1972

c 126 The Regional Municipality of Ottawa-Carleton Amendment Act, 1972

Ontario
An Act to amend The Regional Municipality of Ottawa-Carleton Act

Assented to June 30th, 1972
Session Prorogued December 15th, 1972

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

1. Subsection 1 of section 20 of The Regional Municipality of Ottawa-Carleton Act, being chapter 407 of the Revised Statutes of Ontario, 1970, is amended by striking out "the rate of 15 cents for every 100 words or at such lower rate as the Regional Council may fix" in the ninth and tenth lines and inserting in lieu thereof "such rate as the Regional Council may, by by-law, establish".

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

26a. Where an employee of the Regional Corporation was, on or before the 31st day of December, 1968, participating in an approved pension plan of any area municipality or local board thereof, and such employee is subsequently employed by the Regional Corporation or a local board thereof,

(a) the Regional Corporation and such area municipality may, with the approval of the Ministry, enter into one or more agreements to provide for,

(i) the transfer to the Regional Corporation of the contributions of such employee, the contributions of the area municipality and the interest accrued on all such contributions, and

(ii) the sharing of any past deficits or surpluses on a basis that is just and equitable;

(b) the Regional Corporation may, with such proceeds, and any deficit or surplus payments required, establish a pension plan on the same basis, terms and conditions as the approved
pension plan of the area municipality, and such plan, when so established shall be deemed to be an approved pension plan for all purposes.

26b. Notwithstanding the provisions of section 26, where the Regional Corporation or a local board thereof employs a person theretofore employed by an area municipality or local board thereof without intervening employment, and such person is a contributor under the terms of a supplementary agreement under The Ontario Municipal Employees Retirement System Act, of such area municipality or local board thereof which provides a superannuation benefit in excess of the basic amount of pension benefit credited to the employee under the Ontario Municipal Employees Retirement System, and such person has elected in writing to remain an employee of the area municipality or local board thereof for purposes of the supplementary agreement,

(a) such contributory service of the employee with the area municipality or local board thereof shall be included in calculating the service of the employee with the Regional Corporation or local board thereof for the purposes of a supplementary agreement under The Ontario Municipal Employees Retirement System Act, 1961-62 of the Regional Corporation or local board thereof which provides a superannuation benefit in excess of the basic amount of pension benefit credited to the employee under the Ontario Municipal Employees Retirement System; and

(b) all moneys, plus interest, held on behalf of the employee in accordance with a supplementary agreement of an area municipality or local board thereof shall be paid to the Ontario Municipal Employees Retirement Board as a contribution under the supplementary agreement of the Regional Corporation or local board thereof.

3. Subsection 5 of section 27 of the said Act is repealed and the following substituted therefor:

(5) If the Regional Corporation fails to make any payment or portion thereof as required by subsection 4, 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.
4. Subsection 6 of section 31 of the said Act is repealed and the following substituted therefor:

(6) If the Regional Corporation fails to make any payment or portion thereof on or before the due date required by clause b of subsection 5, the area municipality may charge the Regional Corporation interest at the rate of 12 per cent per annum, or such lower rate of interest as the council of the area municipality determines, from such date until payment is made.

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

50a.—(1) The Regional Corporation may construct, install, maintain or remove any works on a highway other than the King’s Highway, including traffic control devices, for the purpose of altering, warning, guiding or regulating the flow of traffic upon, entering or leaving a regional road.

(2) The Regional Corporation may relocate, alter or divert any public road, other than a road under the jurisdiction and control of the Ministry, entering or touching upon or giving access to a regional road.

(3) No road shall be relocated, altered or diverted under subsection 2 without the approval of the area municipality in which the road is located, which approval may be granted upon such terms and conditions as may be agreed upon, or failing such approval or agreement, the approval of the Municipal Board.

(4) The Municipal Board, before giving its approval under subsection 3, may hold a public hearing and shall give or cause to be given at least ten days notice of the hearing to the clerk of the area municipality concerned and to such other persons in such manner as the Municipal Board may direct and the Municipal Board, as a condition to giving any such approval, may by its order impose such restrictions, limitations and conditions respecting the relocation, alteration or diversion of such road as to the Municipal Board may appear necessary or expedient.

