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c 443 Regional Municipality of York Act

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CHAPTER 443
Regional Municipality of York Act

INTERPRETATION

1. In this Act,

(a) "area municipality" means the municipality or corporation of the Town of Aurora, the Town of Markham, the Town of Newmarket, the Town of Richmond Hill, the Town of Vaughan, the Town of Whitchurch-Stouffville, the Town of East Gwillimbury, the Township of Georgina, and the Township of King, all as constituted by section 2;

(b) "bridge" means a public bridge, and includes a bridge forming part of a highway or on, over, under or across which a highway passes;

(c) "chairman" means the chairman of the Regional Council;

(d) "debt" includes any obligation for the payment of money;

(e) "divided municipality" means a local municipality parts of which are annexed to two or more municipalities under subsection 2 (1) and includes the Police Village of Thornhill;

(f) "highway" and "road" means a common and public highway or any part thereof, and includes a street, bridge, and any other structure incidental thereto or any part thereof;

(g) "land" includes lands, tenements and hereditaments, and any estate or interest therein, and any right or easement affecting them, and land covered with water, and includes any buildings or improvements on land;

(h) "local board" means any school board, public utility commission, transportation commission, public library board, board of park management, local board of health, board of commissioners of police, planning board or any other board, commission,
committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes, including school purposes, of the Regional Corporation or of an area municipality or of two or more area municipalities or parts thereof;

(i) "merged area" means a local municipality that is amalgamated with another local municipality or a part of a local municipality that is annexed to a local municipality to constitute an area municipality under subsection 2 (1) or the local municipality to which such part is annexed and includes the Town of East Gwillimbury and the Township of King;

(j) "Minister" means the Minister of Intergovernmental Affairs;

(k) "Ministry" means the Ministry of Intergovernmental Affairs;

(l) "money by-law" means a by-law for contracting a debt or obligation or for borrowing money, other than a by-law passed under section 129;

(m) "Municipal Board" means the Ontario Municipal Board;

(n) "Regional Area",

(i) until the 1st day of January, 1971, means the area included within the County of York, except the area within The Municipality of Metropolitan Toronto, and

(ii) on and after the 1st day of January, 1971, means the area from time to time included within the area municipalities;

(o) "Regional Corporation" means The Regional Municipality of York;

(p) "Regional Council" means the council of the Regional Corporation;

(q) "regional road" means a road forming part of the regional road system established under Part V;

(r) "roadway" means that part of the highway designed or intended for use by vehicular traffic. R.S.O. 1970, c. 408, s. 1; 1971, c. 75, s. 1; 1972, c. 3, s. 17, revised.
2.—(1) On the 1st day of January, 1971,

(a) The portions of the Township of King and the Township of Whitchurch, described as follows, are annexed to the Town of Aurora:

Firstly, part of the Township of King, commencing at a point in the east boundary of the Township of King where it is intersected by the easterly prolongation of the centre line of the road allowance between lots 70 and 71 in Concession I of the said Township;

THENCE westerly to and along the centre line of the said road allowance and its prolongation to the centre line of the road allowance between concessions I and II of the Township of King;

THENCE northerly along the centre line of the road allowance between concessions I and II to its intersection with the westerly prolongation of the northerly limit of Lot 86 in Concession I of the said Township;

THENCE easterly to and along the northerly limit of Lot 86 in Concession I and its easterly prolongation to the east boundary of the Township of King;

THENCE southerly along the east boundary of the Township of King, being along the boundary between the townships of King and Whitchurch, to the north boundary of the Town of Aurora;

THENCE following the boundaries between the Township of King and the Town of Aurora to the east boundary of the said Township;

THENCE southerly along the eastern boundary of the Township of King to the point of commencement.

Secondly, part of the Township of Whitchurch, commencing at a point in the west boundary of the Township of Whitchurch, where it is intersected by the westerly prolongation of the northerly limit of Lot 86 in Concession I of the said Township of Whitchurch;
THENCE easterly to and along the northerly limit of Lot 86 in Concession I and the northern limit of Lot 26 in concessions II and III to where it is intersected by the westerly limit of the King's Highway Number 404, the said west limit of highway being 150 feet measured at right angles westerly from the centre line of highway;

THENCE southerly along the westerly limit of Highway Number 404, as defined to where it is intersected by the centre line of the road allowance between lots 10 and 11 in Concession III of the said Township;

THENCE westerly along the centre line of the road allowance between lots 10 and 11 in concessions III and II and to and along the centre line of road allowance between lots 70 and 71 in Concession I and the last-mentioned centre line prolonged to the west boundary of the Township of Whitchurch;

THENCE northerly along the west boundary of the Township of Whitchurch, being along the boundary between the townships of Whitchurch and King, to the south boundary of the Town of Aurora;

THENCE following the boundaries between the Township of King and the Town of Aurora to the west boundary of the said Township;

THENCE northerly along the western boundary of the Township of Whitchurch to the point of commencement;

(b) The portion of the Township of East Gwillimbury described as follows is established as a township municipality bearing the name of The Corporation of the Township of East Gwillimbury:

NOTE: Erection of Township of East Gwillimbury into town municipality see s. 2 (3).

COMMENCING at the intersection of the middle of the main channel of the Holland River and the northerly boundary of the Township of East Gwillimbury prolonged, westerly in accordance with section 9 of *The Territorial Division Act*, being chapter 395 of the Revised Statutes of Ontario, 1960;

THENCE easterly to and along the northerly boundary of the Township of East Gwillimbury to the northeast angle thereof;
THENCE southerly along the easterly boundary of the Township of East Gwillimbury to the southeast angle thereof;

THENCE westerly along the southerly boundary of the said Township to where it is intersected by the westerly limit of the King's Highway Number 404, the said westerly limit of highway being 150 feet and measured at right angles from the centre line of highway;

THENCE northerly along the westerly limit of Highway Number 404, as defined to its intersection with the southerly limit of Lot 2 in Concession III of the Township of East Gwillimbury;

THENCE easterly along the limit of the said Lot to its intersection with the line between the east and west halves of the said Lot 2;

THENCE northerly following along the line between the east and west halves of lots 2, 3 and 4 in Concession III of the said Township to the northerly limit of the said Lot 4;

THENCE westerly along the northerly limit of Lot 4 in concessions III and II and continuing westerly to and along the northerly limit of Lot 99 in Concession I east of Yonge Street and west of Yonge Street and the last-mentioned limit prolonged westerly to the west boundary of the Township of East Gwillimbury;

THENCE northerly along the westerly boundary and its prolongation in accordance with section 9 of The Territorial Division Act, being chapter 395 of the Revised Statutes of Ontario, 1960, to the middle of the main channel of the Schomberg River;

THENCE in a general northeasterly direction along the middle of the main channel of the last-mentioned River and the middle of the main channel of the Holland River being along the boundary between the townships of East Gwillimbury and West Gwillimbury, to the point of commencement;

(c) The Corporation of the Township of Georgina (including Georgina Island), The Corporation of the Township of North Gwillimbury (including Fox and Snake Islands) and The Corporation of the Village of
Sutton are amalgamated as a township municipality bearing the name of The Corporation of the Township of Georgina;

(d) The portion of the Township of King, described as follows, is established as a township municipality bearing the name of The Corporation of the Township of King:

COMMENCING at a point in the westerly boundary of the Township of King, where it is intersected by the westerly prolongation of the northerly limit of Lot 1 in Concession XI of the said Township;

THENCE northerly along the western boundary of the Township of King to the northwesterly angle thereof;

THENCE easterly along the north boundary of the Township of King, being along the boundary between the townships of King and Tecumseth, to the south-east angle of the last-mentioned Township;

THENCE northerly along the boundary between the townships of King and Tecumseth to the middle of the main channel of the Schomberg River in accordance with section 9 of The Territorial Division Act, being chapter 395 of the Revised Statutes of Ontario, 1960;

THENCE in a general northeasterly direction along the middle of the main channel of the said River being along the boundary between the townships of King and West Gwillimbury to the northeasterly angle of the said Township of King being in Concession II of the said Township;

THENCE southerly along the easterly Township boundary and to and along the centre line of the road allowance between concessions I and II of the Township of King to the intersection of the production easterly of the northerly limit of Lot 1 in Concession II of the said Township;

THENCE westerly to and along the northerly limit of Lot 1 in concessions II, III, IV, V, VI, VII, VIII, IX, X and XI and westerly to the point of commencement;

(e) The portion of the Township of Markham, described as follows, is annexed to the Town of Markham:
Commencing at the southwest angle of the Township of Markham;

Thence easterly along the southern boundary of the Township of Markham to its easterly boundary;

Thence northerly along the eastern boundary of the Township of Markham to intersect the easterly prolongation of the north limit of Lot 31 in Concession X of the said Township;

Thence westerly to and along the northerly limit of Lot 31 in concessions X, IX, VIII, VII, VI, V, IV and III to where it is intersected by the westerly limit of the King’s Highway Number 404, the said westerly limit of highway being 150 feet westerly measured at right angles from the centre line of highway;

Thence southerly along the said westerly limit of Highway Number 404 to the northerly limit of the King’s Highway Number 7;

Thence westerly along the north limit of the said Highway Number 7 to the west boundary of the Township of Markham;

Thence southerly along the said boundary to the point of commencement;

Saving and Excepting thereout and therefrom the lands lying within the Corporation Boundary of the Town of Markham;

(f) The portions of the Township of East Gwillimbury, the Township of King and the Township of Whitchurch, described as follows, are annexed to the Town of Newmarket:

Firstly, part of the Township of East Gwillimbury, commencing at the southwesterly angle of the Township of East Gwillimbury;

Thence northerly along the westerly boundary of the said Township to the westerly prolongation of the northerly limit of Lot 99 in Concession I west of Yonge Street of the Township of East Gwillimbury;

Thence easterly to and along the northerly limit of Lot 99 in Concession I west of Yonge and in Concession I east of Yonge Street and continuing easterly
to and along the northerly limit of Lot 4 in concessions II and III of the Township of East Gwillimbury to the line between the east and west halves of the said Lot 4;

THENCE southerly following along the line between the east and west halves of lots 4, 3 and 2 to the southerly limit of Lot 2 in Concession III;

THENCE westerly along the said Lot limit to the westerly limit of the King’s Highway Number 404, the said westerly limit of highway being 150 feet and measured at right angles from the centre line of highway;

THENCE southerly along the westerly limit of Highway Number 404 as defined to the southerly boundary of the Township of East Gwillimbury;

THENCE westerly along the southerly boundary of the said Township of East Gwillimbury to the easterly boundary of the Town of Newmarket;

THENCE following the boundaries between the Township of East Gwillimbury and the Town of Newmarket and continuing westerly following the south boundary of the Township of East Gwillimbury to the point of commencement;

SECONDLY, part of the Township of King, commencing at the northeast angle of the Township of King being in Concession I of the said Township;

THENCE southerly along the eastern boundary of the said Township to the intersection of the easterly prolongation of the northerly limit of Lot 86 in Concession I of the Township of King;

THENCE westerly to and along the northerly limit of said Lot 86 and its prolongation to the centre line of the road allowance between concessions I and II of the said Township of King;

THENCE northerly along the centre line of road allowance between concessions I and II to the northerly boundary of the said Township;

THENCE easterly along the boundary between the townships of King and East Gwillimbury to the point of commencement;
THIRDLY, part of the Township of Whitchurch, commencing at the intersection of the westerly boundary of the Township of Whitchurch with the westerly prolongation of the northerly limit of Lot 86 in Concession I of the said Township;

THENCE northerly along the west boundary of the said Township of Whitchurch to the northwest angle thereof;

THENCE easterly along the northerly boundary of the Township of Whitchurch to where it is intersected by the westerly limit of the King’s Highway Number 404, the said westerly limit of highway being 150 feet and measured at right angles from the centre line of highway;

THENCE southerly along the westerly limit of Highway Number 404, as defined to its intersection with the northerly limit of Lot 26 in Concession III of the Township of Whitchurch;

THENCE westerly along the north limit of Lot 26 in concessions III and II and continuing westerly to and along the northerly limit of Lot 86 in Concession I of the Township of Whitchurch and its westerly prolongation to the point of commencement;

SAVING AND EXCEPTING thereout and therefrom the lands lying within the Town of Newmarket;

(g) The portions of the Township of King, the Township of Markham, the Township of Vaughan and the Township of Whitchurch, described as follows, are annexed to the Town of Richmond Hill:

FIRSTLY, part of the Township of King, commencing at the southeast angle of the Township of King;

THENCE westerly along the southerly boundary of the said Township to where it is intersected by the southerly prolongation of the centre line of road allowance between concessions I and II of the Township of King;

THENCE northerly to and along the centre line of the said road allowance to the westerly prolongation of the centre line of the road allowance between lots 70 and 71 in Concession I of the Township of King;
THENCE easterly to and along the centre line of the road allowance between the said lots 70 and 71 and its easterly prolongation to the easterly boundary of the Township of King;

THENCE southerly along the easterly boundary of the said Township to the point of commencement;

Secondly, part of the Township of Markham, commencing at the northwesterly angle of the Township of Markham;

THENCE easterly along the northerly boundary of the said Township to where it is intersected by the westerly limit of the King's Highway Number 404, the said westerly limit of highway being 150 feet and measured at right angles from the centre line of highway;

THENCE southerly along the westerly limit of Highway Number 404, as defined to where it is intersected with the northerly limit of the King's Highway Number 7;

THENCE westerly along the northerly limit of Highway Number 7 to the westerly boundary of the Township of Markham;

THENCE northerly along the westerly boundary of the said Township to the southerly boundary of the Town of Richmond Hill;

THENCE following the boundaries between the Township of Markham and the Town of Richmond Hill to the west boundary of the said Township;

THENCE northerly along the western boundary of the Township of Markham to the point of commencement;

Thirdly, part of the Township of Vaughan, commencing at a point in the easterly boundary of the Township of Vaughan where it is intersected by the northerly limit of the King's Highway Number 7;

THENCE westerly to and along the northerly limit of Highway Number 7 to the centre line of the road allowance between concessions I and II of the said Township of Vaughan;
THENCE northerly along the said centre line of road allowance between concessions I and II and its northerly prolongation to the northerly boundary of the Township of Vaughan;

THENCE easterly along the northerly boundary of the Township of Vaughan to the northeast angle thereof;

THENCE southerly along the easterly boundary of the said Township to the northerly boundary of the Town of Richmond Hill;

THENCE following the boundaries between the Township of Vaughan and the Town of Richmond Hill to the east boundary of the said Township;

THENCE southerly along the eastern boundary of the said Township of Vaughan to the point of commencement;

Fourthly, part of the Township of Whitchurch, commencing at the point of intersection of the western boundary of the Township of Whitchurch with the westerly prolongation of the centre line of the road allowance between lots 70 and 71 in Concession I of the said Township;

THENCE easterly to and along the centre line of the road allowance between the said lots 70 and 71 to and along the centre of road allowance between lots 10 and 11 in concessions II and III of the Township of Whitchurch to where it is intersected by the westerly limit of the King's Highway Number 404, the said westerly limit of highway being 150 feet and measured at right angles from the centre line of highway;

THENCE southerly along the westerly limit of Highway Number 404, as defined to the southerly boundary of the said Township of Whitchurch;

THENCE westerly along the southerly boundary of the said Township to the southwest angle thereof;

THENCE northerly along the west boundary of the Township of Whitchurch to the point of commencement;

(h) The portions of the Township of King and the Township of Vaughan, described as follows, are annexed to the Village of Woodbridge to establish
a town municipality bearing the name of The Corporation of the Town of Vaughan:

FIRSTLY, part of the Township of King, commencing at the point of intersection of the south boundary of the Township of King with the southerly prolongation of the centre line of road allowance between concessions I and II of the said Township;

THENCE northerly to and along the centre line of the road allowance between the said concessions to the easterly prolongation of the northerly limit of Lot I in Concession II of the Township of King;

THENCE westerly to and along the northerly limit of Lot I in concessions II, III, IV, V, VI, VII, VIII, IX, X and XI of the said Township of King and the last-mentioned limit prolonged to the westerly boundary of the said Township;

THENCE southerly along the westerly boundary of the Township of King to the southwesterly angle thereof;

THENCE easterly along the south boundary of the said Township to the point of commencement;

SECONDLY, part of the Township of Vaughan, commencing at a point in the north boundary of the said Township of Vaughan where it is intersected by the northerly prolongation of the centre line of road allowance between concessions I and II of the said Township;

THENCE southerly to and along the centre line of said road allowance southerly to intersect the northerly limit of the King’s Highway Number 7;

THENCE easterly along the northerly limit of said Highway Number 7 and its easterly prolongation to the east boundary of the said Township of Vaughan;

THENCE southerly along the east boundary of the Township of Vaughan to the southeasterly angle thereof;

THENCE westerly along the south boundary of the Township of Vaughan to its southwest angle;

THENCE northerly along the westerly boundary of the said Township to the northwesterly angle thereof;
THENCE easterly along the north boundary of the said Township of Vaughan to the point of commencement;

SAVING AND EXCEPTIONING thereout and therefrom the lands lying within the Village of Woodbridge;

(i) The portions of the Township of Markham and the Township of Whitchurch described as follows, are annexed to the Village of Stouffville to establish a town municipality bearing the name of The Corporation of the Town of Whitchurch-Stouffville:

FIRSTLY, part of the Township of Markham, commencing at the point of intersection of the east boundary of the said Township of Markham and the easterly prolongation of the northerly limit of Lot 31 in Concession X of the said Township;

THENCE westerly to and along the northerly limit of Lot 31 in concessions X, IX, VIII, VII, VI, V, IV and III to where it is intersected with the westerly limit of the King's Highway Number 404, the said westerly limit of highway being 150 feet and measured westerly at right angles from the centre line of highway;

THENCE northerly along the westerly limit of Highway Number 404, as defined to the northerly boundary of the Township of Markham;

THENCE easterly along the northerly boundary of the said Township to the westerly boundary of the Village of Stouffville;

THENCE following the boundaries between the Township of Markham and the Village of Stouffville to the northerly boundary of the said Township;

THENCE easterly along the northerly boundary of the said Township to the northeast angle thereof;

THENCE southerly along the east boundary of the Township of Markham to the point of commencement;

SECONDLY, part of the Township of Whitchurch, commencing at the northeast angle of the Township of Whitchurch;
THENCE westerly along the north boundary of the said Township to the westerly limit of the King's Highway Number 404, the said westerly limit of highway being 150 feet and measured at right angles from the centre line of highway;

THENCE southerly along the westerly limit of Highway Number 404, as described to the south boundary of the Township of Whitchurch;

THENCE easterly along the southerly boundary of the said Township of Whitchurch to the westerly boundary of the Village of Stouffville;

THENCE following the boundaries between the Township of Whitchurch and the Village of Stouffville to the south boundary of the said Township;

THENCE easterly along the south boundary of the Township of Whitchurch to the southeast angle thereof;

THENCE northerly along the east boundary of the said township to the point of commencement. R.S.O. 1970, c. 408, s. 2 (1); 1972, c. 78, s. 1.

(2) The following police villages are dissolved on the 1st day of January, 1971:

2. The Police Village of King City.
3. The Police Village of Maple.
4. The Police Village of Mount Albert.
5. The Police Village of Nobleton.
6. The Police Village of Queensville.
7. The Police Village of Schomberg.
8. The Police Village of Sharon.

R.S.O. 1970, c. 408, s. 2 (2).
(3) On the 1st day of January, 1977, The Corporation of the Township of East Gwillimbury is erected into a town municipality bearing the name of The Corporation of the Town of East Gwillimbury.

(4) Sections 17, 19 and 22 of The Municipal Act, being chapter 284 of the Revised Statutes of Ontario, 1970, apply with necessary modifications in respect of the erecting of The Corporation of the Township of East Gwillimbury into a town municipality.

(5) A reference in this or any other general or special Act to The Corporation of the Township of East Gwillimbury or to the Township of East Gwillimbury shall be deemed to be a reference to The Corporation of the Town of East Gwillimbury and to the Town of East Gwillimbury, respectively. 1976, c. 70, s. 12.

(6) For the purposes of every Act, the amalgamations, annexations and dissolutions provided for in this Part shall be deemed to have been effected by orders of the Municipal Board not subject to section 42 of the Ontario Municipal Board Act or to petition or appeal under section 94 or 95 of such Act, made on the 26th day of June, 1970, pursuant to applications made under sections 14 and 25 of The Municipal Act, being chapter 249 of the Revised Statutes of Ontario, 1960, and, subject to the provisions of this Act, the Municipal Board, upon the application of any area municipality or any local board thereof or of its own motion, may exercise its powers consequent upon such amalgamations, annexations and dissolutions, and sections 94 and 95 of the Ontario Municipal Board Act do not apply to decisions or orders made in the exercise of such powers and "municipalities" in clause 14 (11) (a) of the Municipal Act includes, for the purposes of such clause, the area municipalities to which territory is annexed. R.S.O. 1970, c. 408, s. 2 (3).

8.—(1) The council of each area municipality shall be composed of a mayor, who shall be elected by a general vote of the electors of the area municipality and shall be the head of the council, and the following number of other members of council:

1. The Town of Aurora—Except as may be provided under subsection (2), eight members elected by a general vote of the electors of the area municipality.

2. The Town of Markham—Ten members, three of whom shall be elected by a general vote of the electors of the area municipality as members of the council of the area municipality and of the Regional Council, and, except as may be provided under subsection (2), seven members elected by wards.
3. The Town of Newmarket—Eight members, one of whom shall be elected by a general vote of the electors of the area municipality as a member of the council of the area municipality and of the Regional Council, and, except as may be provided under subsection (2), seven members elected by a general vote of the electors of the area municipality.

4. The Town of Richmond Hill—Eight members, two of whom shall be elected by a general vote of the electors of the area municipality as members of the council of the area municipality and of the Regional Council, and, except as may be provided under subsection (2), six members elected by wards.

5. The Town of Vaughan—Six members, one of whom shall be elected by a general vote of the electors of the area municipality as a member of the council of the area municipality and of the Regional Council, and, except as may be provided under subsection (2), five members elected by a general vote of the electors of the area municipality.

6. The Town of Whitchurch-Stouffville—Except as may be provided under subsection (2), six members elected by wards.

7. The Town of East Gwillimbury—Except as may be provided under subsection (2), four members elected by a general vote of the electors of the area municipality.

8. The Township of Georgina—Eight members, one of whom shall be elected by a general vote of the electors of the area municipality as a member of the council of the area municipality and of the Regional Council, and, except as may be provided under subsection (2), seven members elected by wards.

9. The Township of King—Except as may be provided under subsection (2), six members elected by wards.

R.S.O. 1970, c. 408, s. 3 (1).

(2) Notwithstanding the provisions of this or any other Act, upon the application of an area municipality authorized by a by-law of the council thereof, or upon the petition of electors in accordance with the provisions of section 13 of the Municipal Act, the Municipal Board may, by order,
(a) divide or redivide the area municipality into wards, and shall designate the name or number each ward shall bear and shall declare the date when the division or redivision shall take effect;

(b) alter or dissolve any or all of the wards in the area municipality and shall declare the date when such alterations or dissolutions shall take effect; or

(c) vary the composition of the council of the area municipality, provided that,

(d) no order made under this section shall alter the total number of members who represent the area municipality on the Regional Council as provided for in this Act; and

(e) the mayor of the area municipality shall continue to be elected by a general vote of the electors of the area municipality, and shall be the head of the council of the area municipality, and shall be a member of the Regional Council, as provided for in this Act. 1976, c. 43, s. 27 (1).

(3) Notwithstanding section 6, the Lieutenant Governor in Council, upon the recommendation of the Minister, may by order authorize such method of selecting the members who represent the area municipality on the Regional Council as is considered advisable following an order of the Municipal Board under subsection (2). 1977, c. 34, s. 11.

(4) Where the Minister is inquiring into the structure, organization and methods of operation of one or more area municipalities or the Regional Corporation, he may give notice to the Municipal Board of such inquiry and that in his opinion any application or applications and any petition or petitions made under subsection (2) should be deferred until the inquiry has been completed and considered, and thereupon all proceedings in any such application are stayed until he gives notice to the Municipal Board that they may be continued. 1979, c. 81, s. 32.

PART II

INCORPORATION AND COUNCIL OF REGIONAL AREA

4.—(1) The inhabitants of the Regional Area are continued a body corporate under the name of "The Regional Municipality of York".
(2) The Regional Corporation shall be deemed to be a municipality for the purposes of the *Municipal Affairs Act* and the *Ontario Municipal Board Act*. R.S.O. 1970, c. 408, s. 5 (1, 2).

(3) The Regional Area, for judicial purposes, forms the Judicial District of York Region. R.S.O. 1970, c. 408, s. 5 (3), revised.

(4) Nothing in this Act shall be deemed to alter the boundaries of any registry or land titles division. R.S.O. 1970, c. 408, s. 5 (4).

5.—(1) The powers of the Regional Corporation shall be exercised by the Regional Council and, except where otherwise provided, the jurisdiction of the Regional Council is confined to the Regional Area.

(2) Except where otherwise provided, the powers of the Regional Council shall be exercised by by-law.

(3) A by-law passed by the Regional Council in the exercise of any of its powers and in good faith shall not be open to question, or be quashed, set aside or declared invalid either wholly or partly, on account of the unreasonableness or supposed unreasonableness of its provisions or any of them. R.S.O. 1970, c. 408, s. 6.

