1973

c 96 The Regional Municipality of Haldimand-Norfolk Act, 1973

Ontario
CHAPTER 96

An Act to establish
The Regional Municipality of Haldimand-Norfolk

Assented to October 18th, 1973
Session Prorogued March 5th, 1974

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

1. In this Act,

   (a) "area municipality" means the municipality or corporation of the Township of Delhi, the City of Nanticoke, the Town of Dunnville, the Town of Haldimand, the Town of Simcoe and the Township of Norfolk, all as constituted by section 2;

   (b) "chairman" means the chairman of the Regional Council;

   (c) "local board" means any school board, public utility commission, transportation commission, public library board, board of park management, local board of health, board of commissioners of police, planning board or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes, including school purposes, of the Regional Corporation or of an area municipality or of two or more area municipalities or parts thereof;

   (d) "local municipality" until the 1st day of April, 1974, means any local municipality or portion thereof in the Regional Area;

   (e) "Minister" means the Treasurer of Ontario and Minister of Economics and Intergovernmental Affairs;

   (f) "Ministry" means the Ministry of Treasury, Economics and Intergovernmental Affairs;

   (g) "Municipal Board" means the Ontario Municipal Board;
(h) "Regional Area", 

(i) until the 1st day of April, 1974, means,

A. the area included within the County of Haldimand, and

B. the area included within the County of Norfolk, except that portion of the Township of Middleton described as follows:

Commencing at the northwest angle of the Township of Middleton;

THENCE southerly along the west boundary of the Township of Middleton to the line between concessions IV and V north of Talbot Road of the Township of Middleton;

THENCE northeasterly along the line between the said concessions to the boundary of the Town of Tillsonburg;

THENCE northerly along the boundary between the Township of Middleton and the Town of Tillsonburg to the north boundary of the Township of Middleton;

THENCE westerly along the north boundary of the Township of Middleton to the point of commencement, and

(ii) on and after the 1st day of April, 1974, means the area from time to time included within the area municipalities;

(i) "Regional Corporation" means, subject to subsection 6 of section 6, The Regional Municipality of Haldimand-Norfolk;

(j) "Regional Council" means the council of the Regional Corporation.

PART 1

AREA MUNICIPALITIES

2. — (1) On the 1st day of April, 1974,
(a) The portions of the townships of Charlottesville, Middleton, South Walsingham and Windham, described as follows, are annexed to The Corporation of the Town of Delhi to establish a township municipality bearing the name of The Corporation of the Township of Delhi.

Firstly, part of the Township of Charlottesville, commencing at the intersection of the east boundary of the Township of Charlottesville and the centre line of the road allowance between concessions V and VI of the Township of Charlottesville;

Thenence westerly along the centre line of the road allowance between the said concessions to the southerly prolongation of the west limit of Lot 24 in Concession VI of the said Township;

Thenence northerly to and along the west limit of Lot 24 in concessions VI, VII, VIII and IX and the northerly prolongation thereof to the north boundary of the Township of Charlottesville;

Thenence westerly along the north boundary of the Township of Charlottesville to its northwest angle;

Thenence southerly along the west boundary of the Township of Charlottesville and its prolongation in accordance with The Territorial Division Act, R.S.O. 1970, chapter 458, to the middle of Inner Bay of Lake Erie;

Thenence easterly along the middle of Inner Bay and Long Point Bay to the southerly prolongation of the east boundary of the Township of Charlottesville;

Thenence northerly to and along the east boundary of the said Township to the point of commencement;

Secondly, part of the Township of Middleton, commencing at the northeast angle of the Township of Middleton;

Thenence westerly along the north boundary of the Township of Middleton to the northerly prolongation of the west limit of Lot 43 in Concession II north of Talbot Road of the said Township of Middleton;

Thenence southerly to and along the west limit of Lot 43 in concessions II and I north of Talbot Road
and in concessions I and II south of Talbot Road to the middle of the main channel of Big Creek;

THENCE southwesterly following the middle of Big Creek to the south boundary of the Township of Middleton;

THENCE easterly along the south boundary of the Township of Middleton to its southeast angle;

THENCE northerly along the east boundary of the Township of Middleton to the boundary of the Town of Delhi;

THENCE following the boundaries between the Township of Middleton and the Town of Delhi to the east boundary of the said Township;

THENCE northerly along the east boundary of the Township of Middleton to the point of commencement;

THIRDLY, part of the Township of South Walsingham, commencing at the intersection of the east boundary of the Township of South Walsingham and the centre line of the road allowance between concessions II and III of the said Township;

THENCE westerly along the centre line of the said road allowance to the northerly prolongation of the west limit of Lot 24 in Concession II of the Township of South Walsingham;

THENCE southerly to and along the west limit of Lot 24 in concessions II and I to the centre line of the gravel road crossing Lot 24 in Concession I of the Township of South Walsingham;

THENCE easterly, northerly and easterly following the centre line of the said gravel road to the east boundary of the Township of South Walsingham;

THENCE northerly along the east boundary of the said Township to the point of commencement;

FOURTHLY, part of the Township of Windham, commencing at the northeast angle of the Township of Windham;
THENCE southerly along the east boundary of the Township of Windham to the easterly prolongation of the centre line of road allowance between concessions XII and XIII of the said Township;

