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c 22 Regional Municipalities Amendment Act, 1987

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CHAPTER 22

**An Act to amend certain Acts respecting
Regional Municipalities**

Assented to June 29th, 1987

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

REGIONAL MUNICIPALITY OF DURHAM

1.—(1) The *Regional Municipality of Durham Act*, being chapter 434 of the Revised Statutes of Ontario, 1980, is amended by adding thereto the following section:

52a.—(1) The Regional Council may by by-law establish, maintain and operate or discontinue fluoridation systems, as defined in section 1 of the *Fluoridation Act*. Fluoridation system
R.S.O. 1980,
c. 171

(2) The *Fluoridation Act* does not apply to any area municipality. Non-application

(3) For the purposes of section 9 of the *Fluoridation Act*, fluoridation systems established under this section shall be deemed to be fluoridation systems established under that Act. Regulations

(4) Notwithstanding that a by-law has not been passed under subsection (1), the Regional Corporation may continue to fluoridate the water supply of those areas in the Regional Area to which it was supplying fluoridated water immediately before the coming into force of this subsection. Continuation of fluoridation of water supply in area

(2) Section 90 of the said Act is repealed.

(3) Subsection 129 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1983, chapter 72, section 5, is amended by inserting after "5" in the first line "78a, 78b".

(4) The said subsection 129 (1) is further amended by inserting after "109" in the second line "112".

REGIONAL MUNICIPALITY OF HALDIMAND-NORFOLK

2.—(1) Section 64 of the *Regional Municipality of Haldimand-Norfolk Act*, being chapter 435 of the Revised Statutes of Ontario, 1980, is repealed.

(2) The said Act is amended by adding thereto the following section:

Fluoridation
system

74a.—(1) The Regional Council may by by-law establish, maintain and operate or discontinue fluoridation systems, as defined in section 1 of the *Fluoridation Act*.

R.S.O. 1980,
c. 171

Non-
application

(2) The *Fluoridation Act* does not apply to any area municipality.

Regulations

(3) For the purposes of section 9 of the *Fluoridation Act*, fluoridation systems established under this section shall be deemed to be fluoridation systems established under that Act.

Continuation
of fluori-
dation of
water supply
in area

(4) Notwithstanding that a by-law has not been passed under subsection (1), the Regional Corporation may continue to fluoridate the water supply of those areas in the Regional Area to which it was supplying fluoridated water immediately before the coming into force of this subsection.

(3) Subsection 111 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1983, chapter 72, section 12, is amended by inserting after “5” in the first line “78a, 78b”.

(4) The said subsection 111 (1) is further amended by inserting after “109” in the second line “112”.

REGIONAL MUNICIPALITY OF HALTON

3.—(1) The *Regional Municipality of Halton Act*, being chapter 436 of the Revised Statutes of Ontario, 1980, is amended by adding thereto the following section:

Trust fund
disbursement

71a. The trust fund, composed of undisbursed interest accumulated prior to the 2nd day of November, 1980 on the trust accounts of residents of the Regional Municipality of Halton Homes for the Aged, is vested in the Regional Corporation for distribution of both the fund and interest accruing thereon by the Regional Council in its absolute discretion for the general benefit of the residents of the Regional Municipality of Halton Homes for the Aged, provided that no expenditure shall be made for the ordinary operation and maintenance of the Homes.

(2) Section 75 of the said Act is repealed.

(3) The said Act is further amended by adding thereto the following section:

85a.—(1) The Regional Council may by by-law establish, maintain and operate or discontinue fluoridation systems, as defined in section 1 of the *Fluoridation Act*. Fluoridation system
R.S.O. 1980,
c. 171

(2) The *Fluoridation Act* does not apply to any area municipality. Non-application

(3) For the purposes of section 9 of the *Fluoridation Act*, fluoridation systems established under this section shall be deemed to be fluoridation systems established under that Act. Regulations

(4) Notwithstanding that a by-law has not been passed under subsection (1), the Regional Corporation may continue to fluoridate the water supply of those areas in the Regional Area to which it was supplying fluoridated water immediately before the coming into force of this subsection. Continuation of fluoridation of water supply in area

(4) Subsection 122 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1983, chapter 72, section 17, is amended by inserting after “5” in the first line “78a, 78b”.