6. The Regional Council shall consist of eighteen members composed of a chairman and,

(a) the head of the council of each area municipality;

(b) three members of the council of the area municipality of the Town of Markham who have been elected as members of the Regional Council and of the council of such area municipality;

(c) one member of the council of the area municipality of the Town of Newmarket who has been elected as a member of the Regional Council and of the council of such area municipality;

(d) two members of the council of the area municipality of the Town of Richmond Hill who have been elected as members of the Regional Council and of the council of such area municipality;

(e) one member of the council of the area municipality of the Town of Vaughan who has been elected as a member of the Regional Council and of the council of such area municipality;
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(f) one member of the council of the area municipality of the Township of Georgina who has been elected as a member of the Regional Council and of the council of such area municipality. 1978, c. 33, s. 29.

7. — (1) At the first meeting of the Regional Council after a regular election at which a quorum is present, the Regional Council shall organize as a council and elect as chairman one of the members of the Regional Council, or any other person, to hold office for the term of the council and until his successor is appointed or elected in accordance with this Act, and at such meeting the officer appointed under section 17 shall preside until the chairman is elected. 1978, c. 33, s. 30 (1).

(2) Where a member of the council of an area municipality becomes chairman, he shall be deemed to have resigned as a member of such council, and his seat on such council thereby becomes vacant. R.S.O. 1970, c. 408, s. 8 (3).

(3) If at the first meeting of the Regional Council after a regular election a chairman is not elected, the presiding officer may adjourn the meeting from time to time, and, if a chairman is not elected at any adjourned meeting held within one week after the first meeting, the Lieutenant Governor in Council shall appoint a chairman to hold office for the term of the council and until his successor is elected or appointed in accordance with this Act. 1978, c. 33, s. 30 (2).

8. — (1) Notwithstanding any other general or special Act, the first meeting of the council of each area municipality after a regular election shall be held not later than the seventh day following the day on which the term of office in respect of which the election was held commences.

(2) The first meeting of the Regional Council after a regular election shall be held after the councils of the area municipalities have held their first meetings under subsection (1), but in any event not later than the fourteenth day following the day on which the term of office in respect of which the election was held commences, on such date and at such time and place as may be fixed by by-law of the Regional Council. 1978, c. 33, s. 31.

(3) A person entitled to be a member of the Regional Council in accordance with section 6 shall not take his seat until he has filed with the person presiding at a meeting a certificate under the hand of the clerk of the area municipality which he represents, and under the seal of the area municipality certifying that he is entitled to be a member of the Regional Council. R.S.O. 1970, c. 408, s. 9 (4).
Oath of allegiance of qualification

(4) The chairman, before taking his seat, shall take an oath of allegiance in Form 1 and a declaration of qualification in Form 2.

Declarations of office
R.S.O. 1980, c. 302

(5) No business shall be proceeded with at the first meeting until after the declarations of office in Form 3 of the Municipal Act have been made by all members who present themselves for that purpose.

When Council deemed organized

(6) The Regional Council shall be deemed to be organized when the declarations of office have been made by a sufficient number of members to form a quorum as provided for in subsection 10 (1). R.S.O. 1970, c. 408, s. 9 (6-8).

Place of meeting

9. Subject to section 8, all meetings of the Regional Council shall be held at such place within the Regional Area and at such times as the Regional Council from time to time appoints. R.S.O. 1970, c. 408, s. 10.

Quorum, voting

10. —(1) Ten members of the Regional Council representing at least five area municipalities are necessary to form a quorum and the concurring votes of a majority of members present are necessary to carry any resolution or other measure. R.S.O. 1970, c. 408, s. 11 (1); 1978, c. 33, s. 32.

(2) Subject to subsection (3), each member of the Regional Council has one vote only.

One vote

(3) The chairman does not have a vote except in the event of an equality of votes. R.S.O. 1970, c. 408, s. 11 (2, 3).

Chairman vote

Vacancies, chairman

11. —(1) When a vacancy occurs in the office of a chairman who has been appointed by the Lieutenant Governor in Council, some person shall be appointed by the Lieutenant Governor in Council to hold office as chairman for the remainder of the term of his predecessor.

(2) When a vacancy occurs in the office of a chairman who has been elected under subsection 7 (1), the Regional Council shall, at a general or special meeting to be held within twenty days after the vacancy occurs, elect a chairman who may be one of the members of the Regional Council, or any other person, to hold office for the remainder of the term of his predecessor.

Idem

(3) If the Regional Council fails to elect a chairman within twenty days as required by subsection (2), the Lieutenant Governor in Council may appoint a person as chairman to hold office for the remainder of the term of his predecessor. R.S.O. 1970, c. 408, s. 12 (1-3).
(4) When a vacancy occurs in the office of a member, other than the chairman or the head of the council of an area municipality, the council of the area municipality of which he was a member shall by by-law within sixty days after the vacancy occurs appoint a successor, who may be a member of the council or a person who is eligible to be elected a member of the council to hold office for the remainder of the term of his predecessor. R.S.O. 1970, c. 408, s. 12 (4); 1976, c. 43, s. 28.

(5) Where a member has been elected as a member of the Regional Council and of the council of an area municipality, resignation from either council shall be deemed to be resignation from both councils.

(6) Section 39 of the Municipal Act, except clauses (d) and (f), applies to the Regional Council.

(7) In the event that the head of a council of an area municipality is for any reason unable to fulfil his duties as a member of the Regional Council for a period exceeding one month, the council of the area municipality may by by-law appoint one of its members as an alternate representative to the Regional Council who shall act in the place and stead of the head of council during his incapacity, but no such by-law shall have effect for a period longer than one month from its effective date. R.S.O. 1970, c. 408, s. 12 (5-7).

12. The Regional Council may from time to time establish such standing or other committees and assign to them such duties as it considers expedient. R.S.O. 1970, c. 408, s. 14 (1).

13. The Regional Council may pass by-laws for governing the proceedings of the Regional Council and any of its committees, the conduct of its members and the calling of meetings. R.S.O. 1970, c. 408, s. 15.

14. (1) The chairman is the head of the Regional Council and is the chief executive officer of the Regional Corporation.

(2) The Regional Council may by by-law appoint a chief administrative officer, who,

(a) shall have such general control and management of the administration of the government and affairs of the Regional Corporation and perform such duties as the Regional Council by by-law prescribes;
(b) shall be responsible for the efficient administration of all its departments to the extent that he is given authority and control over them by by-law;

(c) shall hold office during the pleasure of the Regional Council; and

(d) shall receive such salary as the Regional Council by by-law determines.

Application of R.S.O. 1980, c. 302, s. 99 (2)

(3) Subsection 99 (2) of the Municipal Act applies to a chief administrative officer appointed under subsection (2). R.S.O. 1970, c. 408, s. 16.

Acting chairman

15.—(1) When the chairman is absent or refuses to act, or his office is vacant, the Regional Council may by resolution appoint one of its members to act in his place and stead and, while so acting, such member has and may exercise all the rights, powers and authority of the chairman.

Idem

(2) The Regional Council may by by-law appoint a member of the Regional Council to act from time to time in the place and stead of the chairman when the chairman is absent from the Regional Area or absent through illness or his office is vacant and, while so acting, such member has and may exercise all the rights, powers and authority of the chairman. 1974, c. 117, s. 13.

Application of R.S.O. 1980, c. 302

16.—(1) Sections 57, 58, 60, 62, 63, 129, 137 to 141, 238, 239, 240 to 244, 247, 248, 249 and 250 of the Municipal Act apply with necessary modifications to the Regional Corporation. 1980, c. 33, s. 6.

Idem

(2) Sections 55, 64, 65 and 107 of the Municipal Act apply with necessary modifications to the Regional Council and to every local board of the Regional Council. R.S.O. 1970, c. 408, s. 18 (2).

Appoint-ment of officer and his duties

17.—(1) The Regional Council shall appoint an officer, whose duty it is,

(a) to record truly in a book, without note or comment, all resolutions, decisions and other proceedings of the Regional Council;

(b) if required by any member present, to record the name and vote of every member voting on any matter or question;

(c) to keep in his office, or in the place appointed for that purpose, the originals of all by-laws and of
all minutes of the proceedings of the Regional Council and its committees; and

(d) to perform such other duties as may be assigned to him by the Regional Council.

(2) The Regional Council may appoint a deputy who shall have all the powers and duties of the officer appointed under subsection (1).

(3) When the office of the officer appointed under subsection (1) is vacant or the incumbent is unable to carry on his duties, through illness or otherwise, the Regional Council may appoint an acting officer pro tempore who shall have all the powers and duties of the officer appointed under subsection (1).

(4) An officer appointed under this section is deemed to be the clerk of the Regional Corporation for the purposes of every Act. R.S.O. 1970, c. 408, s. 19.

18.—(1) Any person may, at all reasonable hours, inspect any of the records, books or documents in the possession or under the control of an officer appointed under section 17, except interdepartmental correspondence and reports of officials of any department or of solicitors for the Regional Corporation made to the Regional Council or any of its committees, and the officer within a reasonable time shall furnish copies of them or extracts therefrom certified under his hand and the seal of the Regional Corporation to any applicant on payment at the rate of 15 cents for every 100 words or at such lower rate as the Regional Council may fix.

(2) The officer appointed under section 17 shall keep an index book in which he shall enter the number and date of all by-laws passed by the Regional Council that affect land or the use thereof in the Regional Area but do not directly affect the title to land.

(3) A copy of any record, book or document in the possession or under the control of an officer appointed under section 17, purporting to be certified under his hand and seal of the Regional Corporation, may be filed and used in any court in lieu of the original, and shall be received in evidence without proof of the seal or of the signature or official character of the person appearing to have signed the same, and without further proof, unless the court otherwise directs. R.S.O. 1970, c. 408, s. 20.
19.—(1) The Regional Council shall appoint a financial officer to undertake the duties of a treasurer and such financial officer shall keep the books, records and accounts, and prepare the annual financial statements of the Regional Corporation and preserve and file all accounts of the Regional Corporation, and shall perform such other duties as may be assigned to him by the Regional Council.

(2) The Regional Council may appoint a deputy financial officer who shall have all the powers and duties of the financial officer.

(3) When the office of financial officer is vacant or the financial officer is unable to carry on his duties, through illness or otherwise, the Regional Council may appoint an acting financial officer \textit{pro tempore} who shall have all the powers and duties of the financial officer.

(4) A financial officer appointed under this section is deemed to be the treasurer of the Regional Corporation for the purposes of every Act. R.S.O. 1970, c. 408, s. 21.

20.—(1) The financial officer shall receive and safely keep all money of the Regional Corporation, and shall pay out money to such persons and in such manner as the law in force in Ontario and the by-laws or resolutions of the Regional Council direct, provided that every cheque issued by the financial officer shall be signed by the financial officer and by some other person or persons designated for the purpose by by-law or resolution of the Regional Council, and any such other person before signing a cheque shall satisfy himself that the issue thereof is authorized.

(2) Notwithstanding subsection (1), the Regional Council may by by-law,

(a) designate one or more persons to sign cheques in lieu of the financial officer; and

(b) provide that the signature of the financial officer and of any other person authorized to sign cheques may be written or engraved, lithographed, printed or otherwise mechanically reproduced on cheques.

(3) The Regional Council may by by-law provide that the financial officer may establish and maintain a petty cash fund of an amount of money sufficient to make change and to pay small accounts, subject to such terms and conditions as the by-law may provide. R.S.O. 1970, c. 408, s. 22 (1-3).
(4) Except where otherwise expressly provided by this Act, a member of the Regional Council shall not receive any money from the financial officer for any work or service performed or to be performed, but nothing in this subsection prevents the payment of any moneys under any contract in respect of which the member has complied with section 2 of the Municipal Conflict of Interest Act. R.S.O. 1970, c. 408, s. 22 (4); 1973, c. 156, s. 1.

(5) The financial officer is not liable for money paid by him in accordance with a by-law or resolution of the Regional Council, unless another disposition of it is expressly provided for by statute. R.S.O. 1970, c. 408, s. 22 (5).

21. Subject to subsection 20 (3), the financial officer shall,

(a) open an account or accounts in the name of the Regional Corporation in such of the chartered banks of Canada or at such other place of deposit as may be approved by the Regional Council;

(b) deposit all money received by him on account of the Regional Corporation, and no other money, to the credit of such account or accounts, and no other account; and

(c) keep the money of the Regional Corporation entirely separate from his own money and from that of any other person

and, notwithstanding subsection 20 (1), the Regional Council shall not by by-law or resolution direct any variance from the provisions of this section, nor shall the financial officer vary from such provisions. R.S.O. 1970, c. 408, s. 23.

22.—(1) The financial officer shall prepare and submit to the Regional Council, monthly, a statement of the money at the credit of the Regional Corporation.

(2) Where the financial officer is removed from office or absconds, the Regional Council shall forthwith give notice to his sureties. R.S.O. 1970, c. 408, s. 24.

23.—(1) The Regional Council shall by by-law appoint one or more auditors who shall be persons licensed by the Ministry as municipal auditors and who shall hold office during good behaviour and be removable for cause by the Regional Council and the auditor or auditors so appointed shall audit the accounts and transactions of the Regional Corporation and of every local board of the Regional Corporation. 1977, c. 34, s. 12.
(2) Where an auditor audits the accounts and transactions of a local board, the cost thereof shall be paid by the Regional Corporation and charged back to the local board, and, in the event of a dispute as to the amount of the cost, the Ministry may upon application finally determine the amount thereof. R.S.O. 1970, c. 408, s. 25 (2); 1972, c. 1, s. 1.

(3) No person shall be appointed as an auditor of the Regional Corporation who is or during the preceding year was a member of the Regional Council or of the council of an area municipality or of any local board the accounts and transactions of which it would as auditor be his duty to audit, or who has or during the preceding year had any direct or indirect interest in any contract with the Regional Corporation or an area municipality or any such local board, or any employment with any of them other than for services within his professional capacity. R.S.O. 1970, c. 408, s. 25 (3); 1976, c. 43, s. 29.

(4) An auditor shall perform such duties as are prescribed by the Ministry, and also such duties as may be required by the Regional Council or any local board of the Regional Corporation that do not conflict with the duties prescribed by the Ministry. R.S.O. 1970, c. 408, s. 25 (4); 1972, c. 1, s. 1.

(5) The Regional Council may provide that all accounts shall be audited before payment. R.S.O. 1970, c. 408, s. 25 (5).

(2) Where the Regional Corporation or a local board thereof employs a person theretofore employed by a local municipality or a local board thereof within the Regional Area or by the County of York or a local board thereof, the Regional Corporation or local board thereof shall be deemed to have elected to participate in the Ontario Municipal Employees Retirement System on the 26th day of June, 1970 in respect of the employee if such employee was or was entitled to be a member of the Ontario Municipal Employees Retirement System on the day immediately preceding his employment with the Regional Corporation or local board thereof and such employee shall have uninterrupted membership or entitlement to membership, as the case may be, in the Ontario Municipal Employees Retirement System.
(3) Where the Regional Corporation or a local board thereof employs a person theretofore employed by a local municipality or a local board thereof within the Regional Area, the employee shall be deemed to remain an employee of the local municipality or local board thereof for the purposes of his entitlement under any approved pension plan.

(4) Where the Regional Corporation or a local board thereof employs a person theretofore employed by a local municipality or a local board thereof within the Regional Area or by the County of York or a local board thereof, the employee shall be deemed to remain an employee of the municipality or local board thereof until the Regional Corporation or local board thereof has established a sick leave credit plan for its employees, and the employees are entitled to receive such benefits from the Regional Corporation, whereupon the Regional Corporation or local board thereof shall place to the credit of the employee the sick leave credits standing to his credit in the plan of the municipality or local board thereof.

(5) Where the Regional Corporation or a local board thereof employs a person theretofore employed by a local municipality or a local board thereof within the Regional Area or by the County of York or a local board thereof or a roads commission, the Regional Corporation or local board thereof shall, during the first year of his employment by the Regional Corporation or local board thereof, provide for such employee's holidays with pay equivalent to those to which he would have been entitled if he had remained in the employment of the municipality or local board thereof.

(6) The Regional Council shall offer to employ every person who, on the 1st day of April, 1970, is employed by the County of York or by any roads commission or the health unit for the County of York or in any undertaking of any local municipality or local board that is assumed by the Regional Corporation under this Act and who continues to be so employed until the 31st day of December, 1970. R.S.O. 1970, c. 408, s. 26 (1-6).

(7) The Regional Corporation shall be deemed to be a municipality for the purposes of the Ontario Municipal Employees Retirement System Act.

(8) The employees of the local municipalities and the local boards thereof within the Regional Area, which are amalgamated or annexed in whole or in part to form an area municipality, who were employed by such a local municipality or local board on the 1st day of April, 1970, and continue to be so employed until the 31st day of
December, 1970, except employees offered employment by the Regional Council under subsection (6), shall be offered employment by the council of the area municipality with which they are amalgamated or to which they are annexed.

(9) Any sick leave credits standing, on the 31st day of December, 1970, to the credit of any person who accepts employment under subsection (8) shall be placed to the credit of such employee in any sick leave credit plan established by the new employer.

(10) Any person who accepts employment under subsection (8) shall be entitled to receive during the first year of his employment such holidays with pay equivalent to those to which he would have been entitled if he had remained in the employment of the local municipality or local board by which he was formerly employed. R.S.O. 1970, c. 408, s. 26 (8-11).

(11) Where, under the provisions of this section, any employee, in the opinion of the Minister, experiences any difficulty or hardship with regard to the transfer of any pension rights or sick leave credits, the Minister may by order do anything necessary to remedy or alleviate such difficulty or hardship. 1973, c. 156, s. 2.

(12) Nothing in this section prevents any employer from terminating the employment of an employee for cause. R.S.O. 1970, c. 408, s. 26 (12).

PART III

REGIONAL WATERWORKS SYSTEM

25.—(1) For the purpose of supplying to the area municipalities water for the use of the area municipalities and their inhabitants, the Regional Corporation has all the powers conferred by any general Act upon a municipal corporation, and by any special Act upon any local municipality or local board thereof within the Regional Area, respecting the supply of water and the establishment, construction, maintenance, operation, improvement and extension of a waterworks system.

(2) The Regional Corporation shall not entrust the construction or the control and management of the regional waterworks system to a public utilities commission. R.S.O. 1970, c. 408, s. 27.
26.—(1) The Regional Corporation may pass by-laws for constructing, maintaining, improving, repairing, widening, altering, diverting and stopping up works for the production, treatment and storage of water and trunk distribution mains connected therewith.

(2) Where in the opinion of the Regional Council an area municipality or a portion thereof will or may derive a special benefit from the assumption or construction and operation of a waterworks system, the Regional Council may, with the approval of the Municipal Board, at the time of authorizing the construction, extension or improvement of a waterworks system and at any time in respect of the assumption of a waterworks system by by-law provide that the area municipality shall be chargeable with and shall pay to the Regional Corporation the whole or such portion of the capital cost thereof as the by-law specifies, and such by-law is binding on the area municipality.

(3) When an area municipality receives a special benefit by the extension or improvement of a waterworks system and the capital cost of the work has already been apportioned by by-law, the Regional Council may with the approval of the Municipal Board repeal or amend any such by-law and reapportion the capital cost of such waterworks system among all the area municipalities which receive a special benefit therefrom.

(4) Where any debt is incurred for the cost of a waterworks system, the area municipality chargeable under the by-law shall make payments to the Regional Corporation with respect to such debt proportionate to its share of the capital cost as set out in the by-law in the same manner as if the debt for such share had been incurred by the Regional Corporation for the purposes of the area municipality.

(5) The area municipality may pay the amounts chargeable to it under this section out of its general funds or, subject to the approval of the Municipal Board, may pass by-laws under section 218 of the Municipal Act for imposing water rates to recover the whole or part of the amount chargeable to the area municipality in the same manner as if the waterworks system had been constructed, extended or improved by the area municipality notwithstanding that in the by-law authorizing the waterworks system there was no provision for imposing, with the approval of the Municipal Board, upon owners or occupants of land who derive or will or may derive a benefit from the waterworks system a water rate sufficient to pay for the whole or a portion or percentage of the capital cost of the waterworks system. 1972, c. 78, s. 3.
(6) Notwithstanding any general or special Act, the Municipal Board may hear and determine any application by the Regional Corporation for approval of any undertaking, work, project or scheme relating to the supply and distribution of water without having regard to the methods by which the Regional Corporation intends to recover the costs of the undertaking, work, project or scheme for which approval is being sought.

(7) Where application is made to the Municipal Board for its approval to the method of recovering the cost of an undertaking, work, project or scheme approved by the Board under subsection (6) and the Board does not approve the application or approves it in part only, the Board may direct the method by which the cost, or the portion of the cost in respect of which the application is not approved, shall be recovered. 1974, c. 117, s. 14.

27.—(1) The Regional Council shall, before the 31st day of December, 1970, pass by-laws which shall be effective on the 1st day of January, 1971, assuming as part of the regional waterworks system all works for the production, treatment and storage of water operated by or on behalf of each area municipality or any local board thereof and all trunk distribution mains connected therewith and all rights and obligations of an area municipality or local board in relation to such works and mains, and on the day any such by-law becomes effective all the real and personal property in relation to the works and mains designated therein vests in the Regional Corporation.

(2) A by-law under subsection (1) shall designate and describe the works and trunk distribution mains assumed.

(3) For the purpose of subsection (1), a distribution main shall be deemed to be a trunk distribution main if so declared in the by-law assuming it.

(4) Notwithstanding subsection (1), a by-law for assuming any specific work or trunk distribution main may, with the approval of the Municipal Board, be passed after the 31st day of December, 1970, and in that case the by-law becomes effective on the date provided therein.

(5) Where the Regional Corporation assumes a work or trunk distribution main vested in an area municipality or local board,

(a) no compensation or damages shall be payable to the area municipality or local board;

(b) the Regional Corporation shall thereafter pay to the area municipality before the due date all amounts
of principal and interest becoming due upon any outstanding debt of the area municipality in respect of such work or main, but nothing in this clause requires the Regional Corporation to pay that portion of the amounts of principal and interest that under the Local Improvement Act is payable as the owners' share of a local improvement work. R.S.O. 1970, c. 408, s. 28 (1-5).

(6) If the Regional Corporation fails to make any payment on or before the due date required by clause (5)(b), the area municipality may charge the Regional Corporation interest at the rate of 15 per cent per annum, or such lower rate as the council of the area municipality determines, from such date until payment is made. 1979, c. 81, s. 34.

(7) In the event of any doubt as to whether any outstanding debt or portion thereof is a debt in respect of the work or trunk distribution main assumed, the Municipal Board, upon application, may determine the matter and its decision is final.

(8) In this section, "works" means buildings, structures, plant, machinery, equipment, appurtenances, devices, conduits, intakes, outlets, underground construction and installations and other works designed for the production, treatment and storage of water and includes lands appropriated for such purposes and uses. R.S.O. 1970, c. 408, s. 28 (7, 8).

28.—(1) Where any local municipality or a local board thereof within the Regional Area has agreed with any other municipality to supply water to that other municipality, and the works and trunk distribution mains used or required in carrying out such agreement are assumed by the Regional Corporation, the Regional Corporation becomes liable for the supply of water in accordance with the agreement and is bound by all the terms thereof and the area municipality or local board that would otherwise be bound by the agreement is relieved of all liability thereunder.

(2) Notwithstanding subsection (1) and notwithstanding anything in the agreement, the Municipal Board, upon the application of the Regional Council or the council of the municipality to which the water is supplied, has jurisdiction and power from time to time to confirm, vary or fix the rates charged or to be charged in connection with water supplied under the agreement. R.S.O. 1970, c. 408, s. 29.

29.—(1) No area municipality, after the 31st day of December, 1970, shall establish, maintain or operate any works for the production, treatment and storage of water.
(2) Nothing in this section limits the powers of an area municipality or local board thereof respecting the use and distribution of water supplied to such area municipality by the Regional Corporation. R.S.O. 1970, c. 408, s. 30.

30.—(1) No municipality or local board thereof that is supplied with water by the Regional Corporation shall supply or agree to supply any of such water beyond the limits of the municipality without the approval of the Regional Council.

(2) Nothing in subsection (1) prohibits an area municipality or local board from supplying water to another municipality where by an agreement entered into before the 12th day of October, 1970, which by reason of an amalgamation or annexation under this Act the area municipality or local board is obligated to supply such water and the works and trunk distribution mains used or required in carrying out such agreement have not been assumed by the Regional Corporation. R.S.O. 1970, c. 408, s. 31.

31.—(1) The Regional Council may pass by-laws for regulating the time, manner, extent and nature of the supply of water from the regional waterworks system, and every other matter or thing related to or connected therewith that it may be necessary and proper to regulate in order to secure to the inhabitants of the Regional Area a continued and abundant supply of pure and wholesome water, and to prevent the practising of frauds on the Regional Corporation with regard to the water so supplied.

(2) Where, immediately before the 1st day of January, 1971, the water supply in any area in the Regional Area was fluoridated as a result of an affirmative vote of the electors to a question submitted to the electors under section 2 of The Fluoridation Act, 1960-61, the Regional Corporation may continue to fluoridate the water supply to such area. R.S.O. 1970, c. 408, s. 32.

32. The Regional Council may pass by-laws for the maintenance and management of the regional waterworks system and may also by by-law or resolution fix the charges to meet the cost of any work or service done or furnished for the purposes of the supply of water and the rent of or charges for fittings, apparatus, meters or other things leased or furnished to any municipality. R.S.O. 1970, c. 408, s. 33.

33.—(1) The Regional Council may pass by-laws fixing the rates or other charges at which water will be supplied to the area municipalities, or parts thereof, and the times and places when and where the rates or other charges shall be payable.
(2) In fixing the rates or other charges, the Regional Council may use its discretion as to the rate, rates or other charges to be charged to any area municipality or part thereof, and may charge different rates or other charges to one or more of the area municipalities or parts thereof.