THENCE westerly along the centre line of road allowance between the said concessions to the centre line of the road allowance between lots 6 and 7 in Concession XIII of the Township of Windham;

THENCE southerly along the centre line of road allowance between lots 6 and 7 in concessions XIII and XIV to the south boundary of the said Township of Windham;

THENCE westerly along the south boundary of the Township of Windham to its southwest angle;

THENCE northerly following the westerly boundary of the Township of Windham to the boundary of the Town of Delhi;

THENCE following the boundaries between the Township of Windham and the Town of Delhi to the west boundary of the said Township of Windham;

THENCE northerly along the west boundary of the said Township to its northwest angle;

THENCE easterly along the north boundary of the Township of Windham to the point of commencement;

(b) The Corporation of the Village of Jarvis, The Corporation of the Town of Port Dover and The Corporation of the Town of Waterford are amalgamated as a city municipality bearing the name of The Corporation of the City of Nanticoke and the portions of the townships of Rainham, Townsend, Walpole and Woodhouse described as follows, are annexed to such city:

FIRSTLY, part of the Township of Rainham, commencing at a point in the west boundary of the Township of Rainham where it intersects the limit between the north and south halves of Lot 1 in Concession II of the said Township;

THENCE easterly along the limit between the north and south halves of said Lot 1 being the north
limit of the lands of O. Hoover as described in Instrument Number 6966 to the east limit of said Lot 1;

THENCE southerly along the east limit of Lot 1 in concessions II and I in the said Township of Rainham to the north limit of the lands of V. and M. Harc, described in Instrument Number 83254;

THENCE westerly along the north limit of the said lands and the prolongation thereof to the west boundary of the Township of Rainham;

THENCE northerly along the west boundary of the Township of Rainham to the point of commencement;

SECONDLY, part of the Township of Townsend, commencing at the northwest angle of the Township of Townsend;

THENCE southerly along the west boundary of the Township of Townsend to the westerly prolongation of the centre line of the road allowance between concessions XII and XIII of the said Township;

THENCE easterly to and along the centre line of the said road allowance to the northerly prolongation of the west limit of Lot 4 in Concession XIII of the said Township;

THENCE southerly to and along the west limit of Lot 4 in concessions XIII and XIV to the south boundary of the said Township of Townsend;

THENCE easterly along the south boundary of the said Township to its southeast angle;

THENCE northerly along the east boundary of the Township of Townsend to its northeast angle;

THENCE northwesterly and westerly following the northern boundaries of the Township of Townsend to the point of commencement;

SAVING AND EXCEPTING thereout and therefrom the lands lying within the Corporation Boundary of the Town of Waterford.

THIRDLY, part of the Township of Walpole, commencing at the northwest angle of the Township of Walpole;
THENCE southeasterly along the northeast boundary of the Township of Walpole to the northerly boundary of the Village of Hagersville;

THENCE westerly and southerly following the boundaries between the Township of Walpole and the Village of Hagersville to an angle in the said Village being a point in the west limit of Lot 13 in Concession XIII;

THENCE southerly along the east limit of Lot 13 in concessions XIII, XII and XI of the Township of Walpole to the centre line of road allowance between concessions X and XI of the said Township;

THENCE easterly along the centre line of the said road allowance to the northeast boundary of the said Township of Walpole;

THENCE southeasterly and southerly along the easterly boundaries of the Township of Walpole to its southeast angle;

THENCE westerly along the south boundary of the Township of Walpole to its southwest angle;

THENCE northerly along the west boundary of the Township of Walpole to the point of commencement;

SAVING AND EXCEPTING thereout and therefrom the lands lying within the Corporation Boundary of the Village of Jarvis;

FOURTHLY, part of the Township of Woodhouse, commencing at the northeast angle of the Township of Woodhouse;

THENCE southerly along the east boundary of the Township of Woodhouse and its prolongation in accordance with The Territorial Division Act, R.S.O. 1970, chapter 458, to the middle of Long Point Bay;

THENCE westerly along the middle of the said bay to the southerly prolongation of the west boundary of the said Township of Woodhouse;

THENCE northerly to and along the west boundary of the Township of Woodhouse to the centre line of the road between lots 22 and 23 in the Gore of the said Township of Woodhouse;
Thence easterly along the centre line of the road between lots 22 and 23 and between lots 6 and 7 in the Gore of the Township of Woodhouse to the centre line of the road allowance between the said Gore and Lot 1 in Concession III of the said Township;

Thence southerly along the centre line of the said road allowance to the road allowance between concessions II and III of the said Township of Woodhouse;

Thence easterly along the centre line of the said road allowance between concessions II and III to the centre line of the road at the east limit of Lot 3 in Concession III known as the Ireland Side Road;

Thence northerly following the centre line of the said Side Road and all its bends to the boundary of the Town of Simcoe;

Thence northerly along the boundaries between the Township of Woodhouse and the Town of Simcoe to the north boundary of the said Township;

Thence easterly along the north boundary of the Township of Woodhouse to the point of commencement;

Saving and Excepting thereout and therefrom the lands lying within the Corporation Boundary of the Town of Port Dover;

(c) The Corporation of the Township of Canborough, The Corporation of the Township of Dunn, The Corporation of the Town of Dunnville, The Corporation of the Township of Moulton and The Corporation of the Township of Sherbrooke are amalgamated as a town municipality bearing the name of The Corporation of the Town of Dunnville;

