by any person, corporation or organization for the purposes only of such person, corporation or organization and for which no fare or fee is charged for transportation nor paid directly or indirectly for the use of such equipment, or for the leasing thereof.

PROHIBITION

3.—(1) No person shall operate any vehicle for the conveyance of passengers for hire from any point within the limits of the City of Peterborough as such limits may be from time to time, to any other point therein; and no person shall allow any vehicle of which he is the owner or which is under his control to be so used.

(2) No person shall operate for the conveyance of passengers from any point within the limits of the City of Peterborough as such limits may be from time to time, to any other point therein, any omnibus which has been let for hire or which is owned or is usually operated or under the control of a person who lets vehicles for hire.

(3) No person who lets vehicles for hire shall allow any omnibus of which he is the owner or which is under his control to be used for the conveyance of passengers from any point within the limits of the City of Peterborough as such limits may be from time to time, to any other point therein, whether or not such omnibus has been let to a person who is to provide his own driver.

ENFORCEMENT

4. The members of the police force and the officers and servants of the city corporation shall not be obliged to enforce the provisions of this By-law.

PENALTY

5. Every person who contravenes any provision of this By-law shall upon conviction be liable to a penalty of not more than Three Hundred Dollars, exclusive of costs.

PASSED this day of , 19 .

City Clerk.

Mayor.

An Act respecting the
City of Peterborough

1st Reading

2nd Reading

3rd Reading

MR. PITMAN

(Private Bill)

BILL Pr29

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the City of Peterborough

MR. PITMAN



BILL Pr29

1968-69

An Act respecting the City of Peterborough

WHEREAS The Corporation of the City of Peterborough by its petition has represented that on the 7th day of October, 1968 the council of The Corporation of the City of Peterborough gave first and second readings to By-law No. 1968-130, entitled "A by-law to authorize The Corporation of the City of Peterborough to enter into an agreement with Border Transit Limited granting to Border Transit Limited the exclusive right to operate buses for the conveyance of passengers within the limits of the City of Peterborough for a period of five years from the 1st day of January, 1969 and obligating the Corporation to pay annually to Border Transit Limited such amount of money as may be necessary to provide Border Transit Limited with a profit in the operations of such buses to the extent set out in the said agreement,"; that the by-law has been assented to by the municipal electors qualified to vote on money by-laws for the City of Peterborough; and whereas the Corporation has prayed for special legislation in respect of the matter hereinafter set forth; and whereas it is expedient to grant the prayer of the Petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The council of The Corporation of the City of Peterborough is hereby authorized to give third reading to and finally pass By-law No. 1968-130, set forth in the Schedule hereto, to enter into the agreement forming part of the by-law and to enact the by-law referred to in paragraph 16 of the agreement in the form set forth in Schedule "A" to the agreement. Authoriza-
tion to
enter into
agreement

2. This Act comes into force on the day it receives Royal Assent. Commence-
ment

3. This Act may be cited as *The City of Peterborough Act*, Short title
1968-69.

SCHEDULE

BY-LAW NUMBER 1968-130

A BY-LAW to authorize The Corporation of the City of Peterborough to enter into an agreement with Border Transit Limited granting to Border Transit Limited the exclusive right to operate buses for the conveyance of passengers within the limits of the City of Peterborough for a period of five years from the 1st day of January, 1969 and obligating the Corporation to pay annually to Border Transit Limited such amount of money as may be necessary to provide Border Transit Limited with a profit in the operations of such buses to the extent set out in the said agreement.

THE CORPORATION OF THE CITY OF PETERBOROUGH by the Council thereof enacts as follows:

1. That the Agreement between the Corporation of the City of Peterborough and Border Transit Limited set forth in the schedule attached hereto and forming part of this By-law is hereby approved and authorized.

2. That the Mayor and Clerk are hereby authorized and directed to enter into, execute, affix the corporate seal and deliver the said agreement on behalf of the Corporation of the City of Peterborough.

READ A FIRST AND SECOND TIME this 7th day of October, 1968.

JOSEPH J. BEHAN, *Mayor*.

E. A. OUTRAM, *Clerk*.

READ A THIRD TIME and finally passed this day of , 1969.

Mayor.

Clerk.

SCHEDULE

THIS AGREEMENT made in duplicate this 8th day of October, A.D. 1968.

BETWEEN:

THE CORPORATION OF THE CITY OF PETERBOROUGH,

hereinafter called the Corporation,

OF THE FIRST PART

— and —

BORDER TRANSIT LIMITED,

hereinafter called the Company,

OF THE SECOND PART.

WHEREAS the Parties hereto entered into an Agreement dated the 5th day of November, 1963, relating to conveyance of passengers by bus, which Agreement expires on the 31st day of December, 1968;

AND WHEREAS the Parties hereto are desirous of entering into a further Agreement upon the terms and conditions hereinafter set out;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and other good and valuable consideration, the parties hereto hereby agree as follows:

1. In this agreement the words "deficit", "depreciation", "net profit" and "capital assets" are used with reference only to the maintenance and operation of buses by the Company for the conveyance of passengers within the limits of the City of Peterborough in accordance with the terms of this agreement and other operations presently carried on by the Company within the limits of the City of Peterborough, it being understood that the Company is under no obligation to continue such other operations.

2. Subject to the due performance by the Company of its obligations under this Agreement, the Corporation hereby grants to the Company the exclusive right to maintain and operate buses for the conveyance of passengers within the limits of the City of Peterborough for a period of five (5) years from and including the 1st day of January, 1969, to and including the 31st day of December, 1973. The franchise hereby granted relates only to the picking up, conveyance and discharge of passengers within the limits of the City of Peterborough and does not extend or apply to the operation of buses operating between any point within the City of Peterborough and points outside the City of Peterborough where passengers are not conveyed from one point within the City of Peterborough to another and does not apply to passengers conveyed within the City of Peterborough by taxi cab or ambulance. WITHOUT RESTRICTING the generality of the foregoing, it is understood and agreed that the Company shall have the exclusive right to pick up, convey and discharge students within the limits of the City of Peterborough, and the exclusive right to enter into and contract for the conveyance of students within the limits of the said City of Peterborough.

3. During the period of this Agreement the Company shall maintain and operate an adequate number of buses of reasonably modern design and type for the conveyance of passengers within the City of Peterborough on such routes and at such times as the Corporation shall by resolution determine and in the meantime on such routes and at such times as are set forth in the schedule forming part of the agreement between the parties dated April 20, 1958, as last varied by the parties. All buses so used shall

be kept at all times in a good and sufficient state of repair; shall be kept clean inside and out, and shall be lighted and heated at such hours and for such periods of the year as may be necessary. The Corporation agrees to consult with the Company with respect to proposed changes in routes and schedules but the decision of the Corporation in this regard shall be final. The Corporation will give the Company reasonable notice of any changes in routes and schedules.

4. During the term of this Agreement the Company shall pay to the Corporation an annual licence fee of \$100.00 in two equal instalments on June 30th and December 31st.

5. The rate of fares for conveyance of passengers shall be

Adult fare — 20c. cash or 3 tickets for 50c.

Children under 58 inches in height — 10c. cash or 6 tickets for 50c.

Such fares shall not be changed, altered or otherwise varied by the Company without the consent of the Council of the Corporation as expressed by by-law;

6. During each of the years 1969, 1970, 1971, 1972 and 1973, the Corporation will pay to the Company annually a basic sum of \$45,000.00 by monthly instalments of \$3,750.00 each.

7. If the payment by the Corporation to the Company of the subsidy referred to in paragraph 6 hereof shall result in the Company making a net profit in any such year after payment of Federal and Provincial Corporation taxes of less than \$15,050.00, the Corporation shall forthwith pay to the Company an additional amount equal to the difference between such net profit and the sum of \$15,050.00 and if the payment of the said subsidy by the Corporation to the Company shall result in the Company making a net profit in any year after payment of Federal and Provincial Corporation taxes of more than \$15,050.00 the Company shall forthwith pay to the Corporation an amount equal to the difference between such net profit and the sum of \$15,050.00.

For the purposes of paragraph 7, net profits shall be determined after deducting from the gross revenue of the Company all reasonable and proper expenses, including an allowance for depreciation in the manner set out in paragraph 9 hereof provided that the Company shall not deduct as an expense any amount paid for managerial or executive salaries (including directors' and officers' fees) in excess of \$15,000.00 per annum, without the consent of the Corporation.

8. IN THE EVENT that the Company shall fail to perform its obligations as set forth in this Agreement or in the event that the Corporation shall fail to fulfil its obligations as set forth in this Agreement, then either party shall have the right at any time thereafter to terminate this Agreement upon three (3) months' written notice to the other party. In the event this agreement is so terminated on a date other than the 31st day of December in any year, the amount of the subsidy referred to in paragraph 6 hereof for the year in which the termination occurs shall be reduced proportionately and in such event the amount of net profit where referred to in paragraph 7 hereof shall be reduced by the proportion that the period of the year remaining after the date of termination bears to the whole of the year and any amount payable by either the Corporation or the Company thereunder shall be adjusted accordingly.

9. For the purpose of calculating the payments referred to in Paragraph 7 hereof, the Company shall be entitled to an annual allowance of \$19,000.00 for depreciation upon all buses and motor vehicles presently owned by the Company and subsequently acquired by it up to a maximum cost for such subsequent acquisitions of \$110,000.00 provided that should the cost of acquisition of such additional buses and motor vehicles exceed \$110,000.00 then the annual allowance shall be increased by 20% multiplied by the amount of such excess. The Company shall not be entitled to purchase capital assets of any kind at a cost in excess of \$1,000.00 without the express consent of the Corporation as expressed by Resolution of the Council.

In addition, the Company shall be entitled to claim depreciation allowance on its capital assets other than buses or other motor vehicles at the maximum rates allowed by the Department of National Revenue. In such calculations no allowance shall be made by the Company for Corporation Income Tax payable by the Company with respect to the recapture of depreciation.

10. The Corporation will pay the Company by monthly payment on the 15th day of each month, one-twelfth of the basic amount set out in paragraph 6 hereof. Any amount payable by the Corporation or the Company, if any, pursuant to paragraph 7 hereof for operations of the previous year shall be paid to the Company or the Corporation within thirty days after receipt by the Corporation of an audited Profit and Loss Statement relating to the operations of said period. The auditor of the Corporation shall have the right at all reasonable times during the currency of this Agreement to examine and verify such of the Company's books of account, vouchers and records, as may be necessary to determine the profit or loss of the Company and the amount of subsidy payable hereunder or the amount to which the City is entitled to receive by way of refund.

11. The Company may apply in writing to the Council of the Corporation for a further renewal or extension of the Franchise granted and extended hereunder or as amended, and such application shall be filed with the Clerk of the Council of the Corporation on or before the 1st day of June, 1972.

