1975

c 97 The City of Hamilton Act, 1975 (No. 1)

Ontario
CHAPTER 97

An Act respecting the City of Hamilton

Assented to May 16th, 1975

WHEREAS The Corporation of the City of Hamilton hereby represents that it is desirable to increase the penalty for contravention of Building By-law No. 4797 as provided in subsection 4 of section 1 of The City of Hamilton Act, 1951, from $300 to $1,000 to accord with penalties for contravention of by-laws under The Municipal Act; that it is desirable to extend the privilege of reduced bus fares to persons in receipt of disability pensions from private sources in addition to the class of persons already in receipt of such benefits; that it is desirable to increase the membership of the Board of the Hamilton Performing Arts Corporation, Inc., from seven members to nine members and to obtain exemption from municipal taxation; 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. Subsection 4 of section 1 of The City of Hamilton Act, 1951, being chapter 103, as amended by The City of Hamilton Act, amended 1958, chapter 138, section 5, is further amended by striking out "$300" in the amendment of 1958 and inserting in lieu thereof "$1,000".

2. Clause b of section 1 of The City of Hamilton Act, 1970, being chapter 153, as amended by The City of Hamilton Act, 1974, amended chapter 143, section 1, is further amended by adding thereto the following subclause:

(vi) a person in receipt of compensation or an allowance for a disability under a non-governmental disability plan.

3. The board shall be comprised of nine members of whom,
(a) four directors shall be members of the council; and

(b) five directors shall not be members of the council.

(2) Section 21 of the said Act is amended by adding at the end thereof "and The Assessment Act".

(3) The said Act is amended by adding thereto the following section:

**TAXATION**

21a. The corporation shall be deemed not to be,

(a) a tenant or lessee who is liable to taxation; or

(b) occupying the Theatre-Auditorium for the purpose of or in connection with any business or carrying on of business,

for the purposes of The Assessment Act.

4. The council of The Corporation of the City of Hamilton may, upon such terms and conditions and in such manner as council determines, pass by-laws permitting,

(a) an encroachment upon the south side of King Street West by,

(i) the Art Gallery Building to a maximum of four feet, six inches, and

(ii) the Trade and Convention Centre building to a maximum of six feet;

(b) an encroachment over the south side of King Street West by the Trade and Convention Centre to a maximum of ten feet at a height of sixteen feet above street level;

(c) an encroachment under street level on the south side of King Street West by the Central Utilities Plant section of the underground parking garage to a maximum of ten feet.

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

6. This Act may be cited as The City of Hamilton Act, 1975.