

1972

c 193 The City of Sault Ste. Marie Act, 1972 (No. 2)

Ontario

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CHAPTER 193

**An Act respecting
the City of Sault Ste. Marie***Assented to May 16th, 1972**Session Prorogued December 15th, 1972*

WHEREAS The Corporation of the City of Sault Ste. Marie, 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, to such extent as it thinks fit, pay the legal costs incurred by employees of the Sault Ste. Marie Parking Authority in respect of the judicial inquiry conducted by His Honour Judge I. A. Vannini during the period September 7th, 1971 to November 16th, 1971 to inquire whether there had been any misconduct, and if so, by whom, in the collection and disposition of moneys deposited into parking meters.

*Payment of
legal costs of
Parking
Authority
employees
authorized*

2. (1) Where the council of the Corporation has passed a by-law with the approval of the Ontario Municipal Board under paragraph 72 of section 352 of *The Municipal Act*, which provides that the capital cost or any part thereof, the annual rental payable under any lease or any operating deficit in the previous year shall be levied against specified parcels of land within a defined area, the Sault Ste. Marie Parking Authority prior to the 1st day of February in any year shall prepare and deliver to the clerk of the Corporation a notice to be sent to every person assessed under such by-law, such notice to set out the sum or sums for which such person has been assessed and the method of calculating such assessment and a short description of the property affected by such assessment, and the clerk shall deliver such notice in the manner prescribed by section 40 of *The Assessment Act* for the delivery of a notice of assessment.

*Notice of
annual
parking levy
R.S.O. 1970,
c. 284**R.S.O. 1970,
c. 32*

Cancellations,
reductions,
refunds of
levy

(2) An application may be made to the council of the Corporation for the cancellation, reduction or refund of the sum or sums levied in accordance with subsection 1 in the year in respect of which the application is made by any person who claims that the special benefit derived by a parcel of land in the defined area has decreased from that shown in the notice aforesaid.

Time for
making
application

(3) The application may be made at any time during the year in respect of which the application is made and until the 14th day of February in the following year and notice in writing of the application shall be given to the clerk.

Notice of
hearing

(4) The clerk shall give to all persons claiming under subsection 2 notice of any hearing by the council at least seven days before the date fixed for the hearing.

Service of
notice

(5) The clerk shall cause any notice under this section to be left at the person's residence or place of business or to be sent by mail addressed thereto.

Powers of
council

(6) The council, subject to such restrictions and limitations as are contained in this section, may reject the application or,

(a) where the levy has not been paid, cancel the whole of the levy or reduce the levy; or

(b) where the levy has been paid in full, order a refund of the whole of the levy or any part thereof; or

(c) where the levy has been paid in part, order a refund of the whole of the levy paid or any part thereof and reduce or cancel the portion of the levy unpaid.

Hearing and
disposition

(7) The council shall hear and dispose of every application not later than the 28th day of February in the year following the year in respect of which the application is made and the clerk shall thereupon cause notice of the decision in such application to be given by mail to the persons to whom notice of the hearing of such application was given.

Difference to
be paid out
of reserve
fund

(8) Where a levy has been cancelled, reduced or refunded in accordance with this section in respect of any year, the amount by which such levy has been cancelled, reduced or refunded shall be paid out of the Sault Ste. Marie Parking Authority reserve fund and applied for such purpose or purposes for which the levy was made.

Annual
by-law to
reapportion
parking levy

(9) The council in each year in which it cancels, reduces or refunds the levy referred to in subsection 1 shall by by-law

apportion the cost mentioned in clause g of paragraph 72 of section 352 of *The Municipal Act* against each parcel of land in the benefitting areas which continue to derive special benefit.

R.S.O. 1970,
c. 284

3. The Corporation may by by-law cancel, reduce or refund taxes levied on premises 654 Queen Street East under Benefit Assessment Parking By-law 3345 for the years 1970 and 1971 and any interest, penalties or other costs incidental thereto that may have been levied against the owner, and the amount of such cancellation, reduction or refund shall be paid out of the Parking Authority reserve fund.

Cancellation,
etc., of taxes,
654 Queen
Street East

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

Commence-
ment

5. This Act may be cited as *The City of Sault Ste. Marie Act*, 1972 (No. 2).

Short title