12. The Company shall at all times during the said term indemnify and save harmless the Corporation, should the Corporation be held in any way liable for the operation of the Company's buses, and shall protect itself with an insurance policy or policies against accidents or liability to the public and/or passengers, and for property damage, as required by *The Highway Traffic Act* of the Province of Ontario and Regulations made thereunder, and *The Public Vehicles Act*, and the Company shall produce to the Council at a meeting held not later than the 1st day of March in every year every policy or guaranteed contract so made.

13. The Corporation shall during the said term by by-law provide sufficient bus stops as the Company may require to conduct its business of carrying passengers as may be agreed upon between the parties hereto and shall adequately mark said bus stops.

14. The Corporation shall during said term by by-law regulate traffic in the City of Peterborough to enable the Company to operate its buses efficiently.

15. The Council of the Corporation shall forthwith at its own expense take or cause to be taken all necessary steps to lawfully pass or cause to be passed, a by-law of the Corporation with the assent of the qualified electors, to authorize the Corporation to enter into this Agreement, and upon the date when said by-law is finally passed, this Agreement shall become effective.

16. The Corporation shall forthwith after this Agreement becomes effective, pass a By-law in the form set out as Schedule "A" hereto.

17. Upon the expiration of this Agreement or upon the termination of this agreement by either party pursuant to paragraph 8 hereof, the Corporation shall for a period of three months thereafter have a sole, irrevocable and exclusive option to purchase all the assets and property of the Company used in connection with its operations in the City of Peterborough at a price to be agreed upon by the parties or upon their failure to agree, at a price to be determined under the provisions of *The Arbitrations Act* of Ontario. It is agreed that in determining the price to be paid to the Company:

- (a) nothing shall be taken into account or allowed for the franchise hereby granted;

- (b) the price of buses and other motor vehicles acquired by the Company up until December 31, 1963 shall be the undepreciated capital cost thereof (which in this agreement means the original capital cost after deduction of accumulated depreciation allowance), the said undepreciated capital cost having been determined at December 31, 1963 to be \$60,000.00. With respect to the buses or other motorized equipment purchased after the year 1963, the purchase price shall be the original capital cost less the depreciation allowances made by the Corporation from January 1, 1964 to the date of sale;
- (c) the price of all other assets and property of the Company shall be the actual market value thereof at the date of acceptance of the option.

The said option may be accepted by the Corporation giving written notice of such acceptance to the Company delivered by registered mail at its place of business in the City of Peterborough and upon the acceptance of such option all the said assets and property of the Company shall forthwith become the property of the Corporation and the Company agrees to execute all such instruments and assurances as may be necessary to effectively transfer title in the said assets and property to the Corporation. Upon the price being determined as aforesaid it shall immediately become due and payable by the Corporation to the Company together with interest thereon at the rate of six per cent per annum calculated from the date of the acceptance of the option. In the event the Corporation fails to accept the option within the said period of three months, then the Corporation will immediately buy from the Company and the Company will immediately sell to the Corporation all buses and other motor vehicles acquired by the Company after January 1st, 1959, and then being used by the Company in connection with its operations in the City of Peterborough, at the undepreciated capital cost thereof.

18. The Company shall not be liable for damages arising from the cessation or interruption of the bus service herein caused by fire, flood, act of God, strike or other circumstance beyond the control of the Company.

19. The Company shall not assign this agreement and/or sell its assets and property used in connection with its operations in the City of Peterborough to any person or corporation without the express consent of the Corporation as expressed by by-law of the Council thereof provided, however, that such consent of the Corporation shall not be unreasonably withheld, and provided also that upon being advised by the Company of its intention to assign this agreement and/or sell its said assets or property the Corporation shall immediately become entitled to a sole, irrevocable and exclusive option for a period of three months thereafter to purchase all the said assets and property of the Company at the price and upon the terms and conditions set forth in paragraph 17 hereof and upon the acceptance of such option by the Corporation the franchise hereby granted shall immediately be terminated.

20. If at any time during or after the said term of the agreement any dispute, difference or question shall arise between the parties hereto, or any of their representatives, touching this agreement, or any part thereof, or the construction meaning or effect of this agreement or any part thereof, or anything herein contained, or the rights or liabilities of the parties, or their representatives, under this agreement or otherwise, in relation to the premises, and if said matter cannot be settled by the parties hereto by negotiation, then every such dispute, difference or question shall be referred to a single arbitrator, if the parties agree upon one, otherwise to three arbitrators, one to be appointed by each party to the reference, and the third arbitrator to be a Judge of any County of the Province of Ontario and to be appointed by the Parties hereto in writing before they enter upon the business of the reference. If either party shall refuse or neglect to appoint an arbitrator within thirty days after the other Party shall have appointed an arbitrator, and shall have served a written notice upon the first-mentioned party requiring such party to make such appointment, then the arbitrator first appointed shall, at the request of

the party appointing him, proceed to hear and determine the matter in difference as if he were a single arbitrator appointed by both parties for the purpose, and the award or determination which shall be made by the said arbitrator, shall be final and binding on the parties hereto their successors and assigns, and shall not be subject to appeal to any Court or Courts.

21. The Corporation agrees to appoint each year a special Committee for the purpose of assisting the Company in policy matters relating to routes, rates, and other matters relating to the efficient operation of the Company.

22. THIS AGREEMENT shall enure to the benefit of and be binding upon the parties hereto, their respective successors and assigns.

IN WITNESS WHEREOF the said Parties hereto have hereunto affixed their Corporate seals attested by the hands of their proper signing officers in that behalf.

THE CORPORATION OF THE CITY OF
PETERBOROUGH:

Per:.....
Mayor.

.....
Clerk.

BORDER TRANSIT LIMITED:

Per:.....
President.

.....
Secretary.

Schedule "A" to the Agreement

BY-LAW NO.

Being a By-law of the City of Peterborough passed for the purposes of fully carrying out the provisions of a certain Agreement between the Corporation of the City of Peterborough and Border Transit Limited.

WHEREAS the Corporation of the City of Peterborough on the day of _____, A.D. 196____, entered into an Agreement between Border Transit Limited granting to Border Transit Limited the exclusive right to operate buses for the conveyance of passengers within the limits of the City of Peterborough for a period of five years from the 1st day of January, 1969.

AND WHEREAS the said Agreement was authorized by By-law Number 196____, passed on the _____ day of _____.

AND WHEREAS the said Act provided, among other things, that "The said Corporation is hereby authorized and empowered to pass such other by-laws, to enter into such other agreements, and to do all such other acts, matters and things as may be deemed necessary by the said Corporation to fully carry out the provisions of the said Agreement."

AND WHEREAS the said Act provided further that "Where jurisdiction respecting any of the matters mentioned in said Agreement is now or may hereafter be vested in the Police Commissioners of the said City, or any other authority, such powers as may be necessary to enable the Council to carry out the provisions of the said Agreement shall be exercised by the Council of the said Corporation instead of the said commissioners or other authority."

AND WHEREAS the within By-law is deemed necessary to fully carry out the provisions of the said Agreement.

NOW THEREFORE The Corporation of the City of Peterborough by the Council thereof enacts as follows:

INTERPRETATION

1. In this By-law,

- (a) "omnibus" means a motor or other vehicle having a capacity for the conveyance of more than six persons at one time, besides the driver.

APPLICATION OF BY-LAW

2. The Provisions of this By-law do not apply with respect to,

- (a) any vehicle operated by Border Transit Limited; or
- (b) any ambulance or taxi cab lawfully operated under licence of the Board of Commissioners of Police of the City of Peterborough and for the regular city tariff; or
- (c) any omnibus owned and operated by a Board of Education, School Board or private school or University; or
- (d) any omnibus owned and operated by any person, corporation or organization for the purposes only of such person, corporation or organization and for which no fare or fee is charged for transportation nor paid directly or indirectly for the use of such equipment, or for the leasing thereof.

PROHIBITION

3.—(1) No person shall operate any vehicle for the conveyance of passengers for hire from any point within the limits of the City of Peterborough as such limits may be from time to time, to any other point therein; and no person shall allow any vehicle of which he is the owner or which is under his control to be so used.

(2) No person shall operate for the conveyance of passengers from any point within the limits of the City of Peterborough as such limits may be from time to time, to any other point therein, any omnibus which has been let for hire or which is owned or is usually operated or under the control of a person who lets vehicles for hire.

(3) No person who lets vehicles for hire shall allow any omnibus of which he is the owner or which is under his control to be used for the conveyance of passengers from any point within the limits of the City of Peterborough as such limits may be from time to time, to any other point therein, whether or not such omnibus has been let to a person who is to provide his own driver.

ENFORCEMENT

4. The members of the police force and the officers and servants of the city corporation shall not be obliged to enforce the provisions of this By-law.

PENALTY

5. Every person who contravenes any provision of this By-law shall upon conviction be liable to a penalty of not more than Three Hundred Dollars, exclusive of costs.

PASSED this day of , 19 .

City Clerk.

Mayor.

An Act respecting the
City of Peterborough

1st Reading

February 24th, 1969

2nd Reading

March 14th, 1969

3rd Reading

March 25th, 1969

MR. PITMAN

BILL Pr30

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting Banks Alignment Limited

MR. PATERSON

(PRIVATE BILL)



BILL Pr30

1968-69

An Act respecting Banks Alignment Limited

WHEREAS John Robert Banks, Evelyn Florence Banks ^{Preamble} and John Lewis Banks by their petition have represented that Banks Alignment Limited, herein called the Corporation, was incorporated by letters patent dated the 13th day of November, 1956; that the Provincial Secretary by order made under the authority of subsection 2 of section 326 of *The Corporations Act* cancelled the letters patent of the Corporation and declared it to be dissolved on the 3rd ^{R.S.O. 1960, c. 71} day of June, 1965; that the petitioners were all the directors and the holders of all the common shares of the Corporation at the time of the said dissolution; that the notice of default in filing annual returns required by the said subsection 2 of section 326 of *The Corporations Act*, although sent to each of the petitioners as directors, was not received by any of them; that the petitioners became aware of the dissolution of the Corporation within one year after the date thereof and although the Corporation then instructed its solicitors to take steps to remedy such default no such action was taken within the period of one year provided for under the authority of subsection 3 of section 326 of *The Corporations Act* and the petitioners did not become aware that such action had not been taken until more than one year after the date of the dissolution of the Corporation; that by virtue of the cancellation of the letters patent of the Corporation the assets thereof became forfeit to the Crown in right of the Province of Ontario pursuant to section 330 of *The Corporations Act*; that by order in council dated the 29th day of June, 1967, it was recommended that pursuant to section 4 of *The Escheats* ^{R.S.O. 1960, c. 123} Act, all the interest of the Crown in right of the Province of Ontario to the assets of the Corporation be released to John Robert Banks, one of the petitioners, and that the Public Trustee be authorized to execute any transfers or assignments required for the purpose of transferring the said assets to the said John Robert Banks; that the Corporation at the time of its dissolution was carrying on active commercial business; and whereas the petitioners have prayed for special legislation reviving the Corporation; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Banks
Alignment
Limited
revived

1. Banks Alignment Limited incorporated by letters patent dated the 13th day of November, 1956, is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a company incorporated by letters patent, including all its property, rights, privileges and franchises and subject to all liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The Banks Alignment Limited Act, 1968-69*.



