1974

c 117 The Regional Municipalities Amendment Act, 1974 (No. 2)

Ontario
CHAPTER 117

The Regional Municipalities Amendment Act, 1974

Assented to December 20th, 1974

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

PART I

THE REGIONAL MUNICIPALITY OF OTTAWA-CARLETON

1. Section 17 of The Regional Municipality of Ottawa-Carleton Act, being chapter 407 of the Revised Statutes of Ontario, 1970, is repealed and the following substituted therefor:

17.—(1) When the chairman is absent or refuses to act, or his office is vacant, the Regional Council may by resolution appoint one of its members to act in his place and stead and, while so acting, such member has and may exercise all the rights, powers and authority of the chairman.

(2) The Regional Council may by by-law appoint a member of the Regional Council to act from time to time in the place and stead of the chairman when the chairman is absent from the Regional Area or absent through illness or his office is vacant and, while so acting, such member has and may exercise all the rights, powers and authority of the chairman.

2. Section 27 of the said Act, as amended by the Statutes of Ontario, 1971, chapter 74, section 1 and 1972, chapter 126, section 3, is repealed and the following substituted therefor:

27.—(1) On and after the 1st day of January, 1975, the Regional Corporation shall have the sole responsibility for the supply and distribution of water in the Regional Area, including the establishment, construction, maintenance, operation, improvement and the extension of waterworks systems and the financing thereof, and all the provisions of any general Act relating to such supply and distribution of
Method of financing

Preparation of special assessment roll
R.S.O. 1970, c. 255

Regional Corporation may require area municipality to collect moneys
R.S.O. 1970, c. 255, 284

Approval of O.M.B. to undertaking, etc.

Powers of O.M.B.

water and the financing thereof, by a municipal corporation or a local board thereof and all of the provisions of any special Act relating to such supply and distribution of water and the financing thereof by an area municipality or a local board thereof, apply mutatis mutandis to the Regional Corporation, except the power to establish a public utilities commission.

(2) The Regional Corporation may finance the whole or any part of the cost of the construction, operation, maintenance and debt charges of such supply and distribution of water by establishing one or more urban service areas with the approval of the Municipal Board, and raising the moneys required by imposing a rate or rates in such area or areas or may raise the moneys required by any other method or methods authorized by law or by any combination thereof.

(3) If the Regional Corporation proceeds under The Local Improvement Act, or any other Act involving the use of a collector's roll, an area municipality shall provide all information requested by the Regional Corporation for the purpose of the preparation of the special assessment rolls, and the clerk of the Regional Corporation, after certifying the special assessment rolls, shall forward the same to the treasurer of the area municipality concerned who shall enter the special assessments on the collector's roll and collect the same in the same manner as taxes and remit the same with the penalties, if any, to the treasurer of the Regional Corporation.

(4) Where the Regional Corporation does not proceed under The Local Improvement Act or under section 362 of The Municipal Act, the Regional Corporation may require any area municipality to collect the sums required for financing such supply and distribution of water either by a general rate in the area municipality or by a special rate on an urban service area within such area municipality and such special rate does not require the approval of the Municipal Board.

(5) Notwithstanding any general or special Act, the Municipal Board may hear and determine any application by the Regional Corporation for approval of any undertaking, work, project or scheme relating to such supply and distribution of water without having regard to the methods by which the Regional Corporation intends to recover the costs of the undertaking, work, project or scheme for which approval is being sought.

(6) Where application is made to the Municipal Board for its approval to the method of recovering the cost of an
undertaking, work, project or scheme approved by the Board under subsection 5 and the Board does not approve the application or approves it in part only, the Board may direct the method by which the cost, or the portion of the cost in respect of which the application is not approved, shall be recovered.

(7) Subject to subsection 11, on and after the 1st day of January, 1975, no area municipality shall have or exercise any powers under any Act for such supply and distribution of water, or the financing thereof.

(8) All waterworks, supply systems, meters, mechanical equipment and all real and personal property of any nature whatsoever used solely for the purpose of the supply and distribution of water in the Regional Area by an area municipality is vested in the Regional Corporation effective the 1st day of January, 1969, and no compensation or damages shall be payable to any area municipality in respect thereof.

(9) The Regional Corporation shall pay to the corporation of any area municipality all amounts of principal and interest becoming due upon any outstanding debt of such area municipality in respect of the property assumed by the Regional Corporation under subsection 8, but nothing in this subsection requires the Regional Corporation to pay that portion of the amounts of principal and interest that under The Local Improvement Act is payable as the owners' share of a local improvement work.

(10) If the Regional Corporation fails to make any payment or portion thereof as required by subsection 9, the area municipality may charge the Regional Corporation interest thereon at the rate of 12 per cent per annum from the date such payment or portion thereof becomes due until made, or at such lower rate of interest as the council of the area municipality by by-law determines.

(11) The Regional Corporation may enter into agreements with the corporation of any adjoining municipality, including a regional, district or metropolitan municipality in respect of the matters provided for in this Part.

3. Section 30 of the said Act is amended by adding thereto the following subsection:

(2) Notwithstanding any general or special Act, the Municipal Board may hear and determine any application by the Regional Corporation for approval of any undertaking, work, project or scheme relating to the collection and dis-
posal of sewage without having regard to the methods by
which the Regional Corporation intends to recover the costs
of the undertaking, work, project or scheme.

4. Subsection 1 of section 124 of the said Act, as amended by
the Statutes of Ontario, 1973, chapter 138, section 19, is
further amended by inserting after "254" in the second line
"subsection 3 of section 308" and by inserting after "3" in the
second line "10, 11, 12".

5. Section 127 of the said Act is amended by striking out "not
to exceed in any year a sum calculated at one-tenth of one
mill in the dollar upon the total assessment upon which the
regional levy is apportioned among the area municipalities
under subsection 3 of section 92" in the first, second, third,
fourth and fifth lines and by striking out "and for which
grant or grants there is no express authority provided by any
other Act" in the eighth and ninth lines.

6. Subsection 3 of section 140a of the said Act, as enacted by
the Statutes of Ontario, 1971, chapter 74, section 4, is amended
by striking out "and may charge fees for the use of such pro-

PART II

THE REGIONAL MUNICIPALITY OF NIAGARA

7. Section 17 of The Regional Municipality of Niagara Act,
being chapter 406 of the Revised Statutes of Ontario, 1970,
is repealed and the following substituted therefor:

17.—(1) When the chairman is absent or refuses to act, or
his office is vacant, the Regional Council may by resolution
appoint one of its members to act in his place and stead and,
while so acting, such member has and may exercise all the
rights, powers and authority of the chairman.

(2) The Regional Council may by by-law appoint a mem-
ber of the Regional Council to act from time to time in
the place and stead of the chairman when the chairman is absent
from the Regional Area or absent through illness or his office
is vacant and, while so acting, such member has and may
exercise all the rights, powers and authority of the chairman.
8. Section 27a of the said Act, as enacted by the Statutes of Ontario, 1972, chapter 51, section 2, is amended by adding thereto the following subsection:

(2) Notwithstanding any general or special Act, the Municipal Board may hear and determine any application by the Regional Corporation for approval of any undertaking, work, project or scheme relating to the supply and distribution of water without having regard to the methods by which the Regional Corporation intends to recover the costs of the undertaking, work, project or scheme for which approval is being sought.

9. -(1) Subsection 1 of section 54 of the said Act, as re-enacted by the Statutes of Ontario, 1973, chapter 54, section 2, is amended by striking out "or constructed" in the eighth line and inserting in lieu thereof "constructed or to be constructed".

(2) The said section 54 is amended by adding thereto the following subsections:

(3) Notwithstanding any general or special Act, the Municipal Board may hear and determine any application by the Regional Corporation for approval of any undertaking, work, project or scheme relating to the collection and disposal of sewage without having regard to the methods by which the Regional Corporation intends to recover the costs of the undertaking, work, project or scheme for which approval is being sought.

(4) Where application is made to the Municipal Board for its approval to the method of recovering the cost of an undertaking, work, project or scheme approved by the Board under subsection 3 and the Board does not approve the application or approves it in part only, the Board may direct the method by which the cost, or the portion of the cost in respect of which the application is not approved, shall be recovered.

10. Subsection 1 of section 154 of the said Act, as re-enacted by the Statutes of Ontario, 1972, chapter 51, section 14 and amended by 1973, chapter 158, section 6, is further amended by striking out "and 254" in the second line and inserting in lieu thereof "254, subsection 3 of section 308 and section 348" and by inserting after "3" in the second line "10, 11, 12".

11. Section 157 of the said Act is amended by striking out "not to exceed in any year a sum calculated at one-tenth of one
mill in the dollar upon the total assessment upon which the regional levy is apportioned among the area municipalities under subsection 3 of section 119" in the first, second, third, fourth and fifth lines and by striking out "and for which grant or grants there is no express authority provided by any other Act" in the eighth and ninth lines.

12. Subsection 3 of section 172 of the said Act is amended by striking out "and may charge fees for the use of such property, which fees may vary in respect of different classes of waste" in the eighth, ninth and tenth lines and inserting in lieu thereof "and may prescribe rates or charges for the use of such property, which rates or charges may relate to the volume, weight, or class of waste, or otherwise as the Regional Council considers appropriate in the circumstances".

PART III

THE REGIONAL MUNICIPALITY OF YORK

13. Section 17 of The Regional Municipality of York Act, being chapter 408 of the Revised Statutes of Ontario, 1970, is repealed and the following substituted therefor:

17. (1) When the chairman is absent or refuses to act, or his office is vacant, the Regional Council may by resolution appoint one of its members to act in his place and stead and, while so acting, such member has and may exercise all the rights, powers and authority of the chairman.

(2) The Regional Council may by by-law appoint a member of the Regional Council to act from time to time in the place and stead of the chairman when the chairman is absent from the Regional Area or absent through illness or his office is vacant and, while so acting, such member has and may exercise all the rights, powers and authority of the chairman.

14. Section 27a of the said Act, as enacted by the Statutes of Ontario, 1972, chapter 78, section 3, is amended by adding thereto the following subsections:

(6) Notwithstanding any general or special Act, the Municipal Board may hear and determine any application by the Regional Corporation for approval of any undertaking, work, project or scheme relating to the supply and distribution of water without having regard to the methods by which the Regional Corporation intends to recover the costs of the undertaking, work, project or scheme for which approval is being sought.
(7) Where application is made to the Municipal Board for its approval to the method of recovering the cost of an undertaking, work, project or scheme approved by the Board under subsection 6 and the Board does not approve the application or approves it in part only, the Board may direct the method by which the cost, or the portion of the cost in respect of which the application is not approved, shall be recovered.

15. Section 48 of the said Act is amended by adding thereto the following subsections:

(1a) Notwithstanding any general or special Act, the Municipal Board may hear and determine any application by the Regional Corporation for the approval of any undertaking, work, project or scheme relating to the collection and disposal of sewage without having regard to the methods by which the Regional Corporation intends to recover the costs of the undertaking, work, project or scheme for which approval is being sought.

(1b) Where application is made to the Municipal Board for its approval to the method of recovering the cost of an undertaking, work, project or scheme approved by the Board under subsection 1a and the Board does not approve the application or approves it in part only, the Board may direct the method by which the cost, or the portion of the cost in respect of which the application is not approved, shall be recovered.