(5) Where, in relocating, altering or diverting a public road under subsection 2, the Regional Corporation constructs a new road in lieu of the public road, the Regional Corporation may close the public road at the point of intersection with the regional road and may vest the new road and the soil and freehold and jurisdiction and control thereof in the area municipality in which it is situate.
(6) Where the Regional Corporation constructs a sidewalk, storm sewer, improvement or service on a road under the jurisdiction and control of an area municipality, the area municipality may contribute to the cost of such sidewalk, storm sewer, improvement or service and the work may be undertaken in whole or in part under The Local Improvement Act.

6. Subsections 2, 3 and 4 of section 51 of the said Act are repealed and the following substituted therefor:

(2) An area municipality may construct a sidewalk, storm sewer or other improvement or service on a regional road but no such work shall be undertaken by a municipal corporation or any individual or company without first obtaining the approval of the Regional Council expressed by resolution.

(3) The cost of any such sidewalk, storm sewer, improvement or service constructed on a regional road may be met out of the general funds of the area municipality or the work may be undertaken as a local improvement under The Local Improvement Act.

(4) An area municipality when constructing such a sidewalk, storm sewer, improvement or service on a regional road shall conform to any requirements or conditions imposed by the Regional Council and is responsible for any injury or damage arising from the construction or presence of the sidewalk, storm sewer, improvement or service on the road.

7. Section 55 of the said Act is amended by inserting after "roads" in the first line "and the regulation of traffic thereon".

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

55a.—(1) The Regional Council may, with respect to a regional road, by by-law prohibit or regulate the placing or erecting of,

(a) any gasoline pump within 150 feet of any limit of a regional road; and

(b) any sign, notice or advertising device within one-quarter mile of any limit of a regional road.

(2) A by-law passed under this section may provide for the issuing of permits for the placing or erecting of any gasoline pump, sign, notice or advertising device and may prescribe the form, terms and conditions thereof and the fees to be paid therefor.
55b.—(1) No by-law passed by an area municipality for the regulation of traffic on a highway under the jurisdiction and control of the area municipality, except a by-law for the regulation of parking, shall come into force unless it has been approved by the Regional Council before it is submitted for approval under The Highway Traffic Act.

(2) All signal-light traffic control devices heretofore or hereafter erected on a highway under the jurisdiction and control of an area municipality shall be operated, or erected and operated, in the manner prescribed by by-law of the Regional Council, and the Regional Council may delegate any of its powers in respect of the operation of such devices to an officer of the Regional Corporation designated in the by-law.

(3) The Regional Corporation may contribute towards the cost of the erection of signal-light traffic control devices erected by an area municipality.

(4) Subject to The Highway Traffic Act, the Regional Council may pass by-laws to regulate traffic on any highway under the jurisdiction and control of an area municipality for a distance of 100 feet on either side of the limit of a regional road and, where there is any conflict between such a by-law and a by-law of an area municipality, the by-law passed under this subsection prevails to the extent of such conflict.

55c.—(1) The Regional Council may by by-law prescribe a lower or higher rate of speed for motor vehicles driven upon any regional road or any portion of a regional road than is prescribed in subsection 1 of section 82 of The Highway Traffic Act, but such rate of speed shall not be less than 25 miles per hour or more than 60 miles per hour.

(2) No by-law passed under subsection 1 shall become effective until approved by the Ministry and the regional roads or portions thereof affected by the by-law shall be marked to comply with the regulations made under The Highway Traffic Act.

9. Subsection 1 of section 62 of the said Act is amended by s. 62 (1), striking out “Subject to the approval of the Municipal Board” in the first line.

