1974

c 136 The Municipal Amendment Act, 1974 (No. 3)

Ontario
CHAPTER 136

An Act to amend The Municipal Act

Assented to February 14th, 1975

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

1. —(1) Subsection 1 of section 11 of The Municipal Act, being s. 11 (1), amended chapter 284 of the Revised Statutes of Ontario, 1970, is amended by adding at the end thereof "or a township".

(2) Subsection 2 of the said section 11 is repealed.

2. Section 18 of the said Act is amended by inserting after "1941" in the ninth line "and by-laws passed under section 35b of The Planning Act".

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

248a. Notwithstanding any special provision in this Act, the council of every municipality may, subject to section 248, make grants to any person, institution, association, group or body of any kind, including a fund, within or outside the boundaries of the municipality for any purpose that, in the opinion of the council, is in the interests of the municipality.

4. The said Act is further amended by adding thereto the following sections:

256a. —(1) In this section and in section 256b, "municipality" means a town, not being a separated town, a village, or a township in a county.

(2) Where, under this or any other general Act, a municipality is authorized or required to provide moneys for any purposes, and it is necessary to raise such moneys by the issue of debentures, the council of the municipality may by
resolution request the council of the county in which it is situate to raise such moneys by the issue of debentures of the county.

(3) The council of the county shall consider the request at its next meeting following the receipt thereof, and if it approves the request, the council of the county may, without the assent of the electors, issue the debentures.

(4) Where, pursuant to subsection 3, a county has raised moneys for the purposes of a municipality by the issue and sale of debentures, by the hypothecation of debentures, or by temporary borrowings pending the issue and sale of debentures, the county shall pay over such moneys to the municipality from time to time as the municipality requires.

(5) Where, pursuant to subsection 3, a county issues debentures, the council of the municipality on whose behalf the debentures are issued shall provide and raise by a special rate on all the rateable property in the municipality, in each year of the currency of the debentures, a sum sufficient to pay the principal and interest falling due in such year upon such debentures, and such sum shall be paid to the treasurer of the county that issued the debentures before the day such principal or interest becomes due.

256b.—(1) Where, under any general or special Act, a municipality cannot incur a debt or issue debentures for a particular purpose without the assent of its electors or without the concurrence of a specified number of the members of its council, the council of the county shall not pass a by-law authorizing the issue of debentures on behalf of such municipality for such purpose unless such assent or concurrence to the passing of the by-law by the council of the county has been obtained.

(2) Nothing in subsection 1 requires the assent of any electors where such assent has been dispensed with under section 63 of The Ontario Municipal Board Act.

5.—(1) Subsection 1 of section 291 of the said Act is amended by striking out “and subject to the approval of the Ministry” in the first and second lines.

(2) Subsection 3 of the said section 291 is amended by striking out “under the terms of an agreement approved by the Ministry” in the second and third lines.

(3) Clause e of subsection 5 of the said section 291 is amended by striking out “with the approval of the Ministry” in the first line.
6. Subsection 3 of section 292 of the said Act is repealed and the following substituted therefor:

(3) Every money by-law passed under this section shall provide that any portion of the premium which may be received on the currency in which the debentures are payable that is not required to pay the cost of the work authorized under the by-law and charges incidental thereto shall be set aside in a reserve fund to be used to pay the premium on the annual payments of principal and interest on the debentures issued under the by-law.

7. (1) Subsection 2 of section 304 of the said Act, as re-enacted by the Statutes of Ontario, 1973, chapter 83, section 4, is amended by inserting after "institution" in the fourth line "or training school" and by inserting after "institution" in the sixth line and in the eighth line "or school".

(2) The said section 304 is amended by adding thereto the following subsections:

(3a) Notwithstanding any general or special Act, the council of a local municipality designated by the Lieutenant Governor in Council, in which there is situate a facility under The Developmental Services Act, 1974, designated by the Lieutenant Governor in Council, may pass by-laws to levy an annual amount, payable on or after the 1st day of July upon such facility, not exceeding the sum of $50 a year for each provincially rated bed as determined by the Minister of Community and Social Services.

(3b) For the purposes of subsection 3a, the designation by the Lieutenant Governor in Council and the determination by the Minister of Community and Social Services mentioned in that subsection, made in 1975, shall apply in respect of 1974 and a levy may be made in 1975 in respect of both 1974 and 1975 upon such designated facilities.

