

1974

c 151 The Borough of North York Act, 1974

Ontario

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CHAPTER 151

**An Act respecting
the Borough of North York***Assented to April 26th, 1974*

WHEREAS The Corporation of the Borough of North York, herein 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;

Preamble

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

1. The council of the Corporation may by by-law establish a board to be known as "The North York Historical Board", hereinafter called the historical board, and may entrust to the historical board the construction, maintenance, control, operation and management of historic sites and properties owned or acquired by the Corporation within the Borough of North York.

Historical board authorized

2. The historical board shall be a local board and a body politic and corporate and shall consist of a member of council, a member of the board of control and fifteen other members, each of whom shall be appointed by council on the nomination of the board of control, and no appointment shall be made by the council in the absence of such nomination except on the affirmative vote of at least two-thirds of the members of council present and voting.

Incorporation and members

3. The member of the board of control and the member of council may be appointed for the whole or any part of the unexpired part of their term as members of council and the fifteen other members, who shall not be members of council, shall be appointed for not more than three years.

Idem

4. Of the fifteen other members of the first historical board, five shall be appointed for the period ending the 31st day of December, 1974, five for the period ending the

Term of office

31st day of December, 1975, and five for the period ending the 31st day of December, 1976.

Idem

5. In the year 1975 and in each year thereafter, five members shall be appointed and shall continue to be members until their successors are appointed, and shall be eligible for reappointment.

Vacancy

6. In the case of a vacancy from any cause other than the expiration of the term, the member appointed to fill the vacancy shall hold office for the balance of the term of the member whose place is vacant.

Historic sites

7. The council of the Corporation may acquire historic sites and properties and may provide the necessary funds for the objects of the historical board.

Powers of historical board
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8. Subject to *The Archaeological and Historic Sites Protection Act*, and to such limitations and restrictions as the council may impose, the historical board may,

- (a) make rules governing its proceedings, the calling of meetings and the conduct of its members and employees;
- (b) appoint a chairman and such other officials and employees as may be deemed necessary;
- (c) require the payment of fees or charges for admission to or the use of properties under its control or supervision and fix such fees and charges;
- (d) sell or distribute objects and literature of historical significance or interest, and sell, within the properties under its control or supervision, souvenirs, articles and refreshments at such prices as the historical board may decide;
- (e) fix visiting hours when any of the properties under its supervision may be open;
- (f) represent the Corporation in matters of historical significance assigned to it by council;
- (g) mark or supervise the marking of historic sites and properties designated by council within the municipality;
- (h) negotiate and enter into agreements with property owners relating to the erection and main-

tenance of historical markers on properties not owned by the Corporation;

- (i) produce, copy and distribute historical publications and documents relating to the history of the Borough of North York;
- (j) carry out such other duties relating to the history and development of the Borough of North York as may be assigned to it by council.

9. The members of the historical board shall serve without remuneration. Remuneration

10. A member shall cease to be a member of the historical board if he absents himself from three successive meetings of the historical board without being authorized so to do by a resolution of the historical board entered upon its minutes. Seat to become vacant by absence

11. A quorum of the historical board shall consist of seven members. Quorum

12. The historical board shall keep minutes of its meetings, and shall keep all papers and documents pertaining to the business of the historical board, and all books, documents and files kept by the historical board shall be open to the inspection of the members of council or of any other person or persons appointed for that purpose by council. Minutes, documents

13. The historical board shall submit to the board of control an annual budget of its estimated revenues and expenditures in a form satisfactory to the borough treasurer, and when money is provided by council, the treasurer shall pay out such money as the historical board may from time to time require. Budget and expenditures

14. The historical board shall deposit and keep on deposit with the borough treasurer insurance policies indemnifying the Corporation against public liability and property damage in respect of the properties under the control or supervision of the historical board. Insurance

15. Immediately after the end of each year, the historical board shall submit its annual report to council, including a complete audited and certified financial statement of its affairs, with revenue and expense account, balance sheet and profit and loss statement. Annual report

Audit

16. The borough auditor shall be the auditor of the historical board and all books, documents, transactions, minutes and accounts of the historical board shall at all times be open to his inspection.

Payment of expenses

17. The historical board shall apply the revenue received by it to the payment of its expenses in the performance of its functions, provided that it may apply any funds donated to the historical board by a private donor to the specific purpose designated by the donor.

Net revenue

18. Except as to any funds received from a private donor for a specific purpose, the historical board shall pay over any net revenue to the Corporation.

Debentures and acquisition of land

19. The powers, rights and authority of the Corporation to acquire lands or to raise money for the acquisition of lands or the construction of buildings shall not be transferred to the historical board.

Amendment or repeal of by-law

20. The council of the Corporation may by by-law repeal or amend from time to time any by-law passed under the authority of this Act and, upon the passing of a by-law to repeal, the historical board shall cease to exist and the whole of its undertaking, property, documents and other assets shall be and become vested in the Corporation, and be subject to the control and management of council, and for such purpose it shall not be requisite that any conveyance, transfer or assignment be executed or made.

Commencement

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

Short title

22. This Act may be cited as *The Borough of North York Act, 1974*.