10. Section 63 of the said Act is amended by adding thereto the following subsection:

(6) Where a notice given under subsection 2 has been complied with, no compensation is payable to the
owner of the land unless the private road, entranceway, structure or facility constructed or used as a means of access to a controlled-access road designated under subsection 1 of section 62 was constructed or used, as the case may be,

(a) before the day on which the by-law designating the road as a controlled-access road became effective; or

(b) in compliance with a by-law passed under subsection 1, in which case the making of compensation is subject to any provisions of such by-law.

s. 64 (2), re-enacted

11. Subsection 2 of section 64 of the said Act is repealed and the following substituted therefor:

(2) If the Regional Corporation fails to make any payment or portion thereof on or before the due date required by clause b of subsection 1, the area municipality may charge the Regional Corporation interest at the rate of 12 per cent per annum, or such lower rate of interest as the council of the area municipality determines, from such date until payment is made.

s. 65 (2), amended

12. Subsection 2 of section 65 of the said Act is amended by striking out “twenty-one” in the third line and inserting in lieu thereof “sixty”.

s. 67, amended

13. Section 67 of the said Act is amended by adding thereto the following subsection:

(2) Section 91 of The Public Transportation and Highway Improvement Act applies mutatis mutandis to the Regional Corporation.

Application of R.S.O. 1970, c. 321

ss. 57a-57f, enacted

14. The said Act is further amended by adding thereto the following Part:

PART IV-A

REGIONAL TRANSPORTATION

Interpretation

67a. In this Part,

(a) “Commission” means the Ottawa-Carleton Regional Transit Commission established under this Part;

(b) “Former Commission” means the Ottawa Transportation Commission;

(c) “passenger transport” means the transportation of passengers for reward by bus or by any other means of transportation except taxi;
"Urban Transit Area" means the area defined by by-law of the Regional Council under section 67d.

67b.—(1) There is hereby established a commission to be known as the Ottawa-Carleton Regional Transit Commission with the powers, rights, authorities and privileges vested in it by this Act.

(2) The Commission is a body corporate and shall consist of five members who shall be members of the Regional Council appointed by by-law of the Regional Council.

(3) Three members of the Commission constitute a quorum.

(4) Members of the Commission shall not be paid any remuneration except for their travelling and other expenses incurred while engaged in the business of the Commission.

(5) The Ottawa Transportation Commission is hereby dissolved as of the day this Part comes into force.

(6) The Commission has the exclusive right within all parts of the Regional Area from time to time included in the Urban Transit Area to maintain and operate a passenger transport service but such right does not affect the right of any separate school board, board of education, private school or charitable organization to provide passenger transportation for their respective purposes, or the right of any person to operate a passenger transport system within the Urban Transit Area in accordance with a valid operating licence issued to him under The Public Vehicles Act on or before the 1st day of January, 1972, and in exercising such right the Commission has the power and duty to establish, maintain, operate, extend, alter, control, manage, construct, repair and equip a system of passenger transport by means of surface, underground or above ground railways, tramways, or buses, or any other means of transportation, except taxis, including such structures and works of every description as may be necessary or convenient upon, along, across, under and over all highways and public places in the Regional Area and all lands and rights-of-way owned, acquired or leased by the Commission.

(7) The Commission shall fix such fares as it considers proper for the use of its passenger transport system.
(8) Notwithstanding the provisions of *The Municipal Act*, the Commission may establish, construct, manage and operate parking lots and structures for the parking of vehicles in connection with passenger transport systems and charge fees for parking therein and the Regional Council may pass by-laws to regulate and control the parking of vehicles therein or thereon.

(9) When a person is employed by the Former Commission on the day this Part comes into force and the employment rights of such person are defined by a collective or other agreement then the Commission is bound by such agreement and stands in the place of the Former Commission in such agreement.

(10) Subject to subsection 9, the Commission shall offer to employ any person employed by the Former Commission on the day this Part comes into force upon terms not less favourable as to remuneration and all other benefits than those enjoyed by such employee on the effective date of this Part.

(11) Notwithstanding the provisions of any other Act, the Commission may provide pension or retirement plans, and the provision of sick pay benefits, medical, hospital, surgical, drug, dental and other insurance plans whether carried on or participated in by the Former Commission or not, and all existing plans are continued and in relation to all such matters the Commission shall stand in the place of the Former Commission.

(12) The Commission may purchase, lease or otherwise acquire and use any real or personal property for its purposes and lease, sell or otherwise dispose of such real or personal property when no longer required by the Commission for its purposes, but real property shall not be purchased or sold without the prior approval of the Regional Corporation.