(3) Subsections 5 and 6 of the said section 304, as enacted by the Statutes of Ontario, 1973, chapter 83, section 4, are repealed and the following substituted therefor:

(5) A municipality in which an institution designated pursuant to subsection 2, 3 or 3a is situate may enter into an agreement with one or more municipalities for the providing of municipal service or services to such institution.

(6) The Minister may direct a municipality in which an institution designated pursuant to subsection 2, 3 or 3a is situate to enter into
situate to enter into an agreement with another municipality for the providing of any municipal service or services to such institution on such terms as the Minister may stipulate.

(4) Subsection 8 of the said section 304, as enacted by the Statutes of Ontario, 1973, chapter 83, section 4, is amended by striking out "to a hospital or correctional institution" in the fourth and fifth lines and inserting in lieu thereof "to institutions designated pursuant to subsection 2, 3 or 3a".

(5) Subsection 9 of the said section 304, as enacted by the Statutes of Ontario, 1973, chapter 83, section 4, is repealed and the following substituted therefor:

(9) The equalized assessment of a municipality that levies under this section shall be deemed for apportionment purposes other than for school purposes, county purposes, or for apportionment between merged areas, to be increased by an amount that would have produced the amount levied under this section by the taxation of real property at the rate determined by dividing the total taxes levied for all purposes other than school purposes on commercial and industrial assessment in the preceding year, by the total equalized commercial and industrial assessment for the preceding year, times 1,000.

(9a) In determining the taxes levied on commercial and industrial assessment under subsection 9, there shall be excluded taxes on such assessment under section 43 of The Assessment Act.

(6) Subsection 12 of the said section 304, as enacted by the Statutes of Ontario, 1973, chapter 83, section 4, is amended by striking out "residential and farm property" in the sixth line and in the eighth line and inserting in lieu thereof in each instance "commercial and industrial assessment".

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

(12a) For the purposes of subsection 12, where municipal boundaries have been adjusted or where major changes in service responsibilities between upper and lower tier municipalities have taken place in the year, the estimated taxes to be levied in the current year shall be deemed to be the taxes levied in the preceding year.
8. —(1) Section 304a of the said Act, as enacted by the Statutes of Ontario, 1972, chapter 124, section 6 and amended by 1973, chapter 83, section 5, is further amended by adding thereto the following subsections:

(3a) In addition to the statement to be submitted under subsection 1, every telephone company that is entitled to receipts from another telephone company under a traffic agreement for any year ending the 31st day of December shall, on or before the 1st day of March of the following year, transmit to the clerk of each local municipality to which any portion of such receipts is attributable, a statement in writing, setting out the amount of such receipts attributable to that local municipality.

(3b) For the purpose of enabling a company to arrive at the amount of receipts attributable to a local municipality under subsection 3a, each telephone company which makes payment to another telephone company under the terms of a traffic agreement shall compile a return in writing showing the name of each local municipality in Ontario in which it operates, the number of telephones connected to its system in each such municipality, and the total number of telephones connected to its system in all such municipalities as at the last preceding 31st day of December and shall on or before the 14th day of February in the following year transmit the return to the company to which it has made such payment and a copy of the said return to the clerk of each municipality cited in the return.

(3c) Each telephone company receiving a return from another telephone company under subsection 3b shall attribute the receipts acquired during the next preceding year ending the 31st day of December under its traffic agreement with such other company to each local municipality specified in the return in the ratio that the number of telephones shown on the return for each such municipality bears to the total number of telephones shown on the return and the amount so attributed shall be the amount referred to in subsection 3a.

(3d) A traffic agreement between two telephone companies, each of which connects to more than one other telephone company in Ontario for the purpose of toll traffic, shall be deemed not to be a traffic agreement for the purposes of subsections 3a, 3b and 3c.

(3e) The Lieutenant Governor in Council may make regulations prescribing the items to be included or excluded in calculating and ascertaining receipts under a traffic agreement for the purposes of subsections 3a and 3c and a regulation made under this subsection shall, if it so provides, be effective with reference to a period before it was filed.
(4a) In 1975 and each year thereafter, the council of each local municipality shall, at the same time as a levy is made under section 302 of this Act or under section 7 of The Regional Municipal Grants Act, levy on each company from which a statement is received under subsection 3a an annual tax of an amount equal to 5 per cent of the total of the traffic agreement receipts of such company as shown on the statement.

