

1975

c 80 The Tile Drainage Amendment Act, 1975

Ontario

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Bibliographic Citation

The Tile Drainage Amendment Act, 1975, SO 1975, c 80

Repository Citation

Ontario (1975) "c 80 The Tile Drainage Amendment Act, 1975," *Ontario: Annual Statutes*: Vol. 1975, Article 82.

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CHAPTER 80

An Act to amend The Tile Drainage Act, 1971

Assented to July 18th, 1975

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. (1) Subsection 3 of section 3 of *The Tile Drainage Act, 1971*,^{s. 3 (3), amended} being chapter 37, is amended by striking out "whose decision is final" in the second line.
- (2) The said section 3 is amended by adding thereto the following subsections:
 - (4) Where the council refuses an application or reduces the amount applied for, the applicant may appeal to The Ontario Drainage Tribunal established under *The Drainage Act, 1975*, by serving upon the clerk of the municipality written notice of appeal within twenty days of the delivery of the notice of decision referred to in subsection 3.^{Appeal to The Ontario Drainage Tribunal 1975, c. 79}
 - (5) Upon an appeal to the Tribunal under subsection 4, the Tribunal may confirm or alter the decision of the council and may make such order as it considers proper.^{Tribunal may confirm or alter decision of council}
2. Section 4 of the said Act is amended by inserting after "form" in the fourth line "together with a sketch indicating the location, spacing, direction and depth of the tile as laid".^{s. 4, amended}
3. Subsection 2 of section 5 of the said Act is repealed and the following substituted therefor:^{s. 5 (2), re-enacted}
 - (2) A municipality, or a district or regional municipality, on behalf of one or more municipalities, shall not issue more than one debenture in any month, the amount of which may combine amounts to be loaned by the municipality or municipalities with respect to a number of drainage works.^{Municipality not to issue more than one debenture per month}
4. The said Act is amended by adding thereto the following section:^{s. 8a, enacted}

Repayment where land use is changed

8a.—(1) Where, at any time before a loan is repaid, the council of a municipality is satisfied that the land is no longer being used for agriculture, the balance of the loan, together with interest thereon, shall become immediately due and payable and such amount may be added to the taxes for the current year.

Amounts to be remitted to Treasurer

(2) Any amounts collected under subsection 1 shall forthwith be remitted to the Treasurer of Ontario or his assignee who shall apply them towards payment of the debentures of the municipality or district or regional municipality.

s. 9 (1), re-enacted

5. Subsection 1 of section 9 of the said Act is repealed and the following substituted therefor:

Repayment by municipality to Province

(1) The amount payable in each year for principal and interest shall be remitted to the Treasurer of Ontario,

(a) in the case of debentures issued prior to the 1st day of September, 1971, not later than the 10th day of the month next following the month in which the payment fell due; and

(b) in the case of debentures issued on or after the 1st day of September, 1971, on or before the due date.

s. 9c, enacted

6. The said Act is further amended by adding thereto the following section:

Loans in territory without municipal organization

9a.—(1) The Minister of Agriculture and Food, subject to the approval of the Lieutenant Governor in Council may, from time to time, prescribe the manner in which drainage works shall be initiated and carried out in territory without municipal organization and the manner in which and the terms and conditions under which loans may be made to persons out of the moneys appropriated therefor by the Legislature.

Lien

(2) The amount loaned to any one person under subsection 1 shall not exceed 75 per cent of the total cost of the work and shall constitute a lien upon the estate or interest of the owner in the land upon which the work was done and where repayment of the amount so loaned is in default such amount may be deducted from any moneys payable by Ontario to the person under any other Act and may be recovered by proceedings in any court of competent jurisdiction.

Expenditure

(3) The moneys required for the purposes of this section shall, until the 31st day of March, 1976, be paid out of the

Consolidated Revenue Fund and thereafter shall be paid out of the moneys appropriated therefor by the Legislature.

7. Section 11 of the said Act is amended by adding at the end thereof "and any amounts so paid shall be forthwith remitted by the treasurer of the municipality to the Treasurer of Ontario or his assignee who shall apply them towards payment of the debentures of the municipality or district or regional municipality". s. 11.
amended
8. This Act comes into force on a day to be named by proclamation of the Lieutenant Governor. Commence-
ment
9. This Act may be cited as *The Tile Drainage Amendment Act, 1975*. Short title