16. Subsection 16 of section 114 of the said Act is repealed and the following substituted therefor:

(16) If an area municipality fails to make any payment as provided in the by-law, interest shall be added at the rate of 12 per cent per annum, or such lower rate as the Regional Council determines, from the date payment is due until it is made.

17. Subsection 1 of section 149 of the said Act, as amended by the Statutes of Ontario, 1972, chapter 153, section 1 and 1973, chapter 156, section 7, is further amended by striking out "and 254" in the second line and inserting in lieu thereof "254, subsection 3 of section 308 and section 348" and by inserting after "3" in the second line "10, 11, 12".

18. Section 152 of the said Act is amended by striking out "not to exceed in any year a sum calculated at one-tenth of one mill in the dollar upon the total assessment upon which the regional levy is apportioned among the area municipalities
under subsection 3 of section 114” in the first, second, third, fourth and fifth lines and by striking out “and for which grant or grants there is no express authority provided by any other Act” in the eighth and ninth lines.

19. Subsection 3 of section 166 of the said Act is amended by striking out “and may charge fees for the use of such property, which fees may vary in respect of different classes of waste” in the eighth, ninth and tenth lines and inserting in lieu thereof “and may prescribe rates or charges for the use of such property, which rates or charges may relate to the volume, weight, or class of waste, or otherwise as the Regional Council considers appropriate in the circumstances”.

PART IV

THE REGIONAL MUNICIPALITY OF WATERLOO

20. Section 18 of The Regional Municipality of Waterloo Act, 1972, being chapter 105, is repealed and the following substituted therefor:

Acting chairman

18.—(1) When the chairman is absent or refuses to act, or his office is vacant, the Regional Council may by resolution appoint one of its members to act in his place and stead and, while so acting, such member has and may exercise all the rights, powers and authority of the chairman.

(2) The Regional Council may by by-law appoint a member of the Regional Council to act from time to time in the place and stead of the chairman when the chairman is absent from the Regional Area or absent through illness or his office is vacant and, while so acting, such member has and may exercise all the rights, powers and authority of the chairman.

21. Section 29 of the said Act is amended by adding thereto the following subsections:

Approval of O.M.B. to undertaking, etc.

(1a) Notwithstanding any general or special Act, the Municipal Board may hear and determine any application by the Regional Corporation for approval of any undertaking, work, project or scheme relating to the supply and distribution of water without having regard to the methods by which the Regional Corporation intends to recover the costs of the undertaking, work, project or scheme for which approval is being sought.

Powers of O.M.B.

(1b) Where application is made to the Municipal Board for its approval to the method of recovering the cost of an
undertaking, work, project or scheme approved by the Board under subsection 1a and the Board does not approve the application or approves it in part only, the Board may direct the method by which the cost, or the portion of the cost in respect of which the application is not approved, shall be recovered.

22. Section 51 of the said Act is amended by adding thereto the following subsections:

(1a) Notwithstanding any general or special Act, the Municipal Board may hear and determine any application by the Regional Corporation for approval of any undertaking, work, project or scheme relating to the collection and disposal of sewage without having regard to the methods by which the Regional Corporation intends to recover the costs of the undertaking, work, project or scheme for which approval is being sought.

(1b) Where application is made to the Municipal Board for its approval to the method of recovering the cost of an undertaking, work, project or scheme approved by the Board under subsection 1a and the Board does not approve the application or approves it in part only, the Board may direct the method by which the cost, or the portion of the cost in respect of which the application is not approved, shall be recovered.

23. Subsection 1 of section 158 of the said Act, as amended by the Statutes of Ontario, 1972, chapter 164, section 3 and 1973, chapter 137, section 9, is further amended by striking out "and 254" in the second line and inserting in lieu thereof "254, subsection 3 of section 308 and section 348" and by inserting after "3" in the second line "10, 11, 12".

24. Section 161 of the said Act is amended by striking out "not and may charge fees for the use of such property, which fees may vary in respect of different classes of waste" in the eighth, ninth and tenth lines and inserting in lieu thereof "and may prescribe rates or charges for the use of such property, which rates or charges may relate to the volume,".
weight or class of waste, or otherwise as the Regional Council considers appropriate in the circumstances”.

PART V

THE REGIONAL MUNICIPALITY OF SUDBURY

s. 18. re-enacted

26. Section 18 of The Regional Municipality of Sudbury Act, 1972, being chapter 104, is repealed and the following substituted therefor:

18.—(1) When the chairman is absent or refuses to act, or his office is vacant, the Regional Council may by resolution appoint one of its members to act in his place and stead and, while so acting, such member has and may exercise all the rights, powers and authority of the chairman.

(2) The Regional Council may by by-law appoint a member of the Regional Council to act from time to time in the place and stead of the chairman when the chairman is absent from the Regional Area or absent through illness or his office is vacant and, while so acting, such member has and may exercise all the rights, powers and authority of the chairman.

s. 29. re-enacted

27. Section 29 of the said Act, as amended by the Statutes of Ontario, 1973, chapter 139, section 4, is repealed and the following substituted therefor:

29.—(1) On and after the 1st day of January, 1975, the Regional Corporation shall have the sole responsibility for the supply and distribution of water in the Regional Area, including the establishment, construction, maintenance, operation, improvement and the extension of waterworks systems and the financing thereof, and all the provisions of any general Act relating to such supply and distribution of water and the financing thereof by a municipal corporation or a local board thereof and all of the provisions of any special Act relating to such supply and distribution of water and the financing thereof by an area municipality or a local board thereof, apply mutatis mutandis to the Regional Corporation, except the power to establish a public utilities commission.

(2) The Regional Corporation may finance the whole or any part of the cost and debt charges of such supply and distribution of water by establishing one or more urban service areas with the approval of the Municipal Board and raising the moneys required by imposing a rate or rates in such area or areas, or may raise the moneys required by any other method or methods authorized by law or by any combination thereof.
(3) If the Regional Corporation proceeds under *The Local Improvement Act*, or any other Act involving the use of a collector's roll, an area municipality shall provide all information requested by the Regional Corporation for the purpose of the preparation of the special assessment rolls, and the clerk of the Regional Corporation, after certifying the special assessment rolls, shall forward the same to the treasurer of the area municipality concerned who shall enter the special assessments on the collector's roll and collect the same in the same manner as taxes and remit the same with the penalties, if any, to the treasurer of the Regional Corporation.

(4) Where the Regional Corporation does not proceed under *The Local Improvement Act* or under section 362 of *The Municipal Act*, the Regional Corporation may require any area municipality to collect the sums required for financing such supply and distribution of water either by a general rate in the area municipality or by a special rate on an urban service area within such area municipality and such special rate does not require the approval of the Municipal Board.

(5) Notwithstanding any general or special Act, the Municipal Board may hear and determine any application by the Regional Corporation for approval of any undertaking, work, project or scheme relating to such supply and distribution of water without having regard to the methods by which the Regional Corporation intends to recover the costs of the undertaking, work, project or scheme for which approval is being sought.

(6) Where application is made to the Municipal Board for its approval to the method of recovering the cost of an undertaking, work, project or scheme approved by the Board under subsection 5 and the Board does not approve the application or approves it in part only, the Board may direct the method by which the cost, or the portion of the cost in respect of which the application is not approved, shall be recovered.

(7) Subject to subsection 13, on or after the 1st day of January, 1975, no area municipality shall have or exercise any powers under any Act for such supply and distribution of water, or the financing thereof.

(8) All waterworks, supply systems, meters, mechanical equipment and all real and personal property of any nature whatsoever used solely for the purpose of the supply and distribution of water and all other assets, liabilities and
surpluses or deficits, including reserves, of the local municipalities relating to any facility for such supply and distribution of water in the Regional Area or for any area municipality is vested in the Regional Corporation effective the 1st day of January, 1973, and no compensation or damages shall be payable to any area municipality in respect thereof.

(9) The Regional Corporation shall pay to the corporation of any area municipality before the due date all amounts of principal and interest becoming due upon any outstanding debt of such area municipality in respect of the property assumed by the Regional Corporation under subsection 8, but nothing in this subsection requires the Regional Corporation to pay that portion of the amounts of principal and interest that under The Local Improvement Act is payable as the owners' share of a local improvement work.

(10) If the Regional Corporation fails to make any payment as required by subsection 9, the area municipality may charge the Regional Corporation interest at the rate of 12 per cent per annum thereon, or such lower rate as the council of the area municipality determines, from such date until payment is made.

(11) With respect to any agreements entered into by any municipality or local board thereof in the Regional Area respecting such supply and distribution of water, the Regional Corporation shall, on and after the 1st day of January, 1973, stand in the place and stead of such municipality or local board for all purposes of any such agreement.

(12) The Regional Corporation may enter into agreements with the corporation of any adjoining municipality, including a regional, district or metropolitan municipality, with respect to the matters provided for in this Part.

(13) The Regional Corporation may enter into an agreement with any area municipality or local board thereof regarding the recovery of the cost of the supply and distribution of water.

(14) The clerk of an area municipality shall, on notice to him by the treasurer of the Regional Corporation of an amount due in respect of the supply of water and by whom it is due and the lands on which a lien is claimed, enter the amount due upon the collector's roll of the area municipality and subsections 2, 3 and 4 of section 30 of The Public Utilities Act apply, and the moneys collected shall be forwarded to the treasurer of the Regional Corporation.
(15) All urban service areas as they exist on the 31st day of December, 1974, pertaining to the purposes of this Part, in an area municipality continue until such time as the Regional Council otherwise determines.

28. Section 31 of the said Act, as re-enacted by the Statutes of Ontario, 1973, chapter 139, section 5, is repealed and the following substituted therefor:

31.—(1) On and after the 1st day of January, 1975, the Regional Corporation shall, except as provided in subsection 12, have the sole responsibility for the collection and disposal of all sewage in the Regional Area, including the establishment, construction, maintenance, operation and financing thereof, and all the provisions of any general Act relating to such collection and disposal of such sewage and the financing thereof by a municipal corporation or a local board thereof and all the provisions of any special Act relating to such collection and disposal of such sewage and the financing thereof by an area municipality or a local board thereof apply mutatis mutandis to the Regional Corporation, except the power to establish a public utilities commission.

(2) The Regional Corporation may finance the whole or any part of the cost, including the establishment, construction, maintenance, operation and debt charges, of collection and disposal of sewage,

(a) by imposing a surcharge on the water rate, which does not require the approval of the Municipal Board, and such surcharge shall be collectable in the same manner as water rates;

(b) by establishing one or more urban service areas with the approval of the Municipal Board and imposing a rate or rates in such area or areas; or

(c) by any method or methods authorized by law or by any combination thereof.

(3) If the Regional Corporation proceeds under The Local Improvement Act, or any other Act involving the use of a collector's roll, an area municipality shall provide all information requested by the Regional Corporation for the purposes of the preparation of the special assessment rolls, and the clerk of the Regional Corporation, after certifying the special assessment rolls, shall forward the same to the treasurer of the area municipality concerned who shall enter the special assessments on the collector's roll and collect the same in the
same manner as taxes and remit the same with the penalties, if any, to the treasurer of the Regional Corporation.

