

1970

## c 90 The District Welfare Administration Boards Amendment Act, 1970

Ontario

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## CHAPTER 90

**An Act to amend  
The District Welfare Administration  
Boards Act, 1962-63**

*Assented to November 13th, 1970  
Session Prorogued November 13th, 1970*

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

**1.**—(1) Section 1 of *The District Welfare Administration Boards Act, 1962-63*, as amended by section 1 of *The District Welfare Administration Boards Amendment Act, 1966* and section 1 of *The District Welfare Administration Boards Amendment Act, 1968-69*, is further amended by relettering clause *a* as clause *aa* and by adding thereto the following clause:

(a) “band” and “council of the band” have the same meaning as in the *Indian Act* (Canada).

R.S.C. 1952,  
c. 149

(2) Clause *d* of the said section 1 is amended by striking out “Public Welfare” and inserting in lieu thereof “Social and Family Services”.

1962-63,  
c. 37, s. 1,  
cl. *d*,  
amended

(3) Clause *e* of the said section 1, as amended by section 1 of *The District Welfare Administration Boards Amendment Act, 1968-69*, is further amended by striking out “or” in the first line and by inserting after “district” in the second line “or band”, so that the clause shall read as follows:

1962-63,  
c. 37, s. 1,  
cl. *e*,  
amended

(e) “municipality” means a city, town, village, township, improvement district or band to which this Act applies as determined under section 2.

**2.** Subsection 2 of section 2 of *The District Welfare Administration Boards Act, 1962-63*, as re-enacted by section 2 of *The District Welfare Administration Boards Amendment Act, 1968-69*, is repealed and the following substituted therefor:

1962-63,  
c. 37, s. 2  
(1968-69,  
c. 29, s. 2).  
subs. 2,  
re-enacted

City or  
band in a  
district

- (2) Any city or band in a district where a board is established may, at the request of the council of the city or band, as the case may be, and with the approval of the board and the Director of the General Welfare Assistance Branch of the Department of Social and Family Services, be a municipality to which this Act applies.

1962-63,  
c. 37, s. 3,  
subs. 1,  
re-enacted

3. Subsection 1 of section 3 of *The District Welfare Administration Boards Act, 1962-63* is repealed and the following substituted therefor:

Establish-  
ment of  
district  
welfare  
administra-  
tion board

- (1) A district welfare administration board shall be established and maintained for a district by all the towns, villages, townships and improvement districts in the district when by-laws authorizing the establishment of the board have been passed by a majority of all those municipalities in the district.

1962-63,  
c. 37, s. 6,  
re-enacted

4. Section 6 of *The District Welfare Administration Boards Act, 1962-63*, as amended by section 4 of *The District Welfare Administration Boards Amendment Act, 1968-69*, is repealed and the following substituted therefor:

Assessment  
to be  
revised and  
equalized

- 6.—(1) For the purposes of this Act, the Department of Municipal Affairs shall in each year revise and equalize the assessment rolls of the municipalities, other than bands, in each district for which a board is established and in so doing shall, where applicable, add to the valuation of each municipality,

1968-69,  
c. 6

- (a) the amounts obtained under subsections 2 and 3 of section 72 of *The Assessment Act, 1968-69* as varied by subsection 4 of section 72 of that Act and;

R.S.O. 1960,  
c. 249

- (b) the amounts credited to the municipality under section 294b of *The Municipal Act*.

Appeal

- (2) Any municipality in a district, other than a band, that is not satisfied with the last revised assessment of any municipality in the district, as equalized for the purpose of this Act, may appeal by notice in writing to the Ontario Municipal Board from the decision of the Department of Municipal Affairs, as varied by any amounts added in accordance with subsection 1, at any time within thirty days after the mailing of the equalized report to the appealing municipality by the Department of Municipal Affairs.



