

1937

c 271 Suburban Area Development Act

Ontario

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CHAPTER 271.

The Suburban Area Development Act.

Interpretation.

1. In this Act,—

"Board."

(a) "Board" shall mean suburban service board established under the provisions of this Act;

"Municipal service."

(b) "Municipal service" shall mean and include sewage and sewage disposal, opening, widening, extending, paving, repairing and maintaining of a street or highway, street railway transportation, the supplying of light, heat or water for municipal purposes or for the use of the inhabitants, fire protection and police protection;

"Urban municipality."

(c) "Urban municipality" shall mean and include a city, town, village, or police village in which has been established a municipal service. R.S.O. 1927, c. 237, s. 1.

Township by-law for setting aside suburban area.

2. The council of a township adjacent to a city, town, village or police village in which a municipal service has been established, may by by-law set apart any part of the township lying within a distance of five miles from the boundary of the said urban municipality as a suburban area and may provide for the election of a board to be known as a suburban service board, consisting of five persons resident in the suburban area who shall be elected by the municipal electors within the suburban area in the same manner as nearly as may be as the members of a municipal council. R.S.O. 1927, c. 237, s. 2.

Annual election of board.

3. The members of the board shall be elected annually at the same time as the members of the township council. R.S.O. 1927, c. 237, s. 3.

Meetings of board.

4. The board shall hold its first meeting at such time and place as shall be fixed by the by-law and shall be organized by the election of a chairman from among the members of the board and the appointment of a secretary of the board who may be one of the members thereof. R.S.O. 1927, c. 237, s. 4.

5. The municipal corporation of the urban municipality and the board may enter into agreements from time to time,—

Agreements
between
municipal
corporation
and board.

- (a) for the extension or supply to the suburban area or to any part thereof of any municipal service in the urban municipality;
- (b) prescribing the terms upon such municipal service shall be extended or supplied and the amount of any payments to be made therefor, and the times of payment, and the rates, if any, to be chargeable to the users of any such municipal service in the suburban area;
- (c) for the settlement of any disputes or matters of difference which may arise with respect to the extension or supply of any such municipal service within the suburban area by the board or by any person or persons agreed upon;
- (d) for the management, control and operation of any municipal service so extended or supplied in the suburban area by the board or by a joint body composed of representatives of the board and the corporation of the urban municipality, or by any other person or commission or body of persons agreed upon by the board and the corporation of the urban municipality;
- (e) for the levying of an annual special rate within the suburban area to provide the sums necessary to meet the cost of any municipal service so extended or supplied. R.S.O. 1927, c. 237, s. 5.

6. The agreement shall not be acted upon or take effect until it has been submitted to and approved by order of the Ontario Municipal Board, and when so approved, any agreement made or purporting to be made under the authority of this Act shall not be open to question in any action or other proceeding in any court, and any matters of difference arising with respect to the interpretation or operation of such agreement shall be determined by the Ontario Municipal Board. R.S.O. 1927, c. 237, s. 6.

Effect of
approval by
Municipal
Board of
agreements.

7. Where an agreement has been entered into under the authority of this Act, the board shall annually prepare an estimate of the sums required to be raised within the suburban area to meet the payments called for under the agreement, and shall submit the same to the council of the township. R.S.O. 1927, c. 237, s. 7.

Annual
estimates
to be sub-
mitted to
township
council.

Special
rate to be
levied
annually.

8. The council shall cause to be levied in each and every year a special rate within the suburban area on all property liable to taxation therein to meet the sums so required, and the amount so raised shall be subject to the order of the board and shall be paid out of the treasury of the township from time to time as the board may direct, upon a requisition signed by the chairman of the board. R.S.O. 1927, c. 237, s. 8.

Extension
or supply
of a municip-
al service.

Rev. Stat.
c. 269.

9. Where the agreement provides for the doing of any work in connection with the extension or supply of a municipal service under the provisions of *The Local Improvement Act*, the council of the township shall pass all necessary by-laws and levy all special rates required to carry out the terms of the agreement R.S.O. 1927, c. 237, s. 9.

Approval of
council as
to issue of
debentures.

10. Notwithstanding anything contained in this Act or in any agreement entered into under section 5, the issue of debentures and the amount of any debenture debt to be incurred for any of the purposes to which this Act relates shall at all times be in the discretion of the council of the township and the board shall not enter into any contract or bind itself in any way to the expenditure of money to be raised by the issue of debentures without the approval of the council first had and obtained. 1929, c. 62, s. 2.