(4) Where the Regional Corporation does not proceed by imposing a surcharge on the water rate, or under The Local Improvement Act, or under section 362 of The Municipal Act, the Regional Corporation may require any area municipality to collect the sums required for financing the collection and disposal of sewage either by a general rate in the area municipality or by a special rate on an urban service area within such area municipality, and such special rate does not require the approval of the Municipal Board.

(5) Notwithstanding any general or special Act, the Municipal Board may hear and determine any application by the Regional Corporation for approval of any undertaking, work, project or scheme relating to the collection and disposal of sewage without having regard to the methods by which the Regional Corporation intends to recover the costs of the undertaking, work, project or scheme for which approval is being sought.

(6) Where application is made to the Municipal Board for its approval to the method of recovering the cost of an undertaking, work, project or scheme approved by the Board under subsection 5 and the Board does not approve the application or approves it in part only, the Board may direct the method by which the cost, or the portion of the cost in respect of which the application is not approved, shall be recovered.

(7) Subject to subsection 15, on and after the 1st day of January, 1975, no area municipality shall have or exercise any powers under any Act for the collection and disposal of sewage, or the financing thereof, except as provided in subsection 12.

(8) All sewage works, sewer systems and treatment works, including buildings, structures, plant, machinery, equipment, devices, intakes and outfalls or outlets, or other works designed for the interception, collection, settling, treating, dispersing, disposing or discharging of sewage, including all assets and liabilities, surpluses, reserves and deficits of an area municipality relating thereto, except as provided in subsection 12, and all real and personal property of any nature whatsoever used solely for the purpose of the collection and disposal of such sewage in the Regional Area by any area municipality are vested in the Regional Corporation on the 1st day of January, 1973, and no compensation or damages shall be payable to any area municipality in respect thereof.
(9) The Regional Corporation shall pay to the corporation of any area municipality before the due date all amounts of principal and interest becoming due upon any outstanding debt of such area municipality in respect of the property assumed by the Regional Corporation under subsection 8, but nothing in this subsection requires the Regional Corporation to pay that portion of the amounts of principal and interest that, under The Local Improvement Act, is payable as the owners' share of the local improvement work.

(10) If the Regional Corporation fails to make any default payment as required by subsection 9, the area municipality may charge the Regional Corporation interest at the rate of 12 per cent per annum thereon or such lower rate as the council of the area municipality determines from such date until payment is made.

(11) With respect to any agreements entered into by any municipality or local board thereof in the Regional Area respecting the interception, collecting, settling, treating, dispersing, disposing or discharging of sewage, except as provided for in subsection 12, the Regional Corporation shall stand in the place and stead of such municipality or local board for all purposes of any such agreement.

(12) Subject to subsection 13, each area municipality is responsible for land drainage, including storm, surface, overflow, subsurface, or seepage waters or other drainage from land, within the municipality and including the drainage of any road in the municipality that does not form part of the regional road system.

(13) The Regional Corporation may undertake such land drainage, including the assumption of any work or works of an area municipality pertaining thereto, in the whole or any part or parts of the Regional Area, and where the Regional Corporation does so the provisions of this Part apply, mutatis mutandis, to the establishment, construction, maintenance, operation and financing thereof.

(14) The Regional Corporation may enter into agreements with the corporation of any adjoining municipality, including a regional, district or metropolitan municipality with respect to the matters provided for in this Part.

(15) The Regional Corporation may enter into an agreement with any area municipality or local board thereof regarding the recovery of costs of the collection and disposal of sewage.
(16) All urban service areas as they exist on the 31st day of December, 1974, pertaining to the purposes of this Part, in an area municipality continue until such time as the Regional Council otherwise determines.

29. Section 35 of the said Act, as amended by the Statutes of Ontario, 1973, chapter 139, section 6, is further amended by adding thereto the following subsection:

(3) The Regional Council shall be responsible for making all municipal appointments to the board of any public hospital in the Regional Area.

30. Subsection 3 of section 77 of the said Act is amended by striking out "and may charge fees for the use of such property, which fees may vary in respect of different classes of waste" in the eighth, ninth and tenth lines and inserting in lieu thereof "and may prescribe rates or charges for the use of such property, which rates or charges may relate to the volume, weight, or class of waste, or otherwise as the Regional Council considers appropriate in the circumstances".

31. (1) Subsection 1 of section 115 of the said Act, as amended by the Statutes of Ontario, 1973, chapter 139, section 11, is further amended by striking out "and 254" in the second line and inserting in lieu thereof "254, subsection 3 of section 308 and section 348" and by inserting after "3" in the second line "10, 11, 12".

(2) The said section 115 is amended by adding thereto the following subsection:

(1a) Where the Regional Council passes a by-law under subsection 1 of section 362a of The Municipal Act, the council of any area municipality may exercise the powers contained in subsections 5, 6 and 7 of the said section, as if the by-law passed by the Regional Council had been passed by the council of such area municipality.

32. (1) Section 117 of the said Act is amended by striking out "not exceeding $50,000 in any one year" in the first and second lines.

(2) The said section 117 is further amended by adding thereto the following sub-sections:

(2) Paragraph 50 of subsection 1 of section 354 and section 395 of The Municipal Act apply mutatis mutandis to the Regional Corporation and no area municipality shall exercise any such power, save and except in respect of
those lands acquired or held by a local municipality on or before the 1st day of January, 1975.

(3) The Regional Corporation shall be deemed to have had the authority conferred under subsection 2 since the 1st day of January, 1974.

33. Section 118 of the said Act is amended by striking out “not to exceed in any year a sum calculated at one-tenth of one mill in the dollar upon the total assessment upon which the regional levy is apportioned among the area municipalities under subsection 3 of section 81” in the first, second, third, fourth and fifth lines and by striking out “and for which grant or grants there is no express authority provided by any other Act” in the eighth, ninth and tenth lines.

PART VI
THE REGIONAL MUNICIPALITY OF PEEL

34. Section 18 of The Regional Municipality of Peel Act, 1973, being chapter 60, is repealed and the following substituted therefor:

18.—(1) When the chairman is absent or refuses to act, or his office is vacant, the Regional Council may by resolution appoint one of its members to act in his place and stead and, while so acting, such member has and may exercise all the rights, powers and authority of the chairman.

(2) The Regional Council may by by-law appoint a member of the Regional Council to act from time to time in the place and stead of the chairman when the chairman is absent from the Regional Area or absent through illness or his office is vacant and, while so acting, such member has and may exercise all the rights, powers and authority of the chairman.

35. Subsection 3 of section 26 of the said Act is amended by adding at the end thereof “but this provision shall not apply in the year 1974”.

36. Section 76, as amended by the Statutes of Ontario, 1973, chapter 161, section 5, and section 77 of the said Act are repealed and the following substituted therefor:

76.—(1) On and after the 1st day of January, 1975, the Regional Corporation shall have the sole responsibility for the supply and distribution of water in the Regional Area, including the establishment, construction, maintenance, operation, improvement and the extension of waterworks systems and the financing thereof and all the
provisions of any general Act relating to such supply and
distribution of water and the financing thereof by a
municipal corporation or a local board thereof and all of
the provisions of any special Act relating to such supply
and distribution of water and the financing thereof by an area
municipality or a local board thereof, apply mutatis mutandis
to the Regional Corporation, except the power to establish
a public utilities commission.

(2) The Regional Corporation may finance the whole or
any part of the cost and debt charges of such supply and
distribution of water by establishing one or more urban ser-
vice areas with the approval of the Municipal Board and
raising the moneys required by imposing a rate or rates in
such area or areas or may raise the moneys required by any
other method or methods authorized by law or by any com-
bination thereof.

(3) If the Regional Corporation proceeds under The Local
Improvement Act, or any other Act involving the use of
a collector’s roll, an area municipality shall provide all
information requested by the Regional Corporation for the
purpose of the preparation of the special assessment rolls,
and the clerk of the Regional Corporation, after certifying
the special assessment rolls, shall forward the same to
the treasurer of the area municipality concerned who
shall enter the special assessments on the collector’s roll and
collect the same in the same manner as taxes and remit
the same with the penalties, if any, to the treasurer of the
Regional Corporation.

(4) Where the Regional Corporation does not proceed
under The Local Improvement Act or under section 362 of
The Municipal Act, the Regional Corporation may require
any area municipality to collect the sums required for
financing such supply and distribution of water either by a
general rate in the area municipality or by a special rate
on an urban service area within such area municipality
and such special rate does not require the approval of the
Municipal Board.

(5) Notwithstanding any general or special Act, the
Municipal Board may hear and determine any application
by the Regional Corporation for approval of any undertaking,
work, project or scheme relating to such supply and
distribution of water without having regard to the methods
by which the Regional Corporation intends to recover the
costs of the undertaking, work, project or scheme for which
approval is being sought.

(6) Where application is made to the Municipal Board for
its approval to the method of recovering the cost of an
undertaking, work, project or scheme approved by the Board under subsection 5 and the Board does not approve the application or approves it in part only, the Board may direct the method by which the cost, or the portion of the cost in respect of which the application is not approved, shall be recovered.

(7) Subject to subsection 13, on or after the 1st day of January, 1975, no area municipality shall have or exercise any powers under any Act for such supply and distribution of water, or the financing thereof.

(8) All waterworks, supply systems, meters, mechanical equipment and all real and personal property of any nature whatsoever used solely for the purpose of the supply and distribution of water and all other assets, liabilities and surpluses or deficits, including reserves, of the local municipalities relating to any facility for such supply and distribution of water in the Regional Area or for any area municipality is vested in the Regional Corporation effective the 1st day of January, 1974, and no compensation or damages shall be payable to any area municipality in respect thereof.

(9) The Regional Corporation shall pay to the corporation of any area municipality before the due date all amounts of principal and interest becoming due upon any outstanding debt of such area municipality in respect of the property assumed by the Regional Corporation under subsection 8, but nothing in this subsection requires the Regional Corporation to pay that portion of the amounts of principal and interest that under The Local Improvement Act is payable as the owners' share of a local improvement work.

(10) If the Regional Corporation fails to make any payment as required by subsection 9, the area municipality may charge the Regional Corporation interest at the rate of 12 per cent per annum thereon, or such lower rate as the council of the area municipality determines, from such date until payment is made.

(11) With respect to any agreements entered into by any municipality or local board thereof in the Regional Area respecting such supply and distribution of water, the Regional Corporation shall, on and after the 1st day of January, 1974, stand in the place and stead of such municipality or local board for all purposes of any such agreement.
The Regional Corporation may enter into agreements with the corporation of any adjoining municipality, including a regional, district or metropolitan municipality, with respect to the matters provided for in this Part.

The Regional Corporation may enter into an agreement with any area municipality or local board thereof regarding the recovery of the cost of the supply and distribution of water.

The clerk of an area municipality shall, on notice to him by the treasurer of the Regional Corporation of an amount due in respect of the supply of water and by whom it is due and the lands on which a lien is claimed, enter the amount due upon the collector's roll of the area municipality and subsections 2, 3 and 4 of section 30 of The Public Utilities Act apply and the moneys collected shall be forwarded to the treasurer of the Regional Corporation.