(5) The said subsection 122 (1) is further amended by inserting after “109” in the second line “112”.

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

4.—(1) The *Regional Municipality of Hamilton-Wentworth Act*, being chapter 437 of the Revised Statutes of Ontario, 1980, is amended by adding thereto the following section:

39a.—(1) The Regional Council may by by-law authorize agreements between the Regional Corporation and the owners or lessees of land abutting on a highway under the jurisdiction and control of the Regional Corporation for the construction, maintenance and use of buildings or parts thereof, over, across or under the highway upon such terms and conditions as may be agreed and for leasing or licensing the use of the air space over the highway or the lands under the highway to such persons and for such consideration and upon such terms and conditions as may be agreed. Agreements respecting highways

(2) An agreement made under subsection (1) that affects a highway or a highway right of way that is a connecting link, within the meaning of section 21 of the *Public Transportation and Highway Improvement Act* shall have no effect until Approval of agreement
R.S.O. 1980,
c. 421

approved by the Minister of Transportation and Communications.

(2) Subsection 79 (2) of the said Act is repealed.

(3) Section 86 of the said Act is repealed.

(4) The said Act is further amended by adding thereto the following section:

Fluoridation
system

R.S.O. 1980,
c. 171

96a.—(1) The Regional Council may by by-law establish, maintain and operate or discontinue fluoridation systems, as defined in section 1 of the *Fluoridation Act*.

Non-
application

(2) The *Fluoridation Act* does not apply to any area municipality.

Regulations

(3) For the purposes of section 9 of the *Fluoridation Act*, fluoridation systems established under this section shall be deemed to be fluoridation systems established under that Act.

Continuation
of fluori-
dation of
water supply
in area

(4) Notwithstanding that a by-law has not been passed under subsection (1), the Regional Corporation may continue to fluoridate the water supply of those areas in the Regional Area to which it was supplying fluoridated water immediately before the coming into force of this subsection.

(5) Subsection 133 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1986, chapter 46, section 4, is amended by inserting after “5” in the first line “78a, 78b”.

(6) The said subsection 133 (1) is further amended by inserting after “110” in the second line “112”.

REGIONAL MUNICIPALITY OF NIAGARA

5.—(1) Subsections 31 (2) and (3) of the *Regional Municipality of Niagara Act*, being chapter 438 of the Revised Statutes of Ontario, 1980, are repealed and the following substituted therefor:

Fluoridation
system

R.S.O. 1980,
c. 171

(2) The Regional Council may by by-law establish, maintain and operate or discontinue fluoridation systems, as defined in section 1 of the *Fluoridation Act*.

Non-
application

(3) The *Fluoridation Act* does not apply to any area municipality.

(4) For the purposes of section 9 of the *Fluoridation Act*, fluoridation systems established under this section shall be deemed to be fluoridation systems established under that Act.

Regulations
R.S.O. 1980,
c. 171

(5) Notwithstanding that a by-law has not been passed under subsection (2), the Regional Corporation may continue to fluoridate the water supply of those areas in the Regional Area to which it was supplying fluoridated water immediately before the coming into force of this subsection.

Continuation
of fluoridation
of water supply
in area

(2) The said Act is amended by adding thereto the following section:

110a. The trust fund, composed of undisbursed interest accumulated prior to the 1st day of January, 1984 on the trust accounts of residents of the Regional Municipality of Niagara Homes for the Aged, is vested in the Regional Corporation for distribution of both the fund and interest accruing thereon by the Regional Council in its absolute discretion for the general benefit of the residents of the Regional Municipality of Niagara Homes for the Aged, provided that no expenditure shall be made for the ordinary operation and maintenance of the Homes.

Trust fund
disbursement

(3) Section 112 of the said Act is repealed.

(4) Subsection 161 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1983, chapter 72, section 31, is amended by inserting after "5" in the first line "78a, 78b".

(5) The said subsection 161 (1) is further amended by inserting after "109" in the second line "112".

REGIONAL MUNICIPALITY OF OTTAWA-CARLETON

6.—(1) The *Regional Municipality of Ottawa-Carleton Act*, being chapter 439 of the Revised Statutes of Ontario, 1980, is amended by adding thereto the following section:

31a.—(1) The Regional Council may by by-law establish, maintain and operate or discontinue fluoridation systems, as defined in section 1 of the *Fluoridation Act*.