(3) The Regional Council shall so fix the rates or other charges at which water is supplied to the area municipalities or parts thereof that the revenues of the waterworks system will be sufficient to make the system self-sustaining after providing for such maintenance, renewals, depreciation, debt charges and reserves as the Regional Council may think proper. 1976, c. 70, s. 13.

(4) Clause 53 (1) (k) of the Ontario Municipal Board Act does not apply with respect to water supplied by the Regional Corporation to an area municipality. R.S.O. 1970, c. 408, s. 34 (4).

34.—(1) The Regional Corporation shall supply water to the area municipalities, but, subject to subsection (2), shall not supply water to any other person.

(2) The Regional Corporation may enter into a contract for the supply of water to any local, regional or metropolitan municipality outside the Regional Area for its use or for resale to the inhabitants thereof for any period not exceeding twenty years, and may renew such contract from time to time for further periods not exceeding twenty years at any one time. R.S.O. 1970, c. 408, s. 35.

(3) The Regional Corporation may enter into a contract for the purchase of water from any adjoining regional or metropolitan municipality, and no area municipality shall, after the 1st day of July, 1971, enter into any such contract with any municipality. 1971, c. 75, s. 2.

35. The Regional Council shall keep separate books and accounts of the revenues, expenditures, assets and liabilities in respect of the regional waterworks system in such manner as may be prescribed by the Ministry. R.S.O. 1970, c. 408, s. 36; 1972, c. 1, s. 1.

36.—(1) Notwithstanding anything in the Public Utilities Act or any other general or special Act, the revenues in respect of the regional waterworks system shall be applied only for,

(a) the reduction of any indebtedness assumed or incurred with respect to the system;

(b) the operation, maintenance, renewal, improvement or extension of the system; or
(c) the establishment of such reserve funds as the Regional Council may consider proper, to be used at any future time for any purpose mentioned in clause (a) or (b) or for the stabilization of rates,

and any surplus revenues not required for such purposes shall remain credited to the waterworks system accounts and shall not form part of the general funds of the Regional Corporation.

(2) It is not necessary to levy any rate to provide for principal, interest or other payments on account of any debentures issued or any debt assumed by the Regional Corporation for the purposes of the regional waterworks system except to the extent that the revenues from the system are insufficient to meet the annual payments falling due on account of principal and interest on the debentures or debt.

(3) The moneys forming part of a reserve fund established under subsection (1) shall be paid into a special account and may be invested in such securities as a trustee may invest in under the Trustee Act and the earnings derived from the investment of such moneys shall form part of the reserve fund.

(4) The moneys forming part of a reserve fund established under subsection (1) shall be applied or expended only for the purposes of the regional waterworks system. R.S.O. 1970, c. 408, s. 37.

37.—(1) Subject to section 44, the Regional Corporation may sell, lease or otherwise dispose of any real or personal property acquired, held or used for or in connection with the regional waterworks system that, in the opinion of the Regional Council, is no longer required for the purposes of the waterworks system but, where the property is actually used for the purposes of the waterworks system, no such sale, lease or other disposition shall be made without the approval of the Municipal Board.

(2) The proceeds of any such sale, lease or other disposition shall be applied first in redemption and payment of any indebtedness assumed or incurred in respect of the property disposed of, and the balance shall form part of the revenues in respect of the regional waterworks system. R.S.O. 1970, c. 408, s. 38.

38.—(1) The Regional Corporation is not liable for damages caused by the shut-off or reduction of the amount of water supplied to an area municipality in cases of emergency or breakdown or when it is necessary in maintaining or extending the system, but the Regional Council shall wherever
possible give to any area municipality reasonable notice of intention to shut off or reduce the supply of water.

(2) Where the supply of water by the Regional Corporation to an area municipality is interrupted or reduced, the area municipality or its local board may, notwithstanding anything in any contract, allocate and distribute its available water among its customers and may interrupt or decrease the delivery of water under any contract, and nothing done under this subsection shall be deemed to be a breach of contract or entitle any person to rescind any contract or release any guarantor from the performance of his obligation. R.S.O. 1970, c. 408, s. 39.

39.—(1) The Regional Council may pass by-laws establishing standards for and regulating and governing the design, construction and maintenance of local water distribution works by the area municipalities and may provide in any such by-law for the inspection of such local works, and every area municipality and local board shall conform to such by-laws.

(2) No area municipality or local board thereof shall construct or extend any local water distribution works or connect the works or any part thereof to any work or main of the Regional Corporation without the approval of the Regional Council. R.S.O. 1970, c. 408, s. 40.

40. If the council of an area municipality considers itself aggrieved by the refusal of the Regional Corporation or the Regional Council,

(a) to assume as a regional work any local work;

(b) to construct any extension of the regional distribution system;

(c) to maintain or increase the supply of water to the area municipality;

(d) to approve the construction or extension of any local water distribution works by the area municipality; or

(e) to permit the connection or the continuance of a connection to the regional system,

the council may appeal to the Municipal Board which may make such order as it considers advisable in the matter, and the decision of the Municipal Board is final. R.S.O. 1970, c. 408, s. 41.
41.—(1) All rates and charges against an area municipality or local board thereof imposed under the authority of this Part are a debt of the area municipality to the Regional Corporation, and the treasurer of every area municipality shall pay the same to the financial officer of the Regional Corporation at the times and in the amounts specified by by-law of the Regional Council. R.S.O. 1970, c. 408, s. 42 (1).

(2) The Regional Corporation may by by-law provide for uniform rates of discount for prompt payment of charges for water supplied to the area municipalities and may by by-law provide for the payment of interest in the event of default at a rate of 15 per cent per annum, or such lower rate as the Regional Council determines, while such default continues. 1979, c. 81, s. 35.

42. The Regional Corporation has, in respect of all works and trunk distribution mains assumed as part of the regional waterworks system, all the rights, powers, benefits and advantages conferred either by by-law or contract or otherwise upon the area municipality or area municipalities or their local boards with respect to such works or mains before they were assumed by the Regional Corporation, and the Regional Corporation may sue upon such rights or under such by-laws or agreements in the same manner and to the same extent as the area municipality or municipalities or local board or boards might have done if such works or mains had not been assumed. R.S.O. 1970, c. 408, s. 43.

43. Any person authorized by the Regional Council has free access from time to time, upon reasonable notice given and request made, to all works for the distribution of water within an area municipality and to all lands, buildings and premises used in connection therewith and the right upon the like notice and request to inspect and copy all plans, records and specifications and other information relating to the construction, extension or maintenance of such local works. R.S.O. 1970, c. 408, s. 44.

44. Where a distribution main has been assumed by the Regional Corporation under section 27 and, in the opinion of the Regional Council, is no longer required for the purposes of the regional waterworks system but is, in the opinion of the council of the area municipality in which it is situate, required as a local distribution main by the area municipality, the Regional Council shall by by-law remove the main from the regional waterworks system and transfer it and all rights and obligations relating thereto to the area municipality. R.S.O. 1970, c. 408, s. 45.

45. The works and mains assumed by the Regional Corporation under section 27, together with any extensions or
additions thereto constructed by the Regional Corporation, may be used by the Regional Corporation for the purpose of supplying and distributing water to any or all of the area municipalities and, subject to subsection 34 (2), to any local, regional or metropolitan municipality outside the Regional Area. R.S.O. 1970, c. 408, s. 46.

PART IV
REGIONAL SEWAGE WORKS

46.—(1) In this Part,

(a) "capital improvement" means an addition to or an extension, enlargement, alteration, replacement or other improvement of a work of such nature or character that it is usually and properly accounted for as a capital asset;

(b) "land drainage" means storm, surface, overflow, subsurface or seepage waters or other drainage from land, but does not include sewage;

(c) "sewage" means domestic sewage or industrial wastes, or both;

(d) "sewage works" means an integral system consisting of a sewer or sewer system and treatment works;

(e) "sewer" means a public sewer for common usage for the purpose of carrying away sewage or land drainage, or both;

(f) "sewer system" means a system of two or more interconnected sewers having one or more common discharge outlets and includes pumping plant, force mains, siphons and other like work;

(g) "treatment works" means buildings, structures, plant, machinery, equipment, devices, intakes and outfalls or outlets and other works designed for the treating of sewage or land drainage, or both, and includes the collecting, dispersing and disposing of sewage or land drainage as incidental thereto and land appropriated for such purposes and uses;

(h) "work" means a sewer, sewer system, sewage works or treatment works, or a capital improvement of any of them.
(2) For the purpose of this Part, a sewer, sewer system or sewage works, whether existing or proposed, shall be deemed to be a trunk sewer, trunk sewer system or trunk sewage works, if so declared by by-law of the Regional Council. R.S.O. 1970, c. 408, s. 47.

47.—(1) For the purpose of collecting or receiving from the area municipalities, or any of them, sewage and land drainage and the treatment or disposal thereof, the Regional Corporation has all the powers conferred by any general Act upon a municipal corporation and by any special Act upon any local municipality or local board thereof within the Regional Area. R.S.O. 1970, c. 408, s. 48 (1).

(2) Notwithstanding any general or special Act, the Municipal Board may hear and determine any application by the Regional Corporation for the approval of any undertaking, work, project or scheme relating to the collection and disposal of sewage without having regard to the methods by which the Regional Corporation intends to recover the costs of the undertaking, work, project or scheme for which approval is being sought.

(3) Where application is made to the Municipal Board for its approval to the method of recovering the cost of an undertaking, work, project or scheme approved by the Board under subsection (2) and the Board does not approve the application or approves it in part only, the Board may direct the method by which the cost, or the portion of the cost in respect of which the application is not approved, shall be recovered. 1974, c. 117, s. 15.

(4) The Regional Corporation shall not entrust the construction or the control and management of the regional sewage works to a public utilities commission. R.S.O. 1970, c. 408, s. 48 (2).

48. The Regional Council may pass by-laws for constructing, maintaining, improving, repairing, widening, altering, diverting and stopping up trunk sewers, trunk sewer systems, trunk sewage works, treatment works and watercourses. R.S.O. 1970, c. 408, s. 49.

49.—(1) The Regional Council shall, before the 31st day of December, 1970, pass by-laws which shall be effective on the 1st day of January, 1971, assuming as regional sewage works all treatment works operated by or on behalf of each area municipality or any local board thereof and all rights and obligations of an area municipality or local board in relation to such works, and on the day any such by-law becomes effective all the real and personal property in relation to the works designated therein vests in the Regional Corporation.
(2) The Regional Council may at any time pass by-laws for assuming any trunk sewer, trunk sewer system, or watercourse vested in any area municipality or local board thereof, but no such by-law becomes effective before the 1st day of January, 1971.

(3) A by-law under subsection (1) or (2) shall designate and describe the works assumed.

(4) Notwithstanding subsection (1), a by-law for assuming any specific treatment works may, with the approval of the Municipal Board, be passed after the 31st day of December, 1970, and in that case the by-law becomes effective on the date provided therein.

(5) Where the Regional Corporation assumes a work or watercourse vested in an area municipality or local board,

(a) no compensation or damages shall be payable to the area municipality or local board;

(b) the Regional Corporation shall thereafter pay to the area municipality before the due date all amounts of principal and interest becoming due upon any outstanding debt of the area municipality in respect of such work or watercourse, but nothing in this clause requires the Regional Corporation to pay that portion of the amounts of principal and interest that under the Local Improvement Act is payable as the owners' share of a local improvement work. R.S.O. 1970, c. 408, s. 50 (1-5).

(6) If the Regional Corporation fails to make any payment on or before the due date required by clause (5)(b), the area municipality may charge the Regional Corporation interest at the rate of 15 per cent per annum, or such lower rate as the council of the area municipality determines, from such date until payment is made. 1979, c. 81, s. 36.

(7) In the event of any doubt as to whether any outstanding debt or portion thereof is a debt in respect of the work or watercourse assumed, the Municipal Board, upon application, may determine the matter and its decision is final. R.S.O. 1970, c. 408, s. 50 (7).

50.—(1) Where any local municipality or a local board thereof within the Regional Area has agreed with any other municipality to receive sewage or land drainage from that other municipality, and the works or watercourses used or required in carrying out such agreement are assumed by the Regional Corporation, the Regional Corporation becomes liable to receive such sewage or land drainage in accordance with the agreement, and the area municipality or local board that
would otherwise be bound by the agreement is relieved of all liability thereunder.

(2) Where any local municipality or a local board thereof within the Regional Area has agreed with any person other than a municipality to receive sewage or land drainage and the works or watercourses used or required in carrying out such agreement are assumed by the Regional Corporation, the Regional Corporation becomes liable to receive such sewage or land drainage in accordance with the agreement and the area municipality or local board that would otherwise be bound by the agreement is relieved of all liability thereunder.

(3) Notwithstanding subsections (1) and (2) and notwithstanding anything in any such agreement, the Municipal Board, upon the application of the Regional Council or of the council of any area municipality or of any person concerned, may by order terminate any such agreement and adjust all rights and liabilities thereunder. R.S.O. 1970, c. 408, s. 51.

51.—(1) Where all the treatment works of an area municipality or any local board thereof are assumed by the Regional Corporation, the area municipality shall not thereafter establish, maintain or operate treatment works without the approval of the Regional Council.

(2) No area municipality shall establish or enlarge any treatment works after the 31st day of December, 1970, without the approval of the Regional Council. R.S.O. 1970, c. 408, s. 52.

52.—(1) The Regional Council may pass by-laws for the maintenance and management of its sewers, sewer system, sewage works, treatment works and watercourses and regulating the manner, extent and nature of the reception and disposal of sewage and land drainage from the area municipalities and every other matter or thing related to or connected therewith that it may be necessary and proper to regulate in order to secure to the inhabitants of the Regional Area an adequate system of sewage and land drainage disposal. R.S.O. 1970, c. 408, s. 53.

(2) The Regional Council has all the authority and powers in respect of any sewers which mediately or immediately enter into sewers or treatment works under the jurisdiction of the Regional Corporation as have councils of local municipalities under paragraph 147 of section 210 of the Municipal Act.

(3) In the event of conflict between a by-law passed under subsection (2) by the Regional Council and a by-law passed by the council of an area municipality under paragraph 147 of section 210 of the Municipal Act, the by-law passed by the Regional Council
prevails to the extent of such conflict, but in all other aspects the by-law of the area municipality remains in full effect and force. 1979, c. 81, s. 37.

53.—(1) Where in the opinion of the Regional Council an area municipality or a portion thereof will or may derive a special benefit from the assumption or construction and operation of a work or watercourse, the Regional Council may, with the approval of the Municipal Board, at the time of authorizing the construction, extension or improvement of the work and at any time in respect of the assumption of the work by by-law provide that the area municipality shall be chargeable with and shall pay to the Regional Corporation the whole or such portion of the capital cost thereof as the by-law specifies, and such by-law is binding on the area municipality. R.S.O. 1970, c. 408, s. 54 (1); 1972, c. 78, s. 7.

(2) When an area municipality receives a special benefit by the extension or improvement of a work and the capital cost of the work has already been apportioned by by-law, the Regional Council may with the approval of the Municipal Board repeal or amend any such by-law and reapportion the capital cost of such work among all the area municipalities which receive a special benefit therefrom.

(3) Where any debt is incurred for the cost of the work, the area municipality chargeable under the by-law shall make payments to the Regional Corporation with respect to such debt proportionate to its share of the capital cost as set out in the by-law in the same manner as if the debt for such share had been incurred by the Regional Corporation for the purposes of the area municipality.

(4) The area municipality may pay the amounts chargeable to it under this section out of its general funds or, subject to the approval of the Municipal Board, may pass by-laws under section 218 of the Municipal Act for imposing sewer rates to recover the whole or part of the amount chargeable to the area municipality in the same manner as if the work had been constructed, extended or improved by the area municipality notwithstanding that in the by-law authorizing the work there was no provision for imposing, with the approval of the Municipal Board, upon owners or occupants of land who derive or will or may derive a benefit from the work a sewer rate sufficient to pay for the whole or a portion or percentage of the capital cost of the work. R.S.O. 1970, c. 408, s. 54 (2-4).

54.—(1) No municipality or person shall connect any local work, local watercourse, private drain or private sewer to a regional work or watercourse without the approval of the Regional Council. R.S.O. 1970, c. 408, s. 55 (1).
(2) The Regional Corporation and any local, regional or metropolitan municipality outside the Regional Area may enter into a contract to receive and dispose of sewage and land drainage from the local, regional or metropolitan municipality or from the Regional Area on such terms and conditions as may be agreed upon for any period not exceeding twenty years, and may renew such contract from time to time for further periods not exceeding twenty years at any one time.

(3) Subject to the approval of the Regional Council, an area municipality and any local, regional or metropolitan municipality outside the Regional Area may enter into a contract to receive and dispose of land drainage from the local, regional or metropolitan municipality or from the area municipality on such terms and conditions as may be agreed upon for any period not exceeding twenty years, and may renew such contract from time to time for further periods not exceeding twenty years at any one time. 1978, c. 33, s. 36.

(4) Any engineer or other officer of the Regional Corporation has power to inspect the plans and specifications of any work referred to in subsection (1) and to inspect the work during its construction and before it is connected with the regional work or watercourse. R.S.O. 1970, c. 408, s. 55 (3).

55.—(1) The Regional Council may pass by-laws establishing standards for and regulating and governing the design, construction and maintenance of local works connected or to be connected to a regional work or watercourse, and every area municipality and local board shall conform to such by-laws.

(2) No area municipality or local board thereof shall enlarge, extend or alter any local work or watercourse that discharges into a regional work or watercourse without the approval of the Regional Council. R.S.O. 1970, c. 408, s. 56.

56. If the council of an area municipality considers itself aggrieved by the refusal of the Regional Corporation or the Regional Council,

(a) to assume as a regional work any local work;

(b) to construct, extend or improve any regional work;

(c) to receive any required volume of sewage or land drainage from the area municipality;

(d) to approve the construction, alteration, improvement or extension of a local work; or

(e) to permit a connection or the continuance of a connection to any regional work,
the council may appeal to the Municipal Board, which may make such order as it considers advisable in the matter, and the decision of the Municipal Board is final. R.S.O. 1970, c. 408, s. 57.

57.—(1) The Regional Council may pass by-laws providing for the imposing on and collecting from any area municipality, in respect of the whole or any designated part or parts thereof from which sewage and land drainage is received, a sewage service rate or rates sufficient to pay such portion as the by-law may specify of the annual cost of maintenance and operation of any regional work or works.

(2) All such charges constitute a debt of the area municipality to the Regional Corporation and shall be payable at such times and in such amounts as may be specified by by-law of the Regional Council.

(3) The area municipality may pay the amounts chargeable to it under any such by-law out of its general funds or may pass by-laws under section 218 of the Municipal Act for imposing sewage service rates to recover the whole or part of the amount chargeable to the area municipality. R.S.O. 1970, c. 408, s. 58.

58. The Regional Council may contribute towards the cost to any area municipality of the separation of sanitary and storm sewers in an area municipality such amounts as it considers proper, not exceeding 25 per cent of the total cost thereof to the area municipality. R.S.O. 1970, c. 408, s. 59.

59. The Regional Corporation has, in respect of all works assumed, all the rights, powers, benefits and advantages conferred either by by-law or contract or otherwise upon the area municipality or area municipalities or their local boards with respect to such works before they were assumed by the Regional Corporation and the Regional Corporation may sue upon such rights or under such by-laws or agreements in the same manner and to the same extent as the area municipality or municipalities or local board or boards might have done if such works had not been assumed. R.S.O. 1970, c. 408, s. 60.

60. Any person authorized by the Regional Council has free access from time to time, upon reasonable notice given and request made, to all works within an area municipality and to all lands, buildings and premises used in connection therewith and the right, upon the like notice and request, to inspect and copy all plans, records and specifications and other information relating to the construction, extension or maintenance of such local works. R.S.O. 1970, c. 408, s. 61.
Use of regional works

61. Any works assumed by the Regional Corporation under section 49, together with any extensions or additions thereto constructed by the Regional Corporation, may be used by the Regional Corporation for the purpose of receiving and disposing of sewage and land drainage from any or all of the area municipalities and, subject to subsection 54 (2), from any local, regional or metropolitan municipality outside the Regional Area. R.S.O. 1970, c. 408, s. 62.

PART V
REGIONAL ROAD SYSTEM

Interpretation

62. In this Part,

(a) "approved" means approved by the Minister or of a type approved by the Minister;
(b) "construction" includes reconstruction;
(c) "maintenance" includes repair;
(d) "Minister" means the Minister of Transportation and Communications;
(e) "Ministry" means the Ministry of Transportation and Communications;
(f) "road authority" means a body having jurisdiction and control of a highway. R.S.O. 1970, c. 408, s. 63; 1972, c. 1, s. 100 (2).

63.—(1) On and after the 1st day of January, 1971, all roads under the jurisdiction and control of the County of York on the 31st day of December, 1970, shall constitute the regional road system.

(2) The Regional Council may by by-law from time to time add roads to or remove roads from the regional road system, including such boundary line roads or portions thereof between the Regional Area and an adjoining municipality, including a metropolitan or other regional municipality, as may be agreed upon between the Regional Council and the council of such municipality. R.S.O. 1970, c. 408, s. 64 (1, 2).

(3) The Lieutenant Governor in Council may transfer any highway under the jurisdiction and control of the Ministry within the Regional Area to the Regional Corporation and the highway shall for all purposes be deemed to be part of the regional road system on such date as is designated by the Lieutenant Governor in Council and to have been transferred
under section 29 of the *Public Transportation and Highway Improvement Act*. R.S.O. 1970, c. 408, s. 64 (3); 1971, c. 61, s. 1; 1972, c. 1, s. 1.

(4) While a road or a part thereof forms part of the regional road system, jurisdiction and control and the soil and freehold of such road or part is vested in the Regional Corporation.

(5) The Lieutenant Governor in Council may remove any road from the regional road system.

(6) Where a road or part thereof is removed from the regional system, except by reason of it being stopped-up under section 74, such road or part is thereupon transferred to and jurisdiction and control and the soil and freehold thereof is thereupon vested in the area municipality in which it is situate, and the area municipality may sue upon any rights or under any agreements or by-laws in the same manner and to the same extent as the Regional Corporation in respect of such road. R.S.O. 1970, c. 408, s. 64 (4-6).

(7) The Regional Council shall, from time to time, pass a by-law consolidating all by-laws relating to the regional road system. 1980, c. 33, s. 7.

(8) Every by-law passed under this section shall be submitted to the Minister for approval by the Lieutenant Governor in Council, and the Lieutenant Governor in Council may approve the by-law in whole or in part and, where the by-law is approved in part only, it shall be in force and take effect only so far as approved, but it shall not be necessary for the Regional Council to pass any further by-law amending the original by-law or repealing any part thereof that has not been approved, and every such by-law as approved is in force and has effect after the day named by the Lieutenant Governor in Council.

(9) The *Regulations Act* does not apply to an order in council made under this section. R.S.O. 1970, c. 408, s. 64 (8, 9).

64. The Regional Council shall adopt a plan of road construction and maintenance, and from time to time thereafter shall adopt such other plans as may be necessary. R.S.O. 1970, c. 408, s. 65 (1).

65. Where the Regional Corporation proposes the construction, improvement or alteration of a regional road it shall furnish the Minister with such detailed information as he may require. R.S.O. 1970, c. 408, s. 66.

66. Where a contribution has been made from any source whatsoever towards an expenditure made under the provisions of
section 89 of the *Public Transportation and Highway Improvement Act*, the amount of such contribution shall be deducted from the expenditure in the statement submitted to the Minister under that Act unless the Minister otherwise directs. R.S.O. 1970, c. 408, s. 67 (1), revised.

67. The roads forming part of the regional road system shall be maintained and kept in repair by the Regional Corporation, and in all cases the Minister shall determine the amount of the expenditure that is properly chargeable to road improvement, and his decision is final. R.S.O. 1970, c. 408, s. 68.

68. The Regional Corporation has, in respect of the roads included in the regional road system, all the rights, powers, benefits and advantages conferred, and is subject to all liabilities imposed, either by statute, by-law, contract or otherwise upon The Corporation of the County of York or the corporation of the area municipality or the corporations of two or more area municipalities or the corporation of any roads commission which had jurisdiction over the roads before they were assumed by the Regional Corporation, and the Regional Corporation may sue upon such rights or under such agreements or by-laws in the same manner and to the same extent as the County of York or the area municipality or municipalities or roads commission, as the case may be, might have done if the roads had not become part of the regional road system. R.S.O. 1970, c. 408, s. 69.

69.—(1) The Regional Corporation is not by reason of a road forming part of the regional road system under this Act liable for the construction or maintenance of sidewalks on any regional road or portion thereof, but the area municipality in which such sidewalks are located continues to be liable for the maintenance of such sidewalks and is responsible for any injury or damage arising from the construction or presence of the sidewalks on such road or portion thereof to the same extent and subject to the same limitations to which an area municipality is liable under section 284 of the *Municipal Act* in respect of a sidewalk on a road over which a council has jurisdiction. R.S.O. 1970, c. 408, s. 70 (1).

(2) An area municipality may construct a sidewalk, storm sewer or other improvement or service on a regional road and the Regional Corporation may contribute to the cost of such sidewalk, storm sewer, improvement or service, but no such work shall be undertaken by an area municipality without first obtaining the approval of the Regional Council expressed by resolution. R.S.O. 1970, c. 408, s. 70 (2); 1972, c. 78, s. 8.
(3) The cost of any such sidewalk, storm sewer, improvement or service constructed on a regional road may be met out of the general funds of the area municipality or the work may be undertaken in whole or in part as a local improvement under the Local Improvement Act.

(4) An area municipality when constructing such a sidewalk, storm sewer, improvement or service on a regional road shall conform to any requirements or conditions imposed by the Regional Council and is responsible for any injury or damage arising from the construction or presence of the sidewalk, improvement or service on the road. R.S.O. 1970, c. 408, s. 70 (3, 4).

