



1960

## c 311 Provincial Aid to Drainage Act

Ontario

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## CHAPTER 311

## The Provincial Aid to Drainage Act

## 1. In this Act,

Interpre-  
tation

- (a) "drainage work" means, except in section 6, the whole or any part of a drainage work to which *The Municipal Drainage Act* applies, in respect of which a report of an engineer or surveyor is made under that Act; R.S.O. 1960, c. 252
- (b) "Minister" means the Minister of Public Works. 1954, c. 74, s. 1; 1956, c. 67, s. 1.

## 2.—(1) Subject to subsection 2, this Act applies to,

Application  
of Act

- (a) any work in respect of the channels of a drainage work the main purpose of which is to drain agricultural lands;
- (b) any work for the purpose of rendering a drainage work more effective by embanking or pumping or other mechanical means, and in computing the cost thereof for the purpose of grants, the cost of all pumping machinery installed shall be included. 1954, c. 74, s. 2 (1).

(2) This Act does not apply to open or covered drains or a portion or portions thereof, the use of which is to drain other than agricultural lands, or to lateral drains. 1956, c. 67, s. 2. Exceptions

(3) For the purposes of this Act, any contribution in cash toward the cost of the work received by the municipality initiating the work shall be deducted from such cost. 1954, c. 74, s. 2 (3). Cash contributions to be excluded from cost

3. Where a grant is paid under this Act in respect of the cost of a drainage work that includes the cost of a work upon which a grant is payable under another Act of the Legislature, the grant payable under such other Act shall be reduced by an amount equal to that portion of the grant that was paid under this Act in respect of the cost of the part of the work upon which the grant is payable under the other Act. 1954, c. 74, s. 3. Where another provincial grant payable

4.—(1) Where the council of a municipality initiates a drainage work that is or includes a work to which this Act applies and wishes aid under this Act, it shall, within three Application by petition

months after passing a by-law for undertaking the work and before commencing the work, apply for aid by forwarding to the Minister a petition verified by statutory declaration of the engineer or surveyor and accompanied by a verified copy of the report, field plan and profile of the proposed work, and the engineer's or surveyor's assessment of the land.

Disqualified  
work to be  
shown

(2) The engineer or surveyor shall indicate on his plan and in his report any section of the work that is referred to in subsection 2 of section 2.

Emergency  
work  
R.S.O. 1960,  
c. 252

(3) Notwithstanding subsection 1, where the council of a municipality must perform emergency work under *The Municipal Drainage Act* before it is possible to obtain and adopt an engineer's report, it may submit a petition for aid in accordance with subsection 1 after the commencement of the work if it has notified the Minister within ten days after the commencement of the work. 1954, c. 74, s. 4.

Examination  
of work, etc.

5.—(1) Upon receipt of a petition forwarded in the manner and within the time specified in section 4, the Minister, if it appears to him that the drainage work is or includes a work to which this Act applies, may cause an examination thereof to be made by an engineer of the Department of Public Works, who shall report fully thereon and upon all the matters alleged in the petition. 1954, c. 74, s. 5 (1).

Payments

(2) Upon receipt by the Minister of a report mentioned in subsection 1 and upon the practical completion of the work, the Minister, where the grant does not exceed \$5,000, and the Lieutenant Governor in Council in other cases, may pay out of such moneys as are appropriated therefor by the Legislature to the treasurer of the initiating municipality,

- (a) where the work is in a county,  $33\frac{1}{3}$  per cent of the cost of the work as described and limited in section 2; or
- (b) where the work is in a municipality in a territorial district or a provisional county,  $66\frac{2}{3}$  per cent of the cost of the work as described and limited in section 2. 1954, c. 74, s. 5 (2); 1956, c. 67, s. 3.

Distribution  
and applica-  
tion of  
grant

(3) The grant shall be distributed by the initiating municipality to other interested municipalities on a *pro rata* basis, according to the engineer's assessment, and in each municipality the amount of the grant shall be applied to reduce the annual assessment on each property benefitting by the portions of the drainage work in respect of which the grant has been allowed, during the life of the by-law imposing the assessments. 1954, c. 74, s. 5 (3).

6.—(1) Where a drainage work is in territory without municipal organization, the Minister, if the amount of the aid does not exceed \$5,000, and the Lieutenant Governor in Council in other cases, may pay out of such moneys as are appropriated therefor by the Legislature an amount not exceeding 80 per cent of the cost of the drainage work as described and limited in section 2.

<sup>Aid in  
unorganized  
territory</sup>

(2) The Minister may in his discretion from time to time prescribe the manner in which a drainage work shall be initiated and carried out and the manner in which and the terms and conditions under which aid may be given under subsection 1.

<sup>Initiation  
and aid</sup>

(3) In this section, "drainage work" means the whole or any part of a drainage work within the meaning of *The Municipal Drainage Act*, 1956, c. 67, s. 4.

<sup>Interpre-  
tation</sup>  
<sup>R.S.O. 1960,  
c. 252</sup>

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The first part of the paper  
 is devoted to a discussion  
 of the general principles  
 of the method. The second  
 part is devoted to a  
 description of the apparatus  
 and the results of the  
 experiments. The third  
 part is devoted to a  
 discussion of the results  
 and a comparison with  
 the results of other  
 workers. The fourth  
 part is devoted to a  
 summary of the results  
 and a few concluding  
 remarks.