1979

c 111 The Ontario Unconditional Grants Amendment Act, 1979 (No. 2)

Ontario

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CHAPTER 111

An Act to amend
The Ontario Unconditional Grants Act, 1979

Assented to December 20th, 1979

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

1. Section 9 of The Ontario Unconditional Grants Act, 1975, being chapter 7, as re-enacted by the Statutes of Ontario, 1977, chapter 7, section 6, is repealed and the following substituted therefor:

   9.—(1) In each year there shall be paid a resource equalization grant in respect of each lower tier municipality whose equalized assessment per capita in the preceding year is below such standard equalized assessment per capita as may be prescribed, and the amount of the grant shall be based, in the manner prescribed, on the proportion that 60 per cent of such deficiency of equalized assessment per capita bears to the prescribed standard equalized assessment per capita as applied to the net levy of the lower tier municipality.

   (2) A grant payable under subsection 1 shall be paid to the lower tier municipality in respect of which it was determined and to the upper tier municipality within which that lower tier municipality is situate in the proportions prescribed, and the portion of the grant payable to the upper tier municipality in that year shall be deducted from the requisition or levy of that upper tier municipality upon that lower tier municipality in that year and the net amount shall be included in the levy of the lower tier municipality for purposes of section 302 of The Municipal Act and section 7 of this Act in that year.

2. Notwithstanding subsection 1 of section 9 of The Ontario Unconditional Grants Act, 1975, as re-enacted by section 1 of this Act, the Lieutenant Governor in Council may, by regulation, prescribe an alternative method of determining the resource equalization grant to be paid in the year 1980 in respect of a lower tier municipality that, but for the alternative formula prescribed under this section,
would experience a decrease in its resource equalization grant by
reason of a new equalization factor having been determined for such
municipality in the year 1979 under section 71 of The Assessment
Act, and any grant payable under the alternative formula shall be
paid in accordance with subsection 2 of the said section 9.

3.—(1) Subsection 1 of section 10 of the said Act is amended by
striking out “or county purposes” in the fourth line and by
striking out “preceding” in the seventh line and inserting in
lieu thereof “current”.

(2) Subsection 3 of the said section 10, as amended by the Statutes
of Ontario, 1977, chapter 7, section 7, is repealed.

4. Section 11, as amended by the Statutes of Ontario, 1977, chapter 7,
section 8, section 12 and section 13, as amended by the Statutes
of Ontario, 1977, chapter 7, section 9, of the said Act, are repealed.

5. Subsection 1 of section 19 of the said Act is amended by adding
thereto the following clause:

(h) providing for estimating the resource equalization grant
payable in respect of a lower tier municipality and the
portion thereof attributable to the upper tier munici-
pality and providing for using such estimated amount in
place of the actual amount pending the final determina-
tion of the actual amount.

6.—(1) For purposes of limiting undue shifts in taxation in the year
1980 caused by the change in equalization factors resulting
from a new determination in the year 1979 under section 71 of
The Assessment Act, the Lieutenant Governor in Council may
make regulations,

(a) notwithstanding the provisions of any general or
special Act, to alter or determine the basis upon
which and the manner in which apportionments,
levies and requisitions are made in the year 1980 by
the councils of upper and lower tier municipalities
and by any local board, or class thereof, as specified
in the regulations; and

(b) to provide for the payment of grants on such terms
and conditions as are set out in the regulations to
lower tier municipalities and to upper tier municipali-
yes which municipalities would, despite
the application of regulations made under clause a,
experience undue increases in taxation in the year
1980 by reason of the change in their equalization
factor.
(2) The moneys required for the purposes of subsection 1 shall be paid out of the moneys appropriated therefor by the Legislature.

7. Sub-subclause F of subclause ii of clause j of subsection 1 of section 507 of The Municipal Act, being chapter 284 of the Revised Statutes of Ontario, 1970, as enacted by the Statutes of Ontario, 1974, chapter 136, section 21, is repealed.

8. This Act comes into force on the 1st day of January, 1980.

9. The short title of this Act is The Ontario Unconditional Grants Amendment Act, 1979 (No. 2).