

1978

## c 134 The City of Ottawa Act, 1978

Ontario

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## CHAPTER 134

## An Act respecting the City of Ottawa

*Assented to November 30th, 1978*

**W**HEREAS The Corporation of the City of Ottawa, Preamble  
hereinafter called the Corporation, hereby applies for  
special legislation in respect of the matters hereinafter set  
forth; and whereas it is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and  
consent of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

1.—(1) Section 11 of *The City of Ottawa Act, 1927*, being 1927, c. 119  
chapter 119, as re-enacted by subsection 1 of section 1 of s. 11,  
*The City of Ottawa Act, 1964*, being chapter 136, is repealed re-enacted  
and the following substituted therefor:

11. Notwithstanding the provisions of section 12 of *The* Administra-  
*Ottawa Civic Hospital Act*, The Board of Trustees of the tion of Wright  
Ottawa Civic Hospital is hereby appointed trustee in the Memorial  
place and stead of The Corporation of the City of Ottawa Trust Fund  
for the purpose of administering certain moneys sub- by The Board  
scribed by the friends of the late Dr. Henry P. Wright, of Trustees  
and The Board of Trustees of the Ottawa Civic Hospital of the Ottawa  
is further empowered to hold and invest such moneys and Civic Hospital  
to disburse the income therefrom annually in payment of notwith-  
scholarships or prizes to be awarded to nurses in training standing  
at the Ottawa Civic Hospital, as a memorial to the late 1919, c. 122  
Dr. Henry P. Wright, in such form and manner as the  
trustees of Ottawa Civic Hospital may from time to time  
direct.

(2) Subsection 2 of section 1 of *The City of Ottawa Act*, 1964, c. 136,  
*1964*, being chapter 136, is repealed. s. 1 (2),  
repealed

(3) The Corporation of the City of Ottawa is hereby directed Transfer  
and empowered to transfer and convey forthwith to The of moneys  
Board of Trustees of the Ottawa Civic Hospital all moneys,  
including both principal and interest, now being held by  
The Corporation of the City of Ottawa and commonly referred  
to as the Wright Memorial Trust Fund.

Temporary  
closing of  
highways

2.—(1) Notwithstanding any general or special Act, the council of the Corporation may pass by-laws to regulate and govern the use of a highway under a permit to be issued by the Commissioner of Physical Environment of the Corporation or such other official as is named in the by-law for social, recreational, community or athletic purposes for any period not to exceed twenty-four hours upon such conditions, including a fee for the permit, as may be set out in the by-law and to permit for such period the physical closing of the highway or part of the highway to vehicular traffic, provided local access for residents and emergency vehicles is maintained.

Extension  
and  
connecting  
links of  
the King's  
Highway  
R.S.O. 1970,  
c 201

(2) No permit may be issued under subsection 1 for a highway which is designated as an extension or connecting link of the King's Highway under section 19 of *The Public Transportation and Highway Improvement Act*.

Private  
roadways

3.—(1) The council of the Corporation may pass by-laws,

- (a) for numbering the buildings and lots or units along private roadways and for affixing numbers to the buildings, and for charging the owner or occupant of the building, lot or unit with the expense incident to the numbering of the building, lot or unit, provided that such expense may be collected in the same manner as taxes, and if paid by the occupant, subject to any agreement between the occupant and the owner, may be deducted from the rent payable to the owner;
- (b) for keeping, and the council of the Corporation shall keep, a record of the private roadways and of the numbers of the buildings and lots or units, for public inspection;
- (c) for naming and renaming private roadways and for affixing the names at the corners thereof, and for charging the owner or, in the case of a condominium, the condominium corporation, with the expense incident to the naming and renaming of the private roadway and such expense may be collected in the same manner as taxes;
- (d) for requiring that the owner of a private roadway or a condominium corporation enter into one or more agreements with the Corporation on such terms and conditions as council considers expedient, including

the provision and maintenance by the owner or the condominium corporation at his or its sole risk and expense and to the satisfaction of the Corporation, respecting any of the matters referred to in clauses *a*, *b* and *c*; and

- (*e*) for terminating the agreement referred to in clause *d* on such terms and conditions as the Corporation considers expedient.

(2) Any person appointed by the Corporation to enforce a by-law passed under subsection 1, may enter and inspect the property and affix the numbers and erect the signs, but shall not enter a room or place actually used as a dwelling. Entry of inspectors

(3) Any agreement referred to in clause *d* of subsection 1, may be registered against the land to which it applies, and the municipality is entitled to enforce the provisions thereof against the owner or the condominium corporation and, subject to the provisions of *The Registry Act* and *The Land Titles Act*, any and all subsequent owners of the land. Registration of agreement

R.S.O. 1970,  
cc. 409, 234

(4) Upon the termination of the agreement referred to in clause *d* of subsection 1, a certificate signed by the clerk of the Corporation stating that the agreement has been terminated may be similarly registered. Idem

(5) For the purposes of clause *c* of subsection 1, where a condominium corporation is charged with an expense incident to the naming or renaming of a private roadway and such expense is collected in the same manner as taxes, the expense shall be apportioned and levied on each unit and common interest on the basis of the assessment of the individual units and the common interest appurtenant to the individual units. Assessment of condominium units

4.—(1) Notwithstanding any general or special Act, the council of the Corporation may pass by-laws authorizing the carrying out of surface maintenance operations, at the expense of the Corporation, on any land shown as a lane on any plan of subdivision registered prior to the 4th day of June, 1920, including the removal of any impediments to the use of the land as a lane as the council deems advisable. By-laws re surface maintenance operations on laneways

(2) In subsection 1, "surface maintenance operations" means operations to, Interpretation

- (*a*) destroy, cut down, trim or remove any trees which, by reason of being dead or in a state of decay are, in the opinion of the Commissioner of Physical

Environment of the Corporation or his authorized representative, a possible menace to adjacent property or persons;

(b) eliminate heavy undergrowth and weeds; or

(c) remove rubbish and other debris.

Commence-  
ment

**5.** This Act comes into force on the day it receives Royal Assent.

Short title

**6.** The short title of this Act is *The City of Ottawa Act, 1978*.