1977

c 68 The Municipality of Metropolitan Toronto Amendment Act, 1977 (No 2.)

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CHAPTER 68

An Act to amend
The Municipality of Metropolitan Toronto Act

Assented to December 16th, 1977

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

1. Section 209 of The Municipality of Metropolitan Toronto Act, s.209, being chapter 295 of the Revised Statutes of Ontario, 1970, as amended by the Statutes of Ontario, 1972, chapter 89, section 5, is repealed and the following substituted therefor:

209.—(1) In this section and in section 209a,

(a) “Board of Management” means the Board of Management of the Metropolitan Toronto Zoo;

(b) “Metropolitan Toronto Zoo” means the zoological garden and related facilities which have been established by the Metropolitan Council or which may hereafter be established by the Council;

(c) “Society” means the Metropolitan Toronto Zoological Society.

(2) There is hereby established a corporation without share capital under the name “Board of Management of the Metropolitan Toronto Zoo” and such Board shall have a corporate seal, may sue and be sued in its own name, may enter into contracts including contracts of employment, and shall have all powers necessary for or incidental to the operation, management and maintenance of the Metropolitan Toronto Zoo.

(3) The Corporations Act does not apply to the Board of Management.

(4) The Board of Management shall be composed of nine members appointed by the Metropolitan Council, of whom four shall be nominees of the Society.
(5) The members of the Board of Management shall be appointed for a term of office not exceeding the term of office of members of the Metropolitan Council and shall hold office until their successors are appointed.

(6) The Board of Management, from among its members, shall elect a chairman and may elect a vice-chairman, and a majority of its members constitutes a quorum.

(7) The Board of Management may from time to time establish such standing or other committees, appoint as members thereof such persons, including members of the Society, and assign such duties to the committees so established as the Board deems fit.

(8) Notwithstanding subsection 7, the Board of Management shall establish an Animal Acquisition Committee and the Society may appoint one member, or with the approval of the Board of Management more than one member, of such Committee.

(9) The Board of Management may enact by-laws for the regulation of its proceedings and for the conduct and management of its affairs.

(10) The Metropolitan Corporation may enter into one or more agreements with the Board of Management entrusting the operation, management and maintenance of the Metropolitan Toronto Zoo to the Board of Management on such terms and conditions as the Metropolitan Council may consider proper.

(11) The Metropolitan Council may by by-law establish general policies to be followed by the Board of Management in the operation, management and maintenance of the Metropolitan Toronto Zoo under an agreement entered into under subsection 10.

(12) The Metropolitan Corporation is entitled to any surplus resulting from the operations of the Board of Management and is responsible for any deficit incurred by it.

(13) The occupation, management and control of lands by the Board of Management under an agreement under subsection 10 shall be deemed for the purposes of subsections 4 and 5 of section 204 of this Act and of paragraph 9 of section 3 of The Assessment Act, to be occupation, management and control by the Metropolitan Corporation of lands used for park purposes.
(14) The Municipal Conflict of Interest Act, 1972 does not apply to a member of the Board of Management in respect of a contract, proposed contract or other matter between the Board of Management and the Society by reason only of such member being a member or officer of the Society.

209a.—(1) The Board of Management shall offer to employ every person who, on the 1st day of July, 1977, is employed by the Society in connection with the operation, management and maintenance of the Metropolitan Toronto Zoo and who continues to be so employed until the date of coming into force of an agreement under subsection 10 of section 209.

(2) Any person who accepts employment under subsection 1 shall be entitled to receive a wage or salary up to and including the 31st day of December, 1978, of not less than he was receiving on the 1st day of July, 1977.

(3) Employment with the Society by a person who accepts employment with the Board of Management under subsection 1 shall be deemed to have been employment with the Board of Management for the purposes of pension benefits.

(4) Any sick leave credits standing, on the 31st day of December, 1977 to the credit of any person who accepts employment under subsection 1 shall be placed to the credit of such employee in any sick leave credit plan established by the Board of Management.

(5) Any person who accepts employment under subsection 1 shall be entitled during 1978 to holidays with pay equivalent to those to which he would have been entitled if he had remained in the employment of the Society.

(6) Nothing in this section prevents the Board of Management from terminating the employment of an employee for cause.

2. Notwithstanding the repeal of section 209 of The Municipal Conflict of Interest Act by section 1 of this Act, the Metropolitan Toronto Zoological Society shall continue to operate and manage the zoological garden under the terms of the agreement entered into under subsection 2 of the said section 209, until the coming into force of an agreement under subsection 10 of section 209, as re-enacted by section 1 of this Act.

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

4. The short title of this Act is The Municipality of Metropolitan Toronto Amendment Act, 1977 (No. 2).