An Act respecting
Banks Alignment Limited

1st Reading

2nd Reading

3rd Reading

MR. PATERSON

(Private Bill)

BILL Pr30

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting Banks Alignment Limited

MR. PATERSON



BILL Pr30

1968-69

An Act respecting Banks Alignment Limited

WHEREAS John Robert Banks, Evelyn Florence Banks ^{Preamble} and John Lewis Banks by their petition have represented that Banks Alignment Limited, herein called the Corporation, was incorporated by letters patent dated the 13th day of November, 1956; that the Provincial Secretary by order made under the authority of subsection 2 of section 326 of *The Corporations Act* cancelled the letters patent of the Corporation and declared it to be dissolved on the 3rd <sup>R.S.O. 1960-
c. 71</sup> day of June, 1965; that the petitioners were all the directors and the holders of all the common shares of the Corporation at the time of the said dissolution; that the notice of default in filing annual returns required by the said subsection 2 of section 326 of *The Corporations Act*, although sent to each of the petitioners as directors, was not received by any of them; that the petitioners became aware of the dissolution of the Corporation within one year after the date thereof and although the Corporation then instructed its solicitors to take steps to remedy such default no such action was taken within the period of one year provided for under the authority of subsection 3 of section 326 of *The Corporations Act* and the petitioners did not become aware that such action had not been taken until more than one year after the date of the dissolution of the Corporation; that by virtue of the cancellation of the letters patent of the Corporation the assets thereof became forfeit to the Crown in right of the Province of Ontario pursuant to section 330 of *The Corporations Act*; that by order in council dated the 29th day of June, 1967, it was recommended that pursuant to section 4 of *The Escheats* <sup>R.S.O. 1960,
c. 123</sup> *Act*, all the interest of the Crown in right of the Province of Ontario to the assets of the Corporation be released to John Robert Banks, one of the petitioners, and that the Public Trustee be authorized to execute any transfers or assignments required for the purpose of transferring the said assets to the said John Robert Banks; that the Corporation at the time of its dissolution was carrying on active commercial business; and whereas the petitioners have prayed for special legislation reviving the Corporation; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Banks
Alignment
Limited
revived

1. Banks Alignment Limited incorporated by letters patent dated the 13th day of November, 1956, is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a company incorporated by letters patent, including all its property, rights, privileges and franchises and subject to all liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The Banks Alignment Limited Act, 1968-69*.

An Act respecting
Banks Alignment Limited

1st Reading

February 17th, 1969

2nd Reading

March 10th, 1969

3rd Reading

March 25th, 1969

MR. PATERSON

BILL Pr31

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the County of Welland

Mr. MORNINGSTAR

(PRIVATE BILL)

BILL Pr31

1968-69

An Act respecting the County of Welland

WHEREAS The Corporation of the County of Welland Preamble by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Corporation of the County of Welland, The Corporation of the City of Welland, The Corporation of the City of Niagara Falls and The Corporation of the City of Port Colborne are hereby authorized and empowered to enter into the agreement set forth as the Schedule hereto, and are authorized and empowered to carry out and perform the terms thereof. Authorization to enter into agreement

2. This Act comes into force on the day it receives Royal Assent. Commencement

3. This Act may be cited as *The County of Welland Act*, Short title 1968-69.

SCHEDULE

THIS AGREEMENT made in quadruplicate this twenty-ninth day of January, A.D. 1969.

BETWEEN:

THE CORPORATION OF THE COUNTY OF WELLAND,
hereinafter referred to as "the County",
OF THE FIRST PART,

THE CORPORATION OF THE CITY OF WELLAND,
THE CORPORATION OF THE CITY OF PORT COLBORNE,

— and —

THE CORPORATION OF THE CITY OF NIAGARA FALLS,
hereinafter referred to as "the Cities",
OF THE SECOND PART,

— and —

THE WELLAND DISTRICT ASSOCIATION FOR
RETARDED INCORPORATED,
PORT COLBORNE DISTRICT ASSOCIATION FOR
MENTALLY RETARDED INCORPORATED,
THE PEACE BRIDGE AREA ASSOCIATION FOR
MENTALLY RETARDED, and
GREATER NIAGARA ASSOCIATION FOR THE
MENTALLY RETARDED,

hereinafter referred to as "the approved corporations",

OF THE THIRD PART.

WHEREAS the Parties hereto entered into an agreement dated the 26th day of January, 1968 pursuant to the provisions of *The County of Welland Act, 1968*, Chapter 182;

AND WHEREAS *The Homes for Retarded Persons Act, 1966*, Chapter 65, was amended by 1968, Chapter 51, and pursuant thereto the Minister of Social and Family Services has required that the said agreement be amended by the removal of all reference to residence;

NOW THEREFORE in consideration of the said request it is hereby agreed by and between the parties hereto as follows:

1. That clause *a* of section 3 of the said agreement be amended by deleting all the words after "advantage" in the second line, so that the clause shall read as follows:

(a) Co-ordinate the operation of the approved homes, so that the total facilities may be used to the best advantage.

2. This agreement shall be deemed to have come into force on the first day of January, A.D. 1968.

IN WITNESS WHEREOF the Parties hereto have hereunto affixed their Corporate Seal.

SEALED AND DELIVERED and countersigned by the Warden and the Clerk of the Corporation of the County of Welland, the Mayor and the Clerk of the Corporation of the City of Welland, the Mayor and the Clerk

of the Corporation of the City of Niagara Falls, and the Mayor and the Clerk of the Corporation of the City of Port Colborne, and by the proper signing officers of the Parties of the Third Part.

THE CORPORATION OF THE COUNTY OF WELLAND:

.....
Warden.

.....
Clerk.

THE CORPORATION OF THE CITY OF WELLAND:

.....
Mayor.

.....
Clerk.

THE CORPORATION OF THE CITY OF NIAGARA FALLS:

.....
Mayor.

.....
Clerk.

THE CORPORATION OF THE CITY OF PORT COLBORNE:

.....
Mayor.

.....
Clerk.

THE WELLAND DISTRICT ASSOCIATION FOR RETARDED INCORPORATED:

.....
.....

PORT COLBORNE DISTRICT ASSOCIATION FOR MENTALLY RETARDED INCORPORATED:

.....
.....

THE PEACE BRIDGE AREA ASSOCIATION FOR MENTALLY RETARDED:

.....
.....

GREATER NIAGARA ASSOCIATION FOR THE MENTALLY RETARDED:

.....
.....

An Act respecting the County of Welland

1st Reading

2nd Reading

3rd Reading

MR. MORNINGSTAR

(Private Bill)

BILL Pr31

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the County of Welland

MR. MORNINGSTAR

BILL Pr31

1968-69

An Act respecting the County of Welland

WHEREAS The Corporation of the County of Welland ^{Preamble} by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Corporation of the County of Welland, The Corporation of the City of Welland, The Corporation of the City of Niagara Falls and The Corporation of the City of Port Colborne are hereby authorized and empowered to enter into the agreement set forth as the Schedule hereto, and are authorized and empowered to carry out and perform the terms thereof. <sup>Authoriza-
tion to
enter into
agreement</sup>

2. This Act comes into force on the day it receives Royal Assent. <sup>Commence-
ment</sup>

3. This Act may be cited as *The County of Welland Act*, ^{Short title} 1968-69.

SCHEDULE

THIS AGREEMENT made in quadruplicate this twenty-ninth day of January, A.D. 1969.

BETWEEN:

THE CORPORATION OF THE COUNTY OF WELLAND,
hereinafter referred to as "the County",
OF THE FIRST PART,

THE CORPORATION OF THE CITY OF WELLAND,
THE CORPORATION OF THE CITY OF PORT COLBORNE,

— and —

THE CORPORATION OF THE CITY OF NIAGARA FALLS,
hereinafter referred to as "the Cities",
OF THE SECOND PART,

— and —

THE WELLAND DISTRICT ASSOCIATION FOR
RETARDED INCORPORATED,
PORT COLBORNE DISTRICT ASSOCIATION FOR
MENTALLY RETARDED INCORPORATED,
THE PEACE BRIDGE AREA ASSOCIATION FOR
MENTALLY RETARDED, and
GREATER NIAGARA ASSOCIATION FOR THE
MENTALLY RETARDED,

hereinafter referred to as "the approved corporations",
OF THE THIRD PART.

WHEREAS the Parties hereto entered into an agreement dated the 26th day of January, 1968 pursuant to the provisions of *The County of Welland Act, 1968*, Chapter 182;

AND WHEREAS *The Homes for Retarded Persons Act, 1966*, Chapter 65, was amended by 1968, Chapter 51, and pursuant thereto the Minister of Social and Family Services has required that the said agreement be amended by the removal of all reference to residence;

NOW THEREFORE in consideration of the said request it is hereby agreed by and between the parties hereto as follows:

1. That clause *a* of section 3 of the said agreement be amended by deleting all the words after "advantage" in the second line, so that the clause shall read as follows:

(a) Co-ordinate the operation of the approved homes, so that the total facilities may be used to the best advantage.

2. This agreement shall be deemed to have come into force on the first day of January, A.D. 1968.

IN WITNESS WHEREOF the Parties hereto have hereunto affixed their Corporate Seal.

SEALED AND DELIVERED and countersigned by the Warden and the Clerk of the Corporation of the County of Welland, the Mayor and the Clerk of the Corporation of the City of Welland, the Mayor and the Clerk

of the Corporation of the City of Niagara Falls, and the Mayor and the Clerk of the Corporation of the City of Port Colborne, and by the proper signing officers of the Parties of the Third Part.

THE CORPORATION OF THE COUNTY OF WELLAND:

.....
Warden.

.....
Clerk.

THE CORPORATION OF THE CITY OF WELLAND:

.....
Mayor.

.....
Clerk.

THE CORPORATION OF THE CITY OF NIAGARA FALLS:

.....
Mayor.

.....
Clerk.

THE CORPORATION OF THE CITY OF PORT COLBORNE:

.....
Mayor.

.....
Clerk.

THE WELLAND DISTRICT ASSOCIATION FOR RETARDED INCORPORATED:

.....
.....

PORT COLBORNE DISTRICT ASSOCIATION FOR MENTALLY RETARDED INCORPORATED:

.....
.....

THE PEACE BRIDGE AREA ASSOCIATION FOR MENTALLY RETARDED:

.....
.....

GREATER NIAGARA ASSOCIATION FOR THE MENTALLY RETARDED:

.....
.....



An Act respecting the County of Welland

1st Reading

February 24th, 1969

2nd Reading

March 26th, 1969

3rd Reading

April 1st, 1969

MR. MORNINGSTAR

BILL Pr32

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting McMaster University

MRS. PRITCHARD

(PRIVATE BILL)

BILL Pr32

1968-69

An Act respecting McMaster University

WHEREAS McMaster University by its petition has ^{Preamble} prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 4 of *The McMaster University Act, 1957*, is ^{1957, c. 144, s. 4, re-enacted} repealed and the following substituted therefor:

4. The University, while recognizing the Christian ^{University non-denominational} tradition in which it is founded, shall be free in its management and discipline from the control of any religious body.

