1975

c 8 The Municipal Amendment Act, 1975 (No. 1)

Ontario
CHAPTER 8

An Act to amend The Municipal Act

Assented to April 18th, 1975

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

1. Section 302 of The Municipal Act, being chapter 284 of the Revised Statutes of Ontario, 1970, is repealed and the following substituted therefor:

  302. The council of every local municipality in each year shall levy in the manner set out in The Ontario Unconditional Grants Act, 1975, on the whole of the assessment for real property and business assessment, according to the last revised assessment roll, a sum equal to the aggregate of the sums adopted under section 307.

2. (1) Subsection 1 of section 304 of the said Act, as re-enacted by the Statutes of Ontario, 1971, chapter 81, section 1 and amended by 1973, chapter 83, section 4, is further amended by striking out “designated by the Lieutenant Governor in Council” in the second and third lines and by inserting in lieu thereof “Minister of Colleges and Universities”.

(2) Subsection 2 of the said section 304, as re-enacted by the Statutes of Ontario, 1973, chapter 83, section 4 and amended by 1974, chapter 136, section 7, is further amended by striking out “designated by the Lieutenant Governor in Council” in the second and third lines and by inserting in lieu thereof “Minister of Correctional Services”.

(3) Subsection 3 of the said section 304, as re-enacted by the Statutes of Ontario, 1973, chapter 83, section 4, is amended by striking out “designated by the Lieutenant Governor in Council” in the second and third lines and by inserting in lieu thereof “Minister of Health”.

(4) Subsection 4 of the said section 304, as re-enacted by the Statutes of Ontario, 1973, chapter 83, section 4, is further amended by striking out “designated by the Lieutenant Governor in Council” in the second and third lines and by inserting in lieu thereof “Minister of Health”.

(5) Subsection 5 of the said section 304, as re-enacted by the Statutes of Ontario, 1973, chapter 83, section 4, is further amended by striking out “designated by the Lieutenant Governor in Council” in the second and third lines and by inserting in lieu thereof “Minister of Health”.

(6) Subsection 6 of the said section 304, as re-enacted by the Statutes of Ontario, 1973, chapter 83, section 4, is amended by inserting a new subsection 6(1) which reads:

   “6(1) Where the council of a local municipality in each year levies a sum as provided for in subsection 304, it shall be the duty of the council to ensure that the proceeds of such sum are used for the purposes set out in the said Act.”
Subsection 3a of the said section 304, as enacted by the Statutes of Ontario, 1974, chapter 136, section 7, is amended by striking out "designated by the Lieutenant Governor in Council" in the second and third lines and by striking out "Lieutenant Governor in Council" in the fifth line and inserting in lieu thereof "Minister of Community and Social Services".

Subsection 3b of the said section 304, as enacted by the Statutes of Ontario, 1974, chapter 136, section 7, is repealed and the following substituted therefor:

A designation of an institution previously made under this section by the Lieutenant Governor in Council shall continue in force and shall be deemed to be a designation of an institution made by the appropriate minister pursuant to this section and a designation of a facility under The Developmental Services Act, 1974 previously made in 1975 by the Lieutenant Governor in Council pursuant to subsection 3a and the determination made by the Minister of Community and Social Services pursuant to that subsection shall continue to apply in respect of 1974 and a levy made in 1975 upon such designated facilities may be in respect of both 1974 and 1975.

The said section 304, as amended by the Statutes of Ontario, 1971, chapter 81, section 1, 1973, chapter 83, section 4 and 1974, chapter 136, section 7, is further amended by adding thereto the following subsections:

1. Notwithstanding any general or special Act, the council of a local municipality, in which there is situate a provincial education institution designated by the Minister under whose jurisdiction such institution falls, may pass by-laws to levy an annual amount payable on or after the 1st day of July upon such institution, not exceeding the sum of $50 a year for each place in such institution as determined by the aforesaid Minister.

2. Notwithstanding any general or special Act, the council of a local municipality, in which there is situate an agricultural research station designated by the Minister of Agriculture and Food, may pass by-laws to levy upon such research station an annual amount, payable on or after the 1st day of July, not to exceed

(a) $5 per acre for each of the first 100 acres occupied by each such research station and $2 per acre for each acre in excess of 100 acres occupied by each such research station up to 10,000 acres and
$0.50 per acre in excess of 10,000 acres occupied by each such station; or

(b) $100,

whichever is greater.

(7) Subsection 4 of the said section 304, as re-enacted by s. 304 (4), the Statutes of Ontario, 1973, chapter 83, section 4, is repealed.

(8) Notwithstanding the repeal of subsection 4 of section 304 of The Municipal Act by subsection 7 of this section, an amount levied by a municipality in 1975 in respect of the year 1974 upon a facility under The Developmental Services Act, 1974 shall not exceed one-quarter of the total amount of taxes levied on all real property and business assessment in that municipality for all purposes other than school purposes in 1973.

(9) Subsection 5 of the said section 304, as re-enacted by s. 304 (5), the Statutes of Ontario, 1974, chapter 136, section 7, is amended by striking out “or 3a” in the second line and inserting in lieu thereof “3a, 3c or 3d”.

(10) Subsection 6 of the said section 304, as re-enacted by s. 304 (6), the Statutes of Ontario, 1974, chapter 136, section 7, is amended by striking out “or 3a” in the second line and inserting in lieu thereof “3a, 3c or 3d”.

(11) Subsection 8 of the said section 304, as enacted by the Statutes of Ontario, 1973, chapter 83, section 4 and amended by 1974, chapter 136, section 7, is further amended by striking out “or 3a” in the amendment of 1974 and inserting in lieu thereof “3a, 3c or 3d”.

(12) Subsection 10 of the said section 304, as enacted by the Statutes of Ontario, 1973, chapter 83, section 4, is amended by adding at the end thereof “and for the purposes of this subsection and subsection 9, the County of Oxford shall be deemed to be a regional municipality”.

(13) Subsection 11 of the said section 304, as enacted by the Statutes of Ontario, 1973, chapter 83, section 4, is amended by inserting after “board” in the fourth line “or county”.

(14) The said section 304 is further amended by adding thereto the following subsection:
(12b) In determining taxes levied on commercial and industrial assessment under subsection 12, there shall be excluded taxes on such assessment under section 43 of The Assessment Act.

(15) Subsection 13 of the said section 304, as enacted by the Statutes of Ontario, 1973, chapter 83, section 4, is amended by striking out "section 7 of The Regional Municipal Grants Act" in the fifth and sixth lines and inserting in lieu thereof "section 7 of The Ontario Unconditional Grants Act, 1975".

3. Subsection 2 of section 307 of the said Act, as amended by the Statutes of Ontario, 1974, chapter 136, section 9, is further amended by striking out "but shall not make any allowance for payments to be received during the current year under section 7 of The Municipal Unconditional Grants Act" in the eighth, ninth and tenth lines.

4. (1) This Act, except section 1, subsection 7 of section 2 and section 3, comes into force on the day it receives Royal Assent.

(2) Section 1, subsection 7 of section 2 and section 3, shall be deemed to have come into force on the 1st day of January, 1975.

5. This Act may be cited as The Municipal Amendment Act, 1975.