

1973

c 191 The City of Hamilton Act, 1973 (No. 2)

Ontario

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CHAPTER 191

An Act respecting the City of Hamilton

*Assented to May 18th, 1973
Session Prorogued March 5th, 1974*

WHEREAS The Corporation of the City of Hamilton, Preamble
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;

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

1.—(1) In this section, “limited maintenance” includes Interpre-
tation
removal of debris, leaves, weeds, trees, snow and health
hazards, but does not include repair under section 427 of
The Municipal Act. R.S.O. 1970,
c. 284

(2) Notwithstanding section 399 of *The Municipal Act* and Limited
maintenance
of lanes
the expenditure of public money by the Corporation, no
unassumed lane shall be deemed to be a common and public
highway by reason only of the performance of limited main-
tenance of the lane by the Corporation.

(3) No performance or omission of performance of limited No liability
on
Corporation
maintenance shall directly or indirectly impose on the Cor-
poration any duty or liability or financial obligation by reason
thereof.

2. The Corporation may provide at its own expense for Snow
removal
from
sidewalks
the clearing away and removing of snow or ice from the side-
walks on highways in front of, alongside or at the rear of
buildings occupied by any class or classes of persons.

3. Subsection 1 of section 3 of *The City of Hamilton Act*, s. 3 (1),
re-enacted
1960, being chapter 142, as re-enacted by the Statutes of
Ontario, 1966, chapter 171, section 1, is repealed and the
following substituted therefor:

(1) The Commission shall be a body corporate and shall Composition
of
Commission
consist of seven members, one of whom shall be
the Mayor of the City of Hamilton, or his appointee

who shall be a member of the Council, and six of whom shall be residents of the City of Hamilton or of municipalities adjacent thereto and who shall be appointed by the Council on the nomination of the board of control, and the six members so appointed shall hold office for three years concurrently and until their successors are appointed.

Commence-
ment

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

Short title

5. This Act may be cited as *The City of Hamilton Act, 1973* (No. 2).