2. Section 11 of *The McMaster University Act, 1957*, as ^{1957, c. 144, s. 11, re-enacted} amended by section 3 of *The McMaster University Act, 1962-63*, is repealed and the following substituted therefor:

11. The Board shall be composed as follows:

^{Composition of Board}

- (a) The Chancellor, the President and the Vice-Chairman of the Senate, *ex officio*.
- (b) Eighteen members to be elected for terms of four years by the Board.
- (c) One member to be elected for a term of three years by the Board of Trustees of the Divinity College.
- (d) Four members to be elected for terms of four years by the Alumni Association of the University from among the graduates of the University.

- (e) Six members to be elected for terms of three years by the elected faculty members of the Senate from among the faculty members and *ex officio* members of the Senate, not fewer than two of such members to be elected from among the faculty members, and not fewer than two from the *ex officio* members of the Senate.

1957, c. 144,
s. 12,
re-enacted

3. Section 12 of *The McMaster University Act, 1957*, as amended by section 4 of *The McMaster University Act, 1962-63*, is repealed and the following substituted therefor:

Members
eligible for
re-election

- 12.—(1) Elected members of the Board shall be eligible for re-election by the Board for not more than two additional terms, provided they are not over the age of seventy years.

Vacancies

- (2) Where a member of the Board who has been elected under clause *e* of section 11 ceases to be a member of the Senate he shall vacate his seat and it shall be the duty of the Board, by resolution, to declare vacant the seat of such member.

Seat
declared
vacant

- (3) After thirty days notice to any elected or appointed member, the Board, by a resolution passed by at least two-thirds of the votes cast at a meeting of the Board, may declare vacant the seat of such member.

Filling of
vacancies

- (4) Any vacancy in the seats of members of the Board elected under clause *e* of section 11 may be filled by election by the elected faculty members of the Senate, and the Board may fill any other vacancy on the Board for the balance of the term involved.

Quorum

- (5) Notwithstanding any vacancies on the Board, as long as there are at least twenty members the Board may exercise its powers and ten members shall constitute a quorum.

Term of
office

- (6) Notwithstanding the expiration of the term for which he was elected, a member of the Board shall continue to hold office until his successor is elected.

Chairman

- (7) The Board shall elect a Chairman and a Vice-Chairman from among its members.

Minutes
and records

- (8) The Board shall keep proper records and minutes of its proceedings and proper books of account of the financial affairs of the University.

4.—(1) Clause *a* of section 13 of *The McMaster University Act, 1957*, as amended by section 5 of *The McMaster University Act, 1962-63*, is repealed and the following substituted therefor:

- (a) to appoint and remove the President and one or more Vice-Presidents, the Deans, the University Librarian, the University Registrar, the Director of Student Affairs, the Director of Continuing Education, the professors, and other members of the teaching staff of the University, provided that,
- (i) the President shall be appointed from among such persons as may be nominated by the Senate after the Senate has requested, received and considered a recommendation from a committee composed of five persons to be named by the Board and five persons to be named by the Senate, which committee shall appoint its own chairman and determine its own procedure, and any recommendation of the committee shall be made in writing and signed by at least eight members and delivered to the Senate within nine months after the date on which the Senate shall have named the five persons to be named by it, and failing such recommendation, the Senate may nominate and the Board may appoint the President, and
- (ii) all other such appointments of the Board, except in cases of term appointments of teaching staff, shall be made from among such persons as may be recommended by the President and nominated by the Senate,

and to appoint and remove all other officers, agents and servants of the University, and whenever there is a vacancy in the office of the President, to appoint an acting President to hold office during the pleasure of the Board or until a President is appointed.

(2) The said section 13 is amended by adding thereto the following clauses:

- (f) to make by-laws for the conduct of its elections;
- (g) to make recommendations to the Senate as to educational policy.

1957, c. 144,
s. 14,
re-enacted

5. Section 14 of *The McMaster University Act, 1957*, as amended by section 6 of *The McMaster University Act, 1962-63*, is repealed and the following substituted therefor:

Composition
of Senate

14. The Senate shall be composed as follows:

- (a) The Chancellor, the President and the Vice-Presidents, the senior Deans of the several faculties, the Dean of Graduate Studies, the Dean of Degree Studies in Extension, the Principal of the Divinity College, the University Librarian, the Director of Continuing Education and the Director of Student Affairs, *ex officio*.
- (b) Six members to be elected for terms of three years by and from the Board.
- (c) Four members to be elected for terms of three years by the Alumni Association of the University from among the graduates of the University.
- (d) Six students of the University, being four from the full-time undergraduate student body and two from the full-time graduate student body, elected in such manner and for such term and having such qualifications as may be prescribed by by-laws of the Senate.
- (e) Members equal in number to the total of *ex officio* and elected members hereinbefore provided for, to be elected for terms of three years by the full-time teaching staff of the University and the Divinity College, from among the full-time professors, associate professors and assistant professors on regular appointment by the Board or by the Board of Trustees of the Divinity College.
- (f) The Registrar of the University who shall not vote on matters requiring a vote of the Senate.

1957, c. 144,
s. 15,
re-enacted

6. Section 15 of *The McMaster University Act, 1957*, is repealed and the following substituted therefor:

Members
eligible for
re-election

15.—(1) Members of the Senate elected under clause *b*, *c* or *e* of section 14 shall be eligible for re-election for one additional term, and thereafter members

elected under clause *e* of section 14 shall be eligible for re-election after three years from the expiration of their last term.

- (2) Where a member of the Senate who has been elected under clause *e* of section 14 ceases to be a full-time member of the teaching staff, on regular appointment by the Board or by the Board of Trustees of the Divinity College, he shall vacate his seat and it shall be the duty of the Senate, by resolution, to declare vacant the seat of such member. ^{Vacancies}
- (3) Any vacancy in the seats of members of the Senate elected under clause *d* of section 14 may be filled by election in such manner as may be prescribed by by-laws of the Senate. ^{Idem}
- (4) Any vacancy in the seats of members of the Senate elected under clause *e* of section 14 may be filled by election by the full-time teaching staff of the University, and the Divinity College and the Senate may fill any other vacancy in the Senate for the balance of the term involved. ^{Idem}
- (5) After thirty days notice to any elected member, the Senate, by a resolution passed by at least two-thirds of the votes cast at a meeting of the Senate, may declare vacant the seat of such member. ^{Seat declared vacant}
- (6) Notwithstanding any vacancies on the Senate, as long as there are at least thirty members, the Senate may exercise its powers, and ten members or such greater number as is provided for in the by-laws shall constitute a quorum. ^{Quorum}
- (7) Notwithstanding the expiration of the term for which he was elected, a member of the Senate shall continue to hold office until his successor is elected. ^{Term of office}
- (8) The President shall be Chairman of the Senate and Vice-Chancellor of the University. ^{Chairman and Vice-Chancellor}
- (9) One of the Vice-Presidents, designated by the President, shall be the Vice-Chairman of the Senate. ^{Vice-Chairman}
- (10) The Registrar of the University shall be, *ex officio*, Secretary of the Senate. ^{Secretary}

1957, c. 144,
s. 16, cl. b,
re-enacted

7.—(1) Clause *b* of section 16 of *The McMaster University Act, 1957*, as amended by section 7 of *The McMaster University Act, 1962-63*, is repealed and the following substituted therefor:

(*b*) subject to clause *a* of section 13, to nominate for appointment by the Board the President and one or more Vice-Presidents, the Deans, the University Librarian, the University Registrar, the Director of Student Affairs, the Director of Continuing Education, the professors and other members of teaching staff of the University, except in cases of term appointments of teaching staff.

1957, c. 144,
s. 16,
amended

(2) The said section 16 is amended by adding thereto the following clauses:

(*k*) to make by-laws for the conduct of its elections;

(*l*) to make recommendations to the Board on any subject of concern to the University.

1957, c. 144,
s. 19,
repealed

8. Section 19 of *The McMaster University Act, 1957*, is repealed.

Reconsti-
tution of
Board

9.—(1) The Board shall be reconstituted in accordance with section 11 of *The McMaster University Act, 1957*, as re-enacted by section 2 of this Act, within 120 days after the coming into force of this Act, and the members now in office shall continue in office until the Board has been so reconstituted.

Reconsti-
tution of
Senate

(2) The Senate shall be reconstituted in accordance with section 14 of *The McMaster University Act, 1957*, as re-enacted by section 5 of this Act, within 120 days after the coming into force of this Act, and the members now in office shall continue in office until the Senate has been so reconstituted.

First election

(3) Notwithstanding sections 11 and 14 of *The McMaster University Act, 1957*, as re-enacted by sections 2 and 5, respectively, of this Act, on the first election of members of the Board and Senate after the coming into force of this Act,

(*a*) of those members of the Board elected under clause *b* of section 11, four shall be elected for a term of one year, four shall be elected for a term of two years, four shall be elected for a term of three years, and six shall be elected for a term of four years;

- (b) of those members of the Board elected under clause *d* of section 11, one shall be elected for a term of one year, one shall be elected for a term of two years, one shall be elected for a term of three years, and one shall be elected for a term of four years;
- (c) of those members of the Board elected under clause *e* of section 11 and those members of the Senate elected under clause *b* of section 14, two shall be elected for a term of one year, two shall be elected for a term of two years and two shall be elected for a term of three years;
- (d) of those members of the Senate elected under clause *c* of section 14, one shall be elected for a term of one year, one shall be elected for a term of two years, and two shall be elected for a term of three years;
- (e) of those members of the Senate elected under clause *e* of section 14, eleven shall be elected for a term of one year, eleven shall be elected for a term of two years, and the remainder shall be elected for a term of three years.

10. This Act comes into force on the day it receives Royal ^{Commence-} Assent. _{ment}

11. This Act may be cited as *The McMaster University* ^{Short title} *Act, 1968-69.*

An Act respecting McMaster University

1st Reading

2nd Reading

3rd Reading

MRS. PRITCHARD

(Private Bill)

BILL Pr32

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting McMaster University

MRS. PRITCHARD

(Reprinted as amended by the Private Bills Committee)

BILL Pr32

1968-69

An Act respecting McMaster University

WHEREAS McMaster University by its petition has ^{Preamble} prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 4 of *The McMaster University Act, 1957*, is ^{1957, c. 144,} _{s. 4,} repealed and the following substituted therefor: ^{re-enacted}

4. The University, while recognizing the Christian ^{University} tradition in which it was founded, shall be free in its ^{non-} management and discipline from the control of any ^{denomina-} religious body. ^{tional}

2. Section 11 of *The McMaster University Act, 1957*, as ^{1957, c. 144,} _{s. 11,} amended by section 3 of *The McMaster University Act, 1962-63*, is ^{re-enacted} repealed and the following substituted therefor:

11. The Board shall be composed as follows: ^{Composition} _{of Board}

- (a) The Chancellor, the President and the Vice-Chairman of the Senate, *ex officio*.
- (b) Eighteen members to be elected for terms of four years by the Board.
- (c) One member to be elected for a term of three years by the Board of Trustees of the Divinity College.
- (d) Four members to be elected for terms of four years by the Alumni Association of the University from among the graduates of the University.

