

1980

## c 310 Municipal Health Services Act

Ontario

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CHAPTER 310

Municipal Health Services Act

1. In this Act,

Interpretation

(a) "Board" means the Ontario Municipal Health Services Board;

(b) "Minister" means the Minister of Health;

(c) "municipal health services" has the meaning prescribed in the regulations;

(d) "municipality" means a local municipality as defined in the *Municipal Act* and includes an improvement district and a school section in an unorganized township or unsurveyed territory. R.S.O. 1980, c. 302. R.S.O. 1970, c. 290, s. 1.

2.—(1) The council of a municipality or the councils of two or more municipalities that have entered into an agreement therefor may by by-law provide for the establishment of a plan of municipal health services for the municipality or municipalities. Plan of health services

(2) No agreement shall be entered into and no by-law shall be introduced under this section until the plan provided for therein has been approved by the Lieutenant Governor in Council. R.S.O. 1970, c. 290, s. 2. Approval of Lieutenant Governor in Council

3.—(1) No by-law passed and approved under section 2 comes into force or has effect until the proposed plan has been submitted, either at the next municipal election or at such time as the council or councils may decide, to a vote as provided in this section. Vote on by-law

(2) Where the entire cost of the proposed plan, except any portion that is to be paid by provincial contribution, is to be borne by a special rate imposed on the rateable property in the municipality, the proposed plan shall be submitted to a vote of the persons entitled to vote on money by-laws and unless a majority of the persons voting are in favour of the proposed plan, the plan shall not be established. where property tax

(3) Where the entire cost of the proposed plan, except any portion that is to be paid by provincial contribution, is to be where personal tax

borne by a personal tax on the residents of the municipality, the proposed plan shall be submitted to a vote of the municipal electors and unless a majority of the persons voting are in favour of the proposed plan, the plan shall not be established.

where  
both taxes

(4) Where part of the cost of the proposed plan is to be borne by a special rate imposed on the rateable property in the municipality, and the balance of the cost, except any portion that is to be borne by provincial contribution, is to be borne by a personal tax on the residents of the municipality, the proposed plan shall be submitted to a vote of the municipal electors and to a further vote of persons entitled to vote on money by-laws and unless a majority of the municipal electors so voting and a majority of the persons entitled to vote on money by-laws so voting are in favour of the proposed plan, the plan shall not be established. R.S.O. 1970, c. 290, s. 3.

Board

4.—(1) There shall be a board known as the Ontario Municipal Health Services Board which is a body corporate and shall consist of not fewer than seven and not more than ten members who shall be appointed by the Lieutenant Governor in Council and shall hold office during pleasure.

Chairman

(2) The Board shall appoint one of its members to be chairman.

Powers and  
duties

(3) The powers and duties of the Board shall be defined in the regulations and, subject to the approval of the Lieutenant Governor in Council, the Board may,

- (a) enter into an agreement with any municipality that has enacted a by-law under section 2; and
- (b) enter into an agreement with any person or with any medical, hospital or other association, corporate or otherwise, for the provision of municipal health services for any municipality that has entered into an agreement with the board.

Receiving  
and dis-  
bursement  
of moneys

(4) The Board may receive from any municipality that has enacted a by-law under section 2 all moneys collected by the municipality for the purpose of providing municipal health services and may disburse such moneys for the purpose of securing the provision of municipal health services and any expenses incidental thereto. R.S.O. 1970, c. 290, s. 4.

Municipal  
committee

5. The council of any municipality that has enacted a by-law under section 2 may appoint a committee of its members, or of other persons, which shall consist of not fewer than three and not more than five members, and the committee shall

assist and advise the council in respect of any matter arising under this Act. R.S.O. 1970, c. 290, s. 5.

**6.**—(1) For the purposes of carrying out the provisions of any by-law under this Act, the council of a municipality may levy and collect a personal tax in respect of every male and female resident in the municipality who is seventeen years of age or over. R.S.O. 1970, c. 290, s. 6 (1). Personal tax

(2) The parent of a dependent child who is seventeen years of age is liable for the payment of the tax in respect of such child and a husband is liable for the payment of the tax in respect of his wife. R.S.O. 1970, c. 290, s. 6 (2); 1971, c. 98, s. 17. Liability of parent and husband

(3) Every person liable to pay a personal tax shall pay the tax to the treasurer of the municipality within one week of the date upon which the tax becomes due and payable under the by-law providing therefor, and in case of neglect or refusal to make such payment the collector may levy the amount of the tax and costs of distress by distress and sale of the goods and chattels of such person. Time for payment

(4) The assessment commissioner of the municipality may require any employer, whether the business of such employer is situate within or outside the municipality, to furnish him with a list of those of his employees who are resident within the municipality, and of the dates upon which they are paid their salary or wages, and every such employer shall advise the assessment commissioner of any changes therein that may occur. Returns from employers

(5) The treasurer of the municipality may require any employer, whether the business of such employer is situate within or outside the municipality, to deduct from the salary or wages of all employees residing within the municipality the amounts that are payable to the municipality under this section and to pay such amounts to the municipality, and in the event that the employer fails or neglects to comply with such requirement he is personally liable for the amounts so payable. R.S.O. 1970, c. 290, s. 6 (3-5). Deduction by employer

