c 15 Municipal Statute Law Amendment Act, 1991 / Loi de 1991 modifiant des lois concernant des municipalités

Ontario
CHAPTER 15

An Act to amend certain Acts related to Municipalities

Assented to June 27th, 1991

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

MUNICIPAL ACT

1.—(1) Subsection 25 (2) of the Municipal Act is amended by adding “or” at the end of clause (c) and by adding the following clause:

(ca) of a township to have a police village, any part of which comprises part of that township dissolved.

(2) Clause 25 (7) (a) of the Act is amended by inserting after “clause (2) (a)” in the first line “or (ca)”.

2. Section 51 of the Act, as amended by the Statutes of Ontario, 1988, chapter 31, section 1, is further amended by adding the following subsections:

Term

(1a) Despite subsection (1), the council of a county may, by by-law passed in the first year of its term before electing one of its members to be warden, provide that the term of office of warden shall be the term of office of the council of the county.

Restriction on repeal

(1b) A by-law passed under subsection (1a) shall not be repealed once a warden has been elected, until the succeeding council of the county is deemed to be organized under subsection 49 (4).

3. Subsection 88 (1) of the Act is amended by striking out “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 by the council for cause” in the second, third, fourth and fifth lines and substituting “for a term of five years or less one or more auditors who are licensed under the Public Accountancy Act”.

4. Section 99 of the Act is repealed.

5. Clause 29 of section 208 of the Act is repealed.

6. Clause (d) of subparagraph ii of paragraph 125 of section 210 of the Act, as.re-enacted by the Statutes of Ontario, 1989, chapter 84, section 4, is repealed and the following substituted:

3 Le paragraphe 88 (1) de la Loi est modifié par substitution, à «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 by the council for cause» aux deuxième, troisième, quatrième et cinquième lignes, de «for a term of five years or less one or more auditors who are licensed under the Public Accountancy Act».

4 L’article 99 de la Loi est abrogé.

5 La disposition 29 de l’article 208 de la Loi est abrogée.

6 L’alinéa (d) de la sous-disposition ii de la disposition 125 de l’article 210 de la Loi, tel qu’il est adopté de nouveau par l’article 4 du chapitre 84 des Lois de l’Ontario de 1989, est abrogé et remplacé par ce qui suit:
(d) If a municipal council has appointed a person who is not an employee of the municipality as a municipal by-law enforcement officer under section 15 of the Police Services Act, 1990 for enforcing a by-law under this paragraph, the municipal council shall ensure that the person is properly trained to perform the duties arising out of the appointment and is properly supervised having regard to the nature of those duties.

(da) If a municipal council has entered into an agreement with another municipality for that other municipality to be responsible for the enforcement of the by-law, the other municipality is responsible for ensuring the person is properly trained and supervised under clause (d).

(db) The supervision required under clause (d) or (da) shall be performed by an employee of the municipality or, with the consent of the appropriate police services board, by a member of a municipal, regional or metropolitan police force having jurisdiction in the municipality which passed the by-law under this paragraph.

(dc) In clauses (d) and (db), “employee” means an employee as defined in paragraph 46 of section 208.

DISTRICT MUNICIPALITY OF MUSKOKA ACT

7. Subsection 13 (3) of the District Municipality of Muskoka Act is repealed.

8. Subsection 22 (1) of the Act is repealed and the following substituted:

(1) The District Council shall by by-law appoint for a term of five years or less one or more auditors licensed under the Public Accountancy Act who shall audit the accounts and transactions of the District Corporation and of every local board of the District Corporation.

9. Subsection 23 (1) of the Act is amended by striking out “99” in the second line.

10.-(1) Subsection 49 (1) of the Act is amended by inserting after “mail” in the third line “or personal service”.

(2) Subsection 49 (2) of the Act is amended by inserting after “mail” in the third line “or personal service”.

11. Section 62 of the Act is repealed.

12. Section 85 of the Act is amended by adding the following subsection:

(1a) Subsection 149 (2) of the Municipal Act applies with necessary modifications to the District Corporation.

13.-(1) Subsection 88 (24) of the Act is amended by striking out “two members appointed by the District Council, and the two” in the third and fourth lines and substituting “such other members appointed by the
District Council as it considers appropriate and the".

(2) Subsection 88 (28) of the Act is amended by striking out "Two members of the sinking fund committee are" in the first line and substituting "A majority of the members of the sinking fund committee is".

14. Subsection 108 (1) of the Act, as re-enacted by the Statutes of Ontario, 1986, chapter 48, section 9 and amended by 1988, chapter 31, section 18, is further amended by inserting after "106" in the second line "112".