(13) The Commission may, and on request shall, release to the Regional Corporation all its interest in assets which cease to be required for the operation of the passenger transport system.

67c.-(1) Subject to subsection 6 of section 67b, the Regional Corporation has the exclusive right within the Regional Area to maintain and operate a passenger transport service, but such right does not affect the right of any separate school board, board of education, private school or charitable organization to provide passenger transportation for their respective
purposes, or the right of any person to operate a passenger transport system within the Urban Transit Area in accordance with a valid operating licence issued to him under The Public Vehicles Act on or before January 1st, 1972, and in exercising such right the Regional Corporation may establish, maintain, operate, extend, alter, control, manage, construct, repair and equip a system of passenger transport by means of surface, underground or above ground railways, tramways or buses, or any other means of transportation, except taxis, including such structures and works of every description as may be necessary or convenient upon, along, across, under and over all highways and public places in the Regional Area.

(2) Without limiting the generality of subsection 1, the Regional Corporation has and may exercise through the Regional Area all the powers heretofore or hereafter conferred by any general Act upon a municipal corporation and by any special Act upon any area municipality or local board thereof with respect to passenger transport.

(3) Except with the approval of the Regional Council, no area municipality shall have or exercise any of the powers heretofore or hereafter conferred on municipal corporations with respect to passenger transport by any general or special Act.

(4) By-laws may be passed by the Regional Council to,

(a) acquire, by purchase or otherwise, without the approval of the Municipal Board, the passenger transportation facilities and equipment of any person or area municipality;

(b) acquire, by purchase or otherwise, any real or personal property required for passenger transport purposes;

(c) permit the Commission to transport and convey passengers throughout Ontario, whether by chartered trips or otherwise;

(d) subject to compliance with the laws of the Province of Quebec, permit the Commission to transport and convey passengers in the Province of Quebec, whether by chartered trips or otherwise and to enter into agreements with municipal corporations and passenger transport operators in the Province of Quebec concerning connecting or reciprocal passenger transport services and shared or sole use of facilities, personnel and equipment;

R.S.O. 1970, c.392
(e) permit the Commission to provide passenger transport services in any part of the Regional Area outside the Urban Transit Area;

(f) permit the Commission to enter into agreements with adjoining and area municipalities with respect to the operation by the Commission of a passenger transport system in such municipality;

(g) provide for the establishment, construction, management and operation of parking lots for the parking of vehicles in connection with passenger transport systems and to charge fees for and regulate the parking of vehicles therein;

(h) enter into agreements with any person, or area or other municipality for the provision of passenger transport service in any part of the Regional Area not then included in the Urban Transit Area;

(i) make regulations governing, regulating and controlling the conduct of persons on any vehicle or in or upon any land or structure used for or in connection with passenger transport;

(j) provide for the preparation, delivery and publication by the Commission of such annual reports, financial statements, budgets, capital forecasts, estimates and other reports and statements and the utilization of surplus moneys upon such terms and conditions as the by-law may prescribe;

(k) authorize the Commission to make arrangements for temporary borrowings to such total amount and subject to such terms and conditions as the by-law may prescribe.

(5) Where, in this Part, the Regional Council undertakes any matter or work, establishes any regulation or grants any approval, such action shall be authorized by by-law, and may be subject to such terms and conditions as the Regional Council considers proper.

67d.—(1) The Regional Council shall by a by-law or by-laws define one or more parts of the Regional Area as an Urban Transit Area, which area, in the opinion of the Regional Council, derives benefit from the provision of passenger transport.
(2) The Regional Council shall annually, by by-law, levy against such of the area municipalities as are wholly or partly within the Urban Transit Area the sums required to meet any deficit arising out of the total operations of the Commission in the preceding year.

(3) A by-law enacted under subsection 2 shall apportion the levy against each of such area municipalities in a manner that, in the opinion of the Regional Council, is just and equitable, and without limiting the generality of the foregoing, the Regional Council, in making such apportionment may have regard to the degree of passenger transport services provided, the financial implications of providing such service, equalized assessment, and any other factors and considerations that are, in the opinion of the Regional Council, relevant.