(5) Subsection 106 (4) of the Public Transportation and Highway Improvement Act does not apply to a sidewalk constructed on a regional road by the council of a township. R.S.O. 1970, c. 408, s. 70 (5); 1971, c. 61, s. 1.

70.—(1) The Regional Corporation may construct, install, maintain or remove any works on a highway, other than the King’s Highway, including traffic control devices, for the purpose of altering or regulating the flow of traffic upon, entering or leaving a regional road.

(2) The Regional Corporation may relocate, alter or divert any public road, other than a road under the jurisdiction and control of the Ministry, entering or touching upon or giving access to a regional road.

(3) Where, in relocating, altering or diverting a public road under subsection (2), the Regional Corporation constructs a new road in lieu of the public road, the Regional Corporation may close the public road at the point of intersection with the regional road and may vest the new road and the soil and freehold and jurisdiction and control thereof in the area municipality in which it is situate.

(4) Where the Regional Corporation constructs a sidewalk, storm sewer, improvement or service on a road under the jurisdiction and control of an area municipality, the area municipality may contribute to the cost of such sidewalk, storm sewer, improvement or service and the work may be undertaken in whole or in part under the Local Improvement Act. R.S.O. 1970, c. 408, s. 71; 1972, c. 1, s. 1.

71. Where a regional road intersects a road that is under the jurisdiction and control of an area municipality, the continuation of the regional road to its full width across the
road intersected is a part of the regional road system. R.S.O. 1970, c. 408, s. 72.

72. When land abutting on a regional road is dedicated for highway purposes for, or apparently for, the widening of the regional road, the land so dedicated is part of the regional road and the jurisdiction and control and the soil and freehold thereof is vested in the Regional Corporation subject to any rights in the soil reserved by the person who dedicated the land. R.S.O. 1970, c. 408, s. 73.

73. The Regional Council may pass by-laws for establishing and laying out new roads and for adding such new roads to the regional road system and the provisions of the Municipal Act with respect to the establishment and laying out of highways by municipalities apply with necessary modifications. R.S.O. 1970, c. 408, s. 74.

74. With respect to the regional roads and the regulation of traffic thereon, the Regional Corporation has all the powers conferred, and is subject to all the liabilities imposed, upon the council or corporation of a city under the Municipal Act, the Highway Traffic Act and any other Act with respect to highways. R.S.O. 1970, c. 408, s. 75.

75.—(1) The Regional Council may, with respect to a regional road, by by-law prohibit or regulate the placing or erecting of,

(a) any gasoline pump within forty-five metres of any limit of a regional road; and

(b) any sign, notice or advertising device within 400 metres of any limit of a regional road. R.S.O. 1970, c. 408, s. 76 (1); 1978, c. 87, s. 56 (1).

(2) A by-law passed under this section may provide for the issuing of permits for the placing or erecting of any gasoline pump, sign, notice or advertising device and may prescribe the form, terms and conditions thereof and the fees to be paid therefor. R.S.O. 1970, c. 408, s. 76 (2).

76.—(1) No by-law passed by an area municipality for the regulation of traffic on a highway under the jurisdiction and control of the area municipality, except a by-law for the regulation of parking, shall come into force unless it has been approved by the Regional Council. R.S.O. 1970, c. 408, s. 77 (1); 1976, c. 43, s. 30 (1).

(2) A by-law submitted for approval of the Regional Council in compliance with subsection (1) may be approved
in whole or in part and, where part of a by-law is approved only, that part only shall become operative.

(3) The Regional Council may withdraw its approval to any by-law or any part thereof by notice sent by registered mail to the clerk of the area municipality and such by-law or part thereof shall be deemed to be repealed twenty-one days after the sending of the notice. 1976, c. 43, s. 30 (2).

(4) All signal-light traffic control devices heretofore or hereafter erected on a highway under the jurisdiction and control of an area municipality shall be operated, or erected and operated, in the manner prescribed by by-law of the Regional Council, and the Regional Council may delegate any of its powers in respect of the operation of such devices to an officer of the Regional Corporation designated in the by-law.

(5) The Regional Corporation may contribute towards the cost of the erection of signal-light traffic control devices erected by an area municipality. R.S.O. 1970, c. 408, s. 77 (2, 3).

(6) Subject to the Highway Traffic Act, the Regional Council may pass by-laws to regulate traffic on any highway under the jurisdiction and control of an area municipality for a distance of thirty metres on either side of the limit of a regional road and, where there is any conflict between such a by-law and a by-law of an area municipality, the by-law passed under this subsection prevails to the extent of such conflict. R.S.O. 1970, c. 408, s. 77 (4); 1978, c. 87, s. 56 (2).

77. The Regional Council may by-law authorize agreements between the Regional Corporation and the owners or lessees of land abutting on a regional road for the construction, maintenance and use of walks for pedestrians over, across or under the road upon such terms and conditions as may be agreed and for contributing to the whole or any part of the cost thereof, and for leasing or licensing the use of untravelled portions of such regional road within those portions of an area municipality in which land may be used for commercial or industrial purposes, for such considerations and upon such terms and conditions as may be agreed. R.S.O. 1970, c. 408, s. 78.

78.—(1) Sections 292 and 294 of the Municipal Act do not apply to a bridge or highway crossing or forming a boundary between the Regional Area and an adjoining municipality, including a metropolitan or other regional municipality, where such bridge or highway is included in the regional road system and in the road system of such municipality.
(2) When there is a difference between the Regional Council and the council of a municipality, including a metropolitan or other regional municipality, in respect of any such bridge or highway as to the corporation upon which the obligation rests for the constructing or maintaining of the bridge or highway, or as to the proportions in which the corporations should respectively contribute thereto, or where the Regional Council and the council of such municipality are unable to agree as to any action, matter or thing to be taken or done in respect of such bridge or highway, every such difference shall be determined by the Municipal Board upon an application by the Regional Corporation or the corporation of such municipality.

(3) The Municipal Board shall appoint a day for the hearing of the application, of which ten days notice in writing shall be given to the clerk of each municipality, including a metropolitan or other regional municipality, and, in the case of the Regional Corporation, the officer appointed under section 17, and shall, at the time and place appointed, hear and determine all matters in difference between the municipalities in regard to such bridge or highway, and the Municipal Board may make such order in regard to the same as it may consider just and proper, and may by the order fix and determine the amount or proportion that each municipality shall pay or contribute towards the building and maintaining of such bridge or highway.

(4) An order made by the Municipal Board under this section is binding upon the municipalities for such period as the Municipal Board may determine, and is final and conclusive. R.S.O. 1970, c. 408, s. 79.

79. Clause 261 (1) (b) of the Municipal Act does not apply to a bridge over a river, stream, pond or lake forming or crossing a boundary line between area municipalities, and the councils of the area municipalities on either side of such boundary line have joint jurisdiction over every such bridge that is not included in the regional road system. R.S.O. 1970, c. 408, s. 80.

80. Section 276 of the Municipal Act does not apply to a bridge over a river, stream, pond or lake forming or crossing a boundary line between the Regional Area and an adjoining municipality, and the councils of the area municipality and such adjoining municipality on either side of such boundary line have joint jurisdiction over every such bridge that is not included in the regional road system. R.S.O. 1970, c. 408, s. 81.
81.—(1) The Regional Council has, with respect to all land lying within a distance of 45 metres from any limit of a regional road, all the powers conferred on the council of a local municipality by section 39 of the Planning Act. R.S.O. 1970, c. 408, s. 81 (1); 1979, c. 81, s. 38.

(2) In the event of conflict between a by-law passed under subsection (1) by the Regional Council and a by-law passed under section 39 of the Planning Act or a predecessor of such section by the council of a local municipality that is in force in the area municipality in which the land is situate, the by-law passed by the Regional Council prevails to the extent of such conflict. R.S.O. 1970, c. 408, s. 82 (2).

82.—(1) The Regional Council may by by-law designate any road in the regional road system, or any portion thereof, as a controlled-access road.

(2) Subject to the approval of the Municipal Board, the Regional Council may by by-law close any municipal road that intersects or runs into a regional controlled-access road.

(3) The Municipal Board may direct that notice of any application for approval of the closing of a road under this section shall be given at such time, in such manner and to such persons as the Municipal Board may determine, and may further direct that particulars of objections to the closing shall be filed with the Municipal Board and the Regional Corporation within such time as the Municipal Board shall direct.

(4) Upon the hearing of the application for approval of the closing of a road, the Municipal Board may make such order as it considers proper refusing its approval or granting its approval upon such terms and conditions as it considers proper, and any order of the Municipal Board approving of the closing of a road may contain provisions,

(a) determining the portion or portions of the road that shall be closed;

(b) providing for the payment of the costs of any person appearing on such application and fixing the amount of such costs; and

(c) providing for the doing of such other acts as in the circumstances it considers proper.

(5) Upon the approval of the Municipal Board being so obtained but subject to the provisions of the order of the
Municipal Board made on the application for such approval, the Regional Corporation may do all such acts as may be necessary to close the road in respect of which the application is made.

(6) Where, at any time after making application for the approval of the Municipal Board of the closing of a road, the Regional Corporation discontinues its application or, having obtained such approval, does not proceed with the closing of the road, the Municipal Board may, upon the application of any person whose land would be injuriously affected by the closing of the road and who has appeared upon such application for approval, make such order as to costs against the Regional Corporation as it considers proper and may fix the amount of such costs.

(7) Any person who claims to be injuriously affected by the closing of a road may, by leave of the Divisional Court, appeal to that court from any order of the Municipal Board approving the closing of such road, and the Regional Corporation may, upon like leave, appeal from any order of the Municipal Board made on an application under this section.

(8) The leave may be granted on such terms as to the giving of security for costs and otherwise as the court may consider just.

(9) The practice and procedure as to the appeal and matters incidental thereto shall be in accordance with the rules of court, and the decision of the Divisional Court is final.

(10) Section 95 of the Ontario Municipal Board Act does not apply to an appeal under this section. R.S.O. 1970, c. 408, s. 83.

83.—(1) The Regional Council may pass by-laws prohibiting or regulating the construction or use of any private road, entranceway, structure or facility as a means of access to a regional controlled-access road.

(2) The Regional Corporation may give notice to the owner of any land requiring him to close up any private road, entranceway, structure or facility constructed or used as a means of access to a regional controlled-access road in contravention of a by-law passed under subsection (1).

(3) Every notice given under subsection (2) shall be in writing and shall be served personally or by registered mail, and in the case of service by registered mail shall be deemed to have been received on the fifth day following the mailing thereof.
(4) Where the person to whom notice is given under subsection (2) fails to comply with the notice within thirty days after its receipt, the Regional Council may by resolution direct any officer, employee or agent of the Regional Corporation to enter upon the land of such person and do or cause to be done whatever may be necessary to close up the private road, entranceway, structure or facility as required by the notice.

(5) Every person who fails to comply with a notice given under subsection (2) is guilty of an offence and on conviction is liable to a fine of not less than $10 and not more than $100 for a first offence and to a fine of not less than $50 and not more than $500 for a second or subsequent offence.

(6) Where a notice given under subsection (2) has been complied with, no compensation is payable to the owner of the land unless the private road, entranceway, structure or facility constructed or used as a means of access to a controlled-access road designated under subsection 82 (1) was constructed or used, as the case may be,

(a) before the day on which the by-law designating the road as a controlled-access road became effective; or

(b) in compliance with a by-law passed under subsection (1), in which case the making of compensation is subject to any provisions of such by-law. R.S.O. 1970, c. 408, s. 84.

84.—(1) Where the Regional Corporation adds to the regional road system any road in an area municipality, no compensation or damages shall be payable to the area municipality in which it was vested.

(2) Where a road has been added to the regional road system by a by-law passed under subsection 63 (2), the Regional Corporation shall thereafter pay to the area municipality before the due date all amounts of principal and interest becoming due upon any outstanding debt of the area municipality in respect of such road, but nothing in this subsection requires the Regional Corporation to pay that portion of the amounts of principal and interest that under the Local Improvement Act is payable as the owners' share of a local improvement work. R.S.O. 1970, c. 408, s. 85 (1, 2).

(3) If the Regional Corporation fails to make any payment on or before the due date required by subsection (2), the area municipality may charge the Regional Corporation interest at the rate of 15 per cent per annum, or such lower rate as the council of the area
municipality determines, from such date until payment is made. 1979, c. 81, s. 39.

(4) In the event of any doubt as to whether any outstanding debt or portion thereof is a debt in respect of the road added to the regional road system, the Municipal Board, upon application, may determine the matter and its decision is final. R.S.O. 1970, c. 408, s. 85 (4).

85.—(1) Where an area municipality intends to stop up a highway or part of a highway, it shall so notify by registered mail the officer appointed under section 17.

(2) If the Regional Council objects to such stopping up, it shall so notify the council of the area municipality by registered mail within sixty days of the receipt of the notice under subsection (1) and the highway or part thereof concerned shall not be stopped up except by agreement between the area municipality and the Regional Council and failing agreement the Municipal Board, upon application, may determine the matter and its decision is final. R.S.O. 1970, c. 408, s. 86.

(3) No area municipality shall open up, establish or assume for public use any highway which intersects with or enters upon any highway in the regional road system, without the prior written approval of the Regional Corporation. 1973, c. 156, s. 3.

86. Sections 101, 103, 105, 108 and 111 of the Public Transportation and Highway Improvement Act apply with necessary modifications with respect to any regional road. R.S.O. 1970, c. 408, s. 88; 1971, c. 61, s. 1.

PART VI

MUNICIPAL HYDRO-ELECTRIC SERVICE

87. In this Part,

(a) “accumulated net retail equity” means the portion of equity accumulated through debt retirement appropriations recorded for the Rural Power District relating to Ontario Hydro’s rural retail system plus the portion of the balance recorded for customers in the Stabilization of Rates and Contingencies Account, in the books of Ontario Hydro;

(b) “hydro-electric commission” means a hydro-electric commission or public utilities commission entrusted
with the control and management of works for the retail distribution and supply of power in the Regional Area immediately before the 20th day of June, 1978 and established or deemed to be established under Part III of the Public Utilities Act;

R.S.O. 1980, c. 423

(c) "power" means electrical power and includes electrical energy;

(d) "regulations" means the regulations made under this Part;

(e) "retail", when used in relation to the distribution and supply of power, refers to the distribution and supply of power at voltages less than 50 kilovolts but does not refer to works located within a transformer station that transform power from voltages greater than 50 kilovolts to voltages less than 50 kilovolts. 1978, c. 31, s. 1, revised.

88.—(1) The hydro-electric commission for each of the Town of Aurora, the Town of Markham, the Town of Newmarket, the Town of Richmond Hill, the Town of Vaughan, the Town of Whitchurch-Stouffville, the Township of Georgina and the Township of King established by The York Municipal Hydro-Electric Service Act, 1978, is continued and each commission shall be deemed to be a commission established under Part III of the Public Utilities Act and a municipal commission within the meaning of the Power Corporation Act.

R.S.O. 1980, cc. 423, 384

(2) The commission for the Town of Aurora shall be known as the Aurora Hydro-Electric Commission and shall consist of the mayor of the Town of Aurora and two additional members who are qualified electors under the Municipal Elections Act in the Town of Aurora.

Composition, Aurora Hydro-Electric Commission

R.S.O. 1980, c. 308

(3) The commission for the Town of Markham shall be known as the Markham Hydro-Electric Commission and shall consist of the mayor of the Town of Markham and four additional members who are qualified electors under the Municipal Elections Act in the Town of Markham.

Composition, Markham Hydro-Electric Commission

(4) The commission for the Town of Newmarket shall be known as the Newmarket Hydro-Electric Commission and shall consist of the mayor of the Town of Newmarket and four additional members who are qualified electors under the Municipal Elections Act in the Town of Newmarket.

Composition, Newmarket Hydro-Electric Commission

(5) The commission for the Town of Richmond Hill shall be known as the Richmond Hill Hydro-Electric Commission and
shall consist of the mayor of the Town of Richmond Hill and four additional members who are qualified electors under the *Municipal Elections Act* in the Town of Richmond Hill.

(6) The commission for the Town of Vaughan shall be known as the Vaughan Hydro-Electric Commission and shall consist of the mayor of the Town of Vaughan and four additional members who are qualified electors under the *Municipal Elections Act* in the Town of Vaughan.

(7) The commission for the Town of Whitchurch-Stouffville shall be known as the Whitchurch-Stouffville Hydro-Electric Commission and shall consist of the mayor of the Town of Whitchurch-Stouffville and two additional members who are qualified electors under the *Municipal Elections Act* in the Town of Whitchurch-Stouffville.

(8) The commission for the Township of Georgina shall be known as the Georgina Hydro-Electric Commission and shall consist of the mayor of the Township of Georgina and two additional members who are qualified electors under the *Municipal Elections Act* in the Township of Georgina.

(9) The commission for the Township of King shall be known as the King Hydro-Electric Commission and shall consist of the mayor of the Township of King and two additional members who are qualified electors under the *Municipal Elections Act* in the Township of King. 1978, c. 31, s. 2 (1-9).

(10) The additional members of each commission shall be elected by a general vote of the electors of the area municipality served by the commission, unless before the 1st day of July, 1980 the council of the area municipality provides by by-law that the additional members shall be appointed by the council. 1978, c. 31, s. 2 (15).

(11) Members of the council of the area municipality served by a commission may be members of the commission, but the members of the council shall not form a majority of the commission. 1979, c. 12, s. 1.

(12) A member of a commission shall hold office for the same term as the members of council or until his successor is elected or appointed.

(13) The council of an area municipality served by a commission may, by by-law passed with the written consent of the mayor, appoint a delegate from among the members of the council to represent the mayor on the commission. 1978, c. 31, s. 2 (16-18).
89.—(1) Notwithstanding subsection 90 (3), the council of an area municipality that is not served by a commission with the consent of Ontario Hydro, may establish by by-law a hydro-electric commission for the area municipality.

(2) The commission established under subsection (1) shall be deemed to be a commission established under Part III of the Public Utilities Act and a municipal commission within the meaning of the Power Corporation Act.

(3) The commission established under subsection (1) shall be known as the “Hydro-Electric Commission of ...............” and shall consist of the mayor of the area municipality and two additional members who shall be qualified electors under the Municipal Elections Act in the area municipality.

(4) The term of office of the members of the commission established under subsection (1) shall be the same as the term of office of the council of the area municipality.

(5) The first additional members of the commission shall be appointed by the council of the area municipality.

(6) For terms after the first term, the additional members of the commission shall be elected by a general vote of the electors of the area municipality unless, before the completion of the first term of office of the members of the commission, the council of the area municipality provides by by-law that the additional members shall be appointed by the council.

(7) Upon the establishment of the commission under subsection (1),

(a) subsections 88 (11), (12), (13), (14) and (15) shall apply, with necessary modifications, to the commission;

(b) subsections 90 (1), (2), (4), (5), (6), (9), (10) and (11) shall apply, with necessary modifications, to the commission, and, for the purpose,

(i) the date mentioned in subsections 90 (1), (2) and (6),

When area municipality to determine size of commission
Establishment of commission by by-law
Nature of commission
Establishment of commission
Term of office
First additional members
Subsequent additional members
Application of other sections of Act
(ii) the date mentioned in subsection 90 (9), and

(iii) the date mentioned in subsection 90 (11),

shall be deemed to be such dates as shall be specified in the by-law mentioned in subsection (1) of this section;

(c) sections 91, 92, 93 and 95 shall apply, with necessary modifications, to the commission; and

(d) the commission, for the purposes of clauses (a), (b) and (c), shall be deemed to be a commission continued under section 88. 1978, c. 31, s. 3.

90.—(1) Except as herein provided, all the powers, rights, authorities and privileges that are conferred by the Public Utilities Act on a municipal corporation with respect to power, shall, on and after the 1st day of January, 1979, be exercised on behalf of each of the municipalities of the Town of Aurora, the Town of Markham, the Town of Newmarket, the Town of Richmond Hill, the Town of Vaughan, the Town of Whitchurch-Stouffville, the Township of Georgina and the Township of King by the commission established in respect of the municipality and not by the council of any municipality or any other hydro-electric commission.

(2) Subject to subsections (3) and (5) and to any subsisting contracts for the supply of power to customers within the meaning of subsection 37 (1) of the Ontario Energy Board Act, on and after the 1st day of January, 1979, each commission has the sole right to distribute and supply power within the area municipality in respect of which it is established, and may contract with Ontario Hydro for the transmission and supply to the commission of power to be distributed and sold within the municipality without electoral assent or other approval or authorization and such a contract shall be deemed to be an agreement within the meaning of clause 149 (2) (s) of the Municipal Act.

(3) Notwithstanding subsection (2), but subject to subsections (12) and (13), Ontario Hydro shall continue to distribute and supply power in those areas of the Town of Whitchurch-Stouffville, the Town of East Gwillimbury, the Township of Georgina and the Township of King that it served immediately before the coming into force of this Act, and subsections (5), (10) and (11) do not apply.

(4) Except where inconsistent with the provisions of this Act, the provisions of the Power Corporation Act applicable to a municipal corporation that has entered into a contract with
Ontario Hydro for the distribution and supply of power to the municipal corporation apply to each of the commissions.

(5) With the consent of a commission, Ontario Hydro may distribute and supply power directly to customers within the municipality in respect of which the commission is established.

(6) On the 1st day of January, 1979, all assets under the control and management of and all liabilities of hydro-electric commissions distributing and selling power in the area municipalities, to the extent that they pertain to the distribution and supply of power in each area municipality, are, without compensation, assets under the control and management of and liabilities of the commission established in respect of the municipality.

(7) Notwithstanding subsection (6), the Richmond Hill Hydro-Electric Commission shall pay compensation to the Vaughan Hydro-Electric Commission for the assets pertaining to the retail distribution and supply of power in that portion of the Town of Richmond Hill supplied with power by the Hydro-Electric Commission of the Township of Vaughan immediately before the 20th day of June, 1978 and the amount of the compensation shall be equal to the original cost of the assets less the sum of,

(a) the accumulated depreciation associated with the assets;

(b) the equity in the Hydro-Electric Commission of the Township of Vaughan of the customers supplied with power through the assets; and

(c) any liabilities associated with the assets that are assumed by the Richmond Hill Hydro-Electric Commission.

(8) The equity referred to in clause (7) (b) shall be calculated so that the equity in the Hydro-Electric Commission of the Township of Vaughan of a customer in the Town of Vaughan is not altered by the transfer of the assets referred to in subsection (7).

(9) Such management and control of works for the distribution and supply of power within the municipalities of the Town of Aurora, the Town of Markham, the Town of Newmarket, the Town of Richmond Hill, the Town of Vaughan, the Town of Whitchurch-Stouffville, the Township of Georgina and the Township of King as are exercised by hydro-electric commissions and Ontario Hydro immediately before the 20th day of June, 1978 remain entrusted to them to and including the 31st day of December, 1978, but any of the assets,
powers and responsibilities of such commissions and Ontario Hydro pertaining to the distribution and supply of power in any of the municipalities may by agreement be transferred before that date to a commission established in respect of the municipality.

(10) Subject to subsections (3) and (5) and the regulations, and except as otherwise agreed between Ontario Hydro and the commission, each commission shall acquire, on behalf of the area municipality served by the commission, the assets and liabilities of Ontario Hydro pertaining to the retail distribution and supply of power within the municipality, including equipment leased by Ontario Hydro to retail customers within the municipality for the use of such power, and the commission shall pay to Ontario Hydro an amount equal to the original cost of the assets less the sum of,

(a) the accumulated net retail equity of the customers supplied with power through the assets; and

(b) the accumulated depreciation associated with the assets.

(11) If the amount payable under subsection (7) or (10) has not been determined before the 1st day of July, 1979, the amount shall be determined in accordance with subsections (7) and (8) or subsection (10), as the case requires, and in accordance with the regulations, by a board of arbitration, and,

(a) on or before the 1st day of August, 1979, each party to the arbitration shall appoint a person as a member of the board of arbitration and shall give notice to the other party of the name and address of the person;

(b) the two members of the board of arbitration, within ten days after the giving of the notice of appointment, shall appoint a third person to be chairman of the board of arbitration and the chairman shall give notice of his appointment to the parties;

(c) if a party fails to appoint a member to a board of arbitration pursuant to clause (a) or if the members do not appoint a chairman pursuant to clause (b), or in the event of the absence or inability to act or of a vacancy in the office of a member or the chairman of a board of arbitration, either party may apply on notice to the other party to the Divisional Court and the Court may appoint the member or chairman;
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(d) except as otherwise provided in this subsection, the Arbitrations Act applies to this subsection; and

(e) in this subsection, “parties” means,

(i) in the case of subsection (7), the Richmond Hill Hydro-Electric Commission and the Vaughan Hydro-Electric Commission, and

(ii) in the case of subsection (10), Ontario Hydro and, in each case, the commission continued under section 88.

(12) The council of the Town of Whitchurch-Stouffville, the Township of Georgina or the Township of King, with the consent of Ontario Hydro and without the assent of the municipal electors, by by-law,

(a) may direct the commission established in respect of the municipality to commence on a day specified by the by-law the distribution and supply of power in all areas of the municipality and on the specified day subsections (10) and (11) and section 93 shall apply with necessary modifications; or

(b) may dissolve the commission established in respect of the municipality on a day specified by the by-law and on the specified day,

(i) all assets under the control and management of and all liabilities of the commission, and all debentures issued in respect of the distribution and supply of power in the municipality are, without compensation, assets and liabilities of Ontario Hydro, and

(ii) Ontario Hydro shall commence to distribute and supply power in all areas of the municipality.