**MUNICIPALITY OF METROPOLITAN TORONTO ACT**

15. Subsection 8 (1) of the Municipality of Metropolitan Toronto Act is amended by striking out "Eleven members of the Metropolitan Council are" in the first line and substituting "A majority of the members of the Metropolitan Council is".

16. Subsection 22 (1) of the Act is repealed and the following substituted:

Appointment of auditors

(1) The Metropolitan Council shall by by-law appoint for a term of five years or less one or more auditors licensed under the Public Accountancy Act who shall audit the accounts and transactions of the Metropolitan Corporation and of every local board of the Metropolitan Corporation, except The Metropolitan Toronto School Board.

17.—(1) Subsection 97 (1) of the Act is amended by adding at the end "or personal service".

(2) Subsection 97 (2) of the Act is amended by inserting after "mail" in the third line "or personal service".

18. Clause 188 (1) (b) of the Act is repealed and the following substituted:

(b) not less than two persons appointed by the Metropolitan Council.

19. The Act is amended by adding the following section:

**Delegation to committee**

188a.—(1) Where the Metropolitan Licensing Commission is required by law to hear interested parties or to afford them an opportunity to be heard regarding the issuance, revocation or amendment of a licence before doing any act, passing a by-law or making a decision, the Metropolitan Council may by by-law appoint a committee of the Licensing Commission to hear the parties or afford them an opportunity to be heard in the place of the Licensing Commission.

Size, quorum

(2) A committee appointed under subsection (1) shall have a minimum of three members, and a majority of the members of the committee constitutes a quorum.

No further hearing

(3) Where a hearing is conducted or an opportunity to be heard is afforded by a committee under a by-law passed under subsection (1), the Licensing Commission may do the act, pass the by-law, or make the decision in respect of which the hearing
was held or the opportunity for a hearing afforded without itself being required to hold a hearing or afford an opportunity for a hearing.

(4) Upon concluding a hearing, the committee shall as soon as practicable make a written report to the Licensing Commission summarizing the evidence and arguments presented by the parties, the findings of fact made by the committee and the recommendations, if any, of the committee with reasons based on the merits of the application.

(5) After considering the report of the committee, the Licensing Commission may do any act, pass any by-law or make any decision that it might have done, passed or made had it conducted the hearing itself.

(6) Where a committee conducts a hearing pursuant to a by-law passed under this section, and where the decision to be exercised by the Licensing Commission in respect of the matter is a statutory power of decision within the meaning of the Statutory Powers Procedure Act, sections 5 to 15 and 21 to 24 of that Act shall be deemed to apply to the committee and to the hearing conducted by it and those sections, except for section 24, do not apply to the Licensing Commission in the exercise of its power of decision in respect of that matter.

20. Subclause 210 (4) (a) (iii) of the Act, as enacted by the Statutes of Ontario, 1983, chapter 14, section 5, is repealed and the following substituted:

(iii) five members who may or may not be members of the Metropolitan Council.

COUNTY OF OXFORD ACT

21. Subsection 16 (3) of the County of Oxford Act is repealed.

22. Subsection 25 (1) of the Act is repealed and the following substituted:

Appointement of auditors

(1) The County Council shall by by-law appoint for a term of five years or less one or more auditors licensed under the Public Accountancy Act who shall audit the accounts and transactions of the County and of every local board of the County, except school boards.

23.—(1) Subsection 50 (1) of the Act is amended by adding at the end "or personal service".

(2) Subsection 50 (2) of the Act is amended by inserting after "mail" in the second line "or personal service".

24. Section 95 of the Act is amended by adding the following subsection:

Borrowing approval

(2) Subsection 149 (2) of the Municipal Act applies with necessary modifications to the County.

25.—(1) Subsection 98 (24) of the Act is amended by striking out "two members appointed by the County Council, and the two" in the third and fourth lines and substituting "such other members appointed by the County Council as it considers appropriate and the".

20 Le sous-alinéa 210 (4) (a) (iii) de la Loi, tel qu’il est adopté par l'article 5 du chapitre 14 des Lois de l’Ontario de 1983, est abrogé et remplacé par ce qui suit :

(iii) cinq membres qui peuvent ou non être membres du Conseil métropolitain.

LOI SUR LE COMTÉ D’OXFORD

21 Le paragraphe 16 (3) de la loi intitulée County of Oxford Act («Loi sur le comté d’Oxford») est abrogé.

22 Le paragraphe 25 (1) de la Loi est abrogé et remplacé par ce qui suit :

(1) Le paragraphe suivant est ajouté:

Appointé des auditeurs

(1) Le Conseil du comté désignera, par décret, pour une durée de cinq ans ou moins, un ou plusieurs auditeurs agréés au titre de l’Acte d’audit de comptabilité publique qui examineront les comptes et transactions de la municipalité et de chaque conseil local de la municipalité, sauf les conseils d’écoles.