**7.** For the purpose of carrying out the provisions of any by-law under this Act, the council of a municipality may levy and collect a special rate upon all the rateable property within the municipality and all the provisions of the *Municipal Act* applicable to the levying and collecting of local rates apply to the special rate levied under this Act. R.S.O. 1970, c. 290, s. 7. Property tax  
R.S.O. 1980,  
c. 302

**8.**—(1) In a municipality in which a plan has been adopted, the assessment commissioner shall include in the assessment roll Assessment rolls

the name of every person who is a resident of the municipality within the meaning of the regulations and where part of the cost of the plan is to be borne by a personal tax the assessor shall enter after the name of every person who is liable to such tax the letters "P. T."

Idem

(2) Where the council of a municipality passes a resolution favouring the establishment of a plan of municipal health services, the council may direct the assessment commissioner to comply with the requirements of subsection (1) in the preparation of the next assessment roll. R.S.O. 1970, c. 290, s. 8.

Amount of taxes payable to Board

**9.** A municipality shall pay to the Board an amount equal to the total levy made under section 6 or 7, or both, at such times as may be required by the regulations. R.S.O. 1970, c. 290, s. 9.

No liability to county

**10.** A municipality that has established a plan of municipal health services that includes hospital care under this Act is not required to contribute to any levy made by a county for the costs of providing hospital care for indigent persons who are residents of the county. R.S.O. 1970, c. 290, s. 10.

Unorganized territory

**11.** The Lieutenant Governor in Council may make provision for furnishing municipal health services to the residents of any area that is without municipal organization and does not form part of a school section. R.S.O. 1970, c. 290, s. 11.

Contributions by Province

**12.** The Lieutenant Governor in Council may provide for the making of annual or other contributions to any municipality that has passed a by-law under this Act. R.S.O. 1970, c. 290, s. 12.

Consolidated Revenue Fund

**13.** Expenses incurred under section 11 and contributions made under section 12 shall be paid out of the Consolidated Revenue Fund. R.S.O. 1970, c. 290, s. 13.

Further vote on plan

**14.** At the first municipal election held after the termination of a period of three years from the date of the commencement of a plan for municipal health services, the plan shall again be submitted to a vote as in section 3 provided and shall not continue in force unless a majority of the persons voting as prescribed in section 3 are in favour thereof. R.S.O. 1970, c. 290, s. 14.

Alteration of plan

**15.—(1)** A plan for municipal health services established under this Act shall not be altered or terminated except with the like approval as required by section 2.

(2) A by-law made under this Act shall be amended or repealed only with the like vote as is required for a by-law made under section 3. <sup>Amendment of by-law</sup>

(3) The Lieutenant Governor in Council may terminate any plan for municipal health services and thereupon every by-law and agreement relating thereto shall be deemed to be revoked and terminated. R.S.O. 1970, c. 290, s. 15. <sup>Termination of plan</sup>

**16.** Where a scheme is terminated, the Lieutenant Governor in Council may provide for the disposition and application of any moneys collected under the provisions of this Act that are not required for the purpose of the plan. R.S.O. 1970, c. 290, s. 16. <sup>Termination of plan, moneys on hand</sup>

**17.** Subject to the approval of the Lieutenant Governor in Council, the Minister may make regulations which may be general or particular in their application, <sup>Regulations</sup>

- (a) respecting the establishment of municipal health services;
- (b) defining "municipal health services" and prescribing the type of service and the maximum services that may be provided under any plan;
- (c) defining the powers and duties of the Board and providing for the employment of assistants and the payment of the expenses of the Board out of such moneys as may come into its hands;
- (d) governing the amount and conditions of payment of provincial contributions;
- (e) defining the term "resident";
- (f) prescribing the periods within which a resident is liable for the payment of the rates and taxes imposed under this Act and the periods during which a resident is entitled to municipal health services in the municipality;
- (g) prescribing the dates upon which any rates or taxes levied in the municipality shall become due and payable and the manner in which they shall be paid;
- (h) providing for the exemption from taxation of any class of persons who are dependent in whole or in part upon contributions from public funds for their maintenance;

- (i) providing for the cancellation or reduction of the taxes of any person who from sickness or extreme poverty is unable to pay the taxes;
- (j) providing for the exemption from any tax imposed by this Act, or any portion thereof, of any class or group of persons who contribute to a plan for the provision of medical services or health services;
- (k) providing for the exemption of duly accredited members and adherents of any religious denomination designated by the regulations from any tax imposed under section 6 and from any tax imposed under section 7 in respect of such portion of any premises as may be owned and occupied as a residence by any such member or adherent, upon such terms and conditions as may be prescribed;
- (l) providing for the cancellation or reduction of the taxes of any person who by reason of any gross or manifest error has been charged or overcharged;
- (m) providing for the appointment of inspectors and prescribing their powers and duties;
- (n) requiring the Board to report to the Minister;
- (o) prescribing forms and providing for their use;
- (p) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.  
R.S.O. 1970, c. 290, s. 17.