

1950

c 295 Provincial Aid to Drainage Act

Ontario

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CHAPTER 295

The Provincial Aid to Drainage Act

1. In this Act, "drainage work" means any drainage work to which *The Municipal Drainage Act* applies. R.S.O. 1937, c. 70, s. 1. Interpretation.
Rev. Stat.,
c. 246.

2.—(1) Subject to subsection 2, this Act shall apply to the construction, improvement and reconstruction of, Application
of Act.

(a) the trunk channel or channels of any drainage work, and in computing the cost thereof for the purpose of grants the cost of lateral drains and branches shall not be included but a *pro rata* share of all incidental expenses shall be included;

(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. R.S.O. 1937, c. 70, s. 2 (1); 1950, c. 58, s. 1.

(2) This Act shall not apply to the construction of covered drains such as storm sewers, sanitary sewers or sewer outlets. Act not to
apply to
certain
drains.

(3) For the purposes of this Act any contribution in cash towards the cost of the work received by the municipality initiating the work shall be deducted from such cost. R.S.O. 1937, c. 70, s. 2 (2, 3). Contributions to be
excluded.

3. The council of a municipality initiating a drainage work, being or including work to which this Act applies, may, before passing any by-law for undertaking the work, apply to the Lieutenant-Governor in Council by petition verified by a statutory declaration of the engineer and setting forth the reasons why the whole cost of the work should not be assessed upon the land which would be liable to assessment therefor under *The Municipal Drainage Act*, and that aid should therefor be granted, accompanied by a verified copy of the report, a statement of the cash value and the engineer's assessment of the land, and a field plan and profile of the proposed work. R.S.O. 1937, c. 70, s. 3. Application
for aid.

Rev. Stat.,
c. 246.

4.—(1) When it appears to the Lieutenant-Governor in Council that the drainage work is or includes a work to which Examination
and grant
of aid on
report.

this Act applies, the Lieutenant-Governor in Council 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 matters alleged in the petition, and upon receipt of his report and upon the practical completion of the work the Lieutenant-Governor in Council may pay out of the Consolidated Revenue Fund to the treasurer of the initiating municipality,

- (a) where the work is in a county, thirty-three and one-third per cent; or
- (b) where the work is in a municipality in a territorial district or a provisional county, sixty-six and two-thirds per cent,

of the cost of the work as described and limited in section 2. 1950, c. 58, s. 3.

Distribution of grant.

(2) 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 case the amount of the grant shall be applied to reduce the annual assessment on each property during the life of the by-law. R.S.O. 1937, c. 70, s. 4 (2).

Grants in territory without municipal organization.

5.—(1) The Lieutenant-Governor in Council may pay out of the Consolidated Revenue Fund an amount not exceeding 80 per cent of the cost of a drainage work as described and limited in section 2, where the work is in a territorial district but not in a municipality.

Regulations.

(2) The Lieutenant-Governor in Council may make regulations prescribing the manner in which, and the terms and conditions under which, grants may be paid under subsection 1. 1950, c. 58, s. 4.