(4) The Ministry of Revenue shall provide to the Regional Corporation such equalized assessment information as it may require for the purposes of any by-law enacted under this section and the provisions of Part VII apply mutatis mutandis in the event any equalized assessment is varied by an appeal under that Part or under The Assessment Act. R.S.O. 1970, c. 32

(5) The Regional Corporation may advance moneys to the Commission from time to time upon such terms and conditions as the Regional Council may prescribe and any moneys so advanced shall be deemed not to reduce the operating deficit referred to in subsection 2 unless the Regional Council otherwise directs.

(6) Notwithstanding the effective date of this Part, the accumulated operating deficit of the Former Commission shall be deemed to be a deficit of the Commission for the purposes of subsection 2.

(7) Within ten days of the passing of a by-law under subsection 1 or 2, the clerk of the Regional Council shall give notice thereof to the clerk of any area municipality affected thereby, by prepaid registered post.

(8) Any area municipality affected by a by-law passed under subsection 1 or 2 may appeal to the Municipal Board against such by-law by sending by prepaid registered post to the Municipal Board and to the clerk of the Regional Council a notice in writing setting
forth its objections to such by-law and its reasons therefor within thirty days of the passing of such by-law.

Hearing

(9) The Municipal Board shall make such inquiries into the matter as it considers necessary and may by order confirm such by-law or make such amendments, if any, to the by-law as it deems proper in the circumstances, and the order of the Municipal Board is final.

Effect of by-law

(10) If no appeal is made against the by-law as provided in subsection 8, such by-law is valid, final and binding according to its terms so far as the same ordains, prescribes or directs anything within the proper competence of the Regional Council.

Payment over of levy to Commission

(11) The sums levied by a by-law enacted under subsection 2 as enacted by the Regional Council or varied by the Municipal Board, as the case may be, shall be paid over by the Regional Corporation to the Commission less any advances previously made by the Regional Corporation to the Commission in respect of such deficit and levy.

Special levy by area municipality

(12) Any area municipality may pay the amounts chargeable to it under any such by-law out of its general funds, or, subject to the approval of the Municipal Board, may pass one or more by-laws to impose a special rate or rates in one or more defined areas in the Urban Transit Area to raise the whole or any part of the amount charged to such area municipality.

Assets

67e. (1) All the real and personal property owned by or vested in The Corporation of the City of Ottawa for the use of the Former Commission and all real and personal property owned by or vested in the Former Commission are hereby vested in the Commission.

Liabilities

(2) The Commission shall assume all liabilities of the Former Commission except those referred to in subsection 5, which shall be assumed by the Regional Corporation.

No compensation

(3) No compensation or damages shall be payable to the Former Commission or The Corporation of the City of Ottawa in respect of any undertaking, assets and property vested in the Commission under this Part.
(4) In the event of any doubt as to whether any particular asset is vested in the Commission or any particular liability is assumed by the Commission or the Regional Corporation the Municipal Board upon application shall determine the matter and its decision is final.

(5) On and after the effective date of this Part, the Regional Corporation shall pay to each area municipality before the due date all amounts of principal and interest becoming due upon any outstanding debt of that area municipality in respect of any property vested in the Regional Corporation under this section, or issued by that area municipality for or on behalf of the Former Commission.

(6) If the Regional Corporation fails to make any payment as required by subsection 5, interest in the amount of 1 per cent on the unpaid balance shall be added to the amount due on the first day of default and on the first day of each calendar month thereafter.

(7) In the event of any doubt as to whether any outstanding debenture or portion thereof was issued in respect of any property vested in the Commission under this section, or for or on behalf of the Former Commission, the Municipal Board, upon application, may determine the matter and its decision is final.

(8) The Regional Council may pass by-laws to require the Commission to pay to the Regional Corporation amounts required to be raised annually by the Regional Corporation to meet interest, principal and sinking fund instalments on debentures or other debts assumed under this Part or subsequently incurred by the Regional Corporation for public transport purposes, upon such terms as to time, manner of payment and interest, as the by-law may prescribe.