23 (1) Le paragraphe 50 (1) de la Loi est modifié par adjonction de «or personal service» à la fin.

(2) Le paragraphe 50 (2) de la Loi est modifié par insertion, après «mail» à la deuxième ligne, de «or personal service».

24 L’article 95 de la Loi est modifié par adjonction du paragraphe suivant :

Borrowing

(2) Le paragraphe 149 (2) de la Loi sur les municipalités s’applique avec modifications nécessaires au comté.

25 (1) Le paragraphe 98 (24) de la Loi est modifié par substitution, à «two members appointed by the County Council, and the two» aux troisième et quatrième lignes, de «such other members appointed by the County Council as it considers appropriate and the».
(2) Subsection 98 (28) of the Act is amended by striking out "Two members of the sinking fund committee are" in the first line and substituting "A majority of the members of the sinking fund committee is".

26. Subsection 117 (1) of the Act, as re-enacted by the Statutes of Ontario, 1983, chapter 66, section 6 and amended by 1988, chapter 31, section 20, is further amended by striking out "99" in the second line and by inserting after "109" in the second line "112".

REGIONAL MUNICIPALITY OF DURHAM ACT

27. Subsection 15 (3) of the Regional Municipality of Durham Act is repealed.

28. Subsection 24 (1) of the Act is repealed and the following substituted:

Appointment of auditors

(1) The Regional Council shall by by-law appoint for a term of five years or less one or more auditors licensed under the Public Accountancy Act who shall audit the accounts and transactions of the Regional Corporation and of every local board of the Regional Corporation, except school boards.

29.—(1) Subsection 50 (1) of the Act is amended by adding at the end "or personal service".

(2) Subsection 50 (2) of the Act is amended by inserting after "mail" in the third line "or personal service".

30. Sections 68 and 69 of the Act, as re-enacted by the Statutes of Ontario, 1983, chapter 5, section 10, are repealed.

31. Section 106 of the Act is amended by adding the following subsection:

Borrowing approval

(2) Subsection 149 (2) of the Municipal Act applies with necessary modifications to the Regional Corporation.

32.—(1) Subsection 110 (24) of the Act is amended by striking out "two members appointed by the Regional Council, and the two" in the third and fourth lines and substituting "such other members appointed by the Regional Council as it considers appropriate and the".

(2) Subsection 110 (28) of the Act is amended by striking out "Two members of the sinking fund committee are" in the first line and substituting "A majority of the members of the sinking fund committee is".

33. Subsection 129 (1) of the Act, as re-enacted by the Statutes of Ontario, 1983, chapter 72, section 5 and amended by 1987, chapter 22, section 1 and 1988, chapter 31, section 21, is further amended by striking out "99" in the second line.

26 Le paragraphe 117 (1) de la Loi, tel qu'il est adopté de nouveau par l'article 6 du chapitre 66 des Lois de l'Ontario de 1983 et modifié par l'article 20 du chapitre 31 des Lois de l'Ontario de 1988, est modifié de nouveau par suppression de «99» à la deuxième ligne et par insertion, après «109» à la deuxième ligne, de «112».

27 Le paragraphe 15 (3) de la loi intitulée Regional Municipality of Durham Act ("Loi sur la municipalité régionale de Durham") est abrogé.

28 Le paragraphe 24 (1) de la Loi est abrogé et remplacé par ce qui suit :

Le paragraphe 24 (1) de la Loi est modifié par adjonction de «or personal service» à la fin.

(2) Le paragraphe 50 (2) de la Loi est modifié par insertion, après «mail» à la troisième ligne, de «or personal service».

30 Les articles 68 et 69 de la Loi, tels qu'ils sont adoptés de nouveau par l'article 10 du chapitre 5 des Lois de l'Ontario de 1983, sont abrogés.

31 L'article 106 de la Loi est modifié par adjonction du paragraphe suivant :

Le paragraphe 110 (24) de la Loi est modifié par substitution, à «two members appointed by the Regional Council, and the two» aux troisième et quatrième lignes, de «such other members appointed by the Regional Council as it considers appropriate and the».

32 (1) Le paragraphe 110 (24) de la Loi est modifié par substitution, à «two members appointed by the Regional Council, and the two» aux troisième et quatrième lignes, de «such other members appointed by the Regional Council as it considers appropriate and the».

33 (1) Le paragraphe 110 (28) de la Loi est modifié par substitution, à «Two members of the sinking fund committee are» à la première ligne, de «A majority of the members of the sinking fund committee is».