(d) The Corporation of the Town of Caledonia, The Corporation of the Village of Cayuga, The Corporation of the Village of Hagersville, The Corporation of the Township of North Cayuga, The Corporation of the Township of Oneida, The Corporation of the Township of Seneca and The Corporation of the Township of South Cayuga are amalgamated as a town municipality bearing the name of The Cor-
poration of the Town of Haldimand and the portions of the townships of Rainham and Walpole, described as follows, are annexed to such town:

**Firstly**, part of the Township of Rainham, commencing at the northerly angle of the Township of Rainham;

**Thenence** southeasterly along the northeast and easterly boundaries of the Township of Rainham to its southeast angle in Lake Erie;

**Thenence** westerly along the south boundary of the Township of Rainham to its southwest angle;

**Thenence** northerly along the west boundary of the Township of Rainham to the westerly prolongation of the north limit of the lands of V. and M. Hare, as described in Instrument Number 83254;

**Thenence** easterly to and along the last mentioned lands to the east limit of Lot 1 in Concession I of the said Township of Rainham;

**Thenence** northerly along the east limit of Lot 1 in concessions I and II to the limit between the north and south halves of Lot 1 in Concession II in the said Township of Rainham the said limit being the north limit of the lands of O. Hoover, as described in Instrument Number 6966;

**Thenence** westerly along the limit between the north and south halves of said Lot 1 to the west boundary of the said Township;

**Thenence** northerly along the west boundary of the said Township of Rainham to the point of commencement;

**Secondly**, part of the Township of Walpole, commencing at a point in the northeast boundary of the Township of Walpole where it is intersected by the centre line of the road allowance between concessions X and XI of the said Township;

**Thenence** westerly along the centre line of the said road allowance to the southerly prolongation of the east limit of Lot 13 in Concession XI of the Township of Walpole;
Thence northerly to and along the east limit of Lot 13 in concessions XI, XII and XIII of the said Township of Walpole to an angle in the Village of Hagersville;

Thence southerly and easterly following the boundaries between the Township of Walpole and the Village of Hagersville to the northeast boundary of the said Township of Walpole;

Thence southeasterly along the northeast boundary of the said Township to the point of commencement;

(e) The portions of the townships of Charlotteville, Townsend, Windham and Woodhouse, described as follows, are annexed to The Corporation of the Town of Simcoe;

Firstly, part of the Township of Charlotteville, commencing at a point in the east boundary of the Township of Charlotteville where it intersects the centre line of the road allowance between concessions V and VI of the Township of Charlotteville;

Thence westerly along the centre line of the said road allowance to the southerly prolongation of the west limit of Lot 24 in Concession VI of the said Township;

Thence northerly to and along the west limit of Lot 24 in concessions VI, VII, VIII and IX and the northerly prolongation thereof to the north boundary of the said Township of Charlotteville;

Thence easterly along the north boundary of the Township of Charlotteville to its northeast angle;

Thence southerly along the east boundary of the Township of Charlotteville to the point of commencement;

Secondly, part of the Township of Townsend, commencing at the intersection of the west boundary of the Township of Townsend and the centre line of the road allowance between concessions XII and XIII of the said Township;

Thence easterly along the centre line of the said road allowance to the northerly prolongation of the
west limit of Lot 4 in Concession XIII of the Township of Townsend;

THENCE southerly to and along the west limit of Lot 4 in concessions XIII and XIV of the Township of Townsend to its south boundary;

THENCE westerly following the boundaries between the Township of Townsend and the Town of Simcoe to the west boundary of the said Township;

THENCE northerly along the west boundary of the Township of Townsend to the point of commencement;

THIRDLY, part of the Township of Windham, commencing at the intersection of the east boundary of the Township of Windham and the centre line of the road allowance between concessions XII and XIII of the said Township;

THENCE westerly along the centre line of the said road allowance to the centre line of the road allowance between lots 6 and 7 in Concession XIII of the Township of Windham;

THENCE southerly along the centre line of the road allowance between lots 6 and 7 in concessions XIII and XIV to the south boundary of the said Township of Windham;

THENCE easterly along the south boundary of the Township of Windham to the boundary of the Town of Simcoe;

THENCE northeasterly following the boundaries between the Township of Windham and the Town of Simcoe to the east boundary of the said Township;

THENCE northerly along the east boundary of the Township of Windham to the point of commencement;

FOURTHLY, part of the Township of Woodhouse, commencing at the intersection of the west boundary of the Township of Woodhouse and the centre line of the road between lots 22 and 23 in the Gore of the said Township of Woodhouse;

THENCE easterly along the centre line of the road between lots 22 and 23 and between lots 6 and 7
in the Gore of the said Township of Woodhouse to
the centre line of the road allowance between the
said Gore and Lot 1 in Concession III of the said
Township;

ThenCe southerly along the centre line of the said
road allowance to the centre line of the road allowance
between concessions II and III of the said Township
of Woodhouse;

ThenCe easterly along the road allowance between
concessions II and III to the centre line of the road
at the east limit of Lot 3 in Concession III, known
as the Ireland Side Road;

ThenCe northerly following the centre line of the
Ireland Side Road and all its bends to the boundary
of the Town of Simcoe;

ThenCe in a general northwesterly direction follow­
ing the boundaries between the Township of Wood­
house and the Town of Simcoe to the north boundary
of the said Township;