(9) For the purposes of The Public Vehicles Act, all passenger transport provided by the Commission within the Regional Area shall be deemed to be within the corporate limits of one urban municipality.

(10) For the purposes of The Registry Act, The Land Titles Act, The Bills of Sale and Chattel Mortgages Act, The Conditional Sales Act, The Personal Property Security Act, The Bulk Sales Act and any other Act affecting title to property, it is sufficient to cite this
Act to show the transmission of title to the Corporation or the Commission as the case may be and the vesting therein of any real or personal property or any interest therein, but, if an order has been made by the Municipal Board under this Part the order shall be cited as well, and the transfer of assets effected by this Part shall be conclusively deemed to have been made in conformity with each and all such Acts.

(11) *The Municipal Franchises Act* shall not apply to any passenger transport services provided under this Part.

(12) Part XXI of *The Municipal Act* applies to any by-laws passed under this Part.

(13) For the purposes of this Part, the Regional Corporation may enter into agreements with any person.

Repeals

67f. The following are repealed:

1. *The Ottawa City Transportation Act*, 1920, being chapter 132.

2. Sections 1 to 17 of *The City of Ottawa Act*, 1948, being chapter 117.

3. Section 2 of *The City of Ottawa Act*, 1951, being chapter 111.

4. Section 1 of *The City of Ottawa Act*, 1954, being chapter 120.

5. Section 1 of *The City of Ottawa Act*, 1959, being chapter 125.


8. Sections 7, 8, 9 and 10 of *The City of Ottawa Act*, 1968, being chapter 164.
(3) If the Regional Corporation fails to make any Default payment or portion thereof as required by subsection 2, The Corporation of the City of Ottawa 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 city may by by-law determine.

16. Section 87 of the said Act is repealed and the following substituted therefor:

87. Every area municipality and every officer or employee Information thereof shall, at the request of the officers of the Regional Corporation who are responsible for the administration of the Acts referred to in this Part, furnish forthwith to such officers any information they may require for the purposes of this Part.

17. Section 92 of the said Act is repealed and the following substituted therefor:

92.—(1) The Regional Council in each year shall levy against the area municipalities a sum sufficient,

(a) for payment of the estimated current annual expenditures as adopted; and

(b) for payment of all debts of the Regional Corporation falling due within the year as well as amounts required to be raised for sinking funds and principal and interest payments or sinking fund requirements in respect of debenture debt of area municipalities for the payment of which the Regional Corporation is liable under this Act.

(2) The Regional Council shall ascertain and by by-law direct what portion of the sum mentioned in subsection 1 shall be levied against and in each area municipality.

(3) Subject to subsection 10, all amounts levied under subsection 1 shall be apportioned among the area municipalities in the proportion that the whole rateable property in each area municipality bears to the whole rateable property in the Regional Area, according to the last revised assessment rolls.
The Ministry of Revenue shall revise and equalize the last revised assessment rolls of the area municipalities and, for the purpose of subsection 3, the last revised assessment rolls for the area municipalities as so revised and equalized by the Ministry of Revenue shall be deemed to be the last revised assessment rolls of the area municipalities.

Subsection 4 shall cease to apply on a date to be determined by order of the Minister.

Upon completion by the Ministry of Revenue of the revision and equalization of assessment, the Ministry of Revenue shall notify the Regional Corporation and each of the area municipalities of the revised and equalized assessment of each area municipality.

If any area municipality is not satisfied with the assessment as revised and equalized by the Ministry of Revenue, the area municipality may appeal from the decision of the Ministry of Revenue by notice in writing to the Municipal Board at any time within thirty days after the notice of the revised and equalized assessment was sent to the area municipality by the Ministry of Revenue.

Every notice of revision and equalization made under this section shall set out the time within which an appeal may be made to the Municipal Board with respect to such revision and equalization.