(2) Subsection 5 of the said section 304a, as enacted by the Statutes of Ontario, 1973, chapter 83, section 5, is amended by striking out “4 per cent in 1974 and 5 per cent in 1975 and each year thereafter” in the fourth and fifth lines and inserting in lieu thereof “and 4 per cent in 1974”.

(3) The said section 304a is further amended by adding thereto the following subsection:

(5a) Notwithstanding subsection 4, where there are less than 4,000 telephones connected to a company’s system the annual tax referred to in subsection 4 shall be 4 per cent in 1975 and 1976 and 5 per cent in 1977 and each year thereafter.

(4) Subsection 8 of the said section 304a is repealed and the following substituted therefor:

(8) The equalized assessment of a municipality that levies a tax under this section shall be deemed for apportionment purposes other than for separate school purposes or county purposes, or for apportionment between merged areas, to be increased by an amount that would have produced the amount levied under this section by the taxation of real property at the rate determined by dividing the total taxes levied for all purposes on the commercial and industrial assessment of public school supporters, in the preceding year, by the total equalized commercial and industrial assessment of public school supporters for the preceding year, times 1,000.

(8a) In determining the taxes levied on commercial and industrial assessment under subsection 8, there shall be excluded taxes on such assessment under section 43 of The Assessment Act.

(5) Subsection 10 of the said section 304a is repealed and the following substituted therefor:

(10) The clerk of every municipality that levies a tax under this section shall, on or before the 15th day of March in each year, transmit to each body for which the muni-
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Cipality levies a rate, except a separate school board and a county council, a statement of the amount by which the assessment of the municipality is deemed to be increased under subsection 8.

(6) Subsection 11 of the said section 304a is amended by striking out "may, in the year 1973, and thereafter in each year shall, allocate a portion of the tax levied under subsection 4" in the first, second and third lines and inserting in lieu thereof "shall allocate a portion of the tax levied under subsections 4 and 4a".

(7) The said section 304a is further amended by adding thereto the following subsection:

(11a) For the purposes of subsection 11, where municipal boundaries have been adjusted or where major changes in service responsibilities between upper and lower tier municipalities have taken place in the year, the estimated taxes to be levied in the current year shall be deemed to be the taxes levied in the preceding year.

9. Subsection 2 of section 307 of the said Act is amended by striking out "other reserves within such limits as to type and amount as the Ministry may approve" in the seventh and eighth lines and inserting in lieu thereof "reserves as the council considers necessary".

10. Subsection 4 of section 308 of the said Act is amended by striking out "without the approval of the Ministry" in the fourth line and inserting in lieu thereof "without a two-thirds vote of the members of the council".

11. Subsection 3 of section 309 of the said Act is amended by striking out "with the approval of the Ministry" in the third and fourth lines.

12. Subsection 2 of section 312 of the said Act, as re-enacted by the Statutes of Ontario, 1972, chapter 124, section 8, is repealed and the following substituted therefor:

(2) Where a municipality has moneys not required immediately by the municipality, such moneys may be,

(a) invested in,

(i) bonds, debentures, or other evidences of indebtedness of or guaranteed by the Government of Canada, the Province of Ontario, or any other province of Canada,

(ii) debentures, notes or guaranteed investment certificates of or term deposits with any trust company or loan corporation that is registered under The Loan and Trust Corporations Act,

(iii) term deposits, deposit receipts, deposit notes, certificates of deposit, acceptances and other similar instruments issued, accepted or endorsed by any chartered bank to which the Bank Act (Canada) applies,

(iv) loans by way of promissory notes of the borrower to any municipality, or to any local board as defined in The Municipal Affairs Act; or

(b) advanced to the capital account of the municipality for the purpose of interim financing of capital undertakings of the municipality,

provided that the investments or advances to the capital account become due and payable by the day on which the moneys are required by the municipality, and all interest thereon shall be credited to the fund from which the moneys are invested or advanced.