33 Le paragraphe 129 (1) de la Loi, tel qu'il est adopté de nouveau par l'article 5 du chapitre 72 des Lois de l'Ontario de 1983 et modifié par l'article 1 du chapitre 22 des Lois de l'Ontario de 1987 et par l'article 21 du chapitre 31 des Lois de l'Ontario de 1988, est...
34. Subsection 15 (3) of the Regional Municipality of Haldimand-Norfolk Act is repealed.

35. Subsection 24 (1) of the Act is repealed and the following substituted:

(1) The Regional Council shall by by-law appoint for a term of five years or less one or more auditors licensed under the Public Accountancy Act who shall audit the accounts and transactions of the Regional Corporation and of every local board of the Regional Corporation, except school boards.

36.—(1) Subsection 49 (1) of the Act is amended by adding at the end “or personal service”.

(2) Subsection 49 (2) of the Act is amended by inserting after “mail” in the third line “or personal service”.

37. Section 88 of the Act is amended by adding the following subsection:

(2) Subsection 149 (2) of the Municipal Act applies with necessary modifications to the Regional Corporation.

38.—(1) Subsection 92 (24) of the Act is amended by striking out “two members appointed by the Regional Council, and the two” in the third and fourth lines and substituting “such other members appointed by the Regional Council as it considers appropriate and the”.

(2) Subsection 92 (28) of the Act is amended by striking out “Two members of the sinking fund committee are” in the first line and substituting “A majority of the members of the sinking fund committee is”.

39. Subsection 111 (1) of the Act, as re-enacted by the Statutes of Ontario, 1983, chapter 72, section 12 and amended by 1987, chapter 22, section 2 and 1988, chapter 31, section 22, is further amended by striking out “99” in the second line.

40. Subsection 15 (3) of the Regional Municipality of Halton Act is repealed.

41. Subsection 24 (1) of the Act is repealed and the following substituted:

(1) The Regional Council shall by by-law appoint for a term of five years or less one or more auditors licensed under the Public Accountancy Act who shall audit the accounts and transactions of
the Regional Corporation and of every local board of the Regional Corporation, except school boards.

42.—(1) Subsection 49 (1) of the Act is amended by adding at the end “or personal service”.

(2) Subsection 49 (2) of the Act is amended by inserting after “mail” in the third line “or personal service”.

43. Section 100 of the Act is amended by adding the following subsection:

<table>
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<tr>
<th>Borrowing approval</th>
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<td>(2) Subsection 149 (2) of the Municipal Act applies with necessary modifications to the Regional Corporation.</td>
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44.—(1) Subsection 103 (24) of the Act is amended by striking out “two members appointed by the Regional Council, and the two” in the third and fourth lines and substituting “such other members appointed by the Regional Council as it considers appropriate and the”.

(2) Subsection 103 (28) of the Act is amended by striking out “Two members of the sinking fund committee are” in the first line and substituting “A majority of the members of the sinking fund committee is”.

45. Subsection 122 (1) of the Act, as reenacted by the Statutes of Ontario, 1983, chapter 72, section 17 and amended by 1987, chapter 22, section 3 and 1988, chapter 31, section 23, is further amended by striking out “99” in the second line.

LOI SUR LA MUNICIPALITÉ RÉGIONALE DE HAMILTON-WENTWORTH

46.—(1) Section 9 (2) of the Regional Municipality of Hamilton-Wentworth Act is amended by striking out “Subject to subsection (3)” in the first line.

(2) Subsection 9 (3) of the Act is repealed.

47. Subsection 14 (3) of the Act is repealed.

48. Subsection 23 (1) of the Act is repealed and the following substituted:

<table>
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<tr>
<th>Appointment of auditors</th>
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<tr>
<td>(1) The Regional Council shall by by-law appoint for a term of five years or less one or more auditors licensed under the Public Accountancy Act who shall audit the accounts and transactions of the Regional Corporation and of every local board of the Regional Corporation, except school boards.</td>
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49.—(1) Subsection 48 (1) of the Act is amended by adding at the end “or personal service”.

(2) Subsection 48 (2) of the Act is amended by inserting after “mail” in the third line “or personal service”.

42 (1) Le paragraphe 49 (1) de la Loi est modifié par adjonction de «or personal service» à la fin.

(2) Le paragraphe 49 (2) de la Loi est modifié par insertion, après «mail» à la troisième ligne, de «or personal service».

43 L’article 100 de la Loi est modifié par adjonction du paragraphe suivant :

44 (1) Le paragraphe 103 (24) de la Loi est modifié par substitution, à «two members appointed by the Regional Council, and the two» aux troisième et quatrième lignes, de «such other members appointed by the Regional Council as it considers appropriate and the».

(2) Le paragraphe 103 (28) de la Loi est modifié par substitution, à «Two members of the sinking fund committee are» à la première ligne, de «A majority of the members of the sinking fund committee is».


