c 85 The Municipal Amendment Act, 1974 (No. 2)

Ontario
CHAPTER 85

An Act to amend The Municipal Act

Assented to December 2nd, 1974

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

1.--(1) Section 36 of The Municipal Act, being chapter 284 of the Revised Statutes of Ontario, 1970, as re-enacted by the Statutes of Ontario, 1972, chapter 169, section 1 and amended by 1973, chapter 83, section 2, is further amended by adding thereto the following subsections:

(2a) For the purposes of subsection 2, a county that has been restructured to provide that it is composed of area municipalities shall be deemed to be a regional municipality.

(2b) Where any person is elected to a council in the year 1974, and section 36 as it existed on the day of such election did not render such person ineligible to be elected to the council, or to hold office as a member of such council, subsection 2a does not have the effect of rendering such person ineligible to hold office as a member of such council during the term of office for which he was elected in 1974.

(2) Subsections 3 and 4 of the said section 36 are repealed and the following substituted therefor:

(3) Any employee of a municipality or a local board thereof other than a school board and other than a commissioner, superintendent or overseer of any work whose appointment is authorized under section 393 who proposes to be a candidate to hold office as a member of the council of that municipality or the council of a municipality in the circumstances to which subsection 2 applies shall apply to the council of the municipality or to the local board, as the case may be, of which he is an employee for leave of absence without pay for a period,

(a) not longer than that commencing thirty days before the beginning of the period during which
candidates may be nominated under *The Municipal Elections Act, 1972* and ending on polling day; and

(b) not shorter than that commencing on the last day of the period during which candidates may be nominated under *The Municipal Elections Act, 1972* and ending on polling day,

and every such application shall be granted.

(4) Where an employee of a municipality or a local board thereof other than a school board and other than a commissioner, superintendent or overseer of any work whose appointment is authorized under section 393 who is a candidate for office as a member of the council of that municipality or the council of a municipality in the circumstances to which subsection 2 applies under a leave of absence granted under subsection 3 is elected he shall forthwith resign his position as such employee.

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

(2) Subsection 2 of section 1 shall be deemed to have come into force on the 17th day of January, 1973.

3. This Act may be cited as *The Municipal Amendment Act, 1974 (No. 2).*