13. Section 313 of the said Act is amended by adding thereto the following subsection:

(1a) Notwithstanding subsection 1 of this section and section 320, where a local municipality having a population of not less than 20,000, as determined under The Property Tax Stabilization Act, 1973, has moneys received from the sale of debentures that are not required immediately for the purpose or purposes for which the debentures were issued, such moneys may be invested in the general fund of the municipality, provided that such moneys shall be returned to the debenture account,

(a) by the day on which the moneys are required for the purpose or purposes for which the debentures were issued; or

(b) not later than the 31st day of December of the year in which the moneys were so invested,

whichever the first occurs and interest shall be credited to the debenture account on the amount so invested, at a rate equal to the rate currently applicable to the temporary borrowings of the municipality.

14. Paragraphs 59, 61 and 62, and paragraph 62a as enacted by the Statutes of Ontario, 1972, chapter 124, section 9, of section 352 of the said Act, are repealed.

15.—(1) Subsection 1 of section 354 of the said Act is amended by adding thereto the following paragraph:
45a. Notwithstanding paragraph 112, for designating private roadways as fire routes along which no parking of vehicles shall be permitted and providing for the removal and impounding of any vehicle or vehicles parked or left along any fire route so designated at the expense of the owner thereof.

(a) Clause a of paragraph 107 applies to penalties provided by a by-law passed under this paragraph.

(b) Subsection 13 of section 116 of The Highway Traffic Act applies to a by-law passed under this paragraph.

(c) The driver of a motor vehicle, not being the owner, is liable to any penalty provided in a by-law passed under this paragraph and the owner of the motor vehicle is also liable to such a penalty unless at the time the offence was committed the motor vehicle was in the possession of a person other than the owner or his chauffeur without the owner's consent.

(2) Clause a of paragraph 50 of subsection 1 of the said section 354 is amended by striking out "the Ministry, upon the request of the council, approves the use of any such moneys for another purpose" in the ninth, tenth and eleventh lines and inserting in lieu thereof "on the vote of three-fourths of all the members of the council the use of such moneys is directed for another purpose".

(3) Clause c of paragraph 50 of subsection 1 of the said section 354 is amended by striking out "with the approval of the Ministry" in the sixth line.

(4) Paragraph 87 of subsection 1 of the said section 354 is amended by adding thereto the following clause:

(c) No licence fee shall be charged in respect of a trailer assessed under The Assessment Act.

16.-(1) Where in the year 1973 or 1974 licence fees were paid in respect of any trailer pursuant to paragraph 87 of subsection 1 of section 354 of The Municipal Act or in respect of any lot occupied by a trailer pursuant to paragraph 15 of section 383 of the said Act, the municipality that collected such licence fees shall, on the application of the owner of the trailer in respect of which such fees were paid, refund to such person all or such portion of the fees as were paid in respect of a period for which the trailer was assessed under The Assessment Act and for which taxes have been paid under The Municipal Act.
(2) Where a municipality has paid a portion of any licence fees refunded under subsection 1 to a public, separate or secondary school board pursuant to section 220 of The Education Act, 1974, the municipality shall deduct from the requisition of such school board for the year 1974 or 1975, the portion so paid.

(3) Where a municipality in the year 1974 repealed all or part of a by-law passed under paragraph 87 of subsection 1 of section 354 or under paragraph 15 of section 383 and as a result collected no licence fees in respect of a trailer that was not assessable under The Assessment Act and for which taxes were not levied in the year 1974 under The Municipal Act, or in respect of a lot occupied by such trailer, the Minister may, by order, pay to such municipality upon application an amount equal to the licence fees that would have been imposed from the time of such repeal up to the 31st day of December, 1974.

(4) Where a municipality has refunded licence fees collected for the year 1974 in respect of a trailer or a lot referred to in subsection 3, the Minister may, in an order made under subsection 3 provide for payment to such municipality of an amount equal to the licence fees refunded.

(5) Where the total of all licence fees imposed by a municipality for the year 1973 under paragraph 87 of subsection 1 of section 354 and paragraph 15 of section 383 exceeds the sum of the taxes levied by the municipality on trailers for the year 1974 under The Municipal Act and licence fees imposed by the municipality in the year 1974 under paragraph 87 of subsection 1 of section 354 and paragraph 15 of section 383 in respect of trailers not assessable under The Assessment Act, or in respect of lots occupied by such trailers, including any amounts received by the municipality under subsections 3 and 4, the Minister may, by order, pay to the municipality upon application the amount by which the difference exceeds 2 per cent of the total taxation levied in 1974 by the municipality for all purposes other than school, county or regional purposes, however, such difference may be adjusted accordingly where the total of the trailers and lots subject to taxation or to payment of licence fees in the year 1974 is not equal to the total of such trailers and lots for the year 1973.