49 (1) Le paragraphe 48 (1) de la Loi est modifié par adjonction de «or personal service» à la fin.

(2) Le paragraphe 48 (2) de la Loi est modifié par insertion, après «mail» à la troisième ligne, de «or personal service».
50. Section 71 of the Act is repealed and the following substituted:

Borrowing approval 71. Except as otherwise provided in this Part, sections 110 to 132 apply with necessary modifications to any borrowing for the purposes of a commission established by section 62.

51. Section 111 of the Act is amended by adding the following subsection:

Borrowing approval (2) Subsection 149 (2) of the Municipal Act applies with necessary modifications to the Regional Corporation.

52.—(1) Subsection 114 (24) of the Act is amended by striking out “two members appointed by the Regional Council, and the two” in the third and fourth lines and substituting “such other members appointed by the Regional Council as it considers appropriate and the”.

(2) Subsection 114 (28) of the Act is amended by striking out “Two members of the sinking fund committee are” in the first line and substituting “A majority of the members of the sinking fund committee is”.

53. Subsection 133 (1) of the Act, as re-enacted by the Statutes of Ontario, 1986, chapter 46, section 4 and amended by 1987, chapter 22, section 4 and 1988, chapter 31, section 24, is further amended by striking out “99” in the second line.

54. Subsection 14 (3) of the Regional Municipality of Niagara Act is repealed.

55. Subsection 23 (1) of the Act is repealed and the following substituted:

Appointment of auditors (1) The Regional Council shall by by-law appoint for a term of five years or less one or more auditors licensed under the Public Accountancy Act who shall audit the accounts and transactions of the Regional Corporation and of every local board of the Regional Corporation, except school boards.

56. Subsection 24 (1) of the Act is amended by striking out “99” in the second line.

57.—(1) Subsection 89 (1) of the Act is amended by inserting after “mail” in the third line “or personal service”.

(2) Subsection 89 (2) of the Act is amended by inserting after “mail” in the third line “or personal service”.

58. Section 139 of the Act is amended by adding the following subsection:

Borrowing approval (1a) Subsection 149 (2) of the Municipal Act applies with necessary modifications to the Regional Corporation.

59.—(1) Subsection 142 (24) of the Act is amended by striking out “two members
appointed by the Regional Council, and the two” in the third, fourth and fifth lines and substituting “such other members appointed by the Regional Council as it considers appropriate and the”.

(2) Subsection 142 (28) of the Act is amended by striking out “Two members of the sinking fund committee are” in the first line and substituting “A majority of the members of the sinking fund committee is”.

REGIONAL MUNICIPALITY OF OTTAWA-CARLETON ACT

60. Subsection 27 (1) of the Regional Municipality of Ottawa-Carleton Act is repealed and the following substituted:

Appointment of auditors

(1) The Regional Council shall by by-law appoint for a term of five years or less one or more auditors licensed under the Public Accountancy Act who shall audit the accounts and transactions of the Regional Corporation and of every local board of the Regional Corporation.

61. Subsection 28 (1) of the Act is amended by striking out “99” in the second line.

62. Subsection 31 (2) of the Act, as amended by the Statutes of Ontario, 1989, chapter 84, section 15, is repealed and the following substituted:

Method of financing

(2) The Regional Corporation may finance the whole or any part of the cost and debt charges of the supply and distribution of water by establishing one or more urban service areas and raising the money required by imposing rates in such areas or by any other method authorized by law or by any combination of them.

63. Subsection 43 (1) of the Act is amended by striking out “annual cost of maintenance and operation” in the seventh and eighth lines and substituting “cost of the establishment, construction, maintenance, operation, extension, improvement and financing”.

64.—(1) Subsection 74 (1) of the Act is amended by adding at the end “or personal service”.

(2) Subsection 74 (2) of the Act is amended by inserting after “mail” in the third line “or personal service”.

65. Section 130 of the Act is amended by adding the following subsection:

Borrowing approval

(1a) Subsection 149 (2) of the Municipal Act applies with necessary modifications to the Regional Corporation.

66.—(1) Subsection 133 (25) of the Act is amended by striking out “two members appointed by the Regional Council, and the two” in the third and fourth lines and substituting “such other members appointed by the Regional Council, and the two” in the third and fourth lines and substituting “such other members appointed by the Regional Council, and the two” in the third and fourth lines and substituting “such other members appointed by the Regional Council, and the two” in the third and fourth lines and substituting “such other members appointed by the Regional Council, and the two” in the third and fourth lines and substituting “such other members appointed by the Regional Council, and the two”. 

(2) Subsection 142 (28) of the Act is amended by striking out “Two members of the sinking fund committee are” in the first line and substituting “A majority of the members of the sinking fund committee is”.

