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c 184 The City of Ottawa Act, 1972

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CHAPTER 184

An Act respecting the City of Ottawa

Assented to May 4th, 1972
Session Prorogued December 15th, 1972

WHEREAS The Corporation of the City of Ottawa, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. — (1) Notwithstanding clause b of subsection 1 of section 28 of The Municipal Act, the council of the Corporation may by by-law provide for one alderman for each ward.

   (2) Notwithstanding the provisions of subsections 3, 6, 7 and 8 of section 208 of The Municipal Act requiring a two-thirds vote of the council, a majority vote of the council is sufficient for the exercise of the powers mentioned therein.

2. Notwithstanding section 312 of The Municipal Act, where the Corporation has moneys not required immediately by the Corporation, it may lend such moneys to any municipality or local board as defined in The Municipal Affairs Act by way of promissory note of the borrower, provided that the promissory notes become due and payable before the moneys invested are required by the Corporation, and all interest thereon shall be credited to the fund from which the moneys were invested.

3. Notwithstanding subsection 1 of section 466 of The Municipal Act, the council of the Corporation may pass by-laws for imposing a fine of not more than $1,000, exclusive of costs, upon every person who contravenes any building by-law enacted heretofore or hereafter by the council of the Corporation pursuant to section 35 or 38 of The Planning Act.

4. — (1) In this section,

   (a) "designated fire route" means a fire route designated by-law of the Corporation;

   (b) "fire route" means any road, lane, ramp or other means of vehicular access to or egress from a building or structure and it may include part of a parking lot;
(c) "park" or "parking", when prohibited, means the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers;

(d) "stop" or "stopping", when prohibited, means the halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a constable or other police officer or of a traffic control sign or signal;

(e) "trailer" means a vehicle that is at any time drawn upon a highway by a motor vehicle, except an implement of husbandry, another motor vehicle or any device or apparatus not designed to transport persons or property temporarily drawn, propelled or moved upon such highway, and except a side car attached to a motorcycle, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn;

(f) "vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include the car of an electric or steam railway running only upon rails.

(2) Notwithstanding paragraph 112 of subsection 1 of section 354 of The Municipal Act, the council of the Corporation may pass by-laws for,

(a) regulating and designating fire routes and without limiting the generality of the foregoing, the by-laws may include the following:

(i) the dimensions, location, construction and maintenance standards of a fire route or of a designated fire route,

(ii) the location, the number and proximity to a building or structure of water hydrants,

(iii) the Building Inspector of the Corporation shall refuse to issue a building permit for any building or structure where the plan filed with the building permit application does not show the proposed location of a fire route, where
such is required, or where the said plan shows a proposed fire route which is not in conformity with the by-laws passed pursuant to this subsection,

(iv) the filing of security of such nature and amount as the Corporation may determine to ensure the proper construction of a fire route in accordance with the by-laws passed pursuant to this subsection, before any building permit referred to in the preceding subclause is issued,

(v) the return or release of the security, referred to in the preceding subclause, in part or in whole, as set forth in the by-laws passed pursuant to this subsection,

(vi) requiring existing fire routes, which do not comply with the provisions of the by-laws passed pursuant to this subsection, to comply, and for establishing a time limit within which said fire routes are required to so comply, or where there is a requirement for a fire route to an existing building or structure, it shall be constructed within the period established in the by-laws passed pursuant to this subsection;

(b) diverting, altering or stopping up, for a period or permanently, designated fire routes;

(c) regulating and governing traffic on designated fire routes;

(d) prohibiting the parking or leaving of a vehicle or trailer unattended on a designated fire route or on any classes thereof and providing for the removal and impounding of any vehicle or trailer so parked or left unattended at the expense of the owner of said vehicle or trailer;

(e) the erecting of signs, including the right of entering on property to accomplish this, which signs may be on or adjacent to a designated fire route and shall be in accordance with the by-laws enacted pursuant to this subsection, and which signs shall be in accordance with The Highway Traffic Act and the regulations made thereunder, and their effect shall be the same as though erected pursuant to any by-law enacted pursuant to The Municipal Act respecting the regulation of traffic;
(f) fixing the fees and charges to be paid to the Corporation for any engineering and inspection services it provides for the construction of a fire route, for designating a fire route, and for the erection of signs as aforesaid, and providing for recovery thereof in the event of non-payment, in the same manner as a by-law enacted pursuant to The Municipal Act;

(g) providing a procedure for the voluntary payment of penalties out of court in cases where it is alleged that the parking or leaving of a vehicle or trailer unattended provisions have been contravened, and if payment is not made in accordance with the by-law, payment may be enforced in the same manner as a by-law enacted pursuant to The Municipal Act;

(h) authorizing a peace officer or a member of the Fire Department, upon discovery of any vehicle or trailer parked or left unattended in contravention of the provisions of any by-law enacted pursuant to this subsection, to cause such vehicle or trailer to be moved or taken to and placed or stored in another location, and all costs and charges of removing and storage thereof, if any, are a lien upon the vehicle or trailer, which may be enforced in the manner provided by section 48 of The Mechanics' Lien Act.

5. Where any lands, buildings and structures have been acquired by Canada or Ontario or any agency thereof and recommended by The Ontario Heritage Foundation to be maintained for the express purpose of preserving the said lands, buildings and structures by reason of their historical, architectural or aesthetic interest, and notwithstanding section 13 of The Ontario Heritage Foundation Act, the council of the Corporation may pass by-laws exempting from taxation, other than local improvement and all sewer rates, all or any portion of said lands, buildings and structures when leased by Canada or Ontario or any agency thereof to any person or corporation.

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

7. This Act may be cited as The City of Ottawa Act, 1972.