All urban service areas as they exist on the 31st day of December, 1974, pertaining to the purposes of this Part, in an area municipality continue until such time as the Regional Council otherwise determines.

On and after the 1st day of January, 1975, the Regional Corporation shall, except as provided in subsection 12, have the sole responsibility for the collection and disposal of all sewage in the Regional Area, including the establishment, construction, maintenance, operation and financing thereof, and all the provisions of any general Act relating to such collection and disposal of such sewage and the financing thereof by a municipal corporation or a local board thereof and all the provisions of any special Act relating to such collection and disposal of such sewage and the financing thereof by an area municipality or a local board thereof apply mutatis mutandis to the Regional Corporation, except the power to establish a public utilities commission.

The Regional Corporation may finance the whole or any part of the cost, including the establishment, construction, maintenance, operation and debt charges, of collection and disposal of sewage,

(4) by imposing a surcharge on the water rate, which does not require the approval of the Municipal Board, and such surcharge shall be collectable in the same manner as water rates:
(b) by establishing one or more urban service areas with the approval of the Municipal Board and imposing a rate or rates in such area or areas; or

c) by any method or methods authorized by law or by any combination thereof.

(3) If the Regional Corporation proceeds under The Local Improvement Act, or any other Act involving the use of a collector's roll, an area municipality shall provide all information requested by the Regional Corporation for the purpose of the preparation of the special assessment rolls, and the clerk of the Regional Corporation, after certifying the special assessment rolls, shall forward the same to the treasurer of the area municipality concerned who shall enter the special assessments on the collector's roll and collect the same in the same manner as taxes and remit the same with the penalties, if any, to the treasurer of the Regional Corporation.

(4) Where the Regional Corporation does not proceed by imposing a surcharge on the water rate, or under The Local Improvement Act, or under section 362 of The Municipal Act, the Regional Corporation may require any area municipality to collect the sums required for financing the collection and disposal of sewage either by a general rate in the area municipality or by a special rate on an urban service area within such area municipality and such special rate does not require the approval of the Municipal Board.

(5) Notwithstanding any general or special Act, the Municipal Board may hear and determine any application by the Regional Corporation for approval of any undertaking, work, project or scheme relating to the collection and disposal of sewage without having regard to the methods by which the Regional Corporation intends to recover the costs of the undertaking, work, project or scheme for which approval is being sought.

(6) Where application is made to the Municipal Board for its approval to the method of recovering the cost of an undertaking, work, project or scheme approved by the Board under subsection 5 and the Board does not approve the application or approves it in part only, the Board may direct the method by which the cost, or the portion of the cost in respect of which the application is not approved, shall be recovered.

(7) Subject to subsection 15, on and after the 1st day of January, 1975, no area municipality shall have or exercise the power to collect and dispose of sewage.
any powers under any Act for the collection and disposal of sewage, or the financing thereof, except as provided in subsection 12.

(8) All sewage works, sewer systems and treatment works, including buildings, structures, plant, machinery, equipment, devices, intakes and outfalls or outlets, or other works designed for the interception, collection, settling, treating, dispersing, disposing or discharging of sewage, including all assets and liabilities, surpluses, reserves and deficits of an area municipality relating thereto, except as provided in subsection 12, and all real and personal property of any nature whatsoever used solely for the purpose of the collection and disposal of such sewage in the Regional Area by any area municipality are vested in the Regional Corporation on the 1st day of January, 1974, and no compensation or damages shall be payable to any area municipality in respect thereof.

(9) The Regional Corporation shall pay to the corporation of any area municipality before the due date all amounts of principal and interest becoming due upon any outstanding debt of such area municipality in respect of the property assumed by the Regional Corporation under subsection 8, but nothing in this subsection requires the Regional Corporation to pay that portion of the amounts of principal and interest that under The Local Improvement Act, is payable as the owners' share of the local improvement work.

(10) If the Regional Corporation fails to make any payment as required by subsection 9, the area municipality may charge the Regional Corporation interest at the rate of 12 per cent per annum thereon or such lower rate as the council of the area municipality determines from such date until payment is made.

(11) With respect to any agreements entered into by any municipality or local board thereof in the Regional Area respecting the interception, collecting, settling, treating, dispersing, disposing or discharging of sewage, except as provided for in subsection 12, the Regional Corporation shall stand in the place and stead of such municipality or local board for all purposes of any such agreement.

(12) Subject to subsection 13, each area municipality is responsible for land drainage, including storm, surface, overflow, subsurface, or seepage waters or other drainage from land, within the municipality and including the drainage of any road in the municipality that does not form part of the regional road system.
(13) The Regional Corporation may undertake such land drainage, including the assumption of any work or works of an area municipality pertaining thereto, in the whole or any part or parts of the Regional Area, and where the Regional Corporation does so the provisions of this Part apply, mutatis mutandis, to the establishment, construction, maintenance, operation and financing thereof.

(14) The Regional Corporation may enter into agreements with the corporation of any adjoining municipality, including a regional, district or metropolitan municipality with respect to the matters provided for in this Part.

(15) The Regional Corporation may enter into an agreement with any area municipality or local board thereof regarding the recovery of costs of the collection and disposal of sewage.

(16) All urban service areas as they exist on the 31st day of December, 1974, pertaining to the purposes of this Part, in an area municipality continue until such time as the Regional Council otherwise determines.

37. — (1) Subsection 1 of section 115 of the said Act, as amended by the Statutes of Ontario, 1973, chapter 161, section 6, is further amended by striking out "and 254" in the third line and inserting in lieu thereof "254, subsection 3 of section 308 and section 348" and by inserting after "9" in the third line "10, 11, 12".

(2) The said section 115, as amended by the Statutes of Ontario, 1973, chapter 161, section 6 and 1974, chapter 5, section 3, is further amended by adding thereto the following subsection:

(1a) Where the Regional Council passes a by-law under subsection 1 of section 362a of The Municipal Act, the council of any area municipality may exercise the powers contained in subsections 5, 6 and 7 of the said section, as if the by-law passed by the Regional Council had been passed by the council of such area municipality.

38. Section 118 of the said Act is amended by striking out "not to exceed in any year a sum calculated at one-tenth of one mill in the dollar upon the total assessment upon which the regional levy is apportioned among the area municipalities under subsection 3 of section 81" in the first, second, third, fourth and fifth lines and by striking out "and for which grant or grants there is no express authority provided by any other Act" in the eighth, ninth and tenth lines.
39. Subsection 3 of section 131 of the said Act is amended by striking out "and may charge fees for the use of such property, which fees may vary in respect of different classes of waste" in the ninth and tenth lines and inserting in lieu thereof "and may prescribe rates or charges for the use of such property, which rates or charges may relate to the volume, weight, or class of waste, or otherwise as the Regional Council considers appropriate in the circumstances".

PART VII

THE REGIONAL MUNICIPALITY OF HALTON

40. Section 18 of The Regional Municipality of Halton Act, 1973, being chapter 70, is repealed and the following substituted therefor:

18.—(1) When the chairman is absent or refuses to act, or his office is vacant, the Regional Council may by resolution appoint one of its members to act in his place and stead and, while so acting, such member has and may exercise all the rights, powers and authority of the chairman.

(2) The Regional Council may by by-law appoint a member of the Regional Council to act from time to time in the place and stead of the chairman when the chairman is absent from the Regional Area or absent through illness or his office is vacant and, while so acting, such member has and may exercise all the rights, powers and authority of the chairman.

41. Section 76, as amended by the Statutes of Ontario, 1973, chapter 162, section 7, and section 77 of the said Act are repealed and the following substituted therefor:

76.—(1) On and after the 1st day of January, 1975, the Regional Corporation shall have the sole responsibility for the supply and distribution of water in the Regional Area, including the establishment, construction, maintenance, operation, improvement and the extension of waterworks systems and the financing thereof and all the provisions of any general Act relating to such supply and distribution of water and the financing thereof by a municipal corporation or a local board thereof and all of the provisions of any special Act relating to such supply and distribution of water and the financing thereof by an area municipality or a local board thereof, apply mutatis mutandis to the Regional Corporation, except the power to establish a public utilities commission.
(2) The Regional Corporation may finance the whole or any part of the cost and debt charges of such supply and distribution of water by establishing one or more urban service areas with the approval of the Municipal Board, and raising the moneys required by imposing a rate or rates in such area or areas or may raise the moneys required by any other method or methods authorized by law or by any combination thereof.

(3) If the Regional Corporation proceeds under The Local Improvement Act, or any other Act involving the use of a collector's roll, an area municipality shall provide all information requested by the Regional Corporation for the purpose of the preparation of the special assessment rolls, and the clerk of the Regional Corporation, after certifying the special assessment rolls, shall forward the same to the treasurer of the area municipality concerned who shall enter the special assessments on the collector's roll and collect the same in the same manner as taxes and remit the same with the penalties, if any, to the treasurer of the Regional Corporation.

(4) Where the Regional Corporation does not proceed under The Local Improvement Act or under section 362 of The Municipal Act, the Regional Corporation may require any area municipality to collect the sums required for financing such supply and distribution of water either by a general rate in the area municipality or by a special rate on an urban service area within such area municipality and such special rate does not require the approval of the Municipal Board.

(5) Notwithstanding any general or special Act, the Municipal Board may hear and determine any application by the Regional Corporation for approval of any undertaking, work, project or scheme relating to such supply and distribution of water without having regard to the methods by which the Regional Corporation intends to recover the costs of the undertaking, work, project or scheme for which approval is being sought.

(6) Where application is made to the Municipal Board for its approval to the method of recovering the cost of an undertaking, work, project or scheme approved by the Board under subsection 5 and the Board does not approve the application or approves it in part only, the Board may direct the method by which the cost, or the portion of the cost in respect of which the application is not approved, shall be recovered.

(7) Subject to subsection 13, on or after the 1st day of January, 1975, no area municipality shall have or exercise
any powers under any Act for such supply and distribution of water, or the financing thereof.

(8) All waterworks, supply systems, meters, mechanical equipment and all real and personal property of any nature whatsoever used solely for the purpose of the supply and distribution of water and all other assets, liabilities and surpluses or deficits, including reserves, of the local municipalities relating to any facility for such supply and distribution of water in the Regional Area or for any area municipality is vested in the Regional Corporation effective the 1st day of January, 1974, and no compensation or damages shall be payable to any area municipality in respect thereof.

(9) The Regional Corporation shall pay to the corporation of any area municipality before the due date all amounts of principal and interest becoming due upon any outstanding debt of such area municipality in respect of the property assumed by the Regional Corporation under subsection 8, but nothing in this subsection requires the Regional Corporation to pay that portion of the amounts of principal and interest that under The Local Improvement Act is payable as the owners’ share of a local improvement work.

(10) If the Regional Corporation fails to make any payment as required by subsection 9, the area municipality may charge the Regional Corporation interest at the rate of 12 per cent per annum thereon, or such lower rate as the council of the area municipality determines, from such date until payment is made.

(11) With respect to any agreements entered into by any municipality or local board thereof in the Regional Area respecting such supply and distribution of water, the Regional Corporation shall, on and after the 1st day of January, 1974, stand in the place and stead of such municipality or local board for all purposes of any such agreement.

