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c 25 County of Oxford Amendment Act, 1982

Ontario

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CHAPTER 25

An Act to amend the County of Oxford Act

Assented to July 7th, 1982

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The *County of Oxford Act*, being chapter 365 of the Revised Statutes of Ontario, 1980, is amended by adding thereto the following section: s. 2a,
enacted

2a.—(1) Notwithstanding any Act, upon the recommendation of the Minister pursuant to an application by an area municipality the Lieutenant Governor in Council may, by order, alter the status of the area municipality to that of a township, village, town or city municipality, and may direct the new name that the area municipality will bear when its status is altered and the date when the alteration of status will take effect and may provide for any matters that are considered necessary or desirable for implementing the alteration of status or for carrying on the area municipality subsequent thereto, including the composition of its council. Alteration
of status
of area
municipality

(2) Where an order is made under subsection (1), sections 17, 19 and 22 of the *Municipal Act* apply, with necessary modifications, and the provisions of any special Act that applied to the area municipality prior to the alteration of its status continue to apply to it subsequent thereto. Application of
R.S.O. 1980,
c. 302,
ss. 17, 19, 22

2. Section 13 of the said Act is amended by adding thereto the following subsections: s. 13,
amended

(2a) Sections 38, 39, 43, 44 and 97 of the *Municipal Act* apply with necessary modifications to the County Council. Application of
R.S.O. 1980,
c. 302

(2b) A member of the County Council with the consent of the majority of the members present at a meeting, entered upon the minutes of it, may resign his office and his seat in the council which shall then be vacant, but he shall not vote on a motion as to his own resignation and if the council does not accept his resignation it is of no effect. Resignation
from County
Council

Where
vacancy
in County
Council
or area
municipality
council

(2c) If not already vacant by virtue of any general or special Act,

(a) the seat of a member of the County Council becomes vacant if the seat of that member on the council of an area municipality is declared vacant by the council of that area municipality; and

(b) the seat of a member of the council of an area municipality becomes vacant if the seat of that member on the County Council is declared vacant by the County Council.

Declaration
of vacancy

(2d) Where the County Council or the council of an area municipality declares the seat of a member to be vacant, other than under subsection (2e), and subsection (2c) applies, the County Council or the area council, as the case may be, shall forthwith cause a copy of its declaration to be sent to the other council.

Idem

(2e) Upon receiving a copy of a declaration of a vacancy in respect of a member under subsection (2d) the County Council or the council of the area municipality, as the case may be, shall forthwith declare the seat of that member on the council to be vacant.

s. 23 (a),
re-enacted

3. Clause 23 (a) of the said Act is repealed and the following substituted therefor:

(a) open an account or accounts in the name of the County at such place of deposit as may be approved by the County Council.

s. 38 (2),
re-enacted

4. Subsection 38 (2) of the said Act is repealed and the following substituted therefor:

(2) The County Council may by by-law designate any lane on any road over which it has jurisdiction as a lane solely or principally for use by public transit motor vehicles, taxicabs and by private motor vehicles carrying such number of passengers as may be specified in the by-law, and prohibit or regulate the use thereof by all other vehicles to such extent and for such period or periods as may be specified in the by-law.

Establish-
ment of
bus lanes,
etc.

Interpre-
tation

(3) For the purposes of subsection (2),

(a) "any other municipality" includes a metropolitan municipality and a regional municipality;

(b) "public transit motor vehicle" means a motor vehicle owned and operated by, for or on behalf of the County

or any other municipality as part of its passenger transportation service and such other class or classes of motor vehicles operated in connection with the provision of a passenger transportation service as may be specified in the by-law.

- 5. Subsections 66 (1) and (2) of the said Act are repealed and the following substituted therefor: s. 66 (1),
repealed;
s. 66 (2),
re-enacted

(2) The County shall pay to any area municipality, on or before the due date, all amounts of principal and interest becoming due upon any outstanding indebtedness of the area municipality in respect of aid granted by a local municipality prior to the 1st day of January, 1975, for the construction, erection, establishment, acquisition, maintenance, equipping and carrying on of the business of public hospitals including municipal hospitals and other health care facilities in the County, and, if the County fails to pay such amounts before the due date, the area municipality may charge the County interest at the rate of 15 per cent per annum thereon, or such lower rate as the council of the area municipality determines, from such date until payment is made. Payment of
indebtedness
re hospital
aid

- 6. Subsection 85 (2) of the said Act is repealed and the following substituted therefor: s. 85 (2),
re-enacted

(2) In preparing the estimates, the County Council shall make due allowance for a surplus of any previous year that will be available during the current year and shall provide for any operating deficit of any previous year. Allowance
to be made
in estimates

- 7. The said Act is further amended by adding thereto the following section: s. 91a,
enacted

91a.—(1) The County Council may in each year provide in the estimates for the establishment or maintenance of a reserve fund for any purpose for which it has authority to spend funds. Reserve
fund

(2) The moneys raised for a reserve fund established under 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 form part of the reserve fund. Special
account

R.S.O. 1980,
c. 512

(3) The moneys raised for a reserve fund established under subsection (1) shall not be expended, pledged or applied to any purpose other than that for which the fund was established, unless approved by the County Council. Application
of funds

Auditor's
report

(4) The auditor in his annual report shall report on the activities and position of each reserve fund established under subsection (1).

s. 98 (7) (a),
amended

8.—(1) Clause 98 (7) (a) of the said Act is amended by striking out “ten” in the third line and inserting in lieu thereof “five”.

s. 98,
amended

(2) Section 98 of the said Act is amended by adding thereto the following subsection:

Premiums
on foreign
currency

(21a) Where a by-law passed under this section provides that the debentures are payable in a currency described in clause (20) (b), (c) or (d) the by-law may provide that any portion of the premium which may be received on the currency in which the debentures are payable that is not required to pay the cost of the work authorized under the by-law and charges incidental thereto shall be set aside in a reserve fund to be used to pay the premium on the annual payments of principal and interest on the debentures issued under the by-law.

s. 99a,
enacted

9. The said Act is further amended by adding thereto the following section:

99a. Section 143a of the *Municipal Act* applies with necessary modifications to the County.

Application of
R.S.O. 1980,
c. 302, s. 143a

s. 117 (1),
re-enacted

10. Subsection 117 (1) of the said Act is repealed and the following substituted therefor:

(1) Sections 5, 84, 85, 90, 92, 93, 94 and 96, subsections 98 (1), (4) and (5), sections 99, 100, 105, 106, 109, 113, 114, 115, 116, 117, 121 and 122, subsection 165 (3) and section 190, paragraphs 3, 10, 11, 12, 23, 24, 30, 45, 46, 47, 48, 49, 50 and 54 of section 208, subparagraph iii of paragraph 62 and subparagraph ii of paragraph 125 of section 210, paragraph 10 of section 315 and Parts XIII, XIV, XV and XIX of the *Municipal Act* apply with necessary modifications to the County.

Application of
R.S.O. 1980,
c. 302

Commence-
ment

11.—(1) This Act, except sections 4 and 9, comes into force on the day it receives Royal Assent.

Idem

(2) Sections 4 and 9 come into force on a day to be named by proclamation of the Lieutenant Governor.

Short title

12. The short title of this Act is the *County of Oxford Amendment Act, 1982*.