Where the last revised assessment of the area municipality has been revised and equalized by the Ministry of Revenue and has been appealed, the Regional Council shall forthwith after the decision of the Municipal Board on such appeal, amend, if required, the by-law passed under subsection 2 so as to make the apportionments among the area municipalities according to the assessments as revised by the Municipal Board upon such appeal, and,

(a) where the moneys levied against an area municipality are thereby increased, the treasurer of the area municipality shall pay the amount of the increase to the treasurer of the Regional Corporation; and

(b) where the moneys levied against an area municipality are thereby decreased, the treasurer of the area municipality shall be liable to
pay the treasurer of the Regional Corporation only the reduced levy or, if the original levy has been paid by the area municipality, the treasurer of the Regional Corporation shall pay the amount of the decrease to the treasurer of the area municipality.

(10) The apportionment of the levy among the area municipalities as provided for in subsections 2 and 3 shall be based on the full value of all rateable property, and notwithstanding any general or special Act, no fixed assessment other than a fixed assessment under section 31 of The Assessment Act, or partial or total exemption from assessment or taxation applies thereto, except as provided in section 3 of The Assessment Act.

(11) The assessment upon which the levy among the area municipalities shall be apportioned shall include the valuations of all properties for which payments in lieu of taxes which include a payment in respect of regional levies are paid by the Crown in right of Canada or any province or any board, commission, corporation or other agency thereof or the Hydro-Electric Power Commission of Ontario to any area municipality.

(12) The clerk of an area municipality shall transmit to the Ministry of Revenue, within fourteen days of a payment in lieu of taxes, a statement of the valuations of real property in the area municipality upon which such payment was made together with a statement showing the computations of such payment, and the Ministry of Revenue shall revise and equalize the valuations, and shall thereupon notify the Regional Corporation of the revised and equalized valuations.

(13) One by-law or several by-laws for making the levies may be passed as the Regional Council may consider expedient.

(14) Subject to subsections 4, 5 and 6 of section 47 of The Assessment Act, in each area municipality the regional levy shall be calculated and levied upon the whole rateable property rateable for such purpose within such area municipality according to the last revised assessment roll thereof.

(15) All moneys levied against an area municipality under the authority of this section shall be deemed to be taxes and are a debt of the area municipality to the
Regional Corporation and the treasurer of every area municipality shall pay the moneys so levied to the treasurer of the Regional Corporation at the times and in the amounts specified by the by-law of the Regional Council mentioned in subsection 2.

(16) If an area municipality fails to make any payment or portion thereof as provided in the by-law, the area municipality so in default shall pay to the Regional Corporation interest thereon at the rate of 12 per cent per annum from the date such payment becomes due until made, or at such lower rate as the Regional Council may by by-law determine, providing that such rate of interest shall be uniform throughout the Regional Area.

(17) Any by-law passed under this section may provide that the Regional Corporation shall pay interest at a rate to be determined by the Regional Council on any payment of an annual levy or a part thereof made in advance by any area municipality.

Subsection 1 of section 95 of the said Act is amended by inserting after "levies" in the sixth line "and other revenues".

Section 100 of the said Act is amended by adding thereto the following subsections:

(a) authorize the borrowing of money by the issue of instalment debentures, the last instalment of which shall mature not earlier than ten years after the date upon which they are issued, and a specified sum of principal payable thereunder in the final year shall be raised by the issue of refunding debentures as provided in clause b, and it shall not be necessary to raise by special rate in the year of maturity of the debentures to be refunded an amount equal to the specified principal amount of the debentures which are being refunded; and

(b) authorize the issue of debentures to refund at maturity outstanding debentures of the municipality, provided that the refunding debentures shall be payable within the maximum period of years that was approved by the order of the
Municipal Board for the repayment of debentures issued for the debt for which the outstanding debentures were issued, commencing on the date of the debentures originally issued for such debt,

and any such by-law shall provide that the sums of principal and interest payable under the by-law shall be raised by a special levy or levies against such area municipality or municipalities as may be specified in the by-law and such levy shall be levied against the same area municipality or municipalities in each case.

(6b) Any special levy against an area municipality imposed by the by-law under the authority of subsection 6a may be levied by the area municipality against persons or property in the same manner and subject to the same limitations as if it were passing a by-law authorizing the issue of debentures of the area municipality for the same purpose for the portion of the debt levied against it under subsection 6a, and any levy imposed by a by-law under clause b of subsection 6a shall be levied by the area municipality against the same persons or property as the levy imposed by the related by-law under clause a of subsection 6a was levied.