(12) The Regional Corporation may enter into agreements with the corporation of any adjoining municipality, including a regional, district or metropolitan municipality, with respect to the matters provided for in this Part.

(13) The Regional Corporation may enter into an agreement with any area municipality or local board thereof regarding the recovery of the cost of the supply and distribution of water.

(14) The clerk of an area municipality shall, on notice to him by the treasurer of the Regional Corporation of an amount due in respect of the supply of water and by whom it is due and the lands on which a lien is claimed, enter the
amount due upon the collector's roll of the area municipality and subsections 2, 3 and 4 of section 30 of The Public Utilities Act apply and the moneys collected shall be forwarded to the treasurer of the Regional Corporation.

(15) All urban service areas as they exist on the 31st day of December, 1974, pertaining to the purposes of this Part, in an area municipality continue until such time as the Regional Council otherwise determines.

77.—(1) On and after the 1st day of January, 1975, the Regional Corporation shall, except as provided in subsection 12, have the sole responsibility for the collection and disposal of all sewage in the Regional Area, including the establishment, construction, maintenance, operation and financing thereof, and all the provisions of any general Act relating to such collection and disposal of such sewage and the financing thereof by a municipal corporation or a local board thereof and all the provisions of any special Act relating to such collection and disposal of such sewage and the financing thereof by an area municipality or a local board thereof apply mutatis mutandis to the Regional Corporation, except the power to establish a public utilities commission.

(2) The Regional Corporation may finance the whole or any part of the cost, including the establishment, construction, maintenance, operation and debt charges, of collection and disposal of sewage,

(a) by imposing a surcharge on the water rate, which does not require the approval of the Municipal Board and such surcharge shall be collectable in the same manner as water rates;

(b) by establishing one or more urban service areas with the approval of the Municipal Board and imposing a rate or rates in such area or areas; or

(c) by any method or methods authorized by law or by any combination thereof.

(3) If the Regional Corporation proceeds under The Local Improvement Act, or any other Act involving the use of a collector's roll, an area municipality shall provide all information requested by the Regional Corporation for the purpose of the preparation of the special assessment rolls, and the clerk of the Regional Corporation, after certifying the special assessment rolls, shall forward the same to the treasurer of the area municipality concerned who shall enter the special assessments on the collector's roll and collect the same in the
Regional Corporation may require area municipality to collect moneys required R.S.O. 1970, cc. 255, 281

Approval of O.M.B. to undertaking, etc.

Powers of O.M.B.

No area municipality to collect and dispose of sewage

Vesting of property in Regional Corporation

same manner as taxes and remit the same with the penalties, if any, to the treasurer of the Regional Corporation.

(4) Where the Regional Corporation does not proceed by imposing a surcharge on the water rate, or under The Local Improvement Act, or under section 362 of The Municipal Act, the Regional Corporation may require any area municipality to collect the sums required for financing the collection and disposal of sewage either by a general rate in the area municipality or by a special rate on an urban service area within such area municipality and such special rate does not require the approval of the Municipal Board.

(5) Notwithstanding any general or special Act, the Municipal Board may hear and determine any application by the Regional Corporation for approval of any undertaking, work, project or scheme relating to the collection and disposal of sewage without having regard to the methods by which the Regional Corporation intends to recover the costs of the undertaking, work, project or scheme for which approval is being sought.

(6) Where application is made to the Municipal Board for its approval to the method of recovering the cost of an undertaking, work, project or scheme approved by the Board under subsection 5 and the Board does not approve the application or approves it in part only, the Board may direct the method by which the cost, or the portion of the cost in respect of which the application is not approved, shall be recovered.

(7) Subject to subsection 15, on and after the 1st day of January, 1975, no area municipality shall have or exercise any powers under any Act for the collection and disposal of sewage, or the financing thereof, except as provided in subsection 12.

(8) All sewage works, sewer systems and treatment works, including buildings, structures, plant, machinery, equipment, devices, intakes and outfalls or outlets, or other works designed for the interception, collection, settling, treating, dispersing, disposing or discharging of sewage, including all assets and liabilities, surpluses, reserves and deficits of an area municipality relating thereto, except as provided in subsection 12, and all real and personal property of any nature whatsoever used solely for the purpose of the collection and disposal of such sewage in the Regional Area by any area municipality are vested in the Regional Corporation on the 1st day of January, 1974, and no compensation or damages shall be payable to any area municipality in respect thereof.
The Regional Corporation shall pay to the corporation of any area municipality before the due date all amounts of principal and interest becoming due upon any outstanding debt of such area municipality in respect of the property assumed by the Regional Corporation under subsection 8, but nothing in this subsection requires the Regional Corporation to pay that portion of the amounts of principal and interest that, under The Local Improvement Act, is payable as the owners' share of the local improvement work.

If the Regional Corporation fails to make any payment as required by subsection 9, the area municipality may charge the Regional Corporation interest at the rate of 12 per cent per annum thereon or such lower rate as the council of the area municipality determines from such date until payment is made.

With respect to any agreements entered into by any municipality or local board thereof in the Regional Area respecting the interception, collecting, settling, treating, dispersing, disposing or discharging of sewage, except as provided for in subsection 12, the Regional Corporation shall stand in the place and stead of such municipality or local board for all purposes of any such agreement.

Subject to subsection 13, each area municipality is responsible for land drainage, including storm, surface, overflow, subsurface, or seepage waters or other drainage from land, within the municipality and including the drainage of any road in the municipality that does not form part of the regional road system.

The Regional Corporation may undertake such land drainage, including the assumption of any work or works of an area municipality pertaining thereto, in the whole or any part or parts of the Regional Area, and where the Regional Corporation does so the provisions of this Part apply, mutatis mutandis, to the establishment, construction, maintenance, operation and financing thereof.

The Regional Corporation may enter into agreements with the corporation of any adjoining municipality, including a regional, district or metropolitan municipality with respect to the matters provided for in this Part.

The Regional Corporation may enter into an agreement with any area municipality or local board thereof regarding the recovery of costs of the collection and disposal of sewage.
Existing urban service areas

s.115 (1), amended

42.—(1) Subsection 1 of section 115 of the said Act, as amended by the Statutes of Ontario, 1973, chapter 162, section 8, is further amended by striking out "and 254" in the third line and inserting in lieu thereof "254, subsection 3 of section 308 and section 348" and by inserting after "9" in the third line "10, 11, 12".

s.115, Amended

43. Section 118 of the said Act is amended by striking out "not to exceed in any year a sum calculated at one-tenth of one mill in the dollar upon the total assessment upon which the regional levy is apportioned among the area municipalities under subsection 3 of section 81" in the first, second, third, fourth and fifth lines and by striking out "and for which grant or grants there is no express authority provided by any other Act" in the ninth and tenth lines.

s. 131 (3), amended

44. Subsection 3 of section 131 of the said Act is amended by striking out "and may charge fees for the use of such property, which fees may vary in respect of different classes of waste" in the ninth, tenth and eleventh lines and inserting in lieu thereof "and may prescribe rates or charges for the use of such property, which rates or charges may relate to the volume, weight, or class of waste, or otherwise as the Regional Council considers appropriate in the circumstances".

PART VIII

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

s. 18, re-enacted

45. Section 18 of The Regional Municipality of Hamilton-Wentworth Act, 1973, being chapter 74, is repealed and the following substituted therefor:
18.—(1) When the chairman is absent or refuses to act, or his office is vacant, the Regional Council may by resolution appoint one of its members to act in his place and stead and, while so acting, such member has and may exercise all the rights, powers and authority of the chairman.

(2) The Regional Council may by by-law appoint a member of the Regional Council to act from time to time in the place and stead of the chairman when the chairman is absent from the Regional Area or absent through illness or his office is vacant and, while so acting, such member has and may exercise all the rights, powers and authority of the chairman.

46. Section 76, as amended by the Statutes of Ontario, 1973, chapter 163, section 6, and section 77 of the said Act are repealed and the following substituted therefor:

76.—(1) On and after the 1st day of January, 1975, the Regional Corporation shall have the sole responsibility for the supply and distribution of water in the Regional Area, including the establishment, construction, maintenance, operation, improvement and the extension of waterworks systems and the financing thereof and all the provisions of any general Act relating to such supply and distribution of water and the financing thereof by a municipal corporation or a local board thereof and all of the provisions of any special Act relating to such supply and distribution of water and the financing thereof by an area municipality or a local board thereof, apply mutatis mutandis to the Regional Corporation, except the power to establish a public utilities commission.

(2) The Regional Corporation may finance the whole or any part of the cost and debt charges of such supply and distribution of water by establishing one or more urban service areas with the approval of the Municipal Board and raising the moneys required by imposing a rate or rates in such area or areas or may raise the moneys required by any other method or methods authorized by law or by any combination thereof.

(3) If the Regional Corporation proceeds under The Local Improvement Act, or any other Act involving the use of a collector’s roll, an area municipality shall provide all information requested by the Regional Corporation for the purpose of the preparation of the special assessment rolls, and the clerk of the Regional Corporation, after certifying the special assessment rolls, shall forward the same to the treasurer of the area municipality concerned who shall enter the special assessments on the collector’s roll and collect the same in
Regional Corporation may require area municipality to collect money.
R.S.O. 1970, c. 255, s. 294

Approval of O.M.B. to undertaking, etc.

Powers of O.M.B.

Area municipalities, no power to supply and distribute water

Vesting of property in Regional Corporation

Payments of principal and interest to area municipalities

the same manner as taxes and remit the same with the penalties, if any, to the treasurer of the Regional Corporation.

(4) Where the Regional Corporation does not proceed under The Local Improvement Act or under section 362 of The Municipal Act, the Regional Corporation may require any area municipality to collect the sums required for financing such supply and distribution of water either by a general rate in the area municipality or by a special rate on an urban service area within such area municipality and such special rate does not require the approval of the Municipal Board.

(5) Notwithstanding any general or special Act, the Municipal Board may hear and determine any application by the Regional Corporation for approval of any undertaking, work, project or scheme relating to such supply and distribution of water without having regard to the methods by which the Regional Corporation intends to recover the costs of the undertaking, work, project or scheme for which approval is being sought.

(6) Where application is made to the Municipal Board for its approval to the method of recovering the cost of an undertaking, work, project or scheme approved by the Board under subsection 5 and the Board does not approve the application or approves it in part only, the Board may direct the method by which the cost, or the portion of the cost in respect of which the application is not approved, shall be recovered.

(7) Subject to subsection 13, on or after the 1st day of January, 1975, no area municipality shall have or exercise any powers under any Act for such supply and distribution of water, or the financing thereof.

(8) All waterworks, supply systems, meters, mechanical equipment and all real and personal property of any nature whatsoever used solely for the purpose of the supply and distribution of water and all other assets, liabilities and surpluses or deficits, including reserves, of the local municipalities relating to any facility for such supply and distribution of water in the Regional Area or for any area municipality is vested in the Regional Corporation effective the 1st day of January, 1974, and no compensation or damages shall be payable to any area municipality in respect thereof.