ThenCe westerly along the north limit of the Town­
ship of Woodhouse to its northwest angle;

ThenCe southerly along the west boundary of the
Township of Woodhouse to the point of commence­
ment;

(f) The Corporation of the Township of Houghton,
The Corporation of the Township of North Walsing­
ham and The Corporation of the Village of Port
Rowan are amalgamated as a township municipality
bearing the name of The Corporation of the Town­
ship of Norfolk and the portions of the townships
of Middleton and South Walsingham, described as
follows, are annexed to such township;

Firstly, part of the Township of Middleton, com­
encing at the southwest angle of the Township
of Middleton;

ThenCe northerly along the west boundary of the
Township of Middleton to the line between con­
cessions IV and V north of Talbot Road of the said
Township;
THENCE northeasterly along the line between the said concessions to the boundary of the Town of Tillsonburg;

THENCE southerly, easterly and northerly following the boundaries between the Township of Middleton and the Town of Tillsonburg to the north boundary of the Township of Middleton;

THENCE easterly along the north boundary of the Township of Middleton to the northerly prolongation of the west limit of Lot 43 in Concession II north of Talbot Road of the said Township of Middleton;

THENCE southerly to and along the west limit of Lot 43 in concessions II and I north of Talbot Road and in concessions I and II south of Talbot Road to the middle of the main channel of Big Creek;

THENCE southwesterly following the middle of the said main channel to the south boundary of the Township of Middleton;

THENCE westerly along the south boundary of the Township of Middleton to the point of commencement;

SECONDLY, part of the Township of South Walsingham, commencing at the northeast angle of the Township of South Walsingham;

THENCE southerly along the east boundary of the Township of South Walsingham to the centre line of the road allowance between concessions II and III of the said Township;

THENCE westerly along the centre line of the said road allowance to the northerly prolongation of the west limit of Lot 24 in Concession II of the said Township of South Walsingham;

THENCE southerly to and along the west limit of Lot 24 in concessions II and I to the centre line of the gravel road crossing the middle of said Lot 24 in Concession I of the Township of South Walsingham;

THENCE easterly, northerly and easterly along the centre line of the said gravel road to the east boundary of the Township of South Walsingham;
THENCE southerly along the east boundary of the said Township and its prolongation to the middle of Inner Bay of Lake Erie;

THENCE easterly along the middle of Inner Bay and Long Point Bay to its intersection with the southerly prolongation of the west boundary of the Township of Walpole into Lake Erie;

THENCE southerly along the said prolongation, being along the east boundary of the Township of South Walsingham, to the International Boundary between Canada and the United States of America;

THENCE westerly along the said International Boundary to the southerly prolongation of the west boundary of the Township of South Walsingham;

THENCE northerly to and along the west boundary of the Township of South Walsingham to its north-west angle;

THENCE easterly along the north boundary of the said Township to the point of commencement;

SAVING AND EXCEPTING thereout and therefrom the lands lying within the Corporation Boundary of the Village of Port Rowan.

(2) The following police villages are dissolved on the 1st day of April, 1974:

1. The Police Village of Canfield.
2. The Police Village of Fisherville.
3. The Police Village of St. Williams.
4. The Police Village of Selkirk.
5. The Police Village of Vittoria.

(3) For the purposes of every Act, the amalgamations, annexations and dissolutions provided for in this Part shall be deemed to have been effected by orders of the Municipal Board not subject to section 42 of The Ontario Municipal Board Act or to petition or appeal under section 94 or 95 of such Act, made on the day this section comes into force pursuant to applications made under sections 14 and 25 of The Municipal Act and, subject to the provisions of this
Act, the Municipal Board, upon the application of any area municipality or any local board thereof or of its own motion, may exercise its powers consequent upon such amalgamations, annexations and dissolutions, and sections 94 and 95 of *The Ontario Municipal Board Act* do not apply to decisions or orders made in the exercise of such powers and "municipalities" in clause a of subsection 11 of section 14 of *The Municipal Act* includes, for the purposes of such clause, the area municipalities to which territory is annexed.

(4) If directed by order of the Minister, a vote of the electors of any area municipality as established under section 1 shall be taken at the same time as the election for the first council of the area municipality, to determine from among a maximum of three names designated by the Minister, which name the area municipality shall bear and following the vote, the Minister shall by order,

(a) confirm the name of the area municipality as set out in subsection 1; or

(b) declare the name that the area municipality shall bear,

and where a declaration is made under clause b all reference to such area municipality shall be deemed to refer to such area municipality as designated in the declaration.

3. — (1) On and after the 1st day of April, 1974, the council of each area municipality shall be composed of a mayor, who shall be elected by a general vote of the electors of the area municipality and shall be the head of the council, and the following number of other members of council:

1. The Township of Delhi—except as may be provided under subsection 3, eleven members, two of whom shall be elected by a general vote of the electors of the area municipality as members of the council of the area municipality and of the Regional Council, and nine of whom shall be elected by a general vote of the electors of the area municipality as members of the council of the area municipality.

2. The City of Nanticoke—except as may be provided under subsection 3, twelve members, three of whom shall be elected by a general vote of the electors of the area municipality as members of the council of the area municipality and of the Regional Council, and nine of whom shall be elected by a general vote of the electors of the area municipality as members of the council of the area municipality.
3. The Town of Dunnville—except as may be provided under subsection 3, nine members, two of whom shall be elected by a general vote of the electors of the area municipality as members of the council of the area municipality and of the Regional Council, and seven of whom shall be elected by a general vote of the electors of the area municipality as members of the council of the area municipality.