LOI SUR LA MUNICIPALITÉ RÉGIONALE D’OTTAWA-CARLETON

60 Le paragraphe 27 (1) de la loi intitulée Regional Municipality of Ottawa-Carleton Act («Loi sur la municipalité régionale d’Ottawa-Carleton») est abrogé et remplacé par ce qui suit :

Appointment (1) The Regional Council shall by by-law appoint for a term of five years or less one or more auditors licensed under the Public Accountancy Act who shall audit the accounts and transactions of the Regional Corporation and of every local board of the Regional Corporation.

61 Le paragraphe 28 (1) de la Loi est modifié par suppression de «99» à la deuxième ligne.

62 Le paragraphe 31 (2) de la Loi, tel qu’il est modifié par l’article 15 du chapitre 84 des Lois de l’Ontario de 1989, est abrogé et remplacé par ce qui suit :

Method of financing (2) The Regional Corporation may finance the whole or any part of the cost and debt charges of the supply and distribution of water by establishing one or more urban service areas and raising the money required by imposing rates in such areas or by any other method authorized by law or by any combination of them.

63 Le paragraphe 43 (1) de la Loi est modifié par substitution, à «annual cost of maintenance and operation» aux septième et huitième lignes, de «cost of the establishment, construction, maintenance, operation, extension, improvement and financing».

64 (1) Le paragraphe 74 (1) de la Loi est modifié par adjonction de «or personal service» à la fin.

(2) Le paragraphe 74 (2) de la Loi est modifié par insertion, après «mail» à la troisième ligne, de «or personal service».

65 L’article 130 de la Loi est modifié par adjonction du paragraphe suivant :

66 (1) Le paragraphe 133 (25) de la Loi est modifié par substitution, à «two members appointed by the Regional Council, and the two» aux troisième et quatrième lignes, de «such other members appointed by the Regio-
Regional Council as it considers appropriate and the
(2) Subsection 133 (29) of the Act is amended by striking out “Two members of the sinking fund committee are” in the first line and substituting “A majority of the members of the sinking fund committee is”.

REGIANAL MUNICIPALITY OF PEEL ACT

67. Subsection 15 (3) of the Regional Municipality of Peel Act is repealed.

68. Subsection 24 (1) of the Act is repealed and the following substituted:

Appointment of auditors

(1) The Regional Council shall by by-law appoint for a term of five years or less one or more auditors licensed under the Public Accountancy Act who shall audit the accounts and transactions of the Regional Corporation and of every local board of the Regional Corporation, except school boards.

69.—(1) Subsection 49 (1) of the Act is amended by adding at the end “or personal service”.

(2) Subsection 49 (2) of the Act is amended by inserting after “mail” in the third line “or personal service”.

70. Section 95 of the Act is amended by adding the following subsection:

Borrowing approval

(2) Subsection 149 (2) of the Municipal Act applies with necessary modifications to the Regional Corporation.

71.—(1) Subsection 98 (24) of the Act is amended by striking out “two members appointed by the Regional Council, and the two” in the third and fourth lines and substituting “such other members appointed by the Regional Council as it considers appropriate and the”.

(2) Subsection 98 (28) of the Act is amended by striking out “Two members of the sinking fund committee are” in the first line and substituting “A majority of the members of the sinking fund committee is”.

72. Subsection 117 (1) of the Act, as re-enacted by the Statutes of Ontario, 1983, chapter 72, section 41 and amended by 1987, chapter 22, section 7 and 1988, chapter 31, section 27, is further amended by striking out “99” in the second line.

REGIANAL MUNICIPALITY OF SUDBURY ACT

73. Subsection 14 (3) of the Regional Municipality of Sudbury Act is repealed.

74. Subsection 23 (1) of the Act is repealed and the following substituted:

72 Le paragraphe 117 (1) de la Loi, tel qu’il est adopté de nouveau par l’article 41 du chapitre 72 des Lois de l’Ontario de 1983 et modifié par l’article 7 du chapitre 22 des Lois de l’Ontario de 1987 et par l’article 27 du chapitre 31 des Lois de l’Ontario de 1988, est modifié de nouveau par suppression de «99» à la deuxième ligne.

LOI SUR LA MUNICIPALITÉ RÉGIONALE DE SUDBURY

73 Le paragraphe 14 (3) de la loi intitulée Regional Municipality of Sudbury Act («Loi sur la municipalité régionale de Sudbury») est abrogé.
Appointm ent of auditors 

75. Subsection 24 (1) of the Act is amended by striking out “99” in the second line.

76.—(1) Subsection 65 (1) of the Act is amended by adding at the end “or personal service”.