(9) The Regional Corporation shall pay to the corporation of any area municipality before the due date all amounts of principal and interest becoming due upon any outstanding debt of such area municipality in respect of the property
assumed by the Regional Corporation under subsection 8, but nothing in this subsection requires the Regional Corporation to pay that portion of the amounts of principal and interest that, under The Local Improvement Act, is payable as the owners' share of a local improvement work.

(10) If the Regional Corporation fails to make any payment as required by subsection 9, the area municipality may charge the Regional Corporation interest at the rate of 12 per cent per annum thereon, or such lower rate as the council of the area municipality determines, from such date until payment is made.

(11) With respect to any agreements entered into by any municipality or local board thereof in the Regional Area respecting such supply and distribution of water, the Regional Corporation shall, on and after the 1st day of January, 1974, stand in the place and stead of such municipality or local board for all purposes of any such agreement.

(12) The Regional Corporation may enter into agreements with the corporation of any adjoining municipality, including a regional, district or metropolitan municipality, with respect to the matters provided for in this Part.

(13) The Regional Corporation may enter into an agreement with any area municipality or local board thereof regarding the recovery of the cost of the supply and distribution of water.

(14) The clerk of an area municipality shall, on notice to him by the treasurer of the Regional Corporation of an amount due in respect of the supply of water and by whom it is due and the lands on which a lien is claimed, enter the amount due upon the collector's roll of the area municipality and subsections 2, 3 and 4 of section 30 of The Public Utilities Act apply and the moneys collected shall be forwarded to the treasurer of the Regional Corporation.

(15) All urban service areas as they exist on the 31st day of December, 1974, pertaining to the purposes of this Part, in an area municipality continue until such time as the Regional Council otherwise determines.

77.—(1) On and after the 1st day of January, 1975, the Regional Corporation shall, except as provided in subsection 12, have the sole responsibility for the collection and disposal of all sewage in the Regional Area, including the establishment, construction, maintenance, operation and financing thereof.
and all the provisions of any general Act relating to such collection and disposal of such sewage and the financing thereof by a municipal corporation or a local board thereof and all the provisions of any special Act relating to such collection and disposal of such sewage and the financing thereof by an area municipality or a local board thereof apply mutatis mutandis to the Regional Corporation, except the power to establish a public utilities commission.

(2) The Regional Corporation may finance the whole or any part of the cost, including the establishment, construction, maintenance, operation and debt charges, of collection and disposal of sewage,

(a) by imposing a surcharge on the water rate, which does not require the approval of the Municipal Board and such surcharge shall be collectable in the same manner as water rates;

(b) by establishing one or more urban service areas with the approval of the Municipal Board and imposing a rate or rates in such area or areas; or

(c) by any method or methods authorized by law or by any combination thereof.

(3) If the Regional Corporation proceeds under The Local Improvement Act, or any other Act involving the use of a collector's roll, an area municipality shall provide all information requested by the Regional Corporation for the purpose of the preparation of the special assessment rolls, and the clerk of the Regional Corporation, after certifying the special assessment rolls, shall forward the same to the treasurer of the area municipality concerned who shall enter the special assessments on the collector's roll and collect the same in the same manner as taxes and remit the same with the penalties, if any, to the treasurer of the Regional Corporation.

(4) Where the Regional Corporation does not proceed by imposing a surcharge on the water rate, or under The Local Improvement Act, or under section 362 of The Municipal Act, the Regional Corporation may require any area municipality to collect the sums required for financing the collection and disposal of sewage either by a general rate in the area municipality or by a special rate on an urban service area within such area municipality and such special rate does not require the approval of the Municipal Board.

(5) Notwithstanding any general or special Act, the Municipal Board may hear and determine any application by the Regional Corporation for approval of any undertaking, work,
project or scheme relating to the collection and disposal of sewage without having regard to the methods by which the Regional Corporation intends to recover the costs of the undertaking, work, project or scheme for which approval is being sought.

(6) Where application is made to the Municipal Board for its approval to the method of recovering the cost of an undertaking, work, project or scheme approved by the Board under subsection 5 and the Board does not approve the application or approves it in part only, the Board may direct the method by which the cost, or the portion of the cost in respect of which the application is not approved, shall be recovered.

(7) Subject to subsection 15, on and after the 1st day of January, 1975, no area municipality shall have or exercise any powers under any Act for the collection and disposal of sewage, or the financing thereof, except as provided in subsection 12.

(8) All sewage works, sewer systems and treatment works, including buildings, structures, plant, machinery, equipment, devices, intakes and outfalls or outlets, or other works designed for the interception, collection, settling, treating, dispersing, disposing or discharging of sewage, including all assets and liabilities, surpluses, reserves and deficits of an area municipality relating thereto, except as provided in subsection 12, and all real and personal property of any nature whatsoever used solely for the purpose of the collection and disposal of such sewage in the Regional Area by any area municipality are vested in the Regional Corporation on the 1st day of January, 1974, and no compensation or damages shall be payable to any area municipality in respect thereof.

(9) The Regional Corporation shall pay to the corporation of any area municipality before the due date all amounts of principal and interest becoming due upon any outstanding debt of such area municipality in respect of the property assumed by the Regional Corporation under subsection 8, but nothing in this subsection requires the Regional Corporation to pay that portion of the amounts of principal and interest that, under The Local Improvement Act, is payable as the owners' share of the local improvement work.

(10) If the Regional Corporation fails to make any payment as required by subsection 9, the area municipality may charge the Regional Corporation interest at the rate of 12 per cent per annum thereon or such lower rate as the council
of the area municipality determines from such date until payment is made.

(11) With respect to any agreements entered into by any municipality or local board thereof in the Regional Area respecting the interception, collecting, settling, treating, dispersing, disposing or discharging of sewage, except as provided for in subsection 12, the Regional Corporation shall stand in the place and stead of such municipality or local board for all purposes of any such agreement.

(12) Subject to subsection 13, each area municipality is responsible for land drainage, including storm, surface, overflow, subsurface, or seepage waters or other drainage from land, within the municipality and including the drainage of any road in the municipality that does not form part of the regional road system.

(13) The Regional Corporation may undertake such land drainage, including the assumption of any work or works of an area municipality pertaining thereto, in the whole or any part or parts of the Regional Area, and where the Regional Corporation does so the provisions of this Part apply, mutatis mutandis, to the establishment, construction, maintenance, operation and financing thereof.

(14) The Regional Corporation may enter into agreements with the corporation of any adjoining municipality, including a regional, district or metropolitan municipality with respect to the matters provided for in this Part.

(15) The Regional Corporation may enter into an agreement with any area municipality or local board thereof regarding the recovery of costs of the collection and disposal of sewage.

(16) All urban service areas as they exist on the 31st day of December, 1974, pertaining to the purposes of this Part, in an area municipality continue until such time as the Regional Council otherwise determines.

s. 115 (1), amended

s. 115, amended

47.—(1) Subsection 1 of section 115 of the said Act, as amended by the Statutes of Ontario, 1973, chapter 163, section 7, is further amended by striking out "and 254" in the third line and inserting in lieu thereof "254, subsection 3 of section 308 and section 348" and by inserting after "9" in the third line "10, 11, 12".

s. 115, amended

(2) The said section 115, as amended by the Statutes of Ontario, 1973, chapter 163, section 7 and 1974, chapter 5, section 5, is further amended by adding thereto the following subsection:
(1a) Where the Regional Council passes a by-law under subsection 1 of section 362a of *The Municipal Act*, the council of any area municipality may exercise the powers contained in subsections 5, 6 and 7 of the said section, as if the by-law passed by the Regional Council had been passed by the council of such area municipality.

48. Section 118 of the said Act is amended by striking out "not to exceed in any year a sum calculated at one-tenth of one mill in the dollar upon the total assessment upon which the regional levy is apportioned among the area municipalities under subsection 3 of section 81" in the first, second, third, fourth and fifth lines and by striking out "and for which grant or grants there is no express authority provided by any other Act" in the eighth, ninth and tenth lines.

49. Subsection 3 of section 131 of the said Act is amended by striking out "and may charge fees for the use of such property, which fees may vary in respect of different classes of waste" in the ninth, tenth and eleventh lines and inserting in lieu thereof "and may prescribe rates or charges for the use of such property, which rates or charges may relate to the volume, weight, or class of waste, or otherwise as the Regional Council considers appropriate in the circumstances".

PART IX

THE REGIONAL MUNICIPALITY OF DURHAM

50. Section 18 of *The Regional Municipality of Durham Act, 1973*, as amended by chapter 78, is repealed and the following substituted therefor:

18.—(1) When the chairman is absent or refuses to act, or his office is vacant, the Regional Council may by resolution appoint one of its members to act in his place and stead and, while so acting, such member has and may exercise all the rights, powers and authority of the chairman.

(2) The Regional Council may by by-law appoint a member of the Regional Council to act from time to time in the place and stead of the chairman when the chairman is absent from the Regional Area or absent through illness or his office is vacant and, while so acting, such member has and may exercise all the rights, powers and authority of the chairman.

51. Section 55, as amended by the Statutes of Ontario, 1973, chapter 147, section 4, section 56, section 57, as amended by the Statutes of Ontario, 1973, chapter 147, section 5 and sec-
55.—(1) On and after the 1st day of January, 1975, the Regional Corporation shall have the sole responsibility for the supply and distribution of water in the Regional Area, including the establishment, construction, maintenance, operation, improvement and the extension of waterworks systems and the financing thereof and all the provisions of any general Act relating to such supply and distribution of water and the financing thereof by a municipal corporation or a local board thereof and all of the provisions of any special Act relating to such supply and distribution of water and the financing thereof by an area municipality or a local board thereof, apply mutatis mutandis to the Regional Corporation, except the power to establish a public utilities commission.

(2) The Regional Corporation may finance the whole or any part of the cost and debt charges of such supply and distribution of water by establishing one or more urban service areas with the approval of the Municipal Board and raising the moneys required by imposing a rate or rates in such area or areas or may raise the moneys required by any other method or methods authorized by law or by any combination thereof.

(3) If the Regional Corporation proceeds under The Local Improvement Act, or any other Act involving the use of a collector's roll, an area municipality shall provide all information requested by the Regional Corporation for the purpose of the preparation of the special assessment rolls, and the clerk of the Regional Corporation, after certifying the special assessment rolls, shall forward the same to the treasurer of the area municipality concerned who shall enter the special assessments on the collector's roll and collect the same in the same manner as taxes and remit the same with the penalties, if any, to the treasurer of the Regional Corporation.

(4) Where the Regional Corporation does not proceed under The Local Improvement Act or under section 362 of The Municipal Act, the Regional Corporation may require any area municipality to collect the sums required for financing such supply and distribution of water either by a general rate in the area municipality or by a special rate on an urban service area within such area municipality and such special rate does not require the approval of the Municipal Board.

(5) Notwithstanding any general or special Act, the Municipal Board may hear and determine any application
by the Regional Corporation for approval of any undertaking, work, project or scheme relating to such supply and distribution of water without having regard to the methods by which the Regional Corporation intends to recover the costs of the undertaking, work, project or scheme for which approval is being sought.