4. The Town of Haldimand—except as may be provided under subsection 3, seventeen members, two of whom shall be elected by a general vote of the electors of the area municipality as members of the council of the area municipality and of the Regional Council, and fifteen of whom shall be elected by a general vote of the electors of the area municipality as members of the council of the area municipality.

5. The Town of Simcoe—except as may be provided under subsection 3, nine members, two of whom shall be elected by a general vote of the electors of the area municipality as members of the council of the area municipality and of the Regional Council, and seven of whom shall be elected by a general vote of the electors of the area municipality as members of the council of the area municipality.

6. The Township of Norfolk—except as may be provided under subsection 3, eight members, two of whom shall be elected by a general vote of the electors of the area municipality as members of the council of the area municipality and of the Regional Council, and six of whom shall be elected by a general vote of the electors of the area municipality as members of the council of the area municipality.

(2) With respect to the area municipalities, elections of the first councils thereof shall be held in the year 1973, and the day for polling shall be the 10th day of December or such other date not later than the 17th day of December as the Minister may by order prescribe, and the first councils elected shall hold office for the year 1974, on and after the 1st day of April, and for the years 1975 and 1976.

(3) For the purposes of the elections of the first councils of the area municipalities and members thereof to represent the area municipalities on the Regional Council,

(a) the Minister may by order, divide into wards any area municipality as constituted by section 2 and make provision for the respective numbers of members
of the council of the area municipality and of the Regional Council to be elected in the respective wards and such wards shall remain in effect until altered by the Municipal Board;

(b) the Minister may by order provide for the qualification of candidates; and

(c) the Minister shall by order,

(i) provide for the qualification of electors, nominations, the appointment of returning officers, the holding of the elections, the preparation of polling lists, and

(ii) provide for such other matters as he considers necessary to hold the elections.

(4) Subsections 2 and 3 apply to the elections of the first councils of the area municipalities notwithstanding The Municipal Elections Act, 1972.

(5) The members of the council of each area municipality elected in the year 1973 shall comprise a committee in their respective area municipalities to do anything in that year and until the 1st day of April, 1974, necessary for the purposes of organization, policy and planning of the area municipality.

4. The expenses of the local municipalities for the election to elect members of the councils of the area municipalities in the year 1973 shall, as approved by the Minister, be paid out of the Consolidated Revenue Fund.

5. No area municipality shall have a Board of Control.

PART II

INCORPORATION AND ESTABLISHMENT
OF THE REGIONAL COUNCIL

6. —(1) On the 1st day of January, 1974, the inhabitants of the Regional Area are hereby constituted a body corporate under the name of "The Regional Municipality of Haldimand-Norfolk".

(2) The Regional Corporation shall be deemed to be a municipality for the purposes of The Municipal Affairs Act and The Ontario Municipal Board Act.
(3) On and after the 1st day of April, 1974, each of the judicial districts of Haldimand and Norfolk, as described in subsection 4, shall be deemed to be a county for all judicial purposes and for the purposes of the *Juries Act* in each judicial district any reference to the warden shall be deemed to be a reference to the chairman and any reference to the treasurer of the county shall be deemed to be a reference to the treasurer appointed under this Act for the Regional Corporation.

(4) For judicial purposes, on and after the 1st day of April, 1974, the Regional Area is divided into two judicial districts as follows:

1. The Judicial District of Haldimand composed of all the area of the County of Haldimand as it existed on the 31st day of March, 1974.

2. The Judicial District of Norfolk composed of all the area of the County of Norfolk as it existed on the 31st day of March, 1974.

(5) Nothing in this Act shall be deemed to alter the boundaries of any registry or land titles division.

(6) Every person who held an office or appointment under any Act on the 31st day of March, 1974, in and for the County of Haldimand or in and for the County of Norfolk shall be deemed, so long as he continues to hold such office or appointment, to hold such office or appointment on and after the 1st day of April, 1974, in and for the Judicial District of Haldimand or the Judicial District of Norfolk, as the case may be.

(7) Notwithstanding subsection 1, a vote of the electors within the Regional Area shall be taken at the same time as the election for the first Regional Council to determine from between “Erie” and “Haldimand-Norfolk”, which name the Regional Corporation shall bear and, following the vote, the Minister shall by order,

(a) confirm the name of the Regional Corporation as set out in subsection 1, as being that chosen by the majority of the electors within the Regional Area; or

(b) declare the name of the Regional Corporation to be The Regional Municipality of Erie, as being that chosen by the majority of the electors within the Regional Area,
and where a declaration is made under clause b, all references to The Regional Municipality of Haldimand-Norfolk shall be deemed to be references to The Regional Municipality of Erie and all ancillary references to Haldimand-Norfolk shall be deemed to be references to Erie.

7. — (1) The powers of the Regional Corporation shall be exercised by the Regional Council and, except where otherwise provided, the jurisdiction of the Regional Council is confined to the Regional Area.

(2) Except where otherwise provided, the powers of the Regional Council shall be exercised by by-law.