Fluoridation
system

R.S.O. 1980,
c. 171

(2) The *Fluoridation Act* does not apply to any area municipality.

Non-
application

(3) For the purposes of section 9 of the *Fluoridation Act*, fluoridation systems established under this section shall be deemed to be fluoridation systems established under that Act.

Regulations

Continuation
of fluori-
dation of
water supply
in area

(4) Notwithstanding that a by-law has not been passed under subsection (1), the Regional Corporation may continue to fluoridate the water supply of those areas in the Regional Area to which it was supplying fluoridated water immediately before the coming into force of this subsection.

(2) Section 113 of the said Act is repealed.

(3) Subsection 115 (2) of the said Act is amended by inserting after "subsection (1)" in the first line "but subject to section 115a".

(4) The said Act is further amended by adding thereto the following section:

Day care
service areas

115a.—(1) The Regional Council may by by-law designate as a day care service area any or all of the area municipalities and may pass such additional by-laws to alter the composition of the day care service area by adding or eliminating any area municipality.

Levies for
day care
service areas

(2) The Regional Council in each year shall levy against the area municipalities situate within the day care service area a sum sufficient to meet the costs, as estimated by the Regional Council, of providing day care services in the day care service area and Part IX applies with necessary modifications to a levy made under this section as though it were a levy made by the Regional Council under subsection 121 (1).

Idem

(3) An area municipality within the day care service area may pay the levy imposed on the area municipality under subsection (2) out of its general funds or, subject to the approval of the Municipal Board, may pass one or more by-laws to impose special rates in one or more parts of the area municipality to raise the whole or any part of the levy imposed on the area municipality under subsection (2).

Idem

(4) An area municipality not in the day care service area may pay the amount charged to it by the Regional Council for day care services under subsection 115 (2) out of its general funds or, subject to the approval of the Municipal Board, may pass one or more by-laws to impose special rates in one or more parts of the area municipality to raise the whole or any part of the amount charged to the area municipality under subsection 115 (2).

(5) Subsection 163 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1983, chapter 72, section 35, is amended by inserting after "5" in the first line "78a, 78b".

(6) The said subsection 163 (1) is further amended by,

- (a) inserting after “106” in the first line “112”; and
- (b) striking out “and 54” in the third line and inserting in lieu thereof “54 and 55”.

(7) The said Act is further amended by adding thereto the following section:

165a.—(1) The Regional Council may pass by-laws and enter into agreements to provide for the establishment and operation of a centralized communication system either alone or in concert with the area municipalities and their local boards for the provision of emergency response services in the Regional Area. Centralized communication system

(2) The area municipalities and their local boards may enter into agreements under subsection (1) with the Regional Council. Agreements

REGIONAL MUNICIPALITY OF PEEL

7.—(1) Section 70 of the *Regional Municipality of Peel Act*, being chapter 440 of the Revised Statutes of Ontario, 1980, is repealed.

(2) The said Act is amended by adding thereto the following section:

80a.—(1) The Regional Council may by by-law establish, maintain and operate or discontinue fluoridation systems, as defined in section 1 of the *Fluoridation Act*. Fluoridation system
R.S.O. 1980,
c. 171

(2) The *Fluoridation Act* does not apply to any area municipality. Non-application

(3) For the purposes of section 9 of the *Fluoridation Act*, fluoridation systems established under this section shall be deemed to be fluoridation systems established under that Act. Regulations

(4) Notwithstanding that a by-law has not been passed under subsection (1), the Regional Corporation may continue to fluoridate the water supply of those areas in the Regional Area to which it was supplying fluoridated water immediately before the coming into force of this subsection. Continuation of fluoridation of water supply in area

(3) Subsection 117 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1983, chapter 72, section 41, is amended by inserting after “5” in the first line “78a, 78b”.

(4) The said subsection 117 (1) is further amended by inserting after "109" in the second line "112".

REGIONAL MUNICIPALITY OF SUDBURY

8.—(1) The *Regional Municipality of Sudbury Act*, being chapter 441 of the Revised Statutes of Ontario, 1980, is amended by adding thereto the following section:

Fluoridation
system
R.S.O. 1980,
c. 171

25a.—(1) The Regional Council may by by-law establish, maintain and operate or discontinue fluoridation systems, as defined in section 1 of the *Fluoridation Act*.