- (e) Six members to be elected for terms of three years by the elected faculty members of the Senate from among the faculty members and *ex officio* members of the Senate, not fewer than two of such members to be elected from among the faculty members, and not fewer than two from the *ex officio* members of the Senate.

1957, c. 144,
s. 12,
re-enacted

3. Section 12 of *The McMaster University Act, 1957*, as amended by section 4 of *The McMaster University Act, 1962-63*, is repealed and the following substituted therefor:

Members
eligible for
re-election

- 12.—(1) Elected members of the Board shall be eligible for re-election by the Board for not more than two additional terms, provided they are not over the age of seventy years.

Vacancies

- (2) Where a member of the Board who has been elected under clause *e* of section 11 ceases to be a member of the Senate he shall vacate his seat and it shall be the duty of the Board, by resolution, to declare vacant the seat of such member.

Seat
declared
vacant

- (3) After thirty days notice to any elected or appointed member, the Board, by a resolution passed by at least two-thirds of the votes cast at a meeting of the Board, may declare vacant the seat of such member.

Filling of
vacancies

- (4) Any vacancy in the seats of members of the Board elected under clause *e* of section 11 may be filled by election by the elected faculty members of the Senate, and the Board may fill any other vacancy on the Board for the balance of the term involved.

Quorum

- (5) Notwithstanding any vacancies on the Board, as long as there are at least twenty members the Board may exercise its powers and ten members shall constitute a quorum.

Term of
office

- (6) Notwithstanding the expiration of the term for which he was elected, a member of the Board shall continue to hold office until his successor is elected.

Chairman

- (7) The Board shall elect a Chairman and a Vice-Chairman from among its members.

Minutes
and records

- (8) The Board shall keep proper records and minutes of its proceedings and proper books of account of the financial affairs of the University.

4.—(1) Clause *a* of section 13 of *The McMaster University Act, 1957*, as amended by section 5 of *The McMaster University Act, 1962-63*, is repealed and the following substituted therefor:

- (a) to appoint and remove the President and one or more Vice-Presidents, the Deans, the University Librarian, the University Registrar, the Director of Student Affairs, the Director of Continuing Education, the professors, and other members of the teaching staff of the University, provided that,
- (i) the President shall be appointed from among such persons as may be nominated by the Senate after the Senate has requested, received and considered a recommendation from a committee composed of five persons to be named by the Board and five persons to be named by the Senate, which committee shall appoint its own chairman and determine its own procedure, and any recommendation of the committee shall be made in writing and signed by at least eight members and delivered to the Senate within nine months after the date on which the Senate shall have named the five persons to be named by it, and failing such recommendation, the Senate may nominate and the Board may appoint the President, and
- (ii) all other such appointments of the Board, except in cases of term appointments of teaching staff, shall be made from among such persons as may be recommended by the President and nominated by the Senate,

and to appoint and remove all other officers, agents and servants of the University, and whenever there is a vacancy in the office of the President, to appoint an acting President to hold office during the pleasure of the Board or until a President is appointed.

(2) The said section 13 is amended by adding thereto the following clauses:

- (f) to make by-laws for the conduct of its elections;
- (g) to make recommendations to the Senate as to educational policy.

1957, c. 144,
s. 14,
re-enacted

5. Section 14 of *The McMaster University Act, 1957*, as amended by section 6 of *The McMaster University Act, 1962-63*, is repealed and the following substituted therefor:

Composition
of Senate

14. The Senate shall be composed as follows:

- (a) The Chancellor, the President and the Vice-Presidents, the senior Deans of the several faculties, the Dean of Graduate Studies, the Dean of Degree Studies in Extension, the Principal of the Divinity College, the University Librarian, the Director of Continuing Education and the Director of Student Affairs, *ex officio*.
- (b) Six members to be elected for terms of three years by and from the Board.
- (c) Four members to be elected for terms of three years by the Alumni Association of the University from among the graduates of the University.
- (d) Six students of the University, being four from the full-time undergraduate student body and two from the full-time graduate student body, elected in such manner and for such term and having such qualifications as may be prescribed by by-laws of the Senate.
- (e) Members equal in number to the total of *ex officio* and elected members hereinbefore provided for, to be elected for terms of three years by the full-time teaching staff of the University and the Divinity College, from among the full-time professors, associate professors and assistant professors on regular appointment by the Board or by the Board of Trustees of the Divinity College.
- (f) The Registrar of the University who shall not vote on matters requiring a vote of the Senate.

1957, c. 144,
s. 15,
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6. Section 15 of *The McMaster University Act, 1957*, is repealed and the following substituted therefor:

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- 15.—(1) Members of the Senate elected under clause *b*, *c* or *e* of section 14 shall be eligible for re-election for one additional term, and thereafter members

elected under clause *e* of section 14 shall be eligible for re-election after three years from the expiration of their last term.

- (2) Where a member of the Senate who has been elected ^{Vacancies} under clause *e* of section 14 ceases to be a full-time member of the teaching staff, on regular appointment by the Board or by the Board of Trustees of the Divinity College, he shall vacate his seat and it shall be the duty of the Senate, by resolution, to declare vacant the seat of such member.
- (3) Any vacancy in the seats of members of the Senate ^{Idem} elected under clause *d* of section 14 may be filled by election in such manner as may be prescribed by by-laws of the Senate.
- (4) Any vacancy in the seats of members of the Senate ^{Idem} elected under clause *e* of section 14 may be filled by election by the full-time teaching staff of the University, and the Divinity College and the Senate may fill any other vacancy in the Senate for the balance of the term involved.
- (5) After thirty days notice to any elected member, the ^{Seat declared vacant} Senate, by a resolution passed by at least two-thirds of the votes cast at a meeting of the Senate, may declare vacant the seat of such member.
- (6) Notwithstanding any vacancies on the Senate, as ^{Quorum} long as there are at least thirty members, the Senate may exercise its powers, and ten members or such greater number as is provided for in the by-laws shall constitute a quorum.
- (7) Notwithstanding the expiration of the term for which ^{Term of office} he was elected, a member of the Senate shall continue to hold office until his successor is elected.
- (8) The President shall be Chairman of the Senate and ^{Chairman and Vice-Chancellor} Vice-Chancellor of the University.
- (9) One of the Vice-Presidents, designated by the ^{Vice-Chairman} President, shall be the Vice-Chairman of the Senate.
- (10) The Registrar of the University shall be, *ex officio*, ^{Secretary} Secretary of the Senate.

1957, c. 144,
s. 16, cl. b,
re-enacted

7.—(1) Clause *b* of section 16 of *The McMaster University Act, 1957*, as amended by section 7 of *The McMaster University Act, 1962-63*, is repealed and the following substituted therefor:

- (b) subject to clause *a* of section 13, to nominate for appointment by the Board the President and one or more Vice-Presidents, the Deans, the University Librarian, the University Registrar, the Director of Student Affairs, the Director of Continuing Education, the professors and other members of teaching staff of the University, except in cases of term appointments of teaching staff.

1957, c. 144,
s. 16,
amended

(2) The said section 16 is amended by adding thereto the following clauses:

- (k) to make by-laws for the conduct of its elections;
- (l) to make recommendations to the Board on any subject of concern to the University.

1957, c. 144,
s. 19,
repealed

8. Section 19 of *The McMaster University Act, 1957*, is repealed.

Reconsti-
tution of
Board

9.—(1) The Board shall be reconstituted in accordance with section 11 of *The McMaster University Act, 1957*, as re-enacted by section 2 of this Act, within 120 days after the coming into force of this Act, and the members now in office shall continue in office until the Board has been so reconstituted.

Reconsti-
tution of
Senate

(2) The Senate shall be reconstituted in accordance with section 14 of *The McMaster University Act, 1957*, as re-enacted by section 5 of this Act, within 120 days after the coming into force of this Act, and the members now in office shall continue in office until the Senate has been so reconstituted.

First election

(3) Notwithstanding sections 11 and 14 of *The McMaster University Act, 1957*, as re-enacted by sections 2 and 5, respectively, of this Act, on the first election of members of the Board and Senate after the coming into force of this Act,

- (a) of those members of the Board elected under clause *b* of section 11, four shall be elected for a term of one year, four shall be elected for a term of two years, four shall be elected for a term of three years, and six shall be elected for a term of four years;

- (b) of those members of the Board elected under clause *d* of section 11, one shall be elected for a term of one year, one shall be elected for a term of two years, one shall be elected for a term of three years, and one shall be elected for a term of four years;
- (c) of those members of the Board elected under clause *e* of section 11 and those members of the Senate elected under clause *b* of section 14, two shall be elected for a term of one year, two shall be elected for a term of two years and two shall be elected for a term of three years;
- (d) of those members of the Senate elected under clause *c* of section 14, one shall be elected for a term of one year, one shall be elected for a term of two years, and two shall be elected for a term of three years;
- (e) of those members of the Senate elected under clause *e* of section 14, eleven shall be elected for a term of one year, eleven shall be elected for a term of two years, and the remainder shall be elected for a term of three years.

10. This Act comes into force on the day it receives Royal ^{Commence-} Assent. _{ment}

11. This Act may be cited as *The McMaster University* ^{Short title} *Act, 1968-69.*

An Act respecting McMaster University

1st Reading

February 17th, 1969

2nd Reading

3rd Reading

MRS. PRITCHARD

*(Reprinted as amended by the
Private Bills Committee)*

BILL Pr32

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting McMaster University

MRS. PRITCHARD

BILL Pr32

1968-69

An Act respecting McMaster University

WHEREAS McMaster University by its petition has ^{Preamble} prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 4 of *The McMaster University Act, 1957*, is ^{1957, c. 144,} repealed and the following substituted therefor: ^{s. 4,} re-enacted

4. The University, while recognizing the Christian ^{University} tradition in which it was founded, shall be free in its ^{non-} management and discipline from the control of any ^{denomina-} religious body. ^{tional}

2. Section 11 of *The McMaster University Act, 1957*, as ^{1957, c. 144,} amended by section 3 of *The McMaster University Act*, ^{s. 11,} *1962-63*, is repealed and the following substituted therefor: ^{re-enacted}

11. The Board shall be composed as follows:

^{Composition}
^{of Board}

- (a) The Chancellor, the President and the Vice-Chairman of the Senate, *ex officio*.
- (b) Eighteen members to be elected for terms of four years by the Board.
- (c) One member to be elected for a term of three years by the Board of Trustees of the Divinity College.
- (d) Four members to be elected for terms of four years by the Alumni Association of the University from among the graduates of the University.