(3) A by-law passed by the Regional Council in the exercise of any of its powers and in good faith shall not be open to question, or be quashed, set aside or declared invalid either wholly or partly, on account of the unreasonableness or supposed unreasonableness of its provisions or any of them.

8. — (1) The Regional Council shall consist of twenty members composed of a chairman and,

(a) until the 31st day of March, 1974, the mayor-elect of each area municipality and thereafter the mayor of each area municipality;

(b) two members of the council of the area municipality of the Township of Delhi who have been elected as members of the Regional Council and of the council of such area municipality;

(c) three members of the council of the area municipality of the City of Nanticoke who have been elected as members of the Regional Council and of the council of such area municipality;

(d) two members of the council of the area municipality of the Town of Dunnville who have been elected as members of the Regional Council and of the council of such area municipality;

(e) two members of the council of the area municipality of the Town of Haldimand who have been elected as members of the Regional Council and of the council of such area municipality;

(f) two members of the council of the area municipality of the Town of Simcoe who have been elected as
members of the Regional Council and of the council of such area municipality;

(g) two members of the council of the area municipality of the Township of Norfolk who have been elected as members of the Regional Council and of the council of such area municipality.

(2) The members elected to the Regional Council in the year 1973 shall hold office for the years 1974, 1975 and 1976.

9. (1) The chairman shall be appointed by the Lieutenant Governor in Council before the 1st day of December, 1973, to hold office at pleasure during the years 1973 to 1976 inclusive and until his successor is elected or appointed in accordance with this Act, and the chairman appointed under this subsection shall be paid out of the Consolidated Revenue Fund such remuneration and other expenses as the Lieutenant Governor in Council may determine.

(2) At the first meeting of the Regional Council in the year 1977 and in every second year thereafter at which a quorum is present, the Regional Council shall organize as a council and elect as chairman one of the members of the Regional Council, or any other person, to hold office for that year and the following year and until his successor is appointed or elected in accordance with this Act, and at such meeting the clerk shall preside until the chairman is elected.

(3) Where a member of the council of an area municipality becomes chairman, he shall be deemed to have resigned as a member of such council, and his seat on such council thereby becomes vacant.

(4) If, at the first meeting of the Regional Council in the year 1977 and any subsequent first meeting, a chairman is not elected, the presiding officer may adjourn the meeting from time to time, and, if a chairman is not elected at any adjourned meeting held within one week after the first meeting, the Lieutenant Governor in Council shall appoint a chairman to hold office for that year and the following year and until his successor is elected or appointed in accordance with this Act.

10.—(1) The first meeting of the Regional Council in the year 1974 shall be held on or after the 1st day of January, 1974, at such date, time and place as the chairman may determine, and the chairman shall give to each person entitled to be a member of the Regional Council at least forty-eight hours notice of the date, time and place and shall preside at the meeting.
(2) Notwithstanding any other general or special Act, the first meeting of the council of each area municipality in the year 1974 shall be held not later than the 9th day of April, 1974, and in the year 1977 and in every second year thereafter shall be held not later than the 8th day of January.

(3) The first meeting of the Regional Council in the year 1977 and in every second year thereafter shall be held after the councils of the area municipalities have held their first meetings in the year, but in any event not later than the 15th day of January, on such date and at such time and place as may be fixed by by-law of the Regional Council.

(4) Subject to subsection 5, a person entitled to be a member of the Regional Council in accordance with section 8, other than the mayor of each area municipality, shall not take his seat as a member until he has filed with the person presiding at the first meeting of the Regional Council that he attends a certificate under the hand of the clerk of the area municipality that he represents, and under the seal of such area municipality certifying that he is entitled to be a member under such section.

(5) A person entitled to be a member of the first Regional Council in accordance with section 3, other than a mayor-elect of an area municipality, shall not take his seat as a member until he has filed with the person presiding at the first meeting of the Regional Council that he attends a certificate under the hand of the mayor-elect of the area municipality that he represents, certifying that he is entitled to be a member under such section.

(6) The chairman, before taking his seat, shall take an oath of allegiance in Form 1 and a declaration of qualification in Form 2.

(7) No business shall be proceeded with at the first meeting of the Regional Council until after the declarations of office in Form 20 of The Municipal Act have been made by all members who present themselves for that purpose.

(8) The Regional Council shall be deemed to be organized when the declarations of office have been made by a sufficient number of members to form a quorum as provided for in section 11.

11. — (1) Ten members of the Regional Council representing all area municipalities are necessary to form a quorum and the concurring votes of a majority of members present are necessary to carry any resolution or other measure.
(2) Subject to subsection 3, each member of the Regional Council has one vote only.

(3) The chairman does not have a vote except in the event of an equality of votes.

12. Subject to section 10, all meetings of the Regional Council shall be held at such times as the Regional Council from time to time appoints.

13. (1) When a vacancy occurs in the office of a chairman who has been appointed by the Lieutenant Governor in Council, some person shall be appointed by the Lieutenant Governor in Council to hold office as chairman for the remainder of the term of his predecessor.

(2) When a vacancy occurs in the office of a chairman who has been elected under subsection 2 of section 9, the Regional Council shall, at a general or special meeting to be held within twenty days after the vacancy occurs, elect a chairman who may be one of the members of the Regional Council or any other person, to hold office for the remainder of the term of his predecessor.

(3) If the Regional Council fails to elect a chairman within twenty days as required by subsection 2, the Lieutenant Governor in Council may appoint a person as chairman to hold office for the remainder of the term of his predecessor.