77. Section 81 of the Act is amended by adding the following subsection:

78.—(1) Subsection 84 (24) of the Act is amended by striking out “two members appointed by the Regional Council, and the two” in the third and fourth lines and substituting “such other members appointed by the Regional Council as it considers appropriate and the”.

80. Subsection 23 (1) of the Act is repealed and the following substituted:

81. Subsection 24 (1) of the Act is amended by striking out “99” in the second line.

82.—(1) Subsection 84 (1) of the Act is amended by adding at the end “or personal service”.

83. Section 129 of the Act is amended by adding the following subsection:

81 Le paragraphe 24 (1) de la Loi est modifié par suppression de «99» à la deuxième ligne.

76 (1) Le paragraphe 65 (1) de la Loi est modifié par adjonction de «or personal service» à la fin.

77 L’article 81 de la Loi est modifié par adjonction du paragraphe suivant :

78 (1) Le paragraphe 84 (24) de la Loi est modifié par substitution, à «two members appointed by the Regional Council, and the two» aux troisième et quatrième lignes, de «such other members appointed by the Regional Council as it considers appropriate and the».

80 Le paragraphe 23 (1) de la Loi est abrogé et remplacé par ce qui suit :

81 Le paragraphe 24 (1) de la Loi est modifié par suppression de «99» à la deuxième ligne.

82 (1) Le paragraphe 84 (1) de la Loi est modifié par adjonction de «or personal service» à la fin.

83 L’article 129 de la Loi est modifié par adjonction du paragraphe suivant :

REGIONAL MUNICIPALITY OF WATERLOO ACT

79. Subsection 14 (3) of the Regional Municipality of Waterloo Act is repealed.

80 Le paragraphe 23 (1) de la Loi est abrogé.

LOI SUR LA MUNICIPALITÉ RÉGIONALE DE WATERLOO

79 Le paragraphe 14 (3) de la loi intitulée Regional Municipality of Waterloo Act («Loi sur la municipalité régionale de Waterloo») est abrogé.

80 Le paragraphe 23 (1) de la Loi est abrogé et remplacé par ce qui suit :

Appointm ent of auditors 

81. Subsection 24 (1) of the Act is amended by striking out “99” in the second line.

82.—(1) Subsection 84 (1) of the Act is amended by adding at the end “or personal service”.

83. Section 129 of the Act is amended by adding the following subsection:

81 Le paragraphe 24 (1) de la Loi est modifié par suppression de «99» à la deuxième ligne.

82 (1) Le paragraphe 84 (1) de la Loi est modifié par adjonction de «or personal service» à la fin.

83 L’article 129 de la Loi est modifié par adjonction du paragraphe suivant :

Borrowing ap proval 

2 (1) The Regional Council shall by by-law appoint for a term of five years or less one or more auditors licensed under the Public Accountancy Act who shall audit the accounts and transactions of the Regional Corporation and of every local board of the Regional Corporation, except school boards.
84.-(1) Subsection 132 (24) of the Act is amended by striking out “two members appointed by the Regional Council, and the two” in the third and fourth lines and substituting “such other members appointed by the Regional Council as it considers appropriate and the”.

(2) Subsection 132 (28) of the Act is amended by striking out “Two members of the sinking fund committee are” in the first line and substituting “A majority of the members of the sinking fund committee is”.

REGIONAL MUNICIPALITY OF YORK
ACT

85. Subsection 14 (3) of the Regional Municipality of York Act is repealed.

86. Subsection 23 (1) of the Act is repealed and the following substituted:

Appointment of auditors

(1) The Regional Council shall by by-law appoint for a term of five years or less one or more auditors licensed under the Public Accountancy Act who shall audit the accounts and transactions of the Regional Corporation and of every local board of the Regional Corporation.

87. Subsection 24 (1) of the Act is amended by striking out “99” in the second line.

88.—(1) Subsection 85 (1) of the Act is amended by inserting after “mail” in the third line “or personal service”.

(2) Subsection 85 (2) of the Act is amended by inserting after “mail” in the third line “or personal service”.

89. Section 131 of the Act is amended by adding the following subsection:

Borrowing approval

(1a) Subsection 149 (2) of the Municipal Act applies with necessary modifications to the Regional Corporation.

90.—(1) Subsection 134 (24) of the Act is amended by striking out “two members appointed by the Regional Council, and the two” in the third and fourth lines and substituting “such other members appointed by the Regional Council as it considers appropriate and the”.

(2) Subsection 134 (28) of the Act is amended by striking out “Two members of the sinking fund committee are” in the first line and substituting “A majority of the members of the sinking fund committee is”.

