

1960

## c 333 Public Service Works on Highways Act

Ontario

© Queen's Printer for Ontario, 1960

Follow this and additional works at: <http://digitalcommons.osgoode.yorku.ca/rso>

---

### Bibliographic Citation

*Public Service Works on Highways Act*, SO 1966, c 333

### Repository Citation

Ontario (1960) "c 333 Public Service Works on Highways Act," *Ontario: Revised Statutes*: Vol. 1960: Iss. 4, Article 29.

Available at: <http://digitalcommons.osgoode.yorku.ca/rso/vol1960/iss4/29>

## CHAPTER 333

## The Public Service Works on Highways Act

## 1. In this Act,

Interpre-  
tation

- (a) "appliances and works" means poles, wires, conduits, transformers, pipes, pipe lines or any other works, structures or appliances placed on or under a highway by an operating corporation;
- (b) "operating corporation" means a municipal corporation or commission or a company or individual operating or using a telephone or telegraph service, or transmitting, distributing or supplying electricity or artificial or natural gas for light, heat or power and includes The Hydro-Electric Power Commission of Ontario;
- (c) "road authority" means the Department of Highways, a municipal corporation, board, commission, or other body having control of the construction, improvement, alteration, maintenance and repair of a highway and responsible therefor. R.S.O. 1950, c. 318, s. 1.

2. Subject to section 3, where in the course of constructing, reconstructing, changing, altering or improving any highway it becomes necessary to take up, remove or change the location of appliances and works placed on or under the highway by an operating corporation, the road authority and the operating corporation may agree upon the apportionment of the cost of labour employed in the work, and in default of agreement the cost of the work shall be apportioned equally between the road authority and the operating corporation, but such costs shall not include the replacement or renewal of the appliances or works nor the cost of any materials or supplies, nor any other expense or loss occasioned to the operating corporation. R.S.O. 1950, c. 318, s. 2.

Cost of  
removal, etc.,  
of appliances  
and works  
on alteration  
of highway

3. Where it is made to appear to the Ontario Municipal Board, upon application made to it, that the circumstances and conditions under which any of the appliances and works mentioned in section 2 have been placed on or under a highway, or that other special conditions render it unfair or unjust that the cost of taking up, removing or changing the location

Apportion-  
ment of cost  
by Municipal  
Board

of the works should be apportioned and paid as provided in section 2, the Board, upon the application of the road authority or operating corporation, may apportion the cost of the taking up, removing or changing the works in such manner as appears to it to be equitable, and the decision of the Board is final and is not subject to appeal. R.S.O. 1950, c. 318, s. 3.

---