- (e) Six members to be elected for terms of three years by the elected faculty members of the Senate from among the faculty members and *ex officio* members of the Senate, not fewer than two of such members to be elected from among the faculty members, and not fewer than two from the *ex officio* members of the Senate.

1957, c. 144,
s. 12,
re-enacted

3. Section 12 of *The McMaster University Act, 1957*, as amended by section 4 of *The McMaster University Act, 1962-63*, is repealed and the following substituted therefor:

Members
eligible for
re-election

- 12.—(1) Elected members of the Board shall be eligible for re-election by the Board for not more than two additional terms, provided they are not over the age of seventy years.

Vacancies

- (2) Where a member of the Board who has been elected under clause e of section 11 ceases to be a member of the Senate he shall vacate his seat and it shall be the duty of the Board, by resolution, to declare vacant the seat of such member.

Seat
declared
vacant

- (3) After thirty days notice to any elected or appointed member, the Board, by a resolution passed by at least two-thirds of the votes cast at a meeting of the Board, may declare vacant the seat of such member.

Filling of
vacancies

- (4) Any vacancy in the seats of members of the Board elected under clause e of section 11 may be filled by election by the elected faculty members of the Senate, and the Board may fill any other vacancy on the Board for the balance of the term involved.

Quorum

- (5) Notwithstanding any vacancies on the Board, as long as there are at least twenty members the Board may exercise its powers and ten members shall constitute a quorum.

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- (7) The Board shall elect a Chairman and a Vice-Chairman from among its members.

Minutes
and records

- (8) The Board shall keep proper records and minutes of its proceedings and proper books of account of the financial affairs of the University.

4.—(1) Clause *a* of section 13 of *The McMaster University Act, 1957*, as amended by section 5 of *The McMaster University Act, 1962-63*, is repealed and the following substituted therefor:

(a) to appoint and remove the President and one or more Vice-Presidents, the Deans, the University Librarian, the University Registrar, the Director of Student Affairs, the Director of Continuing Education, the professors, and other members of the teaching staff of the University, provided that,

(i) the President shall be appointed from among such persons as may be nominated by the Senate after the Senate has requested, received and considered a recommendation from a committee composed of five persons to be named by the Board and five persons to be named by the Senate, which committee shall appoint its own chairman and determine its own procedure, and any recommendation of the committee shall be made in writing and signed by at least eight members and delivered to the Senate within nine months after the date on which the Senate shall have named the five persons to be named by it, and failing such recommendation, the Senate may nominate and the Board may appoint the President, and

(ii) all other such appointments of the Board, except in cases of term appointments of teaching staff, shall be made from among such persons as may be recommended by the President and nominated by the Senate,

and to appoint and remove all other officers, agents and servants of the University, and whenever there is a vacancy in the office of the President, to appoint an acting President to hold office during the pleasure of the Board or until a President is appointed.

(2) The said section 13 is amended by adding thereto the following clauses:

(f) to make by-laws for the conduct of its elections;

(g) to make recommendations to the Senate as to educational policy.

1957, c. 144,
s. 14,
re-enacted

5. Section 14 of *The McMaster University Act, 1957*, as amended by section 6 of *The McMaster University Act, 1962-63*, is repealed and the following substituted therefor:

Composition
of Senate

14. The Senate shall be composed as follows:

- (a) The Chancellor, the President and the Vice-Presidents, the senior Deans of the several faculties, the Dean of Graduate Studies, the Dean of Degree Studies in Extension, the Principal of the Divinity College, the University Librarian, the Director of Continuing Education and the Director of Student Affairs, *ex officio*.
- (b) Six members to be elected for terms of three years by and from the Board.
- (c) Four members to be elected for terms of three years by the Alumni Association of the University from among the graduates of the University.
- (d) Six students of the University, being four from the full-time undergraduate student body and two from the full-time graduate student body, elected in such manner and for such term and having such qualifications as may be prescribed by by-laws of the Senate.
- (e) Members equal in number to the total of *ex officio* and elected members hereinbefore provided for, to be elected for terms of three years by the full-time teaching staff of the University and the Divinity College, from among the full-time professors, associate professors and assistant professors on regular appointment by the Board or by the Board of Trustees of the Divinity College.
- (f) The Registrar of the University who shall not vote on matters requiring a vote of the Senate.

1957, c. 144,
s. 15,
re-enacted

6. Section 15 of *The McMaster University Act, 1957*, is repealed and the following substituted therefor:

Members
eligible for
re-election

15.—(1) Members of the Senate elected under clause *b*, *c* or *e* of section 14 shall be eligible for re-election for one additional term, and thereafter members

- elected under clause *e* of section 14 shall be eligible for re-election after three years from the expiration of their last term.
- (2) Where a member of the Senate who has been elected ^{Vacancies} under clause *e* of section 14 ceases to be a full-time member of the teaching staff, on regular appointment by the Board or by the Board of Trustees of the Divinity College, he shall vacate his seat and it shall be the duty of the Senate, by resolution, to declare vacant the seat of such member.
 - (3) Any vacancy in the seats of members of the Senate ^{Idem} elected under clause *d* of section 14 may be filled by election in such manner as may be prescribed by by-laws of the Senate.
 - (4) Any vacancy in the seats of members of the Senate ^{Idem} elected under clause *e* of section 14 may be filled by election by the full-time teaching staff of the University, and the Divinity College and the Senate may fill any other vacancy in the Senate for the balance of the term involved.
 - (5) After thirty days notice to any elected member, the ^{Seat declared vacant} Senate, by a resolution passed by at least two-thirds of the votes cast at a meeting of the Senate, may declare vacant the seat of such member.
 - (6) Notwithstanding any vacancies on the Senate, as ^{Quorum} long as there are at least thirty members, the Senate may exercise its powers, and ten members or such greater number as is provided for in the by-laws shall constitute a quorum.
 - (7) Notwithstanding the expiration of the term for which ^{Term of office} he was elected, a member of the Senate shall continue to hold office until his successor is elected.
 - (8) The President shall be Chairman of the Senate and ^{Chairman and Vice-Chancellor} Vice-Chancellor of the University.
 - (9) One of the Vice-Presidents, designated by the ^{Vice-Chairman} President, shall be the Vice-Chairman of the Senate.
 - (10) The Registrar of the University shall be, *ex officio*, ^{Secretary} Secretary of the Senate.

1957, c. 144,
s. 16, cl. b,
re-enacted

7.—(1) Clause *b* of section 16 of *The McMaster University Act, 1957*, as amended by section 7 of *The McMaster University Act, 1962-63*, is repealed and the following substituted therefor:

(*b*) subject to clause *a* of section 13, to nominate for appointment by the Board the President and one or more Vice-Presidents, the Deans, the University Librarian, the University Registrar, the Director of Student Affairs, the Director of Continuing Education, the professors and other members of teaching staff of the University, except in cases of term appointments of teaching staff.

1957, c. 144,
s. 16,
amended

(2) The said section 16 is amended by adding thereto the following clauses:

(*k*) to make by-laws for the conduct of its elections;

(*l*) to make recommendations to the Board on any subject of concern to the University.

1957, c. 144,
s. 19,
repealed

8. Section 19 of *The McMaster University Act, 1957*, is repealed.

Reconsti-
tution of
Board

9.—(1) The Board shall be reconstituted in accordance with section 11 of *The McMaster University Act, 1957*, as re-enacted by section 2 of this Act, within 120 days after the coming into force of this Act, and the members now in office shall continue in office until the Board has been so reconstituted.

Reconsti-
tution of
Senate

(2) The Senate shall be reconstituted in accordance with section 14 of *The McMaster University Act, 1957*, as re-enacted by section 5 of this Act, within 120 days after the coming into force of this Act, and the members now in office shall continue in office until the Senate has been so reconstituted.

First election

(3) Notwithstanding sections 11 and 14 of *The McMaster University Act, 1957*, as re-enacted by sections 2 and 5, respectively, of this Act, on the first election of members of the Board and Senate after the coming into force of this Act,

(*a*) of those members of the Board elected under clause *b* of section 11, four shall be elected for a term of one year, four shall be elected for a term of two years, four shall be elected for a term of three years, and six shall be elected for a term of four years;

- (b) of those members of the Board elected under clause *d* of section 11, one shall be elected for a term of one year, one shall be elected for a term of two years, one shall be elected for a term of three years, and one shall be elected for a term of four years;
- (c) of those members of the Board elected under clause *e* of section 11 and those members of the Senate elected under clause *b* of section 14, two shall be elected for a term of one year, two shall be elected for a term of two years and two shall be elected for a term of three years;
- (d) of those members of the Senate elected under clause *c* of section 14, one shall be elected for a term of one year, one shall be elected for a term of two years, and two shall be elected for a term of three years;
- (e) of those members of the Senate elected under clause *e* of section 14, eleven shall be elected for a term of one year, eleven shall be elected for a term of two years, and the remainder shall be elected for a term of three years.

10. This Act comes into force on the day it receives Royal ^{Commence-} Assent._{ment}

11. This Act may be cited as *The McMaster University* ^{Short title} *Act, 1968-69.*

An Act respecting McMaster University

1st Reading

February 17th, 1969

2nd Reading

March 10th, 1969

3rd Reading

March 26th, 1969

Mrs. PRITCHARD

BILL Pr33

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the City of Windsor

MR. NEWMAN (Windsor-Walkerville)

(PRIVATE BILL)

BILL Pr33

1968-69

An Act respecting the City of Windsor

WHEREAS The Corporation of the City of Windsor, ^{Preamble} herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) In this section “drainage works” and “construction” mean drainage works and construction as defined in *The Drainage Act, 1962-63*. ^{Interpretation 1962-63, c. 39}

(2) Where the council of the Corporation deems it expedient to undertake the construction, repair or improvement of any drainage works in the City of Windsor or any defined area thereof, in accordance with the provisions of *The Drainage Act, 1962-63*, it may, notwithstanding that Act, by by-law provide that the whole or such part, as the by-law may determine, of the cost of such construction, repair or improvement shall be charged and collected by a special rate sufficient therefor levied upon all the rateable property in the City of Windsor or in any such defined area. ^{Construction, repair or improvement of drainage works}

(3) No by-law passed under this section shall be repealed. ^{Repeal of by-law prohibited}

2.—(1) Clause *b* of subsection 3 of section 10 of *The City of Windsor Act, 1946*, as re-enacted by subsection 2 of section 1 of *The City of Windsor Act, 1961-62* is amended by striking out “two” in the first line and inserting in lieu thereof “three”, ^{1946, c. 145, s. 10, subs. 3, cl. b, (1961-62, c. 174, s. 1, subs. 2), amended} so that the clause shall read as follows:

(b) three governors who shall be the members of the medical staff prescribed by the regulations under *The Public Hospitals Act*.

R.S.O. 1960, c. 322.