(2) Subsection 18 of the said section 100 is amended by adding "or" at the end of clause c and by adding thereto the following clause:

(d) subject to the prior approval of the Lieutenant Governor in Council, in a currency other than that of Canada, the United States of America or Great Britain.

(3) Subsection 19 of the said section 100 is amended by inserting after "Britain" in the third line "or in any currency other than that of Canada".

(4) Subsection 20 of the said section 100 is amended by striking out "3½" in the third line and inserting in lieu thereof "5".

(5) Subsections 22 and 23 of the said section 100 are repealed and the following substituted therefor:

(22) When sinking fund debentures are issued, there shall be a sinking fund committee that shall be composed of the treasurer of the Regional Corporation
and two members appointed by the Regional Council, and the two appointed members may be paid, out of the current fund of the Regional Corporation, such annual remuneration as the Regional Council determines.

(23) The Regional Council may appoint an alternate member for each of the appointed members and any such alternate member has all the powers and duties of the member in the absence or inability to act of such member.

(26) The Regional Council may appoint an alternate member for each of the appointed members and any such alternate member has all the powers and duties of the member in the absence or inability to act of such member.

(6) Subclause ii of clause b of subsection 40 of the said section 100 is amended by striking out “subject to the approval of the Municipal Board” in the first line.

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

100a. Notwithstanding any other provision of this Act,

(a) a money by-law of the Regional Council may provide that all or a portion of the debentures to be issued thereunder shall be payable on a fixed date, subject to the obligation of the Regional Corporation to redeem by lot annually on each anniversary of the date of such debentures a specified principal amount of such debentures upon payment by the Regional Corporation of such principal amount plus accrued interest to the date of redemption and upon giving notice as provided in this section;

(b) the principal amount of every debenture that is called for redemption shall become due and payable on the date set for the redemption thereof and, after such date, interest ceases to accrue thereon where provision is duly made by the Regional Corporation for the payment of the principal amount thereof;

(c) the debentures to be redeemed on each anniversary of the date of such debentures shall be selected by lot by the treasurer of the Regional Corporation at a public meeting of the Regional Council and when redeemed shall be cancelled and shall not be reissued, provided always that the principal amount of the debentures to be redeemed in any year may be reduced by the principal amount of any debentures purchased by the Regional
Corporation, at a price or prices not exceeding the principal amount thereof, and surrendered for cancellation on the date fixed for redemption;

(d) notice of intention to redeem any debenture shall be sent by prepaid mail at least thirty days prior to the date set for such redemption to the person, if any, in whose name the debenture may be registered at the address shown in the Debenture Registry Book;

(e) notice of intention to redeem any debenture shall be published at least thirty days prior to the date set for such redemption in such manner as the by-law may provide;

(f) where only a portion of the debentures issued under a by-law is payable on a fixed date, the obligation of the Regional Corporation to redeem by lot annually a specified principal amount of such debentures does not apply in any year in which an instalment of principal of the remaining debentures issued under such by-law becomes due and payable; and

(g) the aggregate amounts of principal and interest, or the amounts of principal payable in each year during the currency of debentures issued under this section shall be approximately equal.

21. Section 108 of the said Act is amended by adding thereto the following subsections:

(4) A debenture may be registered as to both principal and interest in which case the interest thereon shall be paid by cheque and the debenture may be referred to as a fully registered debenture.

(5) Where debentures are payable in a currency other than that of Canada, the Regional Council may provide that the Debenture Registry Book of the Regional Corporation in respect of such debentures be maintained outside Canada by a corporation or person other than the treasurer and may make such other provisions for the registration and transfer of such debentures as the Regional Council considers appropriate.
22. (1) This Act, except section 14, comes into force on the day it receives Royal Assent.

(2) Section 14 comes into force on a day to be named by the Lieutenant Governor by his proclamation.

23. This Act may be cited as The Regional Municipality of Ottawa-Carleton Amendment Act, 1972.