1980

c 194 Haliburton Act

Ontario

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Haliburton Act, RSO 1980, c 194

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CHAPTER 194

Haliburton Act

1. Except where otherwise provided in this Act, the Pro-

visional County of Haliburton and the corporation and council

thereof have and possess respectively all the rights, powers,

liabilities and incidents of a county, county corporation and

county council, and, except where inconsistent with this

Act, the law and the statutes applicable to counties, county

corporations and county councils, and the members of such

councils, apply. R.S.O. 1970, c. 198, s. 1.

2. No by-law for granting aid to a railway company is

valid unless within three months from its passing it is approved

by the Lieutenant Governor in Council. R.S.O. 1970, c. 198,

s. 2.

3. The meetings of the council shall be held at the place

in the county where the registry office is kept. R.S.O.

1970, c. 198, s. 3.

4. For judicial purposes, including the holding of courts,

the officers of such courts, judicial process and proceedings,

and the selection of jurors, the Provisional County is united

to and forms part of the County of Victoria. R.S.O. 1970,

c. 198, s. 4.

5. The justices of the peace appointed for the Provisional

County are entitled to sit in the general sessions held for the

County of Victoria. R.S.O. 1970, c. 198, s. 5.

6. Where an appeal lies from the decision of a justice or

justices of the peace to the general sessions of the peace,

the appeal in a case arising in the Provisional County lies

to and may be heard and determined by the Court of General

Sessions of the Peace for the County of Victoria. R.S.O.

1970, c. 198, s. 6.

7. All returns of convictions required by law to be made

by a justice of the peace for the Provisional County shall

be made to the clerk of the peace for the County of Victoria.

R.S.O. 1970, c. 198, s. 7.

8. The Lieutenant Governor in Council may from time to

time direct that one or more suitable jails or lock-ups shall be

provided by the Minister of Government Services in the
Provisional County out of money appropriated for that purpose. R.S.O. 1970, c. 198, s. 8; 1973, c. 2, s. 2.

9. Every jail and lock-up erected under the authority of the Lieutenant Governor in Council is a common jail of the Provisional County and of the County of Victoria for the safe custody of persons charged with the commission, within the Provisional County, of crimes, or with the commission therein of offences against any statute of Ontario or against any municipal by-law, who may not have been finally committed for trial, and for the safe custody of such persons when finally committed for trial until removed to the common jail at Lindsay, and for the confinement of persons sentenced within the Provisional County for such crimes or offences for periods not exceeding one month, and for the confinement of persons so sentenced for periods exceeding one month until such persons can be conveniently removed to the common jail at Lindsay, or other lawful prison to which they are sentenced. R.S.O. 1970, c. 198, s. 9.

10. Nothing in section 9 prevents any court or justice of the peace from directing the committal to the common jail at Lindsay, either for safe custody or for punishment, of any person whom it is considered expedient to commit thereto. R.S.O. 1970, c. 198, s. 10.

11. The Lieutenant Governor in Council may appoint the jailer, jail surgeon and other jail employees for the Provisional County, and fix their salaries which shall be paid by the Provisional County. R.S.O. 1970, c. 198, s. 11.

12. — (1) An appeal lies from the decision of the Assessment Review Court in respect of any municipality in the Provisional County to the judge of the county court of the County of Victoria.

(2) The provisions of the Assessment Act with respect to appeals from the judge of the county court to the Ontario Municipal Board apply to the Provisional County. R.S.O. 1970, c. 198, s. 12, revised.

13. The land registrar shall keep his office in a place to be named for that purpose in his commission, or at such other place as is appointed by the Lieutenant Governor in Council. R.S.O. 1970, c. 198, s. 13.

14. — (1) In addition to the powers conferred by the Municipal Act, the council of a township or village in the Provisional County may pass by-laws for,

(a) granting aid to or for promoting the establishment of a grist mill in the township or village;
(b) taking stock in any company incorporated for establishing a grist mill in the township or village; or

(c) lending money to any such company.

(2) The aid to be granted, the stock to be taken and the money to be lent under subsection (1) shall not in all exceed one-half of the actual cost of such grist mill or in any case the sum of $3,000.

(3) Notwithstanding the Municipal Act, the vote in the affirmative of two-thirds of the electors actually voting upon any such by-law is necessary and sufficient to the carrying of the by-law.  R.S.O. 1970, c. 198, s. 14 (1-3).

(4) No such by-law shall be passed for or in respect of the establishment of a grist mill in a location less than twenty-five kilometres from a grist mill established in the Provisional County and in operation on the 13th day of April, 1897.  R.S.O. 1970, c. 198, s. 14 (4); 1978, c. 87, s. 37.

(5) In case of a dispute as to the result of the vote on any by-law, the judge of the county court of the County of Victoria has the powers conferred by the Municipal Act upon the judge of a county court with respect to a scrutiny of the votes of electors upon a by-law.

(6) The petition to the judge may be by an elector or by the council, and the proceedings for obtaining the judge’s decision shall be the same as nearly as may be as in the case of a scrutiny.

(7) The council of a municipality taking stock in a company under the authority of this section shall annually, at its first meeting for the year, elect from among its members a representative of such council to the board of directors of the company, and such representative is entitled to sit and vote at all meetings of the board and to vote at all meetings of shareholders in respect of the stock held by the municipality that he represents.

(8) Except as otherwise provided in this Act, the provisions of the Municipal Act as to money by-laws and the obtaining of the assent of the electors thereto apply.  R.S.O. 1970, c. 198, s. 14 (5-8).