(6) The Minister may, by order, pay in respect of the year 1975 to such municipalities as make application under subsection 5, 50 per cent of the amount paid to such municipalities under subsection 5.
(7) The moneys required for the purposes of subsections 3, 4, 5 and 6 shall be paid out of the Consolidated Revenue Fund.

17. Section 377 of the said Act is amended by adding thereto the following paragraph:

1a. No by-law passed under paragraph 1 by the council of the City of Mississauga shall apply to owners and drivers of cabs, other than cabs licensed by the said council, while such cabs are engaged in the conveyance of goods or passengers, if such conveyance commenced at the Toronto International Airport.

18. Clause f of paragraph 1 of subsection 1 of section 381 of the said Act, is amended by striking out "but no licence fee in excess of $2 shall be prescribed in the by-law without the approval of the Ministry" in the sixth, seventh and eighth lines.

19. Subclause iii of clause b of paragraph 15 of section 383 of the said Act, as amended by the Statutes of Ontario, 1971, chapter 81, section 4 and 1972, chapter 124, section 14, is further amended by inserting after "residence" in the amendment of 1971 "or for occupancy by a trailer that is assessed under The Assessment Act".

20. Paragraph 3 of section 453 of the said Act, as amended by the Statutes of Ontario, 1973, chapter 175, section 6, is repealed and the following substituted therefor:

3. For placing or permitting any person under such conditions as may be agreed upon to place, construct, install, maintain and use objects in, on, under or over sidewalks and highways under its jurisdiction, to permit any person to make, maintain and use areas under and openings in the highways and sidewalks, for prescribing the terms and conditions upon which the same are to be placed, constructed, installed, maintained or used, for making such annual or other charge for the privilege conferred by the by-law as it considers reasonable, and for providing that, upon the termination of such privilege, the highway or sidewalk shall be restored to its former condition at the expense of the person to whom the privilege was granted, by filling in the area or opening or removing said object, or otherwise as may be required in the by-law.

(a) Payment of such annual or other charge and expense incurred by the municipal corporation in restoring
Liability of corporation for damages

(b) Subject to section 434, the municipal corporation is liable for any want of repair of the highway that may result from the construction, installation, maintenance or use of any such area or opening, or such other object.

21. Section 507 of the said Act is repealed and the following substituted therefor:

507.—(1) In this section,

(a) “commercial assessment” means,

(i) the assessment of real property that is used as the basis for computing business assessment including the assessment for real property that is rented and occupied or used by the Crown in right of Canada or any province or any board, commission, corporation or other agency thereof, or by any municipal corporation or local board thereof, and

(ii) business assessment, and

(iii) the assessment for mineral lands, railway lands, other than railway lands actually in use for residential and farming purposes, and pipe lines, according to the last revised assessment roll;

(b) “equalization factor” means the factor as determined by the Minister of Revenue;

(c) “equalized commercial assessment” means the total of commercial assessment as equalized by the application of the equalization factor or factors applicable to the assessment or assessments;

(d) “equalized commercial assessment of the prior year” means the total commercial assessment upon which taxes were levied for all purposes other than school purposes for the year prior to the year of apportionment equalized by the application of the equalization factor or factors applicable to the assessment or assessments;
(e) "equalized commercial mill rate for all purposes other than school purposes of the year prior to the year of apportionment" means the rate obtained when the total taxes levied on commercial assessment for all purposes other than school purposes for the year prior to the year of apportionment is divided by the total equalized commercial assessment for the prior year;

(f) "equalized residential and farm assessment" means the total of residential and farm assessment as equalized by the application of the equalization factor or factors applicable to the assessment or assessments;

(g) "equalized residential and farm assessment of the prior year" means the total residential and farm assessment upon which taxes were levied for all purposes other than school purposes for the year prior to the year of apportionment equalized by the application of the equalization factor or factors applicable to the assessment or assessments;

