1975

c 93 The Town of Cobourg Act, 1975

Ontario
CHAPTER 93

An Act respecting the Town of Cobourg

Assented to May 16th, 1975

WHEREAS The Corporation of the Town of Cobourg hereby represents that it is desirous of providing for the establishment of The Cobourg Parks and Recreation Board for the better development and supervision of its public parks and recreational activities; that for such purposes it is necessary to endow such board with all the duties, responsibilities, powers and privileges of the Board of Parks Management, constituted by By-law No. 1470, The Cobourg Recreation Commission, constituted by By-law No. 1903, The Cobourg Memorial Rink and Recreational Centre Board, constituted by By-law No. 1905, The Victoria Park Athletic Field Board, constituted by By-law No. 2238, The Community Centre Board, constituted by By-law No. 2292, The Kiwanis Park Athletic Field Board, constituted by By-law No. 2301, The Cobourg Centennial Swimming Pool Board, constituted by By-law No. 25-68 and The Rotary Outdoor Skating Rink Board, constituted by By-law No. 41-72; and whereas the applicant hereby applies for special legislation in respect of such matters; and whereas it is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

(a) "Board" means The Cobourg Parks and Recreation Board;

(b) "Council" means the council of the Town of Cobourg;

(c) "Corporation" means The Corporation of the Town of Cobourg;

(d) "Town" means the Town of Cobourg.
2.(1) Notwithstanding The Ministry of Culture and Recreation Act, 1974 and the regulations thereunder, The Community Recreation Centres Act, 1974, and the regulations thereunder and The Public Parks Act, there shall be a board to be known as The Cobourg Parks and Recreation Board, which shall consist of,

(a) three members of Council appointed by the Council; and

(b) four other persons appointed by the Council who are resident in the Town and qualified to be elected as members of the Council but who are not members of the Council.

(2) The members of the Board who are not members of the Council shall hold office for two years, provided that, on the first appointment, the Council shall designate which members shall hold office,

(a) until the 1st day of January of the year next following the date of his appointment;

(b) until the 1st day of January of the second year next following the date of his appointment,

respectively, so that one-half of such members shall retire each year.

(3) The members of the Board who are members of Council shall be appointed biennially to correspond with their term of office.

(4) The members of the Board shall hold office until their successors are appointed, and are eligible for reappointment.

(5) Where a member ceases to be a member of the Board before the expiration of his term of office, the Council shall appoint another eligible person for the unexpired portion of that term.

(6) The first appointments of members of the Board shall be made by the Council immediately upon the coming into force of this Act to take office on the 1st day of January, 1976, and thereafter the appointments shall be made annually at the first meeting of the Council in any year, and any vacancy arising from any cause other than the expiration of the term for which the member was appointed shall be filled at the first meeting of the Council held after the vacancy occurs.
3. Except as otherwise provided in this Act, The Ministry of Culture and Recreation Act, 1974 and the regulations thereunder and The Community Recreation Centres Act, 1974, and the regulations thereunder and The Public Parks Act, except the provisions constituting a board of park management as a corporation and authorizing such a board to acquire and to hold land, apply to The Cobourg Parks and Recreation Board as if it had been established in accordance with such Acts and regulations.

4.—(1) The Cobourg Parks and Recreation Board shall be constituted as of the 1st day of January, 1976, and The Board of Parks Management, The Cobourg Recreation Commission, The Cobourg Memorial Rink and Recreational Centre Board, The Victoria Park Athletic Field Board, The Community Centre Board, The Kiwanis Park Athletic Field Board, The Cobourg Centennial Swimming Pool Board and The Rotary Outdoor Skating Rink Board shall be dissolved as of the same date, and the assets and liabilities thereof shall become the assets and liabilities of the Town.

(2) By-laws of The Corporation of the Town of Cobourg, Numbers 1470, 1903, 1905, 2238, 2292, 2301, 25-68 and 41-72 shall be deemed to be repealed as of the 1st day of January, 1976.

5. The Board may contract and may sue and be sued in its own name, and the members thereof are not personally liable for torts committed by other members of the Board or its servants or agents or on any contract made by the Board.

6.—(1) The Board shall, on or before the 15th day of February in each year, submit to the Council an itemized estimate of its financial requirements for the year, and, subject to the provisions of The Public Parks Act, the Council may amend such estimate and shall pay out of the moneys appropriated for the Board such amounts as may be requisitioned from time to time by the Board.

(2) Where any moneys have been included in the estimates of the Board for a designated purpose, they shall be used by the Board only for such designated purpose and not otherwise.

7. The Board shall operate, maintain, manage and develop on behalf of the Town all recreational centres, parks, playgrounds and other real property of a like nature vested in or leased by the Town and used or designed for recreational purposes and shall be in charge of, manage and make avail-
able for recreational purposes all recreational equipment, recreational facilities and other personal property belonging to the Town and used or designed for recreational purposes.

8. The Board shall operate, maintain and manage on behalf of the Town all properties which are now or which may hereafter be established as community centres pursuant to The Community Recreation Centres Act, 1974, or the regulations made thereunder.

9. The Council may pay the members of The Cobourg Parks and Recreation Board, who are not members of the Council for their services annually such amount as the Council may determine, but such amount shall not exceed the annual amount allowed to the members of the Council.

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

11. This Act may be cited as The Town of Cobourg Act, 1975.