Non-
application

(2) The *Fluoridation Act* does not apply to any area municipality.

Regulations

(3) For the purposes of section 9 of the *Fluoridation Act*, fluoridation systems established under this section shall be deemed to be fluoridation systems established under that Act.

Continuation
of fluori-
dation of
water supply
in area

(4) Notwithstanding that a by-law has not been passed under subsection (1), the Regional Corporation may continue to fluoridate the water supply of those areas in the Regional Area to which it was supplying fluoridated water immediately before the coming into force of this subsection.

(2) The said Act is further amended by adding thereto the following section:

Trust fund
disbursement

33a. The trust fund, composed of undisbursed interest accumulated prior to the 1st day of November, 1984 on the trust accounts of residents of Pioneer Manor, is vested in the Regional Corporation for distribution of both the fund and interest accruing thereon by the Regional Council in its absolute discretion for the general benefit of the residents of Pioneer Manor provided that no expenditure shall be made for the ordinary operation and maintenance of Pioneer Manor.

(3) Section 35 of the said Act is repealed.

(4) Subsection 103 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1983, chapter 72, section 48, is amended by inserting after "5" in the first line "78a, 78b".

(5) The said subsection 103 (1) is further amended by inserting after "106" in the first line "112".

REGIONAL MUNICIPALITY OF WATERLOO

9.—(1) Subsection 30 (2) of the *Regional Municipality of Waterloo Act*, being chapter 442 of the Revised Statutes of Ontario, 1980, is repealed and the following substituted therefor:

(2) The Regional Council may by by-law establish, maintain and operate or discontinue fluoridation systems, as defined in section 1 of the *Fluoridation Act*. Fluoridation system
R.S.O. 1980, c. 171

(3) The *Fluoridation Act* does not apply to any area municipality. Non-application

(4) For the purposes of section 9 of the *Fluoridation Act*, fluoridation systems established under this section shall be deemed to be fluoridation systems established under that Act. Regulations

(5) Notwithstanding that a by-law has not been passed under subsection (2), the Regional Corporation may continue to fluoridate the water supply of those areas in the Regional Area to which it was supplying fluoridated water immediately before the coming into force of this subsection. Continuation of fluoridation of water supply in area

(2) Section 105 of the said Act is repealed.

(3) Subsection 151 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1983, chapter 72, section 54, is amended by inserting after “5” in the first line “78a, 78b”.

(4) The said subsection 151 (1) is further amended by inserting after “110” in the first line “112”.

REGIONAL MUNICIPALITY OF YORK

10.—(1) Subsection 31 (2) of the *Regional Municipality of York Act*, being chapter 443 of the Revised Statutes of Ontario, 1980, is repealed and the following substituted therefor:

(2) The Regional Council may by by-law establish, maintain and operate or discontinue fluoridation systems, as defined in section 1 of the *Fluoridation Act*. Fluoridation system
R.S.O. 1980, c. 171

(3) The *Fluoridation Act* does not apply to any area municipality. Non-application

(4) For the purposes of section 9 of the *Fluoridation Act*, fluoridation systems established under this section shall be deemed to be fluoridation systems established under that Act. Regulations

Continuation
of fluoridation of
water supply
in area

(5) Notwithstanding that a by-law has not been passed under subsection (2), the Regional Corporation may continue to fluoridate the water supply of those areas in the Regional Area to which it was supplying fluoridated water immediately before the coming into force of this subsection.

(2) Section 107 of the said Act is repealed.

(3) Subsection 153 (1) of the said Act, as re-enacted by the Statutes of Ontario, 1983, chapter 72, section 59, is amended by inserting after "5" in the first line "78a, 78b".

(4) The said subsection 153 (1) is further amended by inserting after "110" in the first line "112".

Commence-
ment

11.—(1) Subject to subsection (2), this Act comes into force on the day it receives Royal Assent.

Idem

(2) Subsections 1 (3), 2 (3), 3 (4), 4 (2) and (5), 5 (4), 6 (5), 7 (3), 8 (4), 9 (3) and 10 (3) 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 *Regional Municipalities Amendment Act, 1987*.