(6) Where application is made to the Municipal Board for its approval to the method of recovering the cost of an undertaking, work, project or scheme approved by the Board under subsection 5 and the Board does not approve the application or approves it in part only, the Board may direct the method by which the cost, or the portion of the cost in respect of which the application is not approved, shall be recovered.

(7) Subject to subsection 13, on or after the 1st day of January, 1975, no area municipality shall have or exercise any powers under any Act for such supply and distribution of water, or the financing thereof.

(8) All waterworks, supply systems, meters, mechanical equipment and all real and personal property of any nature whatsoever used solely for the purpose of the supply and distribution of water and all other assets, liabilities and surpluses or deficits, including reserves, of the local municipalities relating to any facility for such supply and distribution of water in the Regional Area or for any area municipality is vested in the Regional Corporation effective the 1st day of January, 1974, and no compensation or damages shall be payable to any area municipality in respect thereof.

(9) The Regional Corporation shall pay to the corporation of any area municipality before the due date all amounts of principal and interest becoming due upon any outstanding debt of such area municipality in respect of the property assumed by the Regional Corporation under subsection 8, but nothing in this subsection requires the Regional Corporation to pay that portion of the amounts of principal and interest that, under The Local Improvement Act, is payable as the owners' share of a local improvement work.

(10) If the Regional Corporation fails to make any payment as required by subsection 9, the area municipality may charge the Regional Corporation interest at the rate of 12 per cent per annum thereon, or such lower rate as the council of the area municipality determines, from such date until payment is made.

(11) With respect to any agreements entered into by any municipality or local board thereof in the Regional
Area respecting such supply and distribution of water, the Regional Corporation shall, on and after the 1st day of January, 1974, stand in the place and stead of such municipality or local board for all purposes of any such agreement.

(12) The Regional Corporation may enter into agreements with the corporation of any adjoining municipality, including a regional, district or metropolitan municipality, with respect to the matters provided for in this Part.

(13) The Regional Corporation may enter into an agreement with any area municipality or local board thereof regarding the recovery of the cost of the supply and distribution of water.

(14) The clerk of an area municipality shall, on notice to him by the treasurer of the Regional Corporation of an amount due in respect of the supply of water and by whom it is due and the lands on which a lien is claimed, enter the amount due upon the collector’s roll of the area municipality and subsections 2, 3 and 4 of section 30 of The Public Utilities Act apply and the moneys collected shall be forwarded to the treasurer of the Regional Corporation.

(15) All urban service areas as they exist on the 31st day of December, 1974, pertaining to the purposes of this Part, in an area municipality continue until such time as the Regional Council otherwise determines.

56.—(1) On and after the 1st day of January, 1975, the Regional Corporation shall, except as provided in subsection 12, have the sole responsibility for the collection and disposal of all sewage in the Regional Area, including the establishment, construction, maintenance, operation and financing thereof, and all the provisions of any general Act relating to such collection and disposal of such sewage and the financing thereof by a municipal corporation or a local board thereof and all the provisions of any special Act relating to such collection and disposal of such sewage and the financing thereof by an area municipality or a local board thereof apply mutatis mutandis to the Regional Corporation, except the power to establish a public utilities commission.

(2) The Regional Corporation may finance the whole or any part of the cost, including the establishment, construction, maintenance, operation and debt charges, of collection and disposal of sewage,
(a) by imposing a surcharge on the water rate, which does not require the approval of the Municipal Board and such surcharge shall be collectable in the same manner as water rates;

(b) by establishing one or more urban service areas with the approval of the Municipal Board and imposing a rate or rates in such area or areas; or

(c) by any method or methods authorized by law or by any combination thereof.

(3) If the Regional Corporation proceeds under The Local Improvement Act, or any other Act involving the use of a collector's roll, an area municipality shall provide all information requested by the Regional Corporation for the purpose of the preparation of the special assessment rolls, and the clerk of the Regional Corporation, after certifying the special assessment rolls, shall forward the same to the treasurer of the area municipality concerned who shall enter the special assessments on the collector's roll and collect the same in the same manner as taxes and remit the same with the penalties, if any, to the treasurer of the Regional Corporation.

(4) Where the Regional Corporation does not proceed by imposing a surcharge on the water rate, or under The Local Improvement Act, or under section 362 of The Municipal Act, the Regional Corporation may require any area municipality to collect the sums required for financing the collection and disposal of sewage either by a general rate in the area municipality or by a special rate on an urban service area within such area municipality and such special rate does not require the approval of the Municipal Board.

(5) Notwithstanding any general or special Act, the Municipal Board may hear and determine any application by the Regional Corporation for approval of any undertaking, work, project or scheme relating to the collection and disposal of sewage without having regard to the methods by which the Regional Corporation intends to recover the costs of the undertaking, work, project or scheme for which approval is being sought.

(6) Where application is made to the Municipal Board for its approval to the method of recovering the cost of an undertaking, work, project or scheme approved by the Board under subsection 5 and the Board does not approve the application or approves it in part only, the Board may direct the method by which the cost, or the portion of the cost in respect of which the application is not approved, shall be recovered.
(7) Subject to subsection 15, on and after the 1st day of January, 1975, no area municipality shall have or exercise any powers under any Act for the collection and disposal of sewage, or the financing thereof, except as provided in subsection 12.

(8) All sewage works, sewer systems and treatment works, including buildings, structures, plant, machinery, equipment, devices, intakes and outfalls or outlets, or other works designed for the interception, collection, settling, treating, dispersing, disposing or discharging of sewage, including all assets and liabilities, surpluses, reserves and deficits of an area municipality relating thereto, except as provided in subsection 12, and all real and personal property of any nature whatsoever used solely for the purpose of the collection and disposal of such sewage in the Regional Area by any area municipality are vested in the Regional Corporation on the 1st day of January, 1974, and no compensation or damages shall be payable to any area municipality in respect thereof.

(9) The Regional Corporation shall pay to the corporation of any area municipality before the due date all amounts of principal and interest becoming due upon any outstanding debt of such area municipality in respect of the property assumed by the Regional Corporation under subsection 8, but nothing in this subsection requires the Regional Corporation to pay that portion of the amounts of principal and interest that under The Local Improvement Act, is payable as the owners' share of the local improvement work.

(10) If the Regional Corporation fails to make any payment as required by subsection 9, the area municipality may charge the Regional Corporation interest at the rate of 12 per cent per annum thereon or such lower rate as the council of the area municipality determines from such date until payment is made.

(11) With respect to any agreements entered into by any municipality or local board thereof in the Regional Area respecting the interception, collecting, settling, treating, dispersing, disposing or discharging of sewage, except as provided for in subsection 12, the Regional Corporation shall stand in the place and stead of such municipality or local board for all purposes of any such agreement.

(12) Subject to subsection 13, each area municipality is responsible for land drainage, including storm, surface, overflow, subsurface, or seepage waters or other drainage from land, within the municipality and including the drainage of any road in the municipality that does not form part of the regional road system.
(13) The Regional Corporation may undertake such land drainage, including the assumption of any work or works of an area municipality pertaining thereto, in the whole or any part or parts of the Regional Area, and where the Regional Corporation does so the provisions of this Part apply, mutatis mutandis, to the establishment, construction, maintenance, operation and financing thereof.

(14) The Regional Corporation may enter into agreements with the corporation of any adjoining municipality, including a regional, district or metropolitan municipality with respect to the matters provided for in this Part.

(15) The Regional Corporation may enter into an agreement with any area municipality or local board thereof regarding the recovery of costs of the collection and disposal of sewage.

(16) All urban service areas as they exist on the 31st day of December, 1974, pertaining to the purposes of this Part, in an area municipality continue until such time as the Regional Council otherwise determines.

52.—(1) Subsection 1 of section 123 of the said Act, as amended by the Statutes of Ontario, 1973, chapter 147, section 10, is further amended by striking out "and 254" in the third line and inserting in lieu thereof "254, subsection 3 of section 308 and section 348" and by inserting after "9" in the third line "10, 11, 12".

(2) The said section 123, as amended by the Statutes of Ontario, 1973, chapter 147, section 10 and 1974, chapter 5, section 6, is further amended by adding thereto the following subsection:

(1a) Where the Regional Council passes a by-law under subsection 1 of section 362a of The Municipal Act, the council of any area municipality may exercise the powers contained in subsections 5, 6 and 7 of the said section, as if the by-law passed by the Regional Council had been passed by the council of such area municipality.

53. Section 126 of the said Act is amended by striking out "not to exceed in any year a sum calculated at one-tenth of one mill in the dollar upon the total assessment upon which the regional levy is apportioned among the area municipalities under subsection 3 of section 89" in the first, second, third, fourth and fifth lines and by striking out "and for which grant or grants there is no express authority provided by any other Act" in the ninth and tenth lines.
54. Subsection 3 of section 139 of the said Act is amended by striking out "and may charge fees for the use of such property, which fees may vary in respect of different classes of waste" in the ninth, tenth and eleventh lines and inserting in lieu thereof "and may prescribe rates or charges for the use of such property, which rates or charges may relate to the volume, weight, or class of waste, or otherwise as the Regional Council considers appropriate in the circumstances".

PART X

THE REGIONAL MUNICIPALITY OF HALDIMAND-NORFOLK

55. Section 18 of The Regional Municipality of Haldimand-Norfolk Act, 1973, being chapter 96, is repealed and the following substituted therefor:

18.—(1) When the chairman is absent or refuses to act, or his office is vacant, the Regional Council may by resolution appoint one of its members to act in his place and stead and, while so acting, such member has and may exercise all the rights, powers and authority of the chairman.

(2) The Regional Council may by by-law appoint a member of the Regional Council to act from time to time in the place and stead of the chairman when the chairman is absent from the Regional Area or absent through illness or his office is vacant and, while so acting, such member has and may exercise all the rights, powers and authority of the chairman.

56. Sections 78 and 79 of the said Act, as enacted by the Statutes of Ontario, 1973, chapter 155, section 4, are repealed and the following substituted therefor:

78.—(1) On and after the 1st day of January, 1975, the Regional Corporation shall have the sole responsibility for the supply and distribution of water in the Regional Area, including the establishment, construction, maintenance, operation, improvement and the extension of waterworks systems and the financing thereof and all the provisions of any general Act relating to such supply and distribution of water and the financing thereof by a municipal corporation or a local board thereof and all of the provisions of any special Act relating to such supply and distribution of water and the financing thereof by an area municipality or a local board thereof, apply mutatis mutandis to the Regional Corporation, except the power to establish a public utilities commission.
(2) The Regional Corporation may finance the whole or any part of the cost and debt charges of such supply and distribution of water by establishing one or more urban service areas with the approval of the Municipal Board and raising the moneys required by imposing a rate or rates in such area or areas or may raise the moneys required by any other method or methods authorized by law or by any combination thereof.

(3) If the Regional Corporation proceeds under The Local Improvement Act, or any other Act involving the use of a collector's roll, an area municipality shall provide all information requested by the Regional Corporation for the purpose of the preparation of the special assessment rolls, and the clerk of the Regional Corporation, after certifying the special assessment rolls, shall forward the same to the treasurer of the area municipality concerned who shall enter the special assessments on the collector's roll and collect the same in the same manner as taxes and remit the same with the penalties, if any, to the treasurer of the Regional Corporation.

