1973

c 190 The City of Hamilton Act, 1973 (No. 1)

Ontario
CHAPTER 190

An Act respecting the City of Hamilton

Assented to April 27th, 1973
Session Prorogued March 5th, 1974

WHEREAS The Corporation of the City of Hamilton hereby represents that it did constitute the Harbour Committee as a committee of council on Tuesday, February 29th, 1972, to study Hamilton Harbour and make policy recommendations to be considered by the council of The Corporation of the City of Hamilton; and whereas the council of The Corporation of the City of Hamilton did appoint controller Herman Turkstra and aldermen Robert Morrow, Vincent Agro, Aldo Poloniato, James Custeau, Fred Lombardo, Robert Ford, James Kern and James MacDonald as members of the Harbour Committee; and whereas the Harbour Committee has been engaged in the study of the Hamilton Harbour with a view to making policy recommendations; and whereas in consequence of the Harbour Committee study of the Hamilton Harbour, certain allegations were placed before it with respect to The Corporation of the City of Hamilton’s appointee to The Hamilton Harbour Commissioners, a corporation incorporated under Statutes of Canada, 2, Geo. V, Chap. 98, 1912, and a report presented to the council of The Corporation of the City of Hamilton on the 28th day of August, 1972; and whereas following consideration by the council of The Corporation of the City of Hamilton on the 28th day of August, 1972, of the report of the Harbour Committee, the council of The Corporation of the City of Hamilton requested its appointee, Kenneth R. Elliott, to resign from The Hamilton Harbour Commissioners; and whereas a writ of summons was issued in the Supreme Court on September 5, 1972, against certain members of the Harbour Committee set forth below, all of whom voted in favour of the resignation of Kenneth R. Elliott as aforesaid; and whereas it is considered desirable that the council of The Corporation of the City of Hamilton assume and pay all costs incurred by, and the amount of any judgment awarded against, the said members of the Harbour Committee as a result of the said writ; and whereas the applicant hereby applies for special legislation for such purpose; and whereas it is deemed 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. In this Act,

(a) "council" means the council of The Corporation of the City of Hamilton;

(b) "Harbour Committee" means members of the council who are members of the Harbour Committee;

(c) "person" means a person who at the time the writ was issued was a member of the Harbour Committee;

(d) "writ" means a writ of summons issued in the Supreme Court by or on behalf of Kenneth Ronald Elliott.

2. The council is hereby authorized to assume and pay all costs and legal expenses as may be incurred from time to time and the full amount of any judgment as may be awarded as a result of a writ issued against the following persons:

1. Herman Turkstra.
2. Robert Morrow.
5. James O. Kern.

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

4. This Act may be cited as The City of Hamilton Act, 1973.