- (3) Every report of an equalization made for the purposes <sup>Idem</sup> of this Act shall set out the time within which an appeal may be made to the Ontario Municipal Board with respect to such equalization.
- (4) Subject to sections 6*a* and 6*b*, each board shall in each year apportion among the municipalities in the district, in proportion to the amounts of their assessments according to the assessment rolls as revised and equalized in the immediately preceding year, the amounts that it estimates will be required to defray the expenditures for welfare services for that year, including the expenses incurred for the administration of welfare services, and shall on or before the 15th day of March notify the clerk of each such municipality of the amount to be provided by that municipality. <sup>Estimates and apportionment</sup>
- (5) Subject to sections 6*a* and 6*b*, where a board, after giving notice of its estimated expenditures under subsection 4, incurs during that year, additional costs for welfare services or for the administration of welfare services that were not anticipated at the time that the said notice was given, such additional costs shall be apportioned among the municipalities in accordance with subsection 4 and the board shall notify the clerk of each such municipality of the additional amount to be provided by that municipality during the year. <sup>Where additional costs incurred</sup>
- (6) In preparing the estimates, the board may provide for a reserve for working funds, but the amount of the reserve in a year shall not exceed 15 per cent of the total estimates of the board for the year. <sup>Reserve for working funds</sup>
- (7) Where the actual expenditures of a board for any year are greater or less than the estimated expenditures for that year, the board shall, in preparing the estimates of the amount required to defray its expenditures for the next following year, <sup>Estimates</sup>
- (a) make due allowance for any surplus that will be available from the preceding year; or
- (b) provide for any deficit of the preceding year.
- (8) Each municipality shall pay the amounts required to be provided by it under this section, or determined by agreement under section 6*a*, to the board on demand. <sup>Payment by municipalities</sup>

Penalty

- (9) A board may impose on a municipality a percentage charge as a penalty for non-payment of amounts payable under this section not exceeding 1 per cent on the first day of default and on the first day of each calendar month thereafter in which default continues.

Where assessments not equalized in time

- (10) Where in any year the last revised assessment rolls of the municipalities in the district are not equalized by the Department of Municipal Affairs under subsection 1 before the 10th day of February, the board may apportion the amount that it estimates to be required in proportion to the amounts of their assessments most recently equalized, and in that case shall re-apportion the amount and make the necessary adjustments after the equalization is completed.

Where equalized assessment appealed

- (11) Where in any year the last revised assessment rolls of the municipalities in a district are revised and equalized and have been appealed, the board may apportion the amount that it estimates to be required in proportion to the amounts of their assessments as revised and equalized, and in that case shall re-apportion the amount and make the necessary adjustments in accordance with the decision of the Ontario Municipal Board or the judgment of a court.

1962-63, c. 37, amended

5. *The District Welfare Administration Boards Act, 1962-63* is amended by adding thereto the following sections:

Expenditures incurred in respect of band to be paid under agreement

- 6b. Notwithstanding sections 6 and 6a, where a band in a district is a municipality to which this Act applies, the amount or any part thereof required by the board for the provision of welfare services to the members of the band, including the expenses incurred for the administration of such services, shall not be apportioned among the municipalities in the district in accordance with section 6 or 6a, but shall be paid by the council of the band to the board in accordance with an agreement in writing approved by the Minister between the board and the council of the band.

Power of board to borrow for current expenditures

- 6c.—(1) Subject to subsection 2, a board may borrow from time to time by way of a promissory note such sums as the board deems necessary to meet the current expenditures of the board until the current revenue is received.

Maximum borrowings

- (2) The amount that may be borrowed at any one time for the purpose mentioned in subsection 1 together

with

with the total of any similar borrowings that have not been repaid shall not exceed 25 per cent of the estimated current revenue of the board for the current year.

- (3) Until the estimates of the board for the current year <sup>Idem</sup> under section 6 have been determined, the limitation upon borrowing prescribed in subsection 2 shall be temporarily calculated upon 25 per cent of the estimates for the board determined for the next preceding year.

**6.** Subsection 1 of section 7 of *The District Welfare Administration Boards Act, 1962-63* is amended by striking out "a per capita grant in accordance with the population of each municipality in the district in the amount prescribed by" in the fourth, fifth and sixth lines and inserting in lieu thereof "a grant in an amount determined in accordance with" and by striking out "for that district" in the sixth line, so that the subsection shall read as follows:

1962-63,  
c. 37, s. 7,  
subs. 1,  
amended

- (1) In the first year in which a board is established for a <sup>Provincial grant for first year</sup> district, the Lieutenant Governor in Council may, out of the moneys appropriated therefor by the Legislature, direct payment to the board of a grant in an amount determined in accordance with the regulations to assist the board to carry out the purposes of this Act during the first year.

**7.** Section 8 of *The District Welfare Administration Boards Act, 1962-63* is repealed.

1962-63,  
c. 37, s. 8,  
repealed

**8.** Clause *c* of section 9 of *The District Welfare Administration Boards Act, 1962-63* is repealed and the following substituted therefor:

1962-63,  
c. 37, s. 9,  
cl. c,  
re-enacted

- (c) prescribing the manner of determining the amount of a grant for a district for the purposes of section 7.

**9.** This Act comes into force on the day it receives Royal Assent. <sup>Commencement</sup>

**10.** This Act may be cited as *The District Welfare Administration Boards Amendment Act, 1970*. <sup>Short title</sup>