(4) When a vacancy occurs in the office of a member, other than the chairman or the head of the council of an area municipality, the council of the area municipality of which he was a member shall by by-law within thirty days after the vacancy occurs appoint a successor, who may be a member of the council or a person who is eligible to be elected a member of the council, to hold office for the remainder of the term of his predecessor.

(5) Where a member has been elected as a member of the Regional Council, resignation from either the Regional Council or the council of the area municipality shall be deemed to be resignation from both councils.

(6) In the event that the head of a council of an area municipality is for any reason unable to fulfil his duties as a member of the Regional Council for a period exceeding one month, the council of the area municipality may by by-law appoint one of its members as an alternate representative to the Regional Council who shall act in the place and stead of the head of council during his incapacity, but no such by-law...
shall have effect for a period longer than one month from its effective date.

14.—(1) Members of the Regional Council, other than the chairman, may be paid for services performed on and after the 1st day of April, 1974, such annual and other remuneration as the Regional Council may determine.

(2) For the year 1977 and each year thereafter, the chairman may be paid such annual salary and other remuneration as the Regional Council may determine.

15.—(1) The Regional Council may from time to time establish such standing or other committees and assign to them such duties as it considers expedient.

(2) The Regional Council may by by-law provide for paying an annual allowance to each chairman of a standing committee except where such chairman is also the chairman of the Regional Council.

16. The Regional Council may pass by-laws for governing the proceedings of the Regional Council and any of its committees, the conduct of its members and the calling of meetings.

17.—(1) The chairman is the head of the Regional Council and is the chief executive officer of the Regional Corporation.

(2) The Regional Council may by by-law appoint a chief administrative officer, who,

(a) shall have such general control and management of the administration of the government and affairs of the Regional Corporation and perform such duties as the Regional Council by by-law prescribes;

(b) shall be responsible for the efficient administration of all its departments to the extent that he is given authority and control over them by by-law;

(c) shall hold office during the pleasure of the Regional Council; and

(d) shall receive such salary as the Regional Council by by-law determines.

(3) Subsection 2 of section 238 of The Municipal Act applies to a chief administrative officer appointed under subsection 2 of this section.
18. When the chairman is absent from the Regional Area or absent through illness, or refuses to act, the Regional Council may by resolution appoint one of its members to act in his place and stead, and such member shall have and may exercise all the rights, powers and authority of the chairman during such absence or refusal to act.

19.—(1) Sections 192, 193, 195, 197, 198, 259, 281 to 286 and 390 of The Municipal Act apply mutatis mutandis to the Regional Corporation.

(2) Sections 190, 200, 201 and 243 of The Municipal Act apply mutatis mutandis to the Regional Council and to every local board of the Regional Corporation.

20.—(1) The Regional Council shall appoint a clerk, whose duty it is,

(a) to record truly without note or comment, all resolutions, decisions and other proceedings of the Regional Council;

(b) if required by any member present, to record the name and vote of every member voting on any matter or question;

(c) to keep in his office, or in the place appointed for that purpose, the originals of all by-laws and of all minutes of the proceedings of the Regional Council and its committees; and

(d) to perform such other duties as may be assigned to him by the Regional Council.

(2) The Regional Council may appoint a deputy clerk who shall have all the powers and duties of the clerk.

(3) When the office of clerk is vacant or the clerk is unable to carry on his duties through illness or otherwise, the Regional Council may appoint an acting clerk pro tempore who shall have all the powers and duties of the clerk.

(4) The chairman appointed under subsection 1 of section 9 shall appoint an acting clerk who shall have all the powers and duties of the clerk for the purposes of the first meeting of the Regional Council and thereafter until the Regional Council appoints a clerk under this section.

21.—(1) Any person may, at all reasonable hours, inspect any of the records, books or documents in the possession
or under the control of the clerk, except interdepartmental correspondence and reports of officials of any department or of solicitors for the Regional Corporation made to the Regional Council or any of its committees, and the clerk within a reasonable time shall furnish copies of them or extracts therefrom certified under his hand and the seal of the Regional Corporation to any applicant on payment at the rate of 15 cents for every 100 words or at such lower rate as the Regional Council may fix.

(2) The clerk shall keep an index book in which he shall enter the number and date of all by-laws passed by the Regional Council that affect land or the use thereof in the Regional Area but do not directly affect the title to land.

(3) A copy of any record, book or document in the possession or under the control of the clerk, purporting to be certified under his hand and the seal of the Regional Corporation, may be filed and used in any court in lieu of the original, and shall be received in evidence without proof of the seal or of the signature or official character of the person appearing to have signed the same, and without further proof, unless the court otherwise directs.

22.—(1) The Regional Council shall appoint a treasurer who shall keep the books, records and accounts, and prepare the annual financial statements of the Regional Corporation and preserve and file all accounts of the Regional Corporation and shall perform such other duties as may be assigned to him by the Regional Council.

(2) The Regional Council may appoint a deputy treasurer who shall have all the powers and duties of the treasurer.

(3) When the office of the treasurer is vacant or the treasurer is unable to carry on his duties, through illness or otherwise, the Regional Council may appoint an acting treasurer pro tempore who shall have all the powers and duties of the treasurer.