(h) "equalized residential mill rate for all purposes other than school purposes of the year prior to the year of apportionment" means the rate obtained when the total taxes levied on residential and farm assessment for all purposes other than school purposes for the year prior to the year of apportionment is divided by the total equalized residential and farm assessment of the prior year;

(i) "equivalent equalized assessment" means the amount determined by dividing that portion of a payment in lieu of taxes not credited to school purposes by the equalized commercial mill rate for all purposes other than school purposes of the year prior to the year of apportionment and multiplying by 1,000;

(j) "payment in lieu of taxes" means a payment allocated, received or entitled to be allocated or received in the immediately preceding year from,

(i) the Crown in right of Canada,

(ii) the Crown in right of Ontario, including payments under,

A. The Assessment Act,
B. The Housing Development Act,
C. The Municipal Tax Assistance Act,
D. The Ontario Water Resources Act,
E. The Power Corporation Act,
F. Subsection 3 of section 3 of The Property Tax Stabilization Act, 1973,

(iii) section 304,

(iv) a telephone or telegraph company under section 304a,

(v) any other government, government agency or person where such payment is in lieu of taxes on real property and business assessment;

(k) "residential and farm assessment" means the assessment for real property except the assessment for real property in subclauses i and iii of clause a according to the last revised assessment roll.

(2) The clerk of every township, town and village shall, on or before the 15th day of March in each year, provide in writing to the clerk of the county in which the municipality is located, a statement of the equalized assessment of the municipality.

(3) For the purposes of subsection 2, the equalized assessment for the year of a municipality shall be the sum of,

(a) the equivalent equalized assessment; and

(b) the equalized residential and farm assessment times the quotient obtained when the equalized residential mill rate for all purposes other than school purposes of the year prior to the year of apportionment is divided by the equalized commercial mill rate for all purposes other than school purposes of the year prior to the year of apportionment; and

(c) the equalized commercial assessment.

(4) The council of every county shall, in each year, on or before the 1st day of April, by by-law, determine the
percentage share that each municipality within the county shall contribute for county purposes in the year, according to the proportion that the equalized assessment of each municipality bears to the total of the equalized assessments of all the municipalities within the county and such by-law shall also indicate the amount that each municipality is required to provide for county purposes in that year.

(5) The clerk of the county shall by the 15th day of April in each year, forward a copy of the by-law passed under subsection 4 to each municipality required to levy a rate for county purposes.

(6) Where, in the opinion of one or more municipalities, its percentage share as set out in the by-law passed under subsection 4 is not just and equitable, one or more of the municipalities may request the council of the county to review the by-law.

(7) Where the council of the county is of the opinion that the percentage share as set out in the by-law passed under subsection 4 is not just and equitable it may, on or before the 21st day of April, amend the by-law to make an apportionment for county purposes that is just and equitable.

(8) Where an amendment is made under subsection 7, the clerk of the county shall, on or before the 30th day of April, forward a copy of the amended by-law to each municipality in the county.

(9) A municipality in a county that is not satisfied with the by-law passed under subsection 4 or 7 may appeal on or before the 10th day of May, by giving notice in writing, by registered mail, to the Municipal Board, the clerk of the county, and every municipality that is required to levy for county purposes.

(10) Upon receipt of the notice of appeal under subsection 9, the Municipal Board shall arrange a time and place for hearing the appeal and shall send a notice thereof by registered mail to all parties concerned in the appeal at least fourteen days before the hearing and dispose of the appeal before the 30th day of June next after the appeal.

(11) The council of a county may, by agreement with a majority of the municipalities representing at least two-thirds of the equalized assessment in the county, provide by by-law that the amount required to be provided by each municipality according to the by-law passed under subsection 4 or 7 shall be paid to the county in the following instalments:
1. 25 per cent of the amount required for county purposes in the prior year, on or before the 31st day of March.

2. 50 per cent of the amount required for county purposes in the current year, less the amount of the instalment paid under paragraph 1, on or before the 30th day of June.

3. 25 per cent of such current amount on or before the 30th day of September.

4. 25 per cent of such current amount on or before the 15th day of December.

(12) Notwithstanding subsection 11, the council of a county may, by agreement with a majority of the municipalities representing at least two-thirds of the equalized assessment in the county, provide by by-law for any number of instalments and the amounts and due dates thereof other than those provided in subsection 11.