(13) Until such time as the power conferred by subsection (12) has been exercised,

(a) the councils of the Town of Whitchurch-Stouffville, the Township of Georgina and the Township of King shall review the distribution and supply of power within their respective municipalities at least once in every three years and shall determine by resolution whether or not it is financially feasible to exercise the power conferred by subsection (12); and
(b) where the council of the Town of Whitchurch-Stouffville, the Township of Georgina or the Township of King determines as provided in clause (a) that it is financially feasible for the commission established in respect of the municipality to distribute and supply power in the entire municipality, the council, subject to the approval of Ontario Hydro, shall exercise the power conferred by subsection (12).

(14) For the purpose of the calculations mentioned in subsections (7), (8) and (10), "original cost" and "equity" do not include capital contributions by customers or developers. 1978, c. 31, s. 4.

91.—(1) All real property transferred pursuant to section 90 to the control and management of a commission or otherwise acquired by or for the commission, shall be held by the commission in trust for the area municipality served by the commission.

(2) Where a commission is of the opinion, and so declares by resolution, that any real property under its control and management is not required for its purposes, unless otherwise agreed upon by the commission and the area municipality served by the commission, the real property may be disposed of as follows:

1. In the event that the area municipality served by the commission wishes in good faith to use the real property for a municipal purpose, it shall compensate the commission for the real property at its actual cost, less accrued depreciation as shown on the books of the commission or the assessed value of the real property, whichever is the greater, and when the area municipality in good faith no longer wishes to use the real property for a municipal purpose, the area municipality may sell, lease or otherwise dispose of the real property without the assent of Ontario Hydro and may retain the proceeds of the sale, lease or disposition as municipal funds.

2. In the event that the municipality served by the commission does not wish to use the real property in accordance with paragraph 1, the commission shall, as soon as practicable, sell, lease or otherwise dispose of the real property at fair market value on behalf of the municipality and the net proceeds derived from the sale, lease or other disposition of the real property or the compensation paid therefor pursuant to this subsection shall be received by the
commission and shall be applied in accordance with
the Public Utilities Act. 1978, c. 31, s. 5. R.S.O. 1980, c. 423

92. Except as otherwise provided in this Part, sections 130 to Borrowing
152 apply, with necessary modifications, to any borrowing for the
purposes of a commission. 1978, c. 31, s. 6.

93.—(1) In this section, “transfer date”, when used in respect
of an employee of a hydro-electric commission or Ontario Hydro,
means the date on which a commission assumes liability for the
payment of the wages or salary of the employee.

(2) On or before the 31st day of December, 1978, each
hydro-electric commission shall designate those of its full-time
employees who were employed in the distribution and supply of power in an area municipality on the 1st day of
January, 1978, and who continued such employment until the 31st day of December, 1978 or until their transfer dates, as the
case may be, and each commission shall offer employment to the
employees designated in respect of the area municipality served by
the commission.

(3) On or before the 31st day of December, 1978, Ontario
Hydro shall designate those of its full-time employees who
were employed in the distribution and supply of power in the
municipalities of the Town of Aurora, the Town of
Markham, the Town of Newmarket, the Town of Richmond
Hill and the Town of Vaughan on the 1st day of January,
1978 and who continued such employment until the 31st day
of December, 1978 or until their transfer dates, as the case
may be, and each commission shall offer employment to the
employees designated in respect of the area municipality served by
the commission.

(4) A person who accepts employment under this section
is entitled to receive, for a period of one year commencing
on the transfer date, a wage or salary not less than the wage
or salary he was receiving on the day nine months before the
transfer date.

(5) Each commission shall be deemed to have elected to partici-
pate in the Ontario Municipal Employees Retirement System on
the 20th day of June, 1978, and a person who accepts employment
under this section shall be deemed to continue or to become a
member of the System, as the case requires, on his transfer date,
and the Ontario Municipal Employees Retirement System Act
applies to such person as a member of the System.

(6) When a person who accepts employment under this section
with a commission is entitled to the benefit of a supplementary
Supple-
mentary
agreements
agreement between a hydro-electric commission and the Ontario Municipal Employees Retirement Board immediately before his transfer date, the commission shall assume, in respect of the person, all rights and obligations under the supplementary agreement as if the commission had been a party to the agreement in the place of the hydro-electric commission.

(7) Where a person who accepts employment under this section is a contributor to The Pension and Insurance Fund of Ontario Hydro immediately before his transfer date, the present value of the pension earned by the person in The Pension and Insurance Fund of Ontario Hydro at the transfer date or the contributions of the person in the Fund with interest accumulated and credited to the person in the Fund, whichever is the greater, shall be transferred to the Ontario Municipal Employees Retirement Fund and the person shall be given credit in the Ontario Municipal Employees Retirement System for a period of service equal to the period of service for which he was given credit in The Ontario Hydro Pension and Insurance Plan.

(8) Notwithstanding subsection (5), a person who accepts employment under this section with a commission and who,

(a) was employed by Ontario Hydro immediately before his transfer date; and

(b) continues in the employment of the commission until he or his beneficiary becomes entitled to a pension benefit,

is entitled to at least the pension benefit he would have been entitled to under The Ontario Hydro Pension and Insurance Plan if his years of continuous service with the commission had been additional years of continuous service with Ontario Hydro and if there had been no change in the Plan after the 31st day of December, 1978, calculated on the basis of the wage or salary paid to the person by Ontario Hydro and the commission, and the cost, if any, of the pension benefit over the cost of the pension benefit to which the person is entitled under subsection (5) shall be apportioned and paid as provided by the regulations.

(9) A person who accepts employment under this section is entitled as a term of his employment to continue as a member of the group life insurance plan in which he was a member with his former employer until the effective date of a common group life insurance plan covering all eligible employees of his new employer.
(10) On or before the 31st day of December, 1980, each commission shall provide a common group life insurance plan covering all of the eligible employees of the commission, and the plan shall provide to any person accepting employment under this section, by option or otherwise, insurance coverage not inferior to the insurance coverage to which the employee was entitled immediately before his transfer date.

(11) A person who accepts employment under this section shall continue to enjoy as a term of his employment, the rights and benefits of sick leave entitlements or sick leave insurance provided by his former employer immediately before the transfer date until the new employer establishes a sick leave entitlement plan or sick leave insurance plan, and thereupon the employee shall receive allowance or credit for any accrued sick leave rights or benefits.

(12) The commissions shall continue the provision of life insurance to pensioners formerly employed in the distribution and supply of power in the area municipalities by public utilities commissions and municipal hydro-electric commissions.

(13) Nothing in this section prevents an employer from terminating the employment of an employee for cause.

(14) Where, under this section, an employee, in the opinion of the Minister, experiences any difficulty or hardship with regard to life insurance benefits, pension rights, pension benefits or sick leave rights or benefits, the Minister by order may do anything necessary to remedy or alleviate such difficulty or hardship. 1978, c. 31, s. 7.

94. For the purposes of section 169 of The Regional Municipality of York Act, being chapter 408 of the Revised Statutes of Ontario, 1970, the 1st day of January, 1979 is the date determined by the Minister in respect of the Regional Area and on that date the hydro-electric commissions that distribute and supply only power are dissolved and the by-laws establishing them passed pursuant to sections 37 and 39 of the Public Utilities Act shall be deemed to be repealed and the assent of the municipal electors is not required. 1978, c. 31, s. 8.

95. The Lieutenant Governor in Council may make regulations,

(a) for the purpose of subsection 90 (10), in respect of,

(i) the method of determining the original cost of the assets or of any asset or of any part of any asset,
(ii) the allocation of the original cost of the assets or of any asset or of any part of any asset,

(iii) the method of determining the amount of any component of the accumulated net retail equity,

(iv) the allocation of the accumulated net retail equity or any component of the accumulated net retail equity,

(v) the method of calculating accumulated depreciation or any component of accumulated depreciation,

(vi) the allocation of accumulated depreciation or any component of accumulated depreciation,

(vii) the method of payment of the price of the assets;

(b) for the purposes of subsection 93 (8), in respect of the apportionment of the excess cost of any benefit referred to in the subsection and the payment of the excess cost or any part thereof. 1978, c. 31, s. 9.

PART VII

PLANNING

96.—(1) The Regional Area is continued as a joint planning area under the Planning Act known as the York Planning Area. R.S.O. 1970, c. 408, s. 89 (1).

(2) The Regional Corporation is the designated municipality within the meaning of the Planning Act for the purposes of the York Planning Area and each area municipality is the designated municipality within the meaning of the Planning Act for the purposes of the subsidiary planning area it constitutes. 1978, c. 33, s. 37.

(3) All planning areas and subsidiary planning areas that are included in the York Planning Area together with the boards thereof are dissolved on the 31st day of December, 1970.

(4) Each area municipality is continued as a subsidiary planning area and each council thereof shall have all the powers and duties of a planning board, but sections 3, 4, 6, 8, 9 and 10 of the Planning Act do not apply to such council.
(5) Nothing in subsections (3) and (4) affects any official plan in effect in any part of the Regional Area.

(6) When the Minister of Housing has approved an official plan adopted by the Regional Council,

(a) every official plan and every by-law passed under section 39 of the Planning Act or a predecessor thereof then in effect in the planning area affected thereby shall be amended forthwith to conform therewith; and

(b) no official plan of a subsidiary planning area shall be approved that does not conform therewith.

R.S.O. 1970, c. 408, s. 89 (3-6).

97.—(1) The Regional Council shall investigate and survey the physical, social and economic conditions in relation to the development of the York Planning Area and may perform such other duties of a planning nature as may be referred to it by any council having jurisdiction in the York Planning Area, and without limiting the generality of the foregoing it shall,

(a) prepare maps, drawings, texts, statistical information and all other material necessary for the study, explanation and solution of problems or matters affecting the development of the York Planning Area;

(b) hold public meetings and publish information for the purpose of obtaining the participation and co-operation of the inhabitants of the York Planning Area in determining the solution of problems or matters affecting the development of the York Planning Area; and

(c) consult with any local board having jurisdiction within the York Planning Area.

(2) The Regional Council, before the 31st day of December, 1974, shall prepare, adopt and forward to the Minister of Housing for approval an official plan for the Regional Area.

(3) The Regional Council and the council of each area municipality may appoint such planning staff as it considers necessary.

(4) The Regional Council and the council of each area municipality may appoint such planning committees as it considers necessary. R.S.O. 1970, c. 408, s. 90 (1-4).
(5) Subject to this Part, the Regional Corporation shall be deemed to be a municipality and the Regional Council a planning board for the purposes of section 1, subsections 2 (4), (6) and (7), sections 5, 13, 14, 15, 16, 17, 19, 20, 21, 25, 26, 27, subsection 29 (25) and sections 36, 50 and 51 of the Planning Act and where the Regional Council meets in respect of matters pertaining to planning for the purposes aforesaid, no separate meeting of the Council as a planning board is required. 1978, c. 33, s. 38.

(6) The Regional Council shall be deemed to be a county for the purposes of section 47 of the Planning Act.

(7) The Regional Corporation may enter into agreements with area municipalities or persons relating to approval of plans of subdivision.

(8) The Regional Corporation, with the approval of the Minister of Housing, may enter into agreements with any governmental authority, or any agency thereof created by statute for the carrying out of studies relating to the York Planning Area or any part thereof. R.S.O. 1970, c. 408, s. 90 (6-8).

(9) All committees of adjustment theretofore constituted by the council of a local municipality in the York Planning Area are dissolved on the 31st day of December, 1970, and the council of each area municipality shall by by-law constitute and appoint a committee of adjustment under section 48 of the Planning Act. R.S.O. 1970, c. 408, s. 90 (10).

98—(1) On and after the 1st day of February, 1974, no committee of adjustment established by any area municipality has authority to grant consents referred to in section 29 of the Planning Act, and all such powers shall be exercised by the land division committee established by the Regional Council.

(2) The Regional Council shall, without notice from the Minister, constitute and appoint a land division committee composed of such persons not fewer than three in number as the Regional Council considers advisable, to grant consents referred to in section 29 of the Planning Act.

(3) The land division committee referred to in subsection (2) stands in the place and stead of any committee of adjustment established by an area municipality for the purpose of completing the disposition of any application for a consent that may have been pending before any such committee and that is not finally disposed of on or before the 31st day of January, 1974.

(4) The land division committee in considering an application to grant consents shall seek the opinion of the council
of the area municipality in which the land for the application is situate. 1973, c. 156, s. 4.

99. Except as provided in this Part, the provisions of the Planning Act apply. R.S.O. 1970, c. 408, s. 91.

PART VIII
HEALTH AND WELFARE SERVICES

100.—(1) The Regional Corporation shall be deemed to be a city for all the purposes of the provisions of the Public Hospitals Act and the Private Hospitals Act respecting hospitalization and burial of indigent persons and their dependants, and no area municipality has any liability under such provisions.

(2) The Regional Corporation is liable for the hospitalization and burial, after the 31st day of December, 1970, of an indigent person or his dependant who was in hospital on the 31st day of December, 1970, and in respect of whom any local municipality within the Regional Area was liable because the indigent person was a resident of such local municipality, or the County of York.

(3) Nothing in subsection (2) relieves any such local municipality from any liability in respect of hospitalization or burials before the 1st day of January, 1971. R.S.O. 1970, c. 408, s. 92 (1-3).

101. The Regional Council may pass by-laws for granting aid for the construction, erection, establishment, acquisitions, maintenance, equipping and carrying on the business of public hospitals including municipal hospitals and other health care facilities in the Regional Area and may issue debentures therefor. R.S.O. 1970, c. 408, s. 93.

102.—(1) On the 1st day of July, 1978, the Regional Area health unit, and the York Regional Board of Health are dissolved, and the assets and liabilities of the Board become the assets and liabilities of the Regional Corporation without compensation, and the Regional Corporation shall stand in the place and stead of The York Regional Board of Health for the purposes of any agreements entered into, orders made, or matters commenced by that Board, and for the purposes of any proceedings which have been or may be instituted against that Board.

(2) The Regional Corporation shall have all the powers and rights and be subject to all the duties conferred or imposed on a local board of health for a municipality by the Public Health Act and shall perform all the functions of such a board, and the functions that would have been performed by the local board or the medical officer of health.
or the public health inspector of an area municipality shall be performed by the Regional Corporation or the medical officer of health or the health inspector of the Regional Corporation, as the case may be.

(3) The Regional Corporation shall be deemed to be a municipality for the purposes of the Public Health Act.

(4) Section 19 of the Public Health Act does not apply to the Regional Corporation, and section 21 of that Act does not apply to the officer appointed under section 17 of this Act.

(5) Sections 17 and 39 of the Public Health Act do not apply to an area municipality.

(6) The Regional Corporation shall be deemed to be a local board of health for a municipality for the purposes of sections 25 and 149 and subsections 132 (2) and (5) and Schedule B of the Public Health Act.

(7) The officer appointed under section 17 shall be deemed to be the secretary of a local board for the purposes of sections 28 and 92 and subsection 27 (2), and subsection 78 (7) and Schedule B of the Public Health Act.

(8) For the purposes of sections 37 and 129 and subsection 150 (2) of the Public Health Act, an order made by the Regional Council pursuant to the powers conferred on the Regional Corporation by this section shall be deemed to be an order made by a local board.

(9) The medical officer of health and the public health inspector and all other classes of persons referred to in subsection 39 (7) of the Public Health Act employed by the Regional Corporation under subsection (13) shall be deemed to have been duly appointed under section 39 of the Public Health Act and shall have all the powers, rights and privileges and be subject to all the duties conferred or imposed upon such persons by that Act or any other Act.

(10) For the purposes of subsection 127 (1) of the Public Health Act, a request to the Minister of Health by the Regional Corporation shall be deemed to be a request by a local board.

(11) The Regional Corporation may exercise the powers conferred by sections 157 and 158 of the Public Health Act and no area municipality may exercise such powers.

(12) Where the Regional Corporation or the medical officer of health or a public health inspector of the Regional
Corporation has incurred expenditures that under the Public Health Act may be recovered by levying the amount thereof against rateable property in a municipality or by adding the amount thereof to the collector's roll and collecting such amount in a like manner as municipal taxes, the Regional Council may by by-law direct the appropriate area municipality to levy such amount or to add such amount to its collector's roll, as the case may be, and to collect the same in accordance with the provisions of the Public Health Act, and the council of an area municipality shall forthwith upon receiving a direction under this subsection comply therewith, and any moneys collected under this subsection shall forthwith be paid over to the financial officer of the Regional Corporation.

(13) The Regional Corporation shall offer to employ every person who, on the 30th day of June, 1978, is employed by The York Regional Board of Health, and any person who accepts employment offered under this subsection shall be entitled to receive a wage or salary up to and including the 30th day of June, 1979, of not less than he was receiving on the 30th day of June, 1978.

(14) Subsections 24 (2), (3) and (5) apply with necessary modifications to the Regional Corporation and to persons employed under subsection (13) as though such persons were employed on the 30th day of June, 1978, by a local board of a local municipality within the Regional Area.

(15) Where a person employed under subsection (13) was not employed under a collective agreement on the 30th day of June, 1978, the Regional Corporation shall place to the credit of such person the sick leave credits standing to his credit on such date in the sick leave credit plan of The York Regional Board of Health.

(16) Nothing in subsections (13), (14) and (15) prevents the Regional Corporation from terminating the employment of an employee for cause. 1978, c. 33, s. 39, part.

103. (1) For the purposes of the following Acts, the Regional Corporation shall be deemed to be a city and no area municipality shall be deemed to be a municipality:

(2) For the purposes of the following Acts, the Regional Corporation shall be deemed to be a county and no area municipality shall be deemed to be a municipality:

1. *Day Nurseries Act*.


104. The Regional Corporation shall be deemed to be a county for the purposes of the *Homes for the Aged and Rest Homes Act*, and no area municipality has any authority as to the establishment, erection and maintenance of a home for the aged under such Act. R.S.O. 1970, c. 408, s. 97 (1).

105.—(1) The Regional Corporation shall pay to the board of management of any home for the aged located outside the Regional Area the cost of maintenance in such home, incurred after the 31st day of December, 1970, of every resident of such home who was admitted thereto due to residence in an area that becomes part of an area municipality.

(2) The amount payable by the Regional Corporation under subsection (1) shall be such as may be agreed upon or, failing agreement, as may be determined by the Municipal Board. R.S.O. 1970, c. 408, s. 98.

106. No area municipality shall be deemed to be a municipality for the purposes of the *Child Welfare Act*. R.S.O. 1970, c. 408, s. 99.

107. Where an order is made under subsection 20 (2) of the *Juvenile Delinquents Act* (Canada) upon an area municipality, such order shall be considered to be an order upon the Regional Corporation, and the sums of money required to be paid under such order shall be paid by the Regional Corporation and not by the area municipality. R.S.O. 1970, c. 408, s. 101.

108. Every area municipality and every officer or employee thereof shall, at the request of the officers of the Regional Corporation who are responsible for the administration of the Acts referred to in this Part, furnish forthwith to such officers any information they may require for the purposes of this Part. R.S.O. 1970, c. 408, s. 102.

109. In the event that there is any doubt as to whether the Regional Corporation is liable under this Part in respect of the liabilities imposed herein, the matter may be
settled by agreement between the municipalities concerned or, failing agreement, may be determined by the Municipal Board. R.S.O. 1970, c. 408, s. 103.

110. The Regional Corporation may grant aid to approved corporations established under the *Homes for Retarded Persons Act*, and may enter into agreements with any of such corporations with respect to the construction, operation and maintenance of homes for retarded persons. R.S.O. 1970, c. 408, s. 104.

**PART IX**

**POLICE**

111. In this Part, “York Police Board” means the York Regional Board of Commissioners of Police. R.S.O. 1970, c. 408, s. 105.

112.—(1) The board of commissioners of police known as the York Regional Board of Commissioners of Police is continued and shall consist of,

(a) two members of the Regional Council appointed by resolution of the Regional Council;

(b) a judge of the county court of the Judicial District of York designated by the Lieutenant Governor in Council; and

(c) two persons appointed by the Lieutenant Governor in Council.

(2) Three members of the York Police Board, including a member appointed by the Regional Council, are necessary to form a quorum. R.S.O. 1970, c. 408, s. 106 (1, 2).

(3) The Regional Corporation shall provide for the payment of a reasonable remuneration, not being less than the minimum prescribed by the regulations under the *Police Act*, to the members of the York Police Board appointed by the Lieutenant Governor in Council. 1978, c. 33, s. 40.

113.—(1) On and after the 1st day of January, 1971,

(a) the Regional Corporation shall be deemed to be a city having a population of more than 15,000 according to the last municipal census for the purposes of the *Police Act*, except subsections 8 (1) to (4) thereof;
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(b) the Police Act, except section 70, does not apply to any area municipality; and

c) the York Police Board and the members of the York Regional Police Force shall be charged with the same duties with respect to by-laws of the area municipalities as with respect to by-laws of the Regional Corporation. 1971, c. 75, s. 4, part; 1978, c. 33, s. 41.

Fines

(2) The fines imposed for the contravention of the by-laws of any area municipality shall, where prosecuted by the York Regional Police Force, belong to the Regional Corporation and, where prosecuted by any other person, belong to the area municipality whose by-law has been contravened. 1971, c. 75, s. 4, part.

Area police force

114.—(1) Every person who is a member of a police force of a local municipality within the Regional Area on the 1st day of April, 1970, and continues to be a member until the 31st day of December, 1970, shall, on the 1st day of January, 1971, become a member of the York Regional Police Force, and the provisions of subsections 24 (5) and (11) apply to such members, but no members shall receive in the year 1971 any benefits of employment less favourable than those he was receiving from the local municipality. R.S.O. 1970, c. 408, s. 108 (1); 1973, c. 156, s. 5 (1).

York Regional Police Force

(2) Every person who is a member of a police force of a local municipality on the 31st day of December, 1970, and becomes a member of the York Regional Police Force on the 1st day of January, 1971, is subject to the government of the York Police Board to the same extent as if appointed by the York Police Board. R.S.O. 1970, c. 408, s. 108 (2).

Terms of employment

(3) Every person who becomes a member of the York Regional Police Force under subsection (1) shall,

a) be considered to have elected to participate in the Ontario Municipal Employees Retirement System if he was a member of the Ontario Municipal Employees Retirement System on the day immediately preceding his employment by the York Police Board and such member shall have uninterrupted membership in the Ontario Municipal Employees Retirement System;

b) with the exception of civilian employees and assistants, be retired on the last day of the month in which the member attains the age of sixty
years, provided that any member of the police force of a former local municipality who had a retirement age of sixty-five years immediately before becoming a member of the York Regional Police Force shall, until the 1st day of January, 1975, be retired on the last day of the month in which such member attains the age of sixty-five years;

(c) have credited to him in the York Regional Police Force the total number of years of service that he had in the police force of the local municipality of which he was a member immediately prior to the 1st day of January, 1971; and

(d) receive such sick leave credits in the sick leave credit plan which shall be established by the York Police Board as he had standing to his credit in the plan of the local municipality. R.S.O. 1970, c. 408, s. 108 (3); 1973, c. 156, s. 5 (2).

(4) Every civilian employee and assistant of the York Regional Police Force shall be retired on the last day of the month in which he attains the age of sixty-five years.

(5) Section 100 of the Municipal Act applies with necessary modifications to the York Police Board. 1973, c. 156, s. 5 (3).

115.—(1) The Regional Council shall, before the 1st day of January, 1971, pass by-laws which shall be effective on such date assuming for the use of the York Police Board any such land or building that the York Police Board may require that is vested on the 1st day of July, 1970, in any local municipality or local board thereof, and at least 40 per cent of which is used on such date for the purposes of the police force of that municipality, and on the day any such by-law becomes effective the property designated therein vests in the Regional Corporation. R.S.O. 1970, c. 408, s. 109 (1).

(2) Notwithstanding subsection (1), a by-law for assuming any land or building mentioned in subsection (1), with the approval of the Municipal Board, may be passed after the 1st day of January, 1971, and in that case the by-law shall become effective on the date provided therein.

(3) Where any part of a building mentioned in subsection (1) is used by the local municipality or a local board thereof for other than police purposes, the Regional Corporation may,
(a) where practicable, assume only the part of the building and land appurtenant thereto used for the purposes of the police force of such municipality; or

(b) vest the building and land appurtenant thereto in the Regional Corporation and enter into an agreement with such municipality or local board thereof for the use of a part of the building by such municipality or local board on such terms and conditions as may be agreed upon.

(4) Where the Regional Corporation assumes any property under subsection (1) or (2),

(a) no compensation or damage shall be payable to the local municipality or local board except as provided in this subsection;

(b) the Regional Corporation shall thereafter pay to the area municipality before the due date all amounts of principal and interest becoming due upon any outstanding debt of the area municipality in respect of any property vested in the Regional Corporation; and

(c) the Regional Corporation shall thereafter pay to the area municipality for the portion of any land or building vested in the Regional Corporation under this section that is not used for police purposes on the 1st day of July, 1970, such amount as may be agreed upon and failing agreement the Municipal Board, upon application, may determine the amount, and its decision is final, provided such amount shall not be greater than the capital expenditure for such portion of such land or building less the amount of any outstanding debt in respect of such portion. R.S.O. 1970, c. 408, s. 109 (3-5).

(5) If the Regional Corporation fails to make any payment on or before the due date required by clause (4)(b), the area municipality may charge the Regional Corporation interest at the rate of 15 per cent per annum, or such lower rate as the council of the area municipality determines, from such date until payment is made. 1979, c. 81, s. 40.

(6) Where a building vested in a local municipality or local board is used partly by the police force of the municipality and is not vested in the Regional Corporation under this section, the area municipality at the request of the York Police Board on or after the 1st day of January, 1971, shall
provide, at such rental as may be agreed upon, at least as much accommodation in such building for the use of the York Police Board as was being provided by the local municipality for its police force on the 1st day of July, 1970, and failing agreement the Municipal Board, upon application, may determine the matter and its decision is final.