23.—(1) The treasurer shall receive and safely keep all money of the Regional Corporation and shall pay out money to such persons and in such manner as the law in force in Ontario and the by-laws or resolutions of the Regional Council direct, provided that every cheque issued by the treasurer shall be signed by the treasurer and by some other person or persons designated for the purpose by by-law or resolution of the Regional Council, and any such other person before signing a cheque shall satisfy himself that the issue thereof is authorized.
(2) Notwithstanding subsection 1, the Regional Council may by by-law,

(a) designate one or more persons to sign cheques in lieu of the treasurer; and

(b) provide that the signature of the treasurer and of any other person authorized to sign cheques may be written or engraved, lithographed, printed or otherwise mechanically reproduced on cheques.

(3) The Regional Council may by by-law provide that the treasurer may establish and maintain a petty cash fund of an amount of money sufficient to make change and pay small accounts, subject to such terms and conditions as the by-law may provide.

(4) Except where otherwise expressly provided by this Act, a member of the Regional Council shall not receive any money from the treasurer for any work or service performed or to be performed, but nothing in this subsection prevents the payment of any moneys under any contract in respect of which the member has complied with section 2 of The Municipal Conflict of Interest Act, 1972.

(5) The treasurer is not liable for money paid by him in accordance with a by-law or resolution of the Regional Council, unless another disposition of it is expressly provided for by statute.

24. Subject to subsection 3 of section 23, the treasurer shall,

(a) open an account or accounts in the name of the Regional Corporation in such of the chartered banks of Canada or at such other place of deposit as may be approved by the Regional Council;

(b) deposit all money received by him on account of the Regional Corporation, and no other money, to the credit of such account or accounts, and no other account; and

(c) keep the money of the Regional Corporation entirely separate from his own money and from that of any other person,

and, notwithstanding subsection 1 of section 23, the Regional Council shall not by by-law or resolution direct any variance from the provisions of this section, nor shall the treasurer vary from such provisions.
25. —(1) The treasurer shall prepare and submit to the Regional Council, monthly, a statement of the money at the credit of the Regional Corporation.

(2) Where the treasurer is removed from office or absconds, the Regional Council shall forthwith give notice to his sureties.

26. —(1) The Regional Council shall by by-law appoint one or more auditors who shall be persons licensed by the Ministry as municipal auditors and who shall hold office during good behaviour and be removable for cause upon the vote of two-thirds of the members of the Regional Council, and the auditor or auditors so appointed shall audit the accounts and transactions of the Regional Corporation and of every local board of the Regional Corporation, except school boards.

(2) Where an auditor audits the accounts and transactions of a local board, the cost thereof shall be paid by the Regional Corporation and charged back to the local board, and, in the event of a dispute as to the amount of the cost, the Minister may upon application finally determine the amount thereof.

(3) No person shall be appointed as an auditor of the Regional Corporation who is or during the preceding year was a member of the Regional Council or of the council of an area municipality or of any local board, the accounts and transactions of which it would as auditor be his duty to audit, or who has or during the preceding year had any direct or indirect interest in any contract with the Regional Corporation or an area municipality or any such local board, or any employment with any of them other than as an auditor.

(4) An auditor shall perform such duties as are prescribed by the Ministry and also such duties as may be required by the Regional Council or any local board of the Regional Corporation that do not conflict with the duties prescribed by the Ministry.

27. —(1) Notwithstanding the provisions of any other Act, on and after the 1st day of April, 1974, the portion of the Regional Area that formerly comprised the County of Haldimand is a school division and The Haldimand County Board of Education is continued, subject to subsection 5 of section 29 of The Secondary Schools and Boards of Education Act, as the divisional board of education for such school division.

(2) Notwithstanding the provisions of any other Act, on and after the 1st day of April, 1974, the portion of the
Regional Area that formerly comprised part of the County of Norfolk is a school division and The Norfolk County Board of Education is continued, subject to subsection 5 of section 29 of The Secondary Schools and Boards of Education Act, as the divisional board of education for such school division.

(3) Notwithstanding the provisions of any other Act, on and after the 1st day of April, 1974, The Haldimand-Norfolk County Roman Catholic Separate School Board is continued, subject to subsection 4 of section 85 of The Separate Schools Act, as a county combined separate school board for the Regional Area.

28. Notwithstanding The Municipal Elections Act, 1972, the expenses of the area municipalities in respect of the elections in 1974 of members and trustees of the school boards referred to in section 27 shall, as approved by the Minister, be paid out of the Consolidated Revenue Fund.

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

30. This Act may be cited as The Regional Municipality of Haldimand-Norfolk Act, 1973.

**FORM 1**

(Section 10 (6))

OATH OF ALLEGIANCE

I, .................................................., having been elected (or appointed) as chairman of the council of The Regional Municipality of Haldimand-Norfolk, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II (or the reigning sovereign for the time being).

Sworn before me, etc.

**FORM 2**

(Section 10 (6))

DECLARATION OF QUALIFICATION BY CHAIRMAN

I, .................................................., having been elected (or appointed) as chairman of the council of The Regional Municipality of Haldimand-Norfolk declare that:

1. I am a British subject and am not a citizen or a subject of any foreign country.
2. I am of the full age of eighteen years.

3. I am not an officer, employee or servant of any area municipality or local board of any area municipality.

4. I have taken the oath of allegiance (Form 1) which I attach hereto.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Declared before me, etc.