(13) A by-law passed under subsection 11 or 12 shall provide that in the case of non-payment of any instalment or any portion thereof on the due dates, the municipality so in default shall pay to the county interest thereon from the day of default to the date that the payment is made at the minimum lending rate of the majority of chartered banks on the day of default, and where, with the consent of the council of the county, such instalments or any portion thereof are paid in advance of such dates the county shall allow to the municipality a discount thereon from the date of payment to the date upon which payment is due at the minimum lending rate of the majority of chartered banks on the date of payment.

(14) Where, as a result of a decision of the Municipal Board on an appeal under subsection 9, there is an adjustment required to be provided for county purposes by any municipality, such adjustment shall be made by a municipality to the remaining instalments under subsection 11 or 12.

(15) Where an adjustment under subsection 14 results in an overpayment having been made by a municipality of the total amount required to be provided by such municipality for county purposes in the year, such overpayment shall be refunded to the municipality by the council of the county within sixty days of the decision of the Municipal Board.
(16) Where at any time the boundaries of a municipality are altered, a new municipality is erected or a municipality or a part thereof is added to or taken out of a county for municipal purposes, the Municipal Board shall adjust the percentage share that each municipality within the county shall contribute for county purposes.

(17) For the purposes of clauses 4, 6, 8 and 10 of subsection 1, "taxes" and "total taxes" shall be deemed not to include taxes levied under section 43 of The Assessment Act.

22. (1) Subsection 2c of section 516 of the said Act, as enacted by s. 516 (2c), amended the Statutes of Ontario, 1972, chapter 124, section 20, is amended by striking out "date fixed by the clerk as the" in the sixth line.

(2) Subsection 2h of the said section 516, as enacted by s. 516 (2h), amended the Statutes of Ontario, 1972, chapter 124, section 20, is amended by striking out "the clerk shall determine all such complaints not later than the 10th day" in the seventh and eighth lines and inserting in lieu thereof "the last day for filing and determining complaints shall be the second Friday".

(3) Subsection 2j of the said section 516, as enacted by s. 516 (2j), amended the Statutes of Ontario, 1972, chapter 124, section 20, is amended by inserting after "list" in the fifth line "which shall include the assessment roll number of each change" and by adding at the end thereof "and in lieu of the statement of changes the clerk may forward copies of applications in the prescribed form referred to in subsection 2d".

23. (1) Subsection 1 of section 544 of the said Act, as re-enacted by the Statutes of Ontario, 1972, chapter 124, section 21, is amended by inserting after "described" in the eighth line "and to ascertain if the names of occupants and owners contained thereon are correct".

(2) Subsection 3 of the said section 544 is repealed and the following substituted therefor:

(3) The Assessment Commissioner shall attach to each such list a certificate signed by him, and verified by oath or affirmation, in the form following:

I do certify that I have examined or caused to be examined all the lots and parcels of land and the names of the occupants and owners on this list named, and that I have entered on the attached memorandum any error discovered therein and that all the entries as amended are true and correct, to the best of my knowledge and belief.
24. Subsection 1 of section 549 of the said Act, as amended by the Statutes of Ontario, 1972, chapter 124, section 22, is repealed and the following substituted therefor:

(1) The treasurer shall, on demand, give a written certified statement of the arrears due on any land, and, subject to clause a, may charge an amount for the cost of the search and certified statement on each separate parcel, but shall not make any charge to any person who forthwith pays the taxes.

(a) For the purposes of this subsection, “amount” means an amount not exceeding the administrative cost of the search and certified statement as determined by a by-law passed by council.

25. Subsection 1 of section 636a of the said Act, as enacted by the Statutes of Ontario, 1972, chapter 124, section 25, is amended by adding thereto the following clause:

(ca) in respect of a mobile unit that was removed from the municipality during the year or during the preceding year after the return of the assessment roll; or

26.—(1) This Act, except subsection 2 of section 7, subsection 4 of section 15, and sections 19 and 21, comes into force on the day it receives Royal Assent.

(2) Subsection 2 of section 7 shall be deemed to have come into force on the 1st day of January, 1974.

(3) Subsection 4 of section 15 and section 19 shall be deemed to have come into force on the 1st day of January, 1975.

(4) Section 21 comes into force on the 1st day of January, 1976.

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