(7) At the request of the York Police Board, each area municipality, for the use of the York Police Board,

(a) shall transfer to the Regional Corporation without compensation all personal property, including office supplies and stationery in the possession of the area municipality on the 1st day of January, 1971, that was provided for the exclusive use of the police force of the area municipality; and

(b) shall make available to the Regional Corporation all personal property the use of which was shared by the police force and any department or departments of the area municipality on the 1st day of January, 1971, on the same terms and to the same extent as the police force used the property before such date.

(8) All signal and communication systems owned by any local municipality and used for the purposes of the police force of the municipality on the 1st day of July, 1970, or thereafter, are vested in the Regional Corporation for the use of the York Police Board on the 1st day of January, 1971, and no compensation shall be payable to the municipality therefor and the Regional Corporation shall thereafter pay to the area municipality before the due date all amounts of principal and interest becoming due upon any outstanding debt of the area municipality in respect of any such signal or communication system.

(9) In the event of any doubt as to whether,

(a) any outstanding debt or portion thereof was incurring in respect of any property assumed; or

(b) any land or building is used at least 40 per cent for the purposes of a police force,

the Municipal Board, upon application, may determine the matter and its decision is final. R.S.O. 1970, c. 408, s. 109 (7-10).

116. The Regional Corporation shall provide all real and personal property necessary for the purposes of the York Police Board. R.S.O. 1970, c. 408, s. 110.
117.—(1) In this Part, “rateable property” includes business and other assessment made under the Assessment Act. R.S.O. 1970, c. 408, s. 111 (1).

Where in any year in an area municipality there is no last revised assessment roll, for the purposes of this Part the assessment roll as returned shall be deemed to be the last revised assessment roll for that year. 1971, c. 75, s. 5.

118.—(1) Section 169 of the Municipal Act applies with necessary modifications to the Regional Corporation. R.S.O. 1970, c. 408, s. 112.

(2) The Regional Corporation shall be deemed to be a municipality for the purposes of section 35 of the Credit Unions and Caisses Populaires Act. 1979, c. 81, s. 41.

YEARLY ESTIMATES AND LEVIES

119. In sections 121, 122 and 124, “Ministry” means the Ministry of Revenue. 1972, c. 78, s. 12.

120.—(1) The Regional Council shall in each year prepare and adopt estimates of all sums required during the year for the purposes of the Regional Corporation, including the sums required by law to be provided by the Regional Council for any local board of the Regional Corporation, and such estimates shall set forth the estimated revenues and expenditures in such detail and according to such form as the Ministry may from time to time prescribe.

(2) In preparing the estimates, the Regional Council shall make due allowance for a surplus of any previous year that will be available during the current year and shall provide for any operating deficit of any previous year and for such reserves within such limits as to type and amount as the Ministry may approve. R.S.O. 1970, c. 408, s. 113; 1972, c. 1, s. 1.

121.—(1) The Regional Council in each year shall levy against the area municipalities a sum sufficient,
(a) for payment of the estimated current annual expenditures as adopted; and

(b) for payment of all debts of the Regional Corporation falling due within the year as well as amounts required to be raised for sinking funds and principal and interest payments or sinking fund requirements in respect of debenture debt of area municipalities for the payment of which the Regional Corporation is liable under this Act.

(2) The Regional Council shall ascertain and by by-law direct what portion of the sum mentioned in subsection (1) shall be levied against and in each area municipality.

(3) Subject to subsection (10), all amounts levied under subsection (1) shall be apportioned among the area municipalities in the proportion that the whole rateable property in each area municipality bears to the whole rateable property in the Regional Area, according to the last revised assessment rolls. R.S.O. 1970, c. 408, s. 114 (1-3).

(4) The Ministry shall revise and equalize the last revised assessment rolls of the area municipalities and, for the purpose of subsection (3), the last revised assessment rolls for the area municipalities as so revised and equalized by the Ministry shall be deemed to be the last revised assessment rolls of the area municipalities. R.S.O. 1970, c. 408, s. 114 (4); 1972, c. 1, s. 1.

(5) Subsection (4) shall cease to apply on a date to be determined by order of the Minister. R.S.O. 1970, c. 408, s. 114 (5).

(6) Upon completion by the Ministry of the revision and equalization of assessment, the Ministry shall notify the Regional Corporation and each of the area municipalities of the revised and equalized assessment of each area municipality.

(7) If any area municipality is not satisfied with the assessment as revised and equalized by the Ministry, the area municipality may appeal from the decision of the Ministry by notice in writing to the Municipal Board at any time within thirty days after the notice of the revised and equalized assessment was sent to the area municipality by the Ministry. R.S.O. 1970, c. 408, s. 114 (6, 7); 1972, c. 1, s. 1.

(8) Every notice of revision and equalization made under this section shall set out the time within which an appeal may be made to the Municipal Board with respect to such revision and equalization. R.S.O. 1970, c. 408, s. 114 (8).
(9) Where the last revised assessment of the area municipality has been revised and equalized by the Ministry and has been appealed, the Regional Council shall forthwith after the decision of the Municipal Board on such appeal, amend, if required, the by-law passed under subsection (2) so as to make the apportionments among the area municipalities according to the assessments as revised by the Municipal Board upon such appeal, and,

(a) where the moneys levied against an area municipality are thereby increased, the treasurer of the area municipality shall pay the amount of the increase to the financial officer of the Regional Corporation; and

(b) where the moneys levied against an area municipality are thereby decreased, the treasurer of the area municipality shall be liable to pay the financial officer of the Regional Corporation only the reduced levy or, if the original levy has been paid by the area municipality, the financial officer of the Regional Corporation shall pay the amount of the decrease to the treasurer of the area municipality.

R.S.O. 1970, c. 408, s. 114 (9); 1972, c. 1, s. 1.

(10) The apportionment of the levy among the area municipalities as provided for in subsections (2) and (3) shall be based on the full value of all rateable property, and, notwithstanding any general or special Act, no fixed assessment other than a fixed assessment under section 22 of the Assessment Act or partial or total exemption from assessment or taxation applies thereto, except as provided in section 3 of the Assessment Act. R.S.O. 1970, c. 408, s. 114 (10).

(11) The assessment upon which the levy among the area municipalities shall be apportioned shall include the valuations of all properties for which payments in lieu of taxes which include a payment in respect of regional levies are paid by the Crown in right of Canada or any province or any board, commission, corporation or other agency thereof or Ontario Hydro to any area municipality. R.S.O. 1970, c. 408, s. 114 (11); 1973, c. 57, s. 19.

(12) The clerk of an area municipality shall transmit to the Ministry, within fourteen days of a payment in lieu of taxes, a statement of the valuations of real property in the area municipality upon which such payment was made together with a statement showing the computations of such payment, and the Ministry shall revise and equalize the valuations, and shall thereupon notify the Regional Corporation of the revised and equalized valuations. R.S.O. 1970, c. 408, s. 114 (12); 1972, c. 1, s. 1.
(13) One by-law or several by-laws for making the levies may be passed as the Regional Council may consider expedient.

(14) Subject to subsections 36 (4), (5) and (6) of the Assessment Act, in each area municipality the regional levy shall be calculated and levied upon the whole rateable property rateable for such purpose within such area municipality according to the last revised assessment roll thereof.

(15) All moneys levied against an area municipality under the authority of this section shall be deemed to be taxes and are a debt of the area municipality to the Regional Corporation and the treasurer of every area municipality shall pay the moneys so levied to the financial officer of the Regional Corporation at the times and in the amounts specified by the by-law of the Regional Council mentioned in subsection (2). R.S.O. 1970, c. 408, s. 114 (13-15).

(16) If an area municipality fails to make any payment as provided in the by-law, interest shall be added at the rate of 15 per cent per annum, or such lower rate as the Regional Council determines, from the date payment is due until it is made. 1979, c. 81, s. 42.

122.—(1) The Ministry shall revise and equalize, by the application of the latest equalization factors of the Ministry, each part of the last revised assessment rolls of the area municipalities that relates to a merged area and each such part of the last revised assessment roll of each of the area municipalities as revised and equalized is final and binding.

(2) Upon completion by the Ministry of the revision and equalization of assessment in an area municipality under subsection (1), the Ministry shall notify the area municipality of the revised and equalized assessment.

(3) The net regional levy and the sums adopted in accordance with section 164 of the Municipal Act for all purposes, excluding school purposes, levied against the whole rateable property of an area municipality shall be apportioned among the merged areas of such area municipality in the proportion that the total equalized assessment of each merged area bears to the total equalized assessment of the area municipality both according to the last revised assessment roll as equalized by the Ministry under subsection (1).

(4) The provisions of this section shall cease to apply on the date determined by the Minister under subsection 121 (5). R.S.O. 1970, c. 408, s. 115; 1972, c. 1, s. 1.
123.—(1) Notwithstanding section 121, the Regional Council may, before the adoption of estimates for the year, levy against each of the area municipalities a sum not exceeding 50 per cent of the levy made by the Regional Council in the preceding year against that area municipality and subsections 121 (15) and (16) apply to such levy.

(2) The amount of any levy made under subsection (1) shall be deducted from the amount of the levy made under section 121.

(3) Notwithstanding section 122, until the date determined by the Minister under subsection 121 (5), the council of an area municipality may in any year by by-law passed before the adoption of the estimates for that year, levy in each of the merged areas in the area municipality, before the adoption of the estimates, on the whole of the assessment for real property in the merged area according to the last revised assessment roll, a sum not exceeding 50 per cent of that which would be produced by applying to such assessment the total rate for all purposes levied in the merged area in the preceding year on residential real property of public school supporters.

(4) Where the council of an area municipality has not provided for taking the assessment of business during the same year in which the rates of taxation thereon are to be levied, the council, notwithstanding section 122, until the date determined by the Minister under subsection 121 (5), may, by by-law passed before the adoption of the estimates for that year, levy in each of the merged areas in the area municipality, before the adoption of the estimates, on the whole of the business assessment in the merged area according to the last revised assessment roll, a sum not exceeding 50 per cent of that which would be produced by applying to such assessment the total rate for all purposes levied in the merged area in the preceding year on business assessment of public school supporters.

(5) The amount of any levy under subsection (3) or (4) shall be deducted from the amount of the levy made under section 122.

(6) Subsection 159 (5) of the Municipal Act applies to levies made under this section.

(7) Section 159 of the Municipal Act does not apply until the date determined by the Minister under subsection 121 (5). R.S.O. 1970, c. 408, s. 116 (2-4).

124.—(1) For the purposes of levying taxes under Part IV of the Education Act, the merged areas of an area municipality shall be deemed to be municipalities, and the council of the area municipality shall be deemed to be the council of each such merged area.
(2) The amount required to be levied and collected by an area municipality for public school purposes on commercial assessment determined as a result of the application of section 222 of the Education Act shall be apportioned among the merged areas in the ratio that the total commercial assessment for public school purposes in each merged area bears to the total commercial assessment for public school purposes in the area municipality, both as equalized by the Ministry in accordance with subsection 122 (1).

(3) The amount required to be levied and collected by an area municipality for public school purposes on residential assessment determined as a result of the application of section 222 of the Education Act shall be apportioned among the merged areas in the ratio that the total residential assessment for public school purposes in each merged area bears to the total residential assessment for public school purposes in the area municipality, both as equalized by the Ministry in accordance with subsection 122 (1).

(4) The amount required to be levied and collected by an area municipality for secondary school purposes on commercial assessment determined as a result of the application of section 222 of the Education Act shall be apportioned among the merged areas in the ratio that the total commercial assessment for secondary school purposes in each merged area bears to the total commercial assessment for secondary school purposes in the area municipality, both as equalized by the Ministry in accordance with subsection 122 (1).

(5) The amount required to be levied and collected by an area municipality for secondary school purposes on residential assessment determined as a result of the application of section 222 of the Education Act shall be apportioned among the merged areas in the ratio that the total residential assessment for secondary school purposes in each merged area bears to the total residential assessment for secondary school purposes in the area municipality, both as equalized by the Ministry in accordance with subsection 122 (1).

(6) Notwithstanding subsections (2), (3), (4) and (5), where, in any year, a regulation is in force under section 214 of the Education Act, the apportionments referred to in the said subsections (2), (3), (4) and (5) shall be made in accordance with the regulation.

(7) The provisions of this section apply until the date determined by the Minister under subsection 121 (5). R.S.O. 1970, c. 408, s. 117; 1972, c. 1, s. 1.

125. The Minister may provide from time to time by order that, in the year or years and in the manner speci-
fied in the order, the council of any area municipality shall levy, on the whole of the assessment for real property and business assessment according to the last revised assessment roll in any specified merged area or areas, rates of taxation for general purposes which are different from the rates which would have been levied for such purposes but for the provisions of this section. R.S.O. 1970, c. 408, s. 118.

RESERVES

126. Where, under subsection 297 (2) of The Municipal Act, being chapter 249 of the Revised Statutes of Ontario, 1960, the County of York has established reserves, those reserves shall become the reserves of the Regional Corporation. R.S.O. 1970, c. 408, s. 120.

RESERVE FUNDS

127.—(1) Reserve funds established by local municipalities for purposes for which the Regional Council has authority to spend funds and for which the council of an area municipality has no authority to spend funds are reserve funds of the Regional Corporation and the assets of such reserve funds are vested in the Regional Corporation.

(2) Reserve funds established by local municipalities, other than divided municipalities, for purposes for which the councils of area municipalities have authority to spend funds and for which the Regional Council has no authority to spend funds are reserve funds of the area municipality of which the local municipality forms a part and the assets of such reserve funds are vested in such area municipality. R.S.O. 1970, c. 408, s. 123.

128.—(1) The Regional Council may in each year provide in the estimates for the establishment or maintenance of a reserve fund for any purpose for which it has authority to spend funds. 1976, c. 70, s. 15 (1).

(2) The moneys raised for a reserve fund established under subsection (1) shall be paid into a special account and may be invested in such securities as a trustee may invest in under the Trustee Act, and the earnings derived from the investment of such moneys form part of the reserve fund. R.S.O. 1970, c. 408, s. 124 (2).
(3) The moneys raised for a reserve fund established under subsection (1) shall not be expended, pledged or applied to any purpose other than that for which the fund was established, unless approved by the Regional Council. 1976, c. 70, s. 15 (2).

(4) The auditor in his annual report shall report on the activities and position of each reserve fund established under subsection (1). R.S.O. 1970, c. 408, s. 124 (4).

TEMPORARY LOANS

129.—(1) The Regional Council may by by-law, either before or after the passing of by-laws for imposing levies on the area municipalities for the current year, authorize the chairman and financial officer to borrow from time to time by way of promissory note such sums as the Regional Council considers necessary to meet, until the levies and other revenues are received, the current expenditures of the Regional Corporation for the year, including the amounts required for principal and interest falling due within the year upon any debt of the Regional Corporation and the sums required by law to be provided by the Regional Council for any local board of the Regional Corporation. R.S.O. 1970, c. 408, s. 125 (1); 1972, c. 78, s. 15.

(2) The amount that may be borrowed at any one time for the purposes mentioned in subsection (1), together with any similar borrowings that have not been repaid, shall not, except with the approval of the Municipal Board, exceed 70 per cent of the uncollected balance of the estimated revenues of the Regional Corporation as set forth in the estimates adopted for the year.

(3) Until such estimates are adopted, the limitation upon borrowing prescribed by subsection (2) shall temporarily be calculated upon the estimated revenues of the Regional Corporation as set forth in the estimates adopted for the next preceding year.

(4) The lender is not bound to establish the necessity of borrowing the sum lent or to see to its application.

(5) Any promissory note made under the authority of this section shall be sealed with the seal of the Regional Corporation and signed by the chairman or by some other person authorized by by-law to sign it, and by the financial officer,
and may be expressed so as to bear interest only upon such money as may be borrowed thereon from the time when such money is actually lent. R.S.O. 1970, c. 408, s. 125 (2-5).

(6) The signature of the chairman or any other person authorized to sign promissory notes may be written, stamped, lithographed, engraved or otherwise mechanically reproduced on promissory notes made under this section and, if such promissory note is countersigned in writing by the deputy treasurer or any other person authorized by by-law to countersign it, the signature of the treasurer thereon may be written, stamped, lithographed, engraved or otherwise mechanically reproduced. 1977, c. 34, s. 13.

(7) The Regional Council may by by-law provide or authorize the chairman and financial officer to provide by agreement that all or any sums borrowed for any or all of the purposes mentioned in this section shall, with interest thereon, be a charge upon the whole or any part or parts of the revenues of the Regional Corporation for the current year and for any preceding years as and when such revenues are received, provided that such charge does not defeat or affect and is subject to any prior charge then subsisting in favour of any other lender.

(8) Any agreement entered into under subsection (7) shall be sealed with the corporate seal and signed by the chairman and financial officer.

(9) If the Regional Council authorizes the borrowing of or borrows any larger amount than is permitted under this section, every member who knowingly votes therefor is disqualified from holding any municipal office for two years.

(10) If the Regional Council authorizes the application of any revenues of the Regional Corporation charged under the authority of this section otherwise than in repayment of the loan secured by such charge, the members who knowingly vote for such application are personally liable for the amount so applied, which may be recovered in any court of competent jurisdiction.

(11) If any member of the Regional Council or officer of the Regional Corporation knowingly applies any revenues so charged otherwise than in repayment of the loan secured by such charge, he is personally liable for the amount so applied, which may be recovered in any court of competent jurisdiction. R.S.O. 1970, c. 408, s. 125 (6-10).

(12) Subsections (9), (10) and (11) do not apply to the Regional Council or any member of the Regional Council or officer of the
Regional Corporation acting under an order or direction issued or made under the authority of the Municipal Affairs Act, nor do they apply in any case where application of the revenues of the Regional Corporation is made with the consent of the lender in whose favour a charge exists. R.S.O. 1970, c. 408, s. 125 (11); 1972, c. 1, s. 104 (6).

DEBT

130.—(1) Subject to the limitations and restrictions in this Act and the Ontario Municipal Board Act, the Regional Council may borrow money for the purposes of,

(a) the Regional Corporation;

(b) any area municipality;

(c) the joint purposes of any two or more area municipalities,

whether under this or any general or special Act, and may issue debentures therefor on the credit of the Regional Corporation.

(2) All debentures issued pursuant to a by-law passed by the Regional Council under the authority of this Act are direct, joint and several obligations of the Regional Corporation and the area municipalities notwithstanding the fact that the whole or any portion of the rates imposed for the payment thereof may have been levied only against one or more of the area municipalities, but nothing in this subsection affects the rights of the Regional Corporation and of the area municipalities respectively as among themselves.

(3) Notwithstanding any general or special Act, no area municipality has, after the 31st day of December, 1970, power to issue debentures.

(4) When an area municipality, prior to the 31st day of December, 1970,

(a) has applied for and obtained the final approval of the Municipal Board in respect of any work, project or other matter mentioned in subsection 64 (1) of The Ontario Municipal Board Act, being chapter 274 of the Revised Statutes of Ontario, 1960; and

(b) has entered into a contract for or authorized the commencement of such work, project or matter but
has not prior to that date issued the debentures authorized,

the Regional Council, upon the request of the council of the area municipality, shall pass a by-law authorizing the issue and sale of debentures of the Regional Corporation for the purposes and in the amount approved by the Municipal Board and shall, if required by the area municipality, issue such debentures and provide temporary financing for the area municipality in the manner provided in section 132 and no further approval of the Municipal Board is required.

(5) Bonds, debentures and other evidences of indebtedness of the Regional Corporation shall be deemed to be bonds, debentures and other evidences of indebtedness of a municipal corporation for the purposes of the *Trustee Act*. R.S.O. 1970, c. 408, s. 126.

131.—(1) Subject to the limitations and restrictions in this Act and the *Ontario Municipal Board Act*, the Regional Corporation may by by-law incur a debt or issue debentures for the purposes set forth in subsection 130(1) and, notwithstanding any general or special Act, such by-law may be passed without the assent of the electors of the Regional Area.

(2) Where, under any general or special Act, an area municipality cannot incur a debt or issue debentures for a particular purpose without the assent of its electors or without the concurrence of a specified number of the members of its council, the Regional Council shall not pass a by-law authorizing the issue of debentures on behalf of such area municipality for such purpose unless such assent or concurrence to the passing of the by-law by the Regional Council has been obtained.

(3) Nothing in subsection (2) requires the assent of any electors where such assent has been dispensed with under section 63 of the *Ontario Municipal Board Act*. R.S.O. 1970, c. 408, s. 127.

132.—(1) When the Municipal Board has authorized the borrowing of money and the issue of debentures by the Regional Corporation for its purposes, the Regional Council pending the issue and sale of the debentures may agree with a bank or person for temporary advances from time to time for the purpose authorized, and may by by-law pending the sale of such debentures or in lieu of selling them authorize the
chairman and financial officer to raise money by way of loan on the debentures and to hypothecate them for the loan. 1977, c. 34, s. 14 (1).

(2) When the Municipal Board has authorized the borrowing of money and the issue of debentures by the Regional Corporation for the purposes of an area municipality, the Regional Council or the council of the area municipality, pending the issue and sale of the debentures, may, and the Regional Council on the request of the area municipality shall, agree with a bank or person for temporary advances from time to time for the purposes authorized, and the Regional Council may, or on the request of the area municipality shall, pending the sale of such debentures or in lieu of selling them, authorize the chairman and financial officer to raise money by way of loan on the debentures and to hypothecate them for the loan, and shall transfer the proceeds of such advance or loan to the area municipality. 1977, c. 34, s. 14 (2).

(3) The Regional Corporation may charge interest on any proceeds of an advance or loan transferred under subsection (2) at a rate sufficient to reimburse it for the cost of such advance or loan.

(4) The proceeds of every advance or loan under this section shall be applied to the purposes for which the debentures were authorized, but the lender shall not be bound to see to the application of the proceeds and, if the debentures are subsequently sold, the proceeds of the sale shall be applied first in repayment of the loan and, where the debentures were issued for the purposes of an area municipality, the balance, subject to section 146, shall be transferred to the area municipality.

(5) Subject to subsection (4), the redemption of a debenture hypothecated does not prevent the subsequent sale thereof. R.S.O. 1970, c. 408, s. 129 (3-5).

(6) The signature of the chairman or any other person authorized to sign loan agreements may be written, stamped, lithographed, engraved or otherwise mechanically reproduced on loan agreements made under this section and, if such loan agreement is countersigned in writing by the deputy financial officer or any other person authorized by by-law to countersign it, the signature of the financial officer thereon may be written, stamped, lithographed, engraved or otherwise mechanically reproduced. 1977, c. 34; s. 14 (3).

133.—(1) Where the Regional Corporation has entered into an agreement under the Ontario Water Resources Act, R.S.O. 1980, c. 361
whereby the Regional Corporation is entitled to receive moneys from the Crown, the Regional Council, pending the receipt of any such moneys may, in order to meet expenditures incurred in carrying out the agreement, agree with a bank or a person for temporary advances from time to time.

(2) The proceeds of every advance under this section shall be applied to the expenditures incurred in carrying out the agreement made by the Regional Corporation under the Ontario Water Resources Act, but the lender shall not be bound to see to the application of the proceeds and, when the Regional Corporation has received the moneys to which it is entitled from the Crown under the said agreement such moneys shall be applied first in repayment of the advances. 1976, c. 43, s. 31.

134.—(1) Subject to subsection (2), a money by-law for the issuing of debentures shall provide that the principal shall be repaid in annual instalments with interest annually or semi-annually upon the balances from time to time remaining unpaid, but the by-law may provide for annual instalments of combined principal and interest.

(2) A money by-law for the issuing of debentures may provide that the principal shall be repaid at a fixed date with interest payable annually or semi-annually, in which case debentures issued under the by-law shall be known as sinking fund debentures.

(3) Notwithstanding any general or special Act, the whole debt and the debentures to be issued therefor shall be made payable within such term of years as the Municipal Board may approve.

(4) The by-law may provide for raising in each year, by special levy or levies against one or more area municipalities, the whole or specified portions of the sums of principal and interest payable under the by-law in such year, and each area municipality shall pay to the Regional Corporation such sums at the times and in the amounts specified in the by-law.

(5) The by-law shall provide for raising in each year, by a special levy on all the area municipalities, the sums of principal and interest payable under the by-law in such year to the extent that such sums have not been provided for by any special levy or levies against any area municipality or municipalities made especially liable therefor by the by-law.

(6) Any special levy against an area municipality imposed by the by-law under the authority of subsection (4) may be levied by the area municipality against persons or property
in the same manner and subject to the same limitations as if it were passing a by-law authorizing the issue of debentures of the area municipality for the same purpose for the portion of the debt levied against it under subsection (4). R.S.O. 1970, c. 408, s. 130 (1-6).

(7) Notwithstanding subsection (5), the Regional Council may by by-law,

(a) authorize the borrowing of money by the issue of instalment debentures, the last instalment of which shall mature not earlier than ten years after the date upon which they are issued, and a specified sum of principal payable thereunder in the final year shall be raised by the issue of refunding debentures as provided in clause (b), and it shall not be necessary to raise by special rate in the year of maturity of the debentures to be refunded an amount equal to the specified principal amount of the debentures which are being refunded; and

(b) authorize the issue of debentures to refund at maturity outstanding debentures of the municipality, provided that the refunding debentures shall be payable within the maximum period of years that was approved by the order of the Municipal Board for the repayment of debentures issued for the debt for which the outstanding debentures were issued, commencing on the date of the debentures originally issued for such debt,

and any such by-law shall provide that the sums of principal and interest payable under the by-law shall be raised by a special levy or levies against such area municipality or municipalities as may be specified in the by-law and such levy shall be levied against the same area municipality or municipalities in each case.