1946, c. 145, s. 10
(1955, c. 119, s. 1) subs. 3, amended
c. d, amended

(2) Clause *d* of subsection 3 of the said section 10, as re-enacted by section 1 of *The City of Windsor Act, 1955*, is amended by striking out "two" in the first line and inserting in lieu thereof "three", so that the clause shall read as follows:

(*d*) three additional governors to be appointed by the governors appointed under clauses *a* to *c*.

1946, c. 145, s. 12, subs. 3
(1955, c. 119, s. 2), repealed

3. Subsection 3 of section 12 of *The City of Windsor Act, 1946*, as re-enacted by section 2 of *The City of Windsor Act, 1955* and amended by section 1 of *The City of Windsor Act, 1958*, is repealed.

Commence-
ment

4.—(1) This Act, except section 1, comes into force on the day it receives Royal Assent.

Idem

(2) Section 1 shall be deemed to have come into force on the 1st day of January, 1969.

Short title

5. This Act may be cited as *The City of Windsor Act, 1968-69*.

An Act respecting the City of Windsor

1st Reading

February 24th, 1969

2nd Reading

3rd Reading

MR. NEWMAN (Windsor-Walkerville)

(Private Bill)

BILL Pr33

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the City of Windsor

MR. NEWMAN (Windsor-Walkerville)

(Reprinted as amended by the Private Bills Committee)

BILL Pr33

1968-69

An Act respecting the City of Windsor

WHEREAS The Corporation of the City of Windsor, ^{Preamble} herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) In this section “drainage works” and “construction” mean drainage works and construction as defined in *The Drainage Act, 1962-63*. ^{Interpretation 1962-63, c. 39}

(2) Where the council of the Corporation deems it expedient to undertake the construction, repair or improvement of any drainage works in the City of Windsor or any defined area thereof, in accordance with the provisions of *The Drainage Act, 1962-63*, it may, notwithstanding that Act, by by-law provide that the whole or such part, as the by-law may determine, of the cost of such construction, repair or improvement shall be charged and collected by a special rate sufficient therefor levied upon all the rateable property in the City of Windsor or in any such defined area. ^{Construction, repair or improvement of drainage works}

(3) No by-law passed under this section shall be repealed. ^{Repeal of by-law prohibited}

2.—(1) Subsection 2 of section 10 of *The City of Windsor Act, 1946*, as re-enacted by section 1 of *The City of Windsor Act, 1955*, is repealed and the following substituted therefor: ^{1946, c. 145, s. 10, subs. 2 (1955, c. 119, s. 1), re-enacted}

(2) The management, control and maintenance of the Hospital and the custody of all real and personal property belonging to or used in connection therewith shall be vested in a board of thirteen governors. ^{Management, etc., of Hospital}

1946, c. 145, s. 10, subs. 3, cl. b, (1961-62, c. 174, s. 1, subs. 2) amended (2) Clause *b* of subsection 3 of the said section 10, as re-enacted by subsection 2 of section 1 of *The City of Windsor Act, 1961-62*, is amended by striking out "two" in the first line and inserting in lieu thereof "three", so that the clause shall read as follows:

(b) three governors who shall be the members of the medical staff prescribed by the regulations under *The Public Hospitals Act*.

R.S.O. 1960, c. 322.

1946, c. 145, s. 10 (1955, c. 119, s. 1) subs. 3, cl. d, amended (3) Clause *d* of subsection 3 of the said section 10, as re-enacted by section 1 of *The City of Windsor Act, 1955*, is amended by striking out "two" in the first line and inserting in lieu thereof "three", so that the clause shall read as follows:

(d) three additional governors to be appointed by the governors appointed under clauses *a* to *c*.

1946, c. 145, s. 12, subs. 3 (1955, c. 119, s. 2), repealed 3. Subsection 3 of section 12 of *The City of Windsor Act, 1946*, as re-enacted by section 2 of *The City of Windsor Act, 1955* and amended by section 1 of *The City of Windsor Act, 1958*, is repealed.

Commencement 4.—(1) This Act, except section 1, comes into force on the day it receives Royal Assent.

Idem (2) Section 1 shall be deemed to have come into force on the 1st day of January, 1969.

Short title 5. This Act may be cited as *The City of Windsor Act, 1968-69*.

An Act respecting the City of Windsor

1st Reading

February 24th, 1969

2nd Reading

3rd Reading

MR. NEWMAN (Windsor-Walkerville)

*(Reprinted as amended by
the Private Bills Committee)*

BILL Pr33

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the City of Windsor

MR. NEWMAN (Windsor-Walkerville)

BILL Pr33

1968-69

An Act respecting the City of Windsor

WHEREAS The Corporation of the City of Windsor, Preamble
 herein called the Corporation, by its petition has prayed
 for special legislation in respect of the matters hereinafter
 set forth; and whereas it is expedient to grant the prayer
 of the petition;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

1.—(1) In this section “drainage works” and “construc- Interpre-
 tion
 tion” mean drainage works and construction as defined in 1962-63,
 c. 39
The Drainage Act, 1962-63.

(2) Where the council of the Corporation deems it ex- Construc-
 tion,
 repair or
 improve-
 ment of
 drainage
 works
 pedient to undertake the construction, repair or improve-
 ment of any drainage works in the City of Windsor or any
 defined area thereof, in accordance with the provisions of
The Drainage Act, 1962-63, it may, notwithstanding that Act,
 by by-law provide that the whole or such part, as the by-law
 may determine, of the cost of such construction, repair or
 improvement shall be charged and collected by a special rate
 sufficient therefor levied upon all the rateable property in
 the City of Windsor or in any such defined area.

(3) No by-law passed under this section shall be repealed. Repeal of
 by-law
 prohibited

2.—(1) Subsection 2 of section 10 of *The City of Windsor* 1946, c. 145,
 s. 10, subs. 2
Act, 1946, as re-enacted by section 1 of *The City of Windsor* (1955, c. 119,
 s. 1),
Act, 1955, is repealed and the following substituted therefor: re-enacted

(2) The management, control and maintenance of the Manage-
 ment, etc.,
 of Hospital
 Hospital and the custody of all real and personal
 property belonging to or used in connection there-
 with shall be vested in a board of thirteen governors.

1946, c. 145,
s. 10, subs. 3,
cl. b,
(1961-62,
c. 174, s. 1,
subs. 2)
amended

(2) Clause *b* of subsection 3 of the said section 10, as re-enacted by subsection 2 of section 1 of *The City of Windsor Act, 1961-62*, is amended by striking out "two" in the first line and inserting in lieu thereof "three", so that the clause shall read as follows:

(b) three governors who shall be the members of the medical staff prescribed by the regulations under *The Public Hospitals Act*.

R.S.O. 1960,
c. 322.

1946, c. 145,
s. 10
(1955,
c. 119,
s. 1) subs. 3,
cl. d,
amended

(3) Clause *d* of subsection 3 of the said section 10, as re-enacted by section 1 of *The City of Windsor Act, 1955*, is amended by striking out "two" in the first line and inserting in lieu thereof "three", so that the clause shall read as follows:

(d) three additional governors to be appointed by the governors appointed under clauses *a* to *c*.

1946, c. 145,
s. 12, subs. 3
(1955, c. 119,
s. 2),
repealed

3. Subsection 3 of section 12 of *The City of Windsor Act, 1946*, as re-enacted by section 2 of *The City of Windsor Act, 1955* and amended by section 1 of *The City of Windsor Act, 1958*, is repealed.

Commence-
ment

4.—(1) This Act, except section 1, comes into force on the day it receives Royal Assent.

Idem

(2) Section 1 shall be deemed to have come into force on the 1st day of January, 1969.

Short title

5. This Act may be cited as *The City of Windsor Act, 1968-69*.

An Act respecting the City of Windsor

1st Reading

February 24th, 1969

2nd Reading

March 26th, 1969

3rd Reading

April 1st, 1969

MR. NEWMAN (Windsor-Walkerville)

BILL Pr34

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the Town of Mississauga

MR. KENNEDY

(PRIVATE BILL)

BILL Pr34

1968-69

An Act respecting the Town of Mississauga

WHEREAS The Corporation of the Town of Mississauga ^{Preamble} in the County of Peel by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Notwithstanding *The Municipal Franchises Act*, the ^{By-laws authorized} council of The Corporation of the Town of Mississauga may pass by-laws pursuant to paragraph 88 of subsection 1 of section 379 of *The Municipal Act* without the assent of the ^{R.S.O. 1960, cc. 255, 249} municipal electors.

2. This Act comes into force on the day it receives Royal ^{Commence-} Assent. ^{ment}

3. This Act may be cited as *The Town of Mississauga* ^{Short title} *Act, 1968-69.*

An Act respecting the
Town of Mississauga

1st Reading

February 24th, 1969

2nd Reading

3rd Reading

MR. KENNEDY

(*Private Bill*)

BILL Pr34

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the Town of Mississauga

MR. KENNEDY

BILL Pr34

1968-69

An Act respecting the Town of Mississauga

WHEREAS The Corporation of the Town of Mississauga ^{Preamble} in the County of Peel by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Notwithstanding *The Municipal Franchises Act*, the ^{By-laws authorized} council of The Corporation of the Town of Mississauga may pass by-laws pursuant to paragraph 88 of subsection 1 of section 379 of *The Municipal Act* without the assent of the ^{R.S.O. 1960, cc. 255, 249} municipal electors.

2. This Act comes into force on the day it receives Royal ^{Commence-} Assent. ^{ment}

3. This Act may be cited as *The Town of Mississauga* ^{Short title} Act, 1968-69.

An Act respecting the
Town of Mississauga

1st Reading

February 24th, 1969

2nd Reading

March 14th, 1969

3rd Reading

March 25th, 1969

MR. KENNEDY

BILL Pr35

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the University of Windsor

MR. PEACOCK

(PRIVATE BILL)

BILL Pr35

1968-69

An Act respecting the University of Windsor

WHEREAS the University of Windsor by its petition Preamble has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 5 of *The University of Windsor Act, 1962-63* is 1962-63, c. 194, s. 5, amended amended by striking out "but such management and control shall be based upon Christian principles", in the fifth and sixth lines so that the section shall read as follows:

5. The management and control of the University Board non-denominational shall be vested in a non-denominational board of governors, and no religious test shall be required of any professor, lecturer, teacher, officer, employee, servant or student of the University.

2. Section 18 of *The University of Windsor Act, 1962-63* 1962-63, c. 194, s. 18, re-enacted is repealed and the following substituted therefor:

18. The Board shall be constituted as follows:

Composition of the Board

1. The President of the University, *ex officio*.
2. Six persons appointed by the Board of Governors of Assumption University.
3. Two persons appointed by the Alumni Association from among its own number.
4. Four persons appointed by the Lieutenant Governor in Council.
5. Four members of the teaching staff elected by and from the members of the Senate.

6. Fifteen other persons to be elected by the Board.

1962-63,
c. 194, s. 19,
subs. 1,
re-enacted

3. Subsection 1 of section 19 of *The University of Windsor Act, 1962-63* is repealed and the following substituted therefor:

Term of
office of
members

(1) The term of office of each member of the Board except the President, shall be three years and no member shall be eligible to serve more than three successive terms, provided that a person whose term of office has not been renewed shall be eligible for re-election or reappointment to the Board following the expiration of three years after his last membership on the Board.