COUNTY OF SIMCOE ACT, 1990

91. Section 6 of the County of Simcoe Act, 1990 is amended by adding the following subsection:

Extension of time

(8) In respect of a town municipality, clauses 44 (1) (c) and 45 (1) (b) of the Development Charges Act, 1989 shall be deemed
to read "three years after the date of the coming into force of this Act".

**EDUCATION ACT**

92. Subsection 207 (1) of the *Education Act*, as re-enacted by the Statutes of Ontario, 1982, chapter 32, section 56, is repealed and the following substituted:

- auditor

(1) Every board shall appoint an auditor who shall hold office during good behaviour and be removable for cause and who, except in the case of a board established under section 70, shall be a person licensed under the *Public Accountancy Act*.

**LOCAL SERVICES BOARDS ACT**

93. Subsection 29 (1) of the *Local Services Boards Act* is repealed and the following substituted:

- audit

(1) A board shall engage a public accountant to audit its accounts and transactions and to make a report to it annually or more often as the board requires.

**MUNICIPAL AFFAIRS ACT**

94. Section 2 of the *Municipal Affairs Act* is repealed.

95. Clause 3 (j) of the Act is repealed.

**MUNICIPAL BOUNDARY NEGOTIATIONS ACT, 1981**

96. Section 14 of the *Municipal Boundary Negotiations Act, 1981* is amended by adding the following paragraph:

15a. The number of votes the members of the council of any party municipality or of any local board thereof shall have on that council or local board and the number of votes may vary between members on the same council or local board.

**MUNICIPAL ELECTIONS ACT**

97. Section 88j of the *Municipal Elections Act*, as re-enacted by the Statutes of Ontario, 1989, chapter 56, section 30, is repealed.

**PLANNING ACT, 1983**

98. Clause 49 (1) (b) of the *Planning Act, 1983* is repealed and the following substituted:

(b) where the land is situate within a local municipality that forms part of a county for municipal purposes, a consent given by the council of the county.

99. Subsection 53 (5) of the Act is repealed and the following substituted:

- planning
(5) The council of a city that for municipal purposes does not form part of a county, a regional, metropolitan or district municipality or the County of Oxford and the council of any other local municipality that is within a county but that does not form part of that county for municipal purposes may by by-law delegate the authority of the council under section 52 or any part of that authority to a committee of council, to an appointed officer identified in the by-law by name or position occupied or to a committee of adjustment.

PUBLIC UTILITIES ACT

100. The Public Utilities Act is amended by adding the following section:

10a.—(1) The corporation may shut off or restrict the supply of water to a property if the corporation requires access to the property to replace, repair or inspect a water meter.

(2) Before shutting off or restricting the supply of water, the corporation shall,

(a) by personal service or by registered mail, serve the owners and occupants of the property as shown on the last returned assessment roll of the municipality with a notice of the date upon which the corporation intends to shut off or restrict the supply of water if access to the property is not obtained before that date; and

(b) ensure that a copy of the notice described in clause (a) is securely attached to the property in a conspicuous place.

(3) The corporation shall not shut off or restrict the supply of water unless it has made reasonable efforts to get access to the property and has been unable to get access within fourteen days after the later of

(a) the day the last notice under clause (2) (a) was personally served;

(b) the day the last notice under clause (2) (a) was mailed; and

(c) the day a copy of the notice was attached under clause (2) (b).

(4) If the corporation has shut off or restricted the supply of water under subsection (1), the corporation shall restore the supply of water as soon as practicable after obtaining access to the property.

SARNIA-LAMBTON ACT, 1989

101. Section 8 of the Sarnia-Lambton Act, 1989 is amended by adding the following subsection:

(5) In respect of the City, clauses 44 (1) (c) and 45 (1) (b) of the Development Charges Act, 1989 shall be deemed to read “three years after the date of the coming into force of this Act”.

TRANSITION AND COMMENCEMENT

102. Despite the repeal of sections 68 and 69 of the Regional Municipality of Durham Act, if an amendment to an area municipality official plan has been adopted by the Regional Council and the amendment is not approved before the coming into force of this Act, the Minister or the Municipal Board, on a refer-
ral thereto, may continue to deal with the amendment under the Planning Act, 1983 without it being reconsidered or adopted by the area council.

**103.**—(1) In this section, “municipality” means a local municipality, a county, a regional, district or metropolitan municipality or the County of Oxford.

(2) Any person who is a municipal auditor on the day this Act comes into force for a municipality having a population under 5,000 and who is not licensed under the Public Accountancy Act may continue to act as municipal auditor for the municipality and may be appointed as municipal auditor for any other municipality having a population under 5,000.

(3) The appointment of a person who is a municipal auditor of a municipality on the day this Act comes into force is revoked on the 1st day of January, 1992.

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

**105.** The short title of this Act is the Municipal Statute Law Amendment Act, 1991.