(8) Any special levy against an area municipality imposed by the by-law under the authority of subsection (7) may be levied by the area municipality against persons or property in the same manner and subject to the same limitations as if it were passing a by-law authorizing the issue of debentures of the area municipality for the same purpose for the portion of the debt levied against it under subsection (7), and any levy imposed by a by-law under clause (7) (b) shall be levied by the area municipality against the same persons or property as the levy imposed by the related by-law under clause (7) (a) was levied. 1972, c. 78, s. 17 (1).

(9) All levies imposed by the by-law against an area municipality are a debt of the area municipality to the Regional Corporation.
(10) The Regional Council may by by-law authorize a change in the mode of issue of the debentures and may provide that the debentures be issued with coupons instead of in amounts of combined principal and interest or vice versa, and where any debentures issued under the by-law have been sold, pledged, or hypothecated by the Regional Council upon again acquiring them or at the request of any holder of them, may cancel them and issue one or more debentures in substitution for them, and make such new debenture or debentures payable by the same or a different mode on the instalment plan, but no change shall be made in the amount payable in each year. R.S.O. 1970, c. 408, s. 130 (7, 8).

(11) All the debentures shall be issued within two years after the passing of the by-laws unless, on account of the proposed expenditure for which the by-law provides being estimated or intended to extend over a number of years and of its being undesirable to have large portions of the money in hand unused and uninvested, in the opinion of the Regional Council it would be of advantage to so issue them, and in that case the by-law may provide that the debentures may be issued in sets of such amounts and at such times as the circumstances require, but so that the first of the sets shall be issued within two years, and all of them within five years, after the passing of the by-law. R.S.O. 1970, c. 408, s. 130 (9); 1976, c. 43, s. 32 (1).

(12) All the debentures shall bear the same date, except where they are issued in sets, in which case every debenture of the same set shall bear the same date.

(13) Notwithstanding the provisions of the by-law, the debentures may bear date at any time within the period of two years or five years, as the case may be, mentioned in subsection (11) and the debentures may bear date before the date the by-law is passed if the by-law provides for the first levy being made in the year in which the debentures are dated or in the next succeeding year.

(14) The Municipal Board, on the application of the Regional Council, the council of any area municipality or any person entitled to any of the debentures or of the proceeds of the sale thereof, may at any time extend the time for issuing the debentures beyond the two years, or the time for the issue of any set beyond the time authorized by the by-law.

(15) The extension may be made although the application is not made until after the expiration of the two years or of the time provided for the issue of the set.

(16) Unless the by-law names a later day when it is to take effect, it takes effect on the day of its passing.
(17) Notwithstanding any general or special Act, the Regional Council may borrow sums for two or more purposes in one debenture by-law and provide for the issue of one series of debentures therefor.

(18) Section 145 of the Municipal Act applies with necessary modifications to the Regional Corporation.

(19) The by-law may provide that all the debentures or a portion thereof shall be redeemable at the option of the Regional Corporation on any date prior to maturity, subject to the following provisions:

1. The by-law and every debenture that is so redeemable shall specify the place or places of payment and the amount at which such debenture may be so redeemed.

2. The principal of every debenture that is so redeemable becomes due and payable on the date set for the redemption thereof, and from and after such date interest ceases to accrue thereon where provision is duly made for the payment of the principal thereof, the interest to the date set for redemption and any premium payable on redemption.

3. Notice of intention so to redeem shall be sent by prepaid mail at least thirty days prior to the date set for such redemption to the person in whose name the debenture is registered at the address shown in the Debenture Registry Book.

4. At least thirty days prior to the date set for such redemption, notice of intention so to redeem shall be published in The Ontario Gazette and in a daily newspaper of general circulation in the Regional Area and in such other manner as the by-law may provide.

5. Where only a portion of the debentures issued under the by-law is so to be redeemed, such portion shall comprise only the debentures that have the latest maturity dates and no debentures issued under the by-law shall be called for such redemption in priority to any such debenture that has a later maturity date.

6. Where a debenture is redeemed on a date prior to maturity, such redemption does not affect the validity of any by-law by which special assess-
ments are imposed or instalments thereof levied, the validity of such special assessments or levies, or the powers of the Regional Council to continue to levy and collect from any area municipality the subsequent payments of principal and interest payable by it to the Regional Council in respect of the debenture so redeemed. R.S.O. 1970, c. 408, s. 130 (10-17).

Currency

(20) The by-law may provide that the debentures to be issued thereunder shall be expressed and be payable,

(a) in lawful money of Canada and payable in Canada; or

(b) in lawful money of the United States of America and payable in the United States of America; or

(c) in lawful money of Great Britain and payable in Great Britain; or

(d) subject to the prior approval of the Lieutenant Governor in Council, in a currency other than that of Canada, the United States of America or Great Britain. R.S.O. 1970, c. 408, s. 130 (18); 1972, c. 78, s. 17 (2).

Annual rates

(21) Where under the provisions of the by-law debentures issued thereunder are expressed and made payable in lawful money of the United States of America or of Great Britain or in any currency other than that of Canada, the Regional Council may in such by-law or in any amending by-law, in lieu of providing for the raising in each year during the currency of the debentures specific sums sufficient to pay interest thereon or instalments of principal falling due in such year, provide that there shall be raised such yearly amount as may be necessary for such purposes and as the requirements for such purposes may from year to year vary. R.S.O. 1970, c. 408, s. 130 (19); 1972, c. 78, s. 17 (3).

Principal levies

(22) When sinking fund debentures are issued, the amount of principal to be raised in each year shall be a specific sum which, with the estimated interest at a rate not exceeding 5 per cent per annum, capitalized yearly, will be sufficient to pay the principal of the debentures or any set of them, when and as it becomes due. R.S.O. 1970, c. 408, s. 130 (20); 1972, c. 78, s. 17 (4).

Consolidated bank accounts

(23) When sinking fund debentures are issued, the sinking fund committee shall keep one or more consolidated bank accounts in which,

(a) the financial officer of the Regional Corporation shall deposit each year during the term of the debentures
the moneys raised for the sinking fund of all debts that are to be paid by means of sinking funds; and

(b) there shall be deposited all earnings derived from, and all proceeds of the sale, redemption or payment of, sinking fund investments. R.S.O. 1970, c. 408, s. 130 (21).

(24) When sinking fund debentures are issued, there shall be a sinking fund committee that shall be composed of the financial officer of the Regional Corporation and two members appointed by the Regional Council, and the two appointed members may be paid, out of the current fund of the Regional Corporation, such annual remuneration as the Regional Council determines. 1972, c. 78, s. 17 (5).

(25) The Regional Council may appoint an alternate member for each of the appointed members and any such alternate member has all the powers and duties of the member in the absence or inability to act of such member and any such alternate member may be paid, out of the current fund of the Regional Corporation, such remuneration as the Regional Council determines. 1976, c. 70, s. 16.

(26) The financial officer of the Regional Corporation shall be the chairman and treasurer of the sinking fund committee and in his absence the appointed members may appoint one of themselves as acting chairman and treasurer.

(27) Each member of the sinking fund committee shall, before entering into the duties of his office, give security for the faithful performance of his duties and for duly accounting for and paying over all moneys that come into his hands, in such amount as the auditor of the Regional Corporation shall determine, and in other respects the provisions of section 94 of the Municipal Act apply with respect to such security.

(28) Two members of the sinking fund committee are a quorum, and all investments and disposals of investments must be approved by a majority of all the members of the committee.

(29) All assets of the sinking funds, including all consolidated bank accounts, shall be under the sole control and management of the sinking fund committee.

(30) All withdrawals from the consolidated bank accounts shall be authorized by the sinking fund committee, and all cheques on the consolidated bank accounts shall be signed by the chairman or acting chairman and one other member of the sinking fund committee.
(31) The sinking fund committee shall invest any moneys on deposit from time to time in the consolidated bank accounts and may at any time or times vary any investments. R.S.O. 1970, c. 408, s. 130 (24-29).

(32) The moneys in the consolidated bank accounts shall be invested in one or more of the following forms,

(a) in securities in which a trustee may invest under the Trustee Act;

(b) in debentures of the Regional Corporation;

(c) in temporary advances to the Regional Corporation pending the issue and sale of any debentures of the Regional Corporation;

(d) in temporary loans to the Regional Corporation for current expenditures, but no loan for such purpose shall be made for a period ending after the end of the calendar year in which the loan is made;

(e) in securities issued or unconditionally guaranteed as to principal and interest by the United States of America;

(f) in such other securities as are authorized by the Lieutenant Governor in Council. R.S.O. 1970, c. 408, s. 130 (30); 1976, c. 43, s. 32 (2).

(33) Any securities acquired by the sinking fund committee as investments for sinking fund purposes may be deposited with the Treasurer of Ontario.

(34) The Treasurer of Ontario shall release, deliver or otherwise dispose of any security deposited with him under subsection (33) only upon the direction in writing of the sinking fund committee.

(35) All sinking fund debentures issued on the same date, payable in the same currency, and maturing on the same date, notwithstanding they are issued under one or more by-laws, shall be deemed one debt and be represented by one sinking fund account.

(36) That proportion of the amount of all earnings in any year, on an accrual basis, from sinking fund investments, obtained by,

(a) multiplying the amount of all such earnings by the amount of the capitalized interest for that year.
under subsection (22) with respect to the principal raised up to and including such year for all sinking fund debentures represented by any sinking fund account; and

(b) dividing the product obtained under clause (a) by the amount of all capitalized interest for that year under subsection (22) with respect to all principal raised up to and including such year for all outstanding sinking fund debentures,

shall be credited to the sinking fund account mentioned in clause (a).

(37) The financial officer of the Regional Corporation shall prepare and lay before the Regional Council in each year, before the annual regional levies are made, a statement showing the sums that the Regional Council will be required, by by-law, to raise for sinking funds in that year.

(38) If the financial officer of the Regional Corporation contravenes subsection (23) or (37), he is guilty of an offence and on conviction is liable to a fine of not more than $250.

(39) If the Regional Council neglects in any year to levy the amount required to be raised for a sinking fund, each member of the Regional Council is disqualified from holding any municipal office for two years, unless he shows that he made reasonable efforts to procure the levying of such amount.

(40) Notwithstanding this or any other Act or by-law, if it appears at any time that the amount at the credit of any sinking fund account will be more than sufficient, with the estimated earnings to be credited thereto under subsection (36) together with the levy required to be made by the by-law or by-laws that authorized the issue of the debentures represented by such sinking fund account, to pay the principal of the debt represented by such sinking fund account when it matures, the Municipal Board, on the application of the sinking fund committee, the Regional Council or the council of an area municipality, may authorize the Regional Council or the council of an area municipality to reduce the amount of money to be raised with respect to such debt in accordance with the order of the Municipal Board.

(41) No money collected for the purpose of a sinking fund shall be applied towards paying any part of the current or other expenditure of the Regional Corporation or other-
Surplus

(42) When there is a surplus in a sinking fund account, the sinking fund committee shall,

(a) use the surplus to increase the amount at the credit of another sinking fund account; or

(b) authorize the withdrawal of the surplus from the consolidated bank accounts, and the surplus shall be used for one or more of the following purposes,

(i) to retire unmatured debentures of the Regional Corporation or of an area municipality,

(ii) to reduce the next annual levy on account of principal and interest payable with respect to debentures of the Regional Corporation or of an area municipality,

(iii) to reduce the amount of debentures to be issued for other capital expenditures for which the issue of debentures has been approved by the Municipal Board,

and the surplus shall be used under either clause (a) or (b) for the purposes of the Regional Corporation or an area municipality in the proportion that the amount of the contribution for the purposes of each bears to the total contributions to the sinking fund account in connection with which the surplus arose. R.S.O. 1970, c. 408, s. 130 (40); 1972, c. 78, s. 17 (6).

Deficit and surplus

(43) Notwithstanding that any sinking fund debentures have been issued for the purposes of one or more area municipalities, any deficit in the sinking fund account shall be provided by the Regional Corporation out of its current funds and any surplus in the sinking fund account shall be used as provided in subsection (42). R.S.O. 1970, c. 408, s. 130 (41).

Term debentures

(44) A money by-law may authorize the issue of debentures of which a portion shall be payable on a fixed date with interest payable annually or semi-annually, in which case such debentures shall be known as term debentures.

Amounts to be raised annually

(45) In respect of the term debentures, the by-law shall provide for raising,
(a) in each year of the currency of the term debentures, a sum sufficient to pay the interest on the term debentures; and

(b) in each year of the currency of the term debentures in which no other debentures issued under the same by-law become due and payable, a specific amount to form a retirement fund for the term debentures, which with interest at a rate not to exceed 5 per cent per annum compounded yearly, will be sufficient to pay the principal of the term debentures at maturity.

(46) The retirement fund for the term debentures shall be administered by the sinking fund committee in all respects in the same manner as a sinking fund established under this section, and the provisions of subsections (23) to (43) of this section with respect to a sinking fund shall apply with necessary modifications to such retirement fund.

(47) Notwithstanding the provisions of any general or special Act or any differences in date of issue or maturity, every debenture issued shall rank concurrently and pari passu in respect of payment of principal and interest thereon with all other debentures of the Regional Corporation except as to the availability of any sinking funds applicable to any particular issue of debentures. 1976, c. 43, s. 32 (3).

135. Notwithstanding any other provision of this Act,

(a) a money by-law of the Regional Council may provide that all or a portion of the debentures to be issued thereunder shall be payable on a fixed date, subject to the obligation of the Regional Corporation to redeem by lot annually on each anniversary of the date of such debentures a specified principal amount of such debentures upon payment by the Regional Corporation of such principal amount plus accrued interest to the date of redemption and upon giving notice as provided in this section;

(b) the principal amount of every debenture that is called for redemption shall become due and payable on the date set for the redemption thereof and, after such date, interest ceases to accrue thereon where provision is duly made by the Regional Corporation for the payment of the principal amount thereof;
(c) the debentures to be redeemed on each anniversary of the date of such debentures shall be selected by lot by the treasurer of the Regional Corporation at a public meeting of the Regional Council and when redeemed shall be cancelled and shall not be reissued, provided always that the principal amount of the debentures to be redeemed in any year may be reduced by the principal amount of any debentures purchased by the Regional Corporation, at a price or prices not exceeding the principal amount thereof, and surrendered for cancellation on the date fixed for redemption;

(d) notice of intention to redeem any debenture shall be sent by prepaid mail at least thirty days prior to the date set for such redemption to the person, if any, in whose name the debenture may be registered at the address shown in the Debenture Registry Book;

(e) notice of intention to redeem any debenture shall be published at least thirty days prior to the date set for such redemption in such manner as the by-law may provide;

(f) where only a portion of the debentures issued under a by-law is payable on a fixed date, the obligation of the Regional Corporation to redeem by lot annually a specified principal amount of such debentures does not apply in any year in which an instalment of principal of the remaining debentures issued under such by-law becomes due and payable; and

(g) the aggregate amounts of principal and interest, or the amounts of principal, payable in each year during the currency of debentures issued under this section shall be approximately equal. 1976, c. 43, s. 33.

Application of 136.—(1) Subsection 152 (1) of the Municipal Act applies with necessary modifications to the Regional Council. 1976, c. 70, s. 17.

Hypothecation not a sale under this section

(2) For the purposes of this section, the hypothecation of debentures under section 132 shall not constitute a sale or other disposal thereof.

Consolidation of debentures

(3) The Regional Council may by one by-law authorized under subsection (1) amend two or more by-laws and provide
for the issue of one series of new debentures in substitution and exchange for the debentures issued thereunder.

(4) A by-law passed under this section does not affect the validity of any by-law by which special assessments are imposed or instalments thereof levied, the validity of such special assessments or levies, or the powers of the Regional Council to continue to levy and collect from any area municipality the subsequent payments of principal and interest payable by it to the Regional Council. R.S.O. 1970, c. 408, s. 131 (2-4).

137.—(1) Where part only of a sum of money provided for by a by-law has been raised, the Regional Council may repeal the by-law as to any part of the residue, and as to a proportionate part of the amounts to be raised annually.

(2) The repealing by-law shall recite the facts on which it is founded, shall provide that it shall take effect on the 31st day of December in the year of its passing, shall not affect any rates or levies due or penalties incurred before that day and shall not take effect until approved by the Municipal Board. R.S.O. 1970, c. 408, s. 132.

138.—(1) Subject to section 137, after a debt has been contracted under a by-law, the Regional Council shall not, until the debt and interest have been paid, repeal the by-law or any by-law appropriating, for the payment of the debt or the interest, the surplus income from any work or any interest therein, or money from any other source, and shall not alter any such by-law so as to diminish the amount to be raised annually, and shall not apply to any other purpose any money of the Regional Corporation that has been directed to be applied to such payment.

(2) When the Regional Corporation, by or under the authority of this Act, pays to an area municipality any amount of principal and interest becoming due upon any outstanding debentures issued by the area municipality, neither the council of the area municipality nor any officer thereof shall apply any of the moneys so paid for any purpose other than the payment of the amounts of principal and interest so becoming due. R.S.O. 1970, c. 408, s. 133.

139. Any officer of the Regional Corporation whose duty it is to carry into effect any of the provisions of a money by-law of the Regional Corporation, who neglects or refuses to do so, under colour of a by-law illegally
attempting to repeal or amend it, so as to diminish the
amount to be raised annually under it, is guilty of an
offence and on conviction is liable to a fine of not more than
$100. R.S.O. 1970, c. 408, s. 134.

140.—(1) Within four weeks after the passing of a
money by-law, the officer appointed under section 17
may register a duplicate original or a copy of it, certified
under his hand and the seal of the Regional Corporation,
in the Registry Office for the Registry Division of York
Region (No. 65). R.S.O. 1970, c. 408, s. 135 (1); 1972, c. 78,
s. 18.

(2) Subject to section 61 of the Ontario Municipal
Board Act, every by-law registered in accordance with sub-
section (1), or before the sale or other disposition of the
debentures issued under it, and the debentures are valid
and binding, according to the terms thereof, and the by-law
shall not be quashed, unless within one month after the
registration in the case of by-laws passed under the
Drainage Act or the Local Improvement Act, and in the
case of other by-laws, within three months after the
registration, an application or action to quash the by-law
is made to or brought in a court of competent jurisdiction,
and a certificate under the hand of the proper officer of
the court and its seal, stating that such application has
been made or action brought, is registered in such registry
office within such period of three months or one month,
as the case may be.

(3) After the expiration of the period prescribed by
subsection (2), if no application or action to quash the by-
law is made or brought, the by-law is valid and binding
according to its terms.

(4) If an application or action to quash the by-law is
made or brought within the period prescribed by sub-
section (2), but part only of the by-law is sought to be
quashed, the remainder of it, if no application or action
to quash it is made or brought within that period, is, after
the expiration of that period, valid and binding accord-
ing to its terms.

(5) If the application or action is dismissed in whole or
in part, a certificate of the dismissal may be registered,
and after such dismissal and the expiration of the period
prescribed by subsection (2), if it has not already expired,
the by-law, or so much of it as is not quashed, is valid
and binding according to its terms.
(6) Nothing in this section makes valid a by-law passed without the assent of the electors of an area munici-
pality as required by subsection 131 (2), or a by-law where it appears on the face of it that any of the provisions of subsection 134 (5) have not been substantially complied with.

(7) Failure to register a by-law as prescribed by this section does not invalidate it. R.S.O. 1970, c. 408, s. 135
(2-7).

141.—(1) A debenture or other like instrument shall be sealed with the seal of the Regional Corporation, which seal may be engraved, lithographed, printed or otherwise mechanically reproduced thereon, and, subject to subsection (3), shall be signed by the chairman, or by some other person authorized by by-law of the Regional Corporation to sign it, and by the financial officer.

(2) A debenture may have attached to it interest coupons that shall be signed by the financial officer and his signature to them may be engraved, lithographed, printed or otherwise mechanically reproduced thereon and such interest coupons are sufficiently signed if they bear the signature of the financial officer on the date the Regional Council authorized the execution of the debenture or on the date the debenture bears or at the time the debenture was issued and delivered.

(3) The signature of the chairman, or such other person authorized by by-law to sign the debentures or other like instruments, may be engraved, lithographed, printed or otherwise mechanically reproduced thereon and, if the debentures or other like instruments are countersigned in writing by a person authorized by by-law of the Regional Corporation to countersign, the signature of the financial officer may be engraved, lithographed, printed or otherwise mechanically reproduced thereon.

(4) The seal of the Regional Corporation when so engraved, lithographed, printed or otherwise mechanically reproduced has the same force and effect as if manually affixed and the signature of the chairman or such other person authorized by by-law to sign the debentures or other like instruments and, if the debentures or other like instruments are countersigned, the signature of the financial officer when so engraved, lithographed, printed or otherwise mechanically reproduced shall be deemed the signature of the chairman or other person so authorized to
sign or of the financial officer, as the case may be, and is binding upon the Regional Corporation.

(5) Any debenture or other like instrument is sufficiently signed and countersigned if it bears the signatures of the persons provided in this section if such persons had authority to sign and countersign as provided in this section either on the date the Regional Council authorized the execution of such instrument or on the date such instrument bears or at the time it was issued and delivered. R.S.O. 1970, c. 408, s. 136.

142. Where the interest for one year or more on the debentures issued under a by-law and the principal of any debenture that has matured has been paid by the Regional Corporation, the by-law and the debentures issued under it are valid and binding upon the Regional Corporation. R.S.O. 1970, c. 408, s. 137.

143.—(1) Where a debenture contains or has endorsed upon it a provision to the following effect:

This debenture, or any interest therein, is not, after a certificate of ownership has been endorsed thereon by the financial officer of this Corporation (or by such other person authorized by by-law of this Corporation to endorse such certificate of ownership), transferable except by entry by the financial officer (or by such other person so authorized) in the Debenture Registry Book of the Corporation at the

of ........................................

of ........................................

the financial officer (or such other persons so authorized), on the application of the owner of the debenture or of any interest in it, shall endorse upon the debenture a certificate of ownership and shall enter in a book, to be called the Debenture Registry Book, a copy of the certificate and of every certificate that is subsequently given, and shall also enter in such book a memorandum of every transfer of such debenture.
(2) A certificate of ownership shall not be endorsed on a debenture except by the written authority of the person last entered as the owner of it, or of his executors or administrators, or of his or their attorney, and, if the person last entered as owner of it is a corporation, the written authority of such corporation, or its successors, which authority shall be retained and filed by the financial officer.

(3) After a certificate of ownership has been endorsed, the debenture, if it contains or has endorsed upon it a provision to the like effect of the provision contained in subsection (1), is transferable only by entry by the financial officer (or by such other person so authorized) in the Debenture Registry Book as and when a transfer of the debenture is authorized by the then owner of it or his executors or administrators or his or their attorney and, if the then owner of it is a corporation, the written authority of such corporation, or its successors. R.S.O. 1970, c. 408, s. 138.

(4) A debenture may be registered as to both principal and interest in which case the interest thereon shall be paid by cheque and the debenture may be referred to as a fully registered debenture.

(5) Where debentures are payable in a currency other than that of Canada, the Regional Council may provide that the Debenture Registry Book of the Regional Corporation in respect of such debentures be maintained outside Canada by a corporation or person other than the treasurer and may make such other provisions for the registration and transfer of such debentures as the Regional Council considers appropriate. 1976, c. 43, s. 34.

144. Where a debenture is defaced, lost or destroyed, the Regional Council may by by-law provide for the replacing of the debenture on the payment of such fee and on such terms as to evidence and indemnity as the by-law may provide. R.S.O. 1970, c. 408, s. 139.

145.—(1) On request of the holder of any debenture issued by the Regional Corporation, the financial officer of the Regional Corporation may issue and deliver to such holder a new debenture or new debentures in exchange therefor for the same aggregate principal amount.

(2) On the request of the sinking fund committee, the financial officer of the Regional Corporation may, as pro-
vided in this section, exchange debentures heretofore or hereafter issued by the Regional Corporation.

(3) Any new debenture mentioned in subsection (1) may be registered as to principal and interest but in all other respects shall be of the same force and effect as the debenture or debentures surrendered for exchange.

(4) The financial officer and auditor of the Regional Corporation shall cancel and destroy all debentures surrendered for exchange and shall certify in the Debenture Registry Book that they have been cancelled and destroyed and shall also enter in the Debenture Registry Book particulars of any new debenture issued in exchange.

R.S.O. 1970, c. 408, s. 140.

146.—(1) The moneys received by the Regional Corporation from the sale or hypothecation of any debentures to the extent that such moneys are required for the purposes for which the debentures were issued, and for the repayment of any outstanding temporary loans with respect thereto, shall be used only for such purpose or purposes.

(2) None of the moneys received by the Regional Corporation from the sale or hypothecation of any debentures shall be applied towards payment of the current or other expenditures of the Regional Corporation or an area municipality.

(3) Where on the sale of any debenture an amount is realized in excess of that required for the purpose or purposes for which the debentures were issued, the excess amount shall be applied,

(a) if any such debentures are redeemable prior to maturity at the option of the Regional Corporation to redeem one or more of the debentures having the latest maturity date; or

(b) to reduce the next annual levy on account of principal and interest payable with respect to such debentures; or

(c) to reduce the amount of debentures to be issued for other capital expenditures of a similar nature for which the issue of debentures has been approved by the Municipal Board, provided that the principal and interest charges of such debentures are levied upon the assessment of the same class of ratepayers as was levied upon for the principal and interest charges of the debentures with respect to which the excess arose.
(4) Where on the sale of any debentures a deficiency in the amount required for the purpose or purposes for which the debentures were issued is sustained, the amount of such deficiency shall be added to the sum to be raised for the first annual payment of principal and interest with respect to the debentures and the levy made in the first year for such purpose or purposes shall be increased accordingly or shall be raised by the issue of other debentures approved by the Municipal Board for the same or any similar purpose or purposes. R.S.O. 1970, c. 408, s. 141.