(4) Where the Regional Corporation does not proceed under The Local Improvement Act or under section 362 of The Municipal Act, the Regional Corporation may require any area municipality to collect the sums required for financing such supply and distribution of water either by a general rate in the area municipality or by a special rate on an urban service area within such area municipality and such special rate does not require the approval of the Municipal Board.

(5) Notwithstanding any general or special Act, the Municipal Board may hear and determine any application by the Regional Corporation for approval of any undertaking, work, project or scheme relating to such supply and distribution of water without having regard to the methods by which the Regional Corporation intends to recover the costs of the undertaking, work, project or scheme for which approval is being sought.

(6) Where application is made to the Municipal Board for its approval to the method of recovering the cost of an undertaking, work, project or scheme approved by the Board under subsection 5 and the Board does not approve the application or approves it in part only, the Board may direct the method by which the cost, or the portion of the cost in respect of which the application is not approved, shall be recovered.

(7) Subject to subsection 13, on or after the 1st day of January, 1975, no area municipality shall have or exercise any power to supply and distribute water.
any powers under any Act for such supply and distribution of water, or the financing thereof.

(8) All waterworks, supply systems, meters, mechanical equipment and all real and personal property of any nature whatsoever used solely for the purpose of the supply and distribution of water and all other assets, liabilities and surpluses or deficits, including reserves, of the local municipalities relating to any facility for such supply and distribution of water in the Regional Area or for any area municipality is vested in the Regional Corporation effective the 1st day of January, 1974, and no compensation or damages shall be payable to any area municipality in respect thereof.

(9) The Regional Corporation shall pay to the corporation of any area municipality before the due date all amounts of principal and interest becoming due upon any outstanding debt of such area municipality in respect of the property assumed by the Regional Corporation under subsection 8, but nothing in this subsection requires the Regional Corporation to pay that portion of the amounts of principal and interest that under The Local Improvement Act is payable as the owners’ share of a local improvement work.

(10) If the Regional Corporation fails to make any payment as required by subsection 9, the area municipality may charge the Regional Corporation interest at the rate of 12 per cent per annum thereon, or such lower rate as the council of the area municipality determines, from such date until payment is made.

(11) With respect to any agreements entered into by any municipality or local board thereof in the Regional Area respecting such supply and distribution of water, the Regional Corporation shall, on and after the 1st day of January, 1974, stand in the place and stead of such municipality or local board for all purposes of any such agreement.

(12) The Regional Corporation may enter into agreements with the corporation of any adjoining municipality, including a regional, district or metropolitan municipality, with respect to the matters provided for in this Part.

(13) The Regional Corporation may enter into an agreement with any area municipality or local board thereof regarding the recovery of the cost of the supply and distribution of water.
(14) The clerk of an area municipality shall, on notice to him by the treasurer of the Regional Corporation of an amount due in respect of the supply of water and by whom it is due and the lands on which a lien is claimed, enter the amount due upon the collector's roll of the area municipality and subsections 2, 3 and 4 of section 30 of The Public Utilities Act apply and the moneys collected shall be forwarded to the treasurer of the Regional Corporation.

(15) All urban service areas as they exist on the 31st day of December, 1974, pertaining to the purposes of this Part, in an area municipality continue until such time as the Regional Council otherwise determines.

79.—(1) On and after the 1st day of January, 1975, the Regional Corporation shall, except as provided in subsection 12, have the sole responsibility for the collection and disposal of all sewage in the Regional Area, including the establishment, construction, maintenance, operation and financing thereof, and all the provisions of any general Act relating to such collection and disposal of such sewage and the financing thereof by a municipal corporation or a local board thereof and all the provisions of any special Act relating to such collection and disposal of such sewage and the financing thereof by an area municipality or a local board thereof apply mutatis mutandis to the Regional Corporation, except the power to establish a public utilities commission.

(2) The Regional Corporation may finance the whole or any part of the cost, including the establishment, construction, maintenance, operation and debt charges, of collection and disposal of sewage,

(a) by imposing a surcharge on the water rate, which does not require the approval of the Municipal Board and such surcharge shall be collectable in the same manner as water rates;

(b) by establishing one or more urban service areas with the approval of the Municipal Board and imposing a rate or rates in such area or areas; or

(c) by any method or methods authorized by law or by any combination thereof.

(3) If the Regional Corporation proceeds under The Local Improvement Act, or any other Act involving the use of a collector's roll, an area municipality shall provide all information requested by the Regional Corporation for the purpose of the preparation of the special assessment rolls, and the Regional Corporation shall take such steps as it considers necessary to effectuate the purpose of such Act.
clerk of the Regional Corporation, after certifying the special assessment rolls, shall forward the same to the treasurer of the area municipality concerned who shall enter the special assessments on the collector's roll and collect the same in the same manner as taxes and remit the same with the penalties, if any, to the treasurer of the Regional Corporation.

(4) Where the Regional Corporation does not proceed by imposing a surcharge on the water rate, or under The Local Improvement Act, or under section 362 of The Municipal Act, the Regional Corporation may require any area municipality to collect the sums required for financing the collection and disposal of sewage either by a general rate in the area municipality or by a special rate on an urban service area within such area municipality and such special rate does not require the approval of the Municipal Board.

(5) Notwithstanding any general or special Act, the Municipal Board may hear and determine any application by the Regional Corporation for approval of any undertaking, work, project or scheme relating to the collection and disposal of sewage without having regard to the methods by which the Regional Corporation intends to recover the costs of the undertaking, work, project or scheme for which approval is being sought.

(6) Where application is made to the Municipal Board for its approval to the method of recovering the cost of an undertaking, work, project or scheme approved by the Board under subsection 5 and the Board does not approve the application or approves it in part only, the Board may direct the method by which the cost, or the portion of the cost in respect of which the application is not approved, shall be recovered.

(7) Subject to subsection 15, on and after the 1st day of January, 1975, no area municipality shall have or exercise any powers under any Act for the collection and disposal of sewage, or the financing thereof, except as provided in subsection 12.

(8) All sewage works, sewer systems and treatment works, including buildings, structures, plant, machinery, equipment, devices, intakes and outfalls or outlets, or other works designed for the interception, collection, settling, treating, dispersing, disposing or discharging of sewage, including all assets and liabilities, surpluses, reserves and deficits of an area municipality relating thereto, except as provided in subsection 12, and all real and personal property of any nature whatsoever used solely for the purpose of the collection
and disposal of such sewage in the Regional Area by any area municipality are vested in the Regional Corporation on the 1st day of January, 1974, and no compensation or damages shall be payable to any area municipality in respect thereof.

(9) The Regional Corporation shall pay to the corporation of any area municipality before the due date all amounts of principal and interest becoming due upon any outstanding debt of such area municipality in respect of the property assumed by the Regional Corporation under subsection 8, but nothing in this subsection requires the Regional Corporation to pay that portion of the amounts of principal and interest that, under The Local Improvement Act, is payable as the owners’ share of the local improvement work.

(10) If the Regional Corporation fails to make any payment as required by subsection 9, the area municipality may charge the Regional Corporation interest at the rate of 12 per cent per annum thereon or such lower rate as the council of the area municipality determines from such date until payment is made.

(11) With respect to any agreements entered into by any municipality or local board thereof in the Regional Area respecting the interception, collecting, settling, treating, dispersing, disposing or discharging of sewage, except as provided for in subsection 12, the Regional Corporation shall stand in the place and stead of such municipality or local board for all purposes of any such agreement.

(12) Subject to subsection 13, each area municipality is responsible for land drainage, including storm, surface, overflow, subsurface, or seepage waters or other drainage from land, within the municipality and including the drainage of any road in the municipality that does not form part of the regional road system.

(13) The Regional Corporation may undertake such land drainage, including the assumption of any work or works of an area municipality pertaining thereto, in the whole or part of any part or parts of the Regional Area, and where the Regional Corporation does so the provisions of this Part apply, mutatis mutandis, to the establishment, construction, maintenance, operation and financing thereof.

(14) The Regional Corporation may enter into agreements with the corporation of any adjoining municipality, including a regional, district or metropolitan municipality with respect to the matters provided for in this Part.
(15) The Regional Corporation may enter into an agreement with any area municipality or local board thereof regarding the recovery of costs of the collection and disposal of sewage.

(16) All urban service areas as they exist on the 31st day of December, 1974, pertaining to the purposes of this Part, in an area municipality continue until such time as the Regional Council otherwise determines.

57. (1) Subsection 1 of section 119 of the said Act, as enacted by the Statutes of Ontario, 1973, chapter 155, section 4, is amended by striking out "and 254" in the third line and inserting in lieu thereof "254, subsection 3 of section 308 and section 348" and by inserting after "9" in the third line "10, 11, 12".

(2) The said section 119, as amended by the Statutes of Ontario, 1974, chapter 5, section 7, is further amended by adding thereto the following subsection:

(1a) Where the Regional Council passes a by-law under subsection 1 of section 362a of The Municipal Act, the council of any area municipality may exercise the powers contained in subsections 5, 6 and 7 of the said section, as if the by-law passed by the Regional Council had been passed by the council of such area municipality.

(3) Subsection 9 of the said section 119, as re-enacted by the Statutes of Ontario, 1974, chapter 5, section 7, is repealed and the following substituted therefor:

(9) Where any local municipality has passed a by-law that, prior to its coming into force requires the approval of any minister of the Crown, any provincial ministry, the Municipal Board or any provincial body or agency, and such approval has not been obtained prior to the 31st day of March, 1974, the council of the successor area municipality to such local municipality, or the Regional Council when the subject-matter of the by-law pertains to a function of the Regional Corporation, shall be entitled to initiate or continue the procedure to obtain such approval to the by-law passed by the local municipality, in so far as it pertains to such area municipality or the Regional Corporation and the provisions of subsection 8 apply mutatis mutandis to any such by-law.
58. Section 122 of the said Act, as enacted by the Statutes of Ontario, 1973, chapter 155, section 4, is amended by striking out “not to exceed in any year a sum calculated at one-tenth of one mill in the dollar upon the total assessment upon which the regional levy is apportioned among the area municipalities under subsection 3 of section 84” in the first, second, third, fourth and fifth lines and by striking out “and for which grant or grants there is no express authority provided by any other Act” in the ninth and tenth lines.

59. Subsection 3 of section 135 of the said Act, as enacted by the Statutes of Ontario, 1973, chapter 155, section 4, is amended by striking out “and may charge fees for the use of such property, which fees may vary in respect of different classes of waste” in the ninth, tenth and eleventh lines and inserting in lieu thereof “and may prescribe rates or charges for the use of such property, which rates or charges may relate to the volume, weight, or class of waste, or otherwise as the Regional Council considers appropriate in the circumstances”.

MISCELLANEOUS

60.—(1) This Act, except sections 2, 27, 28, 36, 41, 46, 48, 51 and 56, comes into force on the day it receives Royal Assent.

(2) Section 48 shall be deemed to have come into force on the 1st day of January, 1974.

(3) Sections 2, 27, 28, 36, 41, 46, 51 and 56 come into force on the 1st day of January, 1975.

61. This Act may be cited as The Regional Municipalities Amendment Act, 1974 (No. 2).