1962-63,
c. 194, s. 20,
re-enacted

4. Section 20 of *The University of Windsor Act, 1962-63* is repealed and the following substituted therefor:

Terms of
office

20. Notwithstanding subsection 1 of section 19, a person who is elected or appointed to fill a vacancy in the Board caused by the death, resignation or otherwise of a member shall serve until the expiry of the term of office of his predecessor, at which time he shall be eligible for re-election or reappointment for three successive terms.

1962-63,
c. 194, s. 25,
par. 1,
re-enacted

5.—(1) Paragraph 1 of section 25 of *The University of Windsor Act, 1962-63* is repealed and the following substituted therefor:

1. The President, the Vice-President, the deans and vice-deans of each faculty within the University, the director of each autonomous school within the University, the academic heads of colleges affiliated or federated with the University, the Executive Director of Student Affairs, the Director of Extension, the Librarian and the Registrar of the University, *ex officio*.

1962-63,
c. 194, s. 25,
par. 2,
repealed

(2) Paragraph 2 of the said section 25 is repealed.

1962-63,
c. 194, s. 25,
pars. 3, 4,
re-enacted

(3) Paragraphs 3 and 4 of the said section 25 are repealed and the following substituted therefor:

3. Thirty members of the teaching staff of the University, for such terms and upon such conditions as the Senate may by by-law determine.

4. One member to be appointed for a term of three years by the Alumni Association from among the

graduates, provided that no person so appointed shall be eligible to serve more than two successive terms.

- 4a. Four students of the University to be elected or appointed in such manner as the students of the University may from time to time determine, provided that at least one of such students shall be a graduate student.

6.—(1) Subsection 1 of section 26 of *The University of Windsor Act, 1962-63* is repealed and the following substituted therefor: 1962-63,
c. 194, s. 26,
subs. 1,
re-enacted

- (1) Except as otherwise provided, the manner of election and appointment to the Senate and the terms of office of the members thereof shall be as the Senate may by by-law determine. Election to
Senate,
term of
office

(2) Subsection 4 of the said section 26 is repealed. 1962-63,
c. 194, s. 26,
subs. 4,
repealed

7.—(1) The membership of the Board, as constituted when this Act comes into force, and the respective terms of office of each of such members, are hereby confirmed and subsection 1 of section 19 of *The University of Windsor Act, 1962-63*, as re-enacted by section 3 of this Act, shall be deemed to have been applicable to such members as if the said subsection had been in full force and effect, as so re-enacted, on the 19th day of December, 1962. Membership
of Board
confirmed

1962-63,
c. 194

(2) Notwithstanding subsection 1 of section 19 of *The University of Windsor Act, 1962-63*, as re-enacted by section 3 of this Act, on the first election of members of the Board under paragraph 5 of section 18 of *The University of Windsor Act, 1962-63*, as re-enacted by section 2 of this Act, Election of
members
of Board

- (a) one member, to be determined by the members of the Senate, shall hold office for an initial term expiring on the date of the annual meeting of the Board next following;
- (b) one member, to be determined by the members of the Senate, shall hold office for an initial term expiring on the date of the second annual meeting of the Board next following his election; and
- (c) each of the remaining two members shall hold office for an initial term expiring on the date of the third annual meeting of the Board next following his election,

and on the expiry of the initial term of any such member, the vacancy shall be filled in the manner prescribed and the successor shall serve a term of three years and thereafter from time to time, provided that any such member who ceases to be a member of the teaching staff shall forthwith cease to be a member of the Board.

Commence-
ment

8. This Act comes into force on the day it receives Royal Assent.

Short title

9. This Act may be cited as *The University of Windsor Act, 1968-69*.



An Act respecting the
University of Windsor

1st Reading

February 24th, 1969

2nd Reading

3rd Reading

MR. PEACOCK

(Private Bill)

BILL Pr35

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the University of Windsor

MR. PEACOCK

BILL Pr35

1968-69

An Act respecting the University of Windsor

WHEREAS the University of Windsor by its petition Preamble has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 5 of *The University of Windsor Act, 1962-63* is 1962-63, c. 194, s. 5, amended amended by striking out "but such management and control shall be based upon Christian principles", in the fifth and sixth lines so that the section shall read as follows:

5. The management and control of the University Board non-denominational shall be vested in a non-denominational board of governors, and no religious test shall be required of any professor, lecturer, teacher, officer, employee, servant or student of the University.

2. Section 18 of *The University of Windsor Act, 1962-63* 1962-63, c. 194, s. 18, re-enacted is repealed and the following substituted therefor:

18. The Board shall be constituted as follows:

Composition of the Board

1. The President of the University, *ex officio*.
2. Six persons appointed by the Board of Governors of Assumption University.
3. Two persons appointed by the Alumni Association from among its own number.
4. Four persons appointed by the Lieutenant Governor in Council.
5. Four members of the teaching staff elected by and from the members of the Senate.

6. Fifteen other persons to be elected by the Board.

1962-63,
c. 194, s. 19,
subs. 1,
re-enacted

3. Subsection 1 of section 19 of *The University of Windsor Act, 1962-63* is repealed and the following substituted therefor:

Term of
office of
members

- (1) The term of office of each member of the Board except the President, shall be three years and no member shall be eligible to serve more than three successive terms, provided that a person whose term of office has not been renewed shall be eligible for re-election or reappointment to the Board following the expiration of three years after his last membership on the Board.

1962-63,
c. 194, s. 20,
re-enacted

4. Section 20 of *The University of Windsor Act, 1962-63* is repealed and the following substituted therefor:

Terms of
office

20. Notwithstanding subsection 1 of section 19, a person who is elected or appointed to fill a vacancy in the Board caused by the death, resignation or otherwise of a member shall serve until the expiry of the term of office of his predecessor, at which time he shall be eligible for re-election or reappointment for three successive terms.

1962-63,
c. 194, s. 25,
par. 1,
re-enacted

5.—(1) Paragraph 1 of section 25 of *The University of Windsor Act, 1962-63* is repealed and the following substituted therefor:

1. The President, the Vice-President, the deans and vice-deans of each faculty within the University, the director of each autonomous school within the University, the academic heads of colleges affiliated or federated with the University, the Executive Director of Student Affairs, the Director of Extension, the Librarian and the Registrar of the University, *ex officio*.

1962-63,
c. 194, s. 25,
par. 2,
repealed

- (2) Paragraph 2 of the said section 25 is repealed.

1962-63,
c. 194, s. 25,
pars. 3, 4,
re-enacted

(3) Paragraphs 3 and 4 of the said section 25 are repealed and the following substituted therefor:

3. Thirty members of the teaching staff of the University, for such terms and upon such conditions as the Senate may by by-law determine.
4. One member to be appointed for a term of three years by the Alumni Association from among the

graduates, provided that no person so appointed shall be eligible to serve more than two successive terms.

- 4a. Four students of the University to be elected or appointed in such manner as the students of the University may from time to time determine, provided that at least one of such students shall be a graduate student.

6.—(1) Subsection 1 of section 26 of *The University of Windsor Act, 1962-63* is repealed and the following substituted therefor: 1962-63, c. 194, s. 26, subs. 1, re-enacted

- (1) Except as otherwise provided, the manner of election and appointment to the Senate and the terms of office of the members thereof shall be as the Senate may by by-law determine. Election to Senate, term of office

- (2) Subsection 4 of the said section 26 is repealed. 1962-63, c. 194, s. 26, subs. 4, repealed

7.—(1) The membership of the Board, as constituted when this Act comes into force, and the respective terms of office of each of such members, are hereby confirmed and subsection 1 of section 19 of *The University of Windsor Act, 1962-63*, as re-enacted by section 3 of this Act, shall be deemed to have been applicable to such members as if the said subsection had been in full force and effect, as so re-enacted, on the 19th day of December, 1962. Membership of Board confirmed

(2) Notwithstanding subsection 1 of section 19 of *The University of Windsor Act, 1962-63*, as re-enacted by section 3 of this Act, on the first election of members of the Board under paragraph 5 of section 18 of *The University of Windsor Act, 1962-63*, as re-enacted by section 2 of this Act, Election of members of Board

- (a) one member, to be determined by the members of the Senate, shall hold office for an initial term expiring on the date of the annual meeting of the Board next following;
- (b) one member, to be determined by the members of the Senate, shall hold office for an initial term expiring on the date of the second annual meeting of the Board next following his election; and
- (c) each of the remaining two members shall hold office for an initial term expiring on the date of the third annual meeting of the Board next following his election,

and on the expiry of the initial term of any such member, the vacancy shall be filled in the manner prescribed and the successor shall serve a term of three years and thereafter from time to time, provided that any such member who ceases to be a member of the teaching staff shall forthwith cease to be a member of the Board.

Commence-
ment

8. This Act comes into force on the day it receives Royal Assent.

Short title

9. This Act may be cited as *The University of Windsor Act, 1968-69*.



An Act respecting the
University of Windsor

1st Reading

February 24th, 1969

2nd Reading

March 26th, 1969

3rd Reading

April 1st, 1969

MR. PEACOCK

BILL Pr36

2ND SESSION, 28TH LEGISLATURE, ONTARIO
18 ELIZABETH II, 1968-69

An Act respecting the City of Ottawa

MR. LAWRENCE (Carleton East)

(PRIVATE BILL)

BILL Pr36

1968-69

An Act respecting the City of Ottawa

WHEREAS The Corporation of the City of Ottawa, Preamble
 herein called the Corporation, by its petition has
 prayed for special legislation in respect of the matters herein-
 after set forth; and whereas it is expedient to grant the
 prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

1. Notwithstanding subsection 4 of section 30 and para- By-law
re certi-
ficates of
compliance,
etc.,
authorized
R.S.O. 1960,
c. 296
 graph 24 of subsection 1 of section 31 of *The Planning Act*,
 and subject to subsection 7 of section 30 of that Act, the
 council of the Corporation may pass a by-law,

- (a) for requiring a person who erects, alters or repairs
 a building or structure or causes a building or
 structure to be erected, altered or repaired to obtain
 a certificate of compliance, use and occupancy from
 the architect in charge of building inspection of the
 Corporation;
- (b) for prohibiting the use or occupancy of any such
 building or structure by any such person or by any
 other person until a certificate referred to in clause *a*
 has been obtained;
- (c) for regulating the issue of such certificates; and
- (d) for prescribing fees for the issue of such certificates.

2. This Act comes into force on the day it receives Royal Commence-
ment
 Assent.

3. This Act may be cited as *The City of Ottawa Act*, Short title
 1968-69 (No. 2).

An Act respecting the
City of Ottawa

1st Reading

February 24th, 1969

2nd Reading

3rd Reading

H.S.

MR. LAWRENCE (Carleton East)

(Private Bill)