147. Where real or personal property acquired out of moneys received by the Regional Corporation from the sale or hypothecation of any debentures is disposed of by sale or otherwise, the net proceeds of such disposal shall be applied as an excess in accordance with subsection 146 (3) or, with the approval of the Municipal Board, may be applied to meet the whole or a portion of any other capital expenditure the debt charges for which, if raised by taxation, would be raised by taxation levied upon the assessment of the same class of ratepayers as was levied upon for the principal and interest charges of the debentures issued in respect of the property disposed of or sold. R.S.O. 1970, c. 408, s. 142.

148. When the Regional Corporation intends to borrow money on debentures under this or any other Act, the Regional Council may prior to the issue thereof call for tenders for the amount of money required and the person tendering shall specify the rate of interest the debentures shall bear when issued at par. R.S.O. 1970, c. 408, s. 143.

149.—(1) The Regional Council shall,

(a) keep a separate account of every debenture debt;

(b) where the whole of a debenture debt is not payable in the current year, keep in respect thereof,

(i) an additional account for the interest, if any, and

(ii) an additional account for the sinking fund or the instalments of principal,

distinguished from all other accounts by a prefix designating the purpose for which the debenture debt was contracted; and
(c) keep the accounts so as to exhibit at all times the state of every debt, and the amount of money raised, obtained and appropriated for the payment of it.

Consolidated Interest account

(2) The Regional Council may by by-law provide and direct that instead of a separate account of the interest upon every debt being kept, a consolidated account of the interest upon all debts may be kept, but which consolidated account shall be so kept that it will be possible to determine therefrom the true state of the interest account upon every debt and that provision has been made to meet the interest upon every debt. R.S.O. 1970, c. 408, s. 144.

Application of surplus money

150. If, in any year after paying the interest and appropriating the necessary sum in payment of the instalments, there is a surplus properly applicable to such debt, it shall so remain until required in due course for the payment of interest or in payment of the principal. R.S.O. 1970, c. 408, s. 145.

Liability of members

151.—(1) If the Regional Council applies any money raised for a special purpose or collected for a sinking fund in paying current or other expenditure, the members who vote for such application are personally liable for the amount so applied, which may be recovered in any court of competent jurisdiction.

Action by ratepayer

(2) If the Regional Council, upon the request in writing of a ratepayer of any area municipality, refuses or neglects for one month to bring an action therefor, the action may by brought by any such ratepayer on behalf of himself and all other ratepayers in the Regional Area.

Disqualification

(3) The members who vote for such application are disqualified from holding any municipal office for two years. R.S.O. 1970, c. 408, s. 146.

Refinancing of debentures

152. When, by or under the authority of this Act, the Regional Corporation is or becomes liable for the payment to an area municipality of all amounts of principal and interest becoming due upon any outstanding debentures issued by the area municipality, the Regional Corporation may, with the approval of the Municipal Board,
(a) cancel all such debentures that have not been sold and issue new debentures of the Regional Corporation in substitution and exchange therefor and apply the proceeds thereof, as may be directed by the Municipal Board, for the purposes for which such debentures were issued;

(b) arrange with the area municipality for the redemption of all such debentures as are redeemable and issue new debentures of the Regional Corporation to raise the moneys required for such redemption; and

(c) purchase, by agreement with the owner or owners thereof, all such debentures of a single issue of the area municipality, and issue new debentures of the Regional Corporation to raise the money required to complete such purchase. R.S.O. 1970, c. 408, s. 147.

PART XI
GENERAL

153.—(1) Sections 5, 105, 106, 110, 113, 116, 121, subsection 165 (3), sections 190 and 205, paragraphs 3, 11, 12, 23, 24, 30, 50 and 54 of section 208, subparagraph ii of paragraph 125 of section 210, paragraph 10 of section 315 and Parts XIII, XIV, XV and XIX of the Municipal Act apply with necessary modifications to the Regional Corporation. 1979, c. 81, s. 43 (1).

(2) Sections 10 and 11 and, subject to subsection 2 (6), subsection 14 (2) of the Municipal Act do not apply to any area municipality except in relation to alterations of boundaries, within the Regional Area, of area municipalities, which alterations, in the opinion of the Municipal Board, are of a minor nature.

(3) The Regional Corporation shall be considered to be a local municipality for the purposes of paragraph 134 of section 210 and section 253 of the Municipal Act.

(4) Notwithstanding any other provision in this Act, the Regional Council may pass by-laws authorizing the head of the department concerned to grant such of the approvals and consents required by subsection 39 (2), subsection 54 (1), subsection 55 (2) and subsection 69 (2) as are designated in the by-law, and any such by-law may prescribe terms and conditions under which any such
approval or consent may be granted. R.S.O. 1970, c. 408, s. 149 (3-5).

(5) For the purposes of sections 45 and 46 of the *Ontario Water Resources Act*, the Regional Corporation shall be deemed to be a county and the area municipalities shall be deemed to be the local municipalities that form part of the county for municipal purposes and, for the purposes of sections 44 and 47 of the *Ontario Water Resources Act*, the Regional Corporation shall be deemed to be a municipality. 1971, c. 75, s. 7 (1); 1972, c. 1, s. 70 (1).

(6) The Regional Corporation shall be deemed to be a municipal corporation for the purposes of section 13 of the *Mortmain and Charitable Uses Act*. 1977, c. 34, s. 15 (2).

(7) The Regional Corporation shall be deemed to be, and to have always been, a municipality for the purposes of section 311 of the *Municipal Act*. 1979, c. 81, s. 43 (2).

(8) Every by-law of a local municipality as it exists on the 31st day of December, 1970, shall remain in force in the area of the former local municipality on and after the 1st day of January, 1971, until repealed by the council of an area municipality as it affects such area municipality. R.S.O. 1970, c. 408, s. 149 (8).

(9) The Regional Corporation shall be considered to be a local municipality for the purposes of paragraphs 3 and 12 of section 232 of the *Municipal Act*, and no area municipality shall exercise the powers conferred in those paragraphs. 1972, c. 78, s. 19 (1).

(10) The Regional Council may pass by-laws for licensing, regulating and governing persons who carry on the business of providing septic tank cleaning and pumping services. 1972, c. 78, s. 19 (2).

154.—(1) The Regional Council may pass by-laws,

(a) for the establishment and maintenance of an emergency measures civil defence organization in the Regional Area; and

(b) for providing moneys for emergency measures and civil defence, for the purposes of the emergency
measures civil defence organization and for the cost of the operation of such organization, and for other similar work in the Regional Area,

and when a by-law passed under this subsection is in force in the Regional Area, any by-laws passed by the council of an area municipality under subclauses 209 (b) (ii) and (iii) of the Municipal Act have no effect.

(2) When a by-law passed under clause (1) (a) is in force, the Regional Council may pass by-laws,

(a) with the consent of the area municipality or local board concerned, for appointing heads of departments and alternates to be members of or advisors to the emergency measures planning committee or any subcommittee thereof;

(b) with the consent of the area municipality or local board concerned, for training employees of the area municipality or local board in their emergency functions;

(c) for appointing members of the emergency measures planning committee or of any subcommittee thereof to be in charge of such departments or utilities throughout the Regional Area, as the by-law may provide, when an emergency has been proclaimed under the War Measures Act (Canada);

(d) for acquiring alternative headquarters for the Regional Government outside the Regional Area;

(e) for obtaining and distributing emergency materials, equipment and supplies; and

(f) for complying with any request of the Government of Canada or of Ontario in the event of a nuclear attack. R.S.O. 1970, c. 408, s. 150.

155. The Regional Corporation may make expenditures for the purpose of diffusing information respecting the advantages of the regional municipality as an industrial, business, educational, residential or vacation centre. R.S.O. 1970, c. 408, s. 151; 1973, c. 156, s. 8; 1976, c. 43, s. 36.

156. Where, in an action or by the settlement of a claim arising out of any injury to an employee, including a member of the York Regional Police Force, or to any person considered an employee for the purposes of the Workmen's
Compensation Act, the Regional Corporation recovers damages from a third person, such damages or any portion thereof may be paid to such employee or person or, in the event of his death, to one or more of his dependants upon such terms and conditions as the Regional Corporation may impose. R.S.O. 1970, c. 408, s. 153; 1971, c. 75, s. 8.

157.—(1) Where the Regional Council passes a resolution requesting a judge of the county court within the Regional Area or a judge of the county court of a county or judicial district adjoining the Regional Area, to investigate any matter relating to a supposed malfeasance, breach of trust or other misconduct on the part of a member of the Regional Council, or an officer or employee of the Regional Corporation, or of any person having a contract with it, in regard to the duties or obligations of the member, officer, employee or other person to the Regional Corporation, or to inquire into or concerning any matter connected with the good government of the Regional Corporation or the conduct of any part of its public business, including any business conducted by a local board of the Regional Corporation, the judge shall make the inquiry and for that purpose has the powers of a commission under Part II of the Public Inquiries Act, which Part applies to the inquiry as if it were an inquiry under that Act, and he shall, with all convenient speed, report to the Regional Council the result of the inquiry and the evidence taken. R.S.O. 1970, c. 408, s. 154 (1); 1971, c. 49, s. 18.

(2) The judge shall be paid by the Regional Corporation the same fees as he would be entitled to if the inquiry had been made by him as a referee under the Judicature Act.

(3) The Regional Council may engage and pay counsel to represent the Regional Corporation, and may pay all proper witness fees to persons summoned to give evidence at the instance of the Regional Corporation, and any person charged with malfeasance, breach of trust or other misconduct, or whose conduct is called in question on such investigation or inquiry, may be represented by counsel.

(4) The judge may engage counsel and such other assistants and staff and incur such incidental expenses as he considers advisable for the proper conduct of the investigation or inquiry, and the Regional Corporation shall pay the costs thereof. R.S.O. 1970, c. 408, s. 154 (2-4).

158.—(1) The Lieutenant Governor in Council, upon the recommendation of the Minister, may issue a commission to inquire into any of the affairs of the Regional Corporation or a local board thereof, and any matter connected therewith, and
the commission has the powers of a commission under Part II of the Public Inquiries Act, which Part applies to the inquiry as if it were an inquiry under that Act. R.S.O. 1970, c. 408, s. 155 (1); 1971, c. 49, s. 18.

(2) A commission may be recommended at the instance of the Ministry or upon the request in writing of not less than one-third of the members of the Regional Council, or of not less than fifty ratepayers of an area municipality assessed as owners and resident therein. R.S.O. 1970, c. 408, s. 155 (2); 1972, c. 1, s. 1.

(3) The expenses of and incidental to the execution of the commission, including the fees and disbursements of the commissioner, shall be fixed and certified by the Minister and are subject to such division between the Regional Corporation and the Province as the Lieutenant Governor in Council may direct. R.S.O. 1970, c. 408, s. 155 (3).

159. The Regional Corporation for its purposes may enter, break up, dig and trench in, upon and under the highways, lanes and other public communications of any area municipality and may construct and maintain therein pipes, sewers, drains, conduits and other works necessary for its purposes, without making compensation therefor, but all such highways, lanes and other public communications shall be restored to their original condition without unnecessary delay. R.S.O. 1970, c. 408, s. 156.

160. The Regional Corporation and any area municipality may enter into agreements for the use within any part of the Regional Area of the services of the respective officers, employees and equipment. R.S.O. 1970, c. 408, s. 157.

161. — (1) For the purposes of paragraph 9 of section 3 and section 26 of the Assessment Act, the Regional Corporation shall be deemed to be a municipality.

(2) For the purposes of paragraph 9 of section 3 of the Assessment Act, where property belonging to the Regional Corporation is occupied by an area municipality or where property belonging to an area municipality is occupied by the Regional Corporation or another area municipality, the occupant shall not be considered to be a tenant or lessee, whether rent is paid for such occupation or not.

(3) In subsection (2), "Regional Corporation" and "area municipality" include a local board thereof. R.S.O. 1970, c. 408, s. 158.
162.—(1) An execution against the Regional Corporation may be endorsed with a direction to the sheriff to levy the amount thereof by rate, and the proceedings therein shall then be the following:

1. The sheriff shall deliver a copy of the writ and endorsement to the financial officer of the Regional Corporation, or leave such copy at the office or dwelling place of that officer, with a statement in writing of the sheriff's fees and of the amount required to satisfy the execution, including the interest calculated to some day as near as is convenient to the day of the service.

2. If the amount with interest thereon from the day mentioned in the statement is not paid to the sheriff within one month after the service, the sheriff shall examine the assessment rolls of all the area municipalities and shall, in like manner as the levies of the Regional Council for general purposes are apportioned among the area municipalities, determine the portion of the amount mentioned in the statement that shall be levied against and in each area municipality.

3. The sheriff shall then in like manner as rates struck for general municipal purposes within each area municipality strike a rate sufficient in the dollar to cover its share of the amount due from the execution, and in determining such amount he may make such addition to the same as the sheriff considers sufficient to cover its share of the interest up to the time when the rate will probably be available and his own fees and poundage.

4. The sheriff shall thereupon issue a precept under his hand and seal of office directed to the collector of the area municipality, and shall annex to the precept the roll of such rate and shall by the precept, after reciting the writ and that the Regional Corporation has neglected to satisfy the same, and referring to the roll annexed to the precept, command the collector to levy such rate at the time and in the manner by law required in respect to the general annual rates.

5. If, at the time for levying the annual rates next after the receipt of such report, the collector has a general rate roll delivered to him for the year, he shall add a column thereto, headed "Execution rate in A.B. vs. The Regional Municipality of York (adding a similar column for each execution if more than one), and
shall insert therein the amount by such precept required to be levied upon each person respectively, and shall levy the amount of such execution rate as aforesaid, and shall, within the time within which he is required to make the return of the general annual rate, return to the sheriff the precept with the amount levied thereon.

6. The sheriff shall, after satisfying the execution and all the fees and poundage thereon, pay any surplus, within ten days after receiving the same, to the treasurer of the area municipality.

(2) The clerk, assessor and collector of each area municipality shall, for all purposes connected with carrying into effect or permitting or assisting the sheriff to carry into effect, the provisions of this Act with respect to such execution, be considered to be officers of the court out of which the writ issued, and as such are amenable to the court and may be proceeded against by attachment, mandamus or otherwise in order to compel them to perform the duties imposed upon them. R.S.O. 1970, c. 408, s. 159.

163.—(1) The Corporation of the County of York is dissolved on the 1st day of January, 1971.

(2) All the assets and liabilities of the County of York become, on the 1st day of January, 1971, the assets and liabilities of the Regional Corporation, and all documents and records kept by the clerk or treasurer or any other officer of the County of York shall be transferred to the officer appointed under section 17. R.S.O. 1970, c. 408, s. 160.

164.—(1) The Toronto and York Roads Commission is dissolved on the 1st day of January, 1971.

(2) All the assets and liabilities of The Toronto and York Roads Commission become, on the 1st day of January, 1971, the assets and liabilities of the Regional Corporation, and all documents and records kept by any officer of such roads commission shall be transferred to the officer appointed under section 20. R.S.O. 1970, c. 408, s. 161.

165.—(1) Except as provided in this Act, the Municipal Board, upon the application of any area municipality or the Regional Corporation, may exercise any of the powers under clauses 14 (11) (a) and (d) of the Municipal Act in relation to the dissolution of the County of York and The Toronto and York Roads Commission under this Act.

R.S.O. 1980, c. 302
Disputes

(2) In the event of any doubt as to whether any particular asset or liability is vested in the Regional Corporation under this Act, the Municipal Board upon application has power to determine the matter as sole arbitrator and sections 94 and 95 of the Ontario Municipal Board Act do not apply to decisions or orders made in the exercise of such power. R.S.O. 1970, c. 408, s. 162.

Conditional powers

166. The Lieutenant Governor in Council, upon the recommendation of the Minister, may authorize all such acts or things not specifically provided for in this Act that are considered necessary or advisable to carry out effectively the intent and purposes of this Act. R.S.O. 1970, c. 408, s. 163.

Conflict with other Acts

167. The provisions of this Act apply notwithstanding the provisions of any general or special Act and, in the event of any conflict between this Act and any general or special Act, this Act prevails. R.S.O. 1970, c. 408, s. 164.

Municipal buildings

168.—(1) The Regional Corporation or any area municipality or the Regional Corporation and one or more area municipalities,

(a) may acquire land for the purpose of constructing municipal buildings; and

(b) may construct municipal buildings for the use of the Regional Corporation or the Regional Corporation and one or more area municipalities or any local board thereof. R.S.O. 1970, c. 408, s. 165 (1).

Buildings for use of Children’s Aid Society

(2) The Regional Corporation may construct buildings for the use of The Children’s Aid Society of The Regional Municipality of York and may lease land and any buildings so constructed to The Children’s Aid Society of The Regional Municipality of York. 1976, c. 70, s. 19.

Application of R.S.O. 1980, c. 302, s. 125

(3) Section 125 of the Municipal Act applies with necessary modifications to any joint undertaking under this section. R.S.O. 1970, c. 408, s. 165 (2).

Interpretation

169.—(1) In this section, “waste” includes ashes, garbage, refuse, domestic waste or municipal refuse, and such other wastes as may be designated by by-law of the Regional Council.

Waste disposal

(2) On and after the 17th day of June, 1980, the Regional Corporation shall provide facilities for the purpose of receiving, dumping and disposing of waste, and no such facilities shall be provided in the Regional Area by any person or any municipality, including a metropolitan or regional municipality, or by any local
board thereof, without the consent of the Regional Council, which consent may be granted on such terms and conditions including the payment of such compensation as may be agreed upon.

(3) Where the Regional Council refuses its consent under subsection (2), or the applicant therefor and the Regional Council fail to agree on the terms and conditions related to such consent, the applicant may appeal to the Municipal Board who shall hear and determine the matter, and the Board may impose such terms and conditions as the Board considers appropriate and the decision of the Board is final.

(4) For the purposes of subsection (2), the Regional Corporation may,

(a) acquire and use land;

(b) erect, maintain and operate facilities for the purpose of receiving, dumping, treating and disposing of waste;

(c) contract with Her Majesty in right of Canada, Her Majesty in right of a province, any agency of either of them, an area, regional or metropolitan municipality, or a local board thereof, or any other person for such purposes;

(d) prohibit or regulate the dumping, treating and disposing of waste, or any class or classes thereof, upon such land; and

(e) provide standards and regulations for vehicles, or any class or classes thereof, used for the haulage of waste to any waste facility located in the Regional Area.

(5) The Regional Council may pass one or more by-laws to assume as regional waste disposal works any or all such solid waste disposal sites, works, facilities and equipment vested in any area municipality, and upon the passing of any such by-law, the sites, works, facilities and equipment specified therein shall vest in the Regional Corporation.

(6) The Regional Corporation shall pay to the corporation of any area municipality, on or before the due date, all amounts of principal and interest becoming due upon any outstanding debt of such area municipality in respect of the real or personal property assumed by the Regional Corporation under subsection (5).

(7) If the Regional Corporation fails to make any payment required by subsection (6) on or before the due date, the area municipality may charge the Regional Corporation interest at the rate of 15 per cent per annum thereon, or such lower rate as the
council of the area municipality determines, from such date until payment is made.

(8) No consent shall be given under subsection (2), no land shall be acquired and no facility shall be operated under subsection (4) and no by-law shall be passed under subsection (5) without,

(a) the approval of the area municipality in which the land is situate, which approval may be granted upon such terms and conditions including the payment of such compensation as may be agreed upon; or

(b) failing such approval or agreement, the approval of the Municipal Board.

(9) The Municipal Board, before giving its approval under clause (8) (b), shall hold a public hearing and shall give or cause to be given at least ten days notice of the hearing to the clerk of the municipality concerned and to such other persons in such manner as the Board may direct, and the Board, as a condition of giving any such approval may by its order impose such restrictions, limitations and conditions respecting the acquisition or use of such land as to the Board may appear necessary or expedient.

(10) For the purposes of this section, the Regional Council shall, by by-law, prescribe rates or charges for the use of its disposal facilities.

(11) When, in the opinion of the Regional Council, land has been used for solid waste disposal and is no longer required by the Regional Corporation for such purpose, the Regional Corporation shall not dispose of such land without first offering such land to the area municipality within which it is located for nominal consideration upon such terms and conditions as the Regional Council may prescribe.

(12) A by-law passed under paragraph 129 of section 210 of the Municipal Act does not apply to the Regional Corporation.

(13) The Regional Council may by by-law prescribe one or more routes on specified regional roads to be used by vehicles, or any class or classes thereof, in hauling waste to any waste facility located in the Regional Area, and any such by-law may provide different restrictions by reference to the days and times set forth in the by-law.

(14) Subject to the approval of the Regional Council, the council of an area municipality may by by-law prescribe one or more routes on specified area municipality roads to be used by vehicles, or any class or classes thereof, in hauling waste to any waste
facility located in such area municipality, and any such by-law may provide different restrictions by reference to the days and times set forth in the by-law. 1980, c. 33, s. 9.

170. The Regional Corporation shall appoint a Regional Fire Co-ordinator who shall be responsible for the establishment of an emergency fire service plan and program for the Regional Area, and the Regional Corporation is authorized to expend such sums as it considers necessary to implement such plan and program. R.S.O. 1970, c. 408, s. 167.

171.—(1) Notwithstanding the other provisions of this Act but subject to subsections (2) and (3), for the purposes of section 109 of the Highway Traffic Act the areas in the Regional Area that, on the 31st day of December, 1970, form part of a town, village or township municipality or police village, shall be deemed to continue to form part of a town, village or township municipality or police village.

(2) Notwithstanding subsection (1), the Regional Council and the council of each area municipality may exercise any of its powers under section 109 of the Highway Traffic Act in respect of highways under its jurisdiction and control.

(3) Every by-law passed by the council of a municipality or by the trustees of a police village under any provision of section 59 of The Highway Traffic Act, being chapter 172 of the Revised Statutes of Ontario, 1960, that applied, on the 31st day of December, 1970, to any highway or portion thereof within the Regional Area shall continue to apply thereto until a by-law passed by the Regional Council or the council of an area municipality under section 109 of the Highway Traffic Act applies thereto. R.S.O. 1970, c. 408, s. 168.

172. The Minister may by order, on the request of any area municipality, dissolve any board of a community recreation centre or board of recreation or park management of the area municipality and transfer the assets and liabilities of such board to the area municipality and may deem the council of the area municipality to be a recreation committee under the Ministry of Culture and Recreation Act and the regulations thereunder and a board of a community centre under the Community Recreation Centres Act. R.S.O. 1970, c. 408, s. 170; 1972, c. 1, s. 61 (7).

173.—(1) The Regional Council may pass by-laws for acquiring land for and establishing, laying out and improving and maintaining public parks, zoological gardens, recreation areas, squares, avenues, boulevards and drives in the Regional Area and for exercising all or any of the powers that are
conferring on boards of park management by the Public Parks Act.

(2) In addition to the powers that may be exercised under subsection (1), the Regional Council has power to let from year to year, or for any time not exceeding ten years, the right to sell, subject to the Liquor Licence Act, and the regulations made thereunder, spirituous, fermented or intoxicating liquors within regional parks under such regulations as the Regional Council may prescribe.

(3) Paragraph 70 of section 208 of the Municipal Act applies with necessary modifications to the Regional Corporation.

(4) The Regional Corporation shall be deemed to be a municipality for the purposes of the Parks Assistance Act.

(5) Where, under an agreement with any conservation authority, lands vested in the conservation authority are managed and controlled by the Regional Corporation, the Regional Corporation may,

(a) exercise all or any of the powers conferred on it under subsection (1) in respect of such lands;

(b) lay out, construct and maintain roads on such lands and, with the consent of the area municipality in which such lands, or any part thereof, are situate, assume the maintenance of existing roads on such lands, or any part thereof;

(c) subject to the Highway Traffic Act, regulate traffic on such roads and prescribe the rate of speed for motor vehicles driven on such roads in accordance with subsection 109 (3) of the Highway Traffic Act; and

(d) notwithstanding the provisions of any other Act, exempt from municipal taxation any such lands for so long as they are managed and controlled by the Regional Corporation and used for park purposes.

(6) An exemption from taxes under subsection (5) shall be deemed to have the same effect as an exemption from taxes under section 3 of the Assessment Act.
(7) The Regional Council may agree to pay annually to the area municipality in which any land used for the purposes set out in subsection (1) is situate a sum not exceeding the amount that would have been payable to the municipality as taxes if the land were not exempt from taxation.

(8) The Regional Council shall be deemed to be a recreation committee under the *Ministry of Culture and Recreation Act* and the regulations thereunder and a board of a community recreation centre under the *Community Recreation Centres Act*. 1972, c. 78, s. 20.

174. On and after the 1st day of July, 1975, paragraph 61 of section 208 of the *Municipal Act* applies with necessary modifications to the Regional Council and no area municipality shall exercise any of the powers under that paragraph. 1975, c. 46, s. 10.
FORM 1

(Oath of Allegiance)

I, .................................................., having been elected (or appointed) as chairman of the council of The Regional Municipality of York, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II (or the reigning sovereign for the time being).

Sworn before me, etc.

R.S.O. 1970, c. 408, Form 1.

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FORM 2

(Declaration of Qualification by Chairman)

I, ................................................., having been elected (or appointed) as chairman of the council of The Regional Municipality of York declare that:

1. I am a British subject and am not a citizen or a subject of any foreign country.

2. I am of the full age of eighteen years.

3. I am not an officer, employee or servant of any area municipality or any local board of any area municipality.

4. I have taken the oath of allegiance (Form 1) which I attach hereto.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Declared before me, etc.

R.S.O. 1970, c. 408, Form 2; 1973, c. 156, s. 9.