

Attachment 1

ONTARIO MUNICIPAL BOARD ACT

65. (1) Despite any general or special Act, a municipality or board to which this subsection applies shall not authorize, exercise any of its powers to proceed with or provide money for any work or class of work if the cost or any portion of the cost of the work is to be or may be raised after the term for which the council or board was elected. 1996, c. 32, s. 81 (1).

Application of subsection (1)

(2) Subsection (1) applies to,

(a) a county, a metropolitan, regional or district municipality, the County of Oxford and a city, town, village or township;

(b) Repealed: 1997, c. 31, s. 162 (1).

(c) a local board, other than a board as defined in subsection 1 (1) of the Education Act, that is entitled to apply to the council of a municipality mentioned in clause (a) to have money provided by the issue of debentures of the municipality. 1996, c. 32, s. 81 (1); 1997, c. 31, s. 162 (1, 2).

Matters not requiring Board approval

(3) Subsection (1) does not apply to,

(a) anything done with the approval of the Board, if the approval is,

(i) provided for by another Act or by another provision of this Act, and

(ii) obtained in advance;

(b) a bylaw of a municipality containing a provision to the effect that it shall not come into force until the approval of the Board has been obtained;

(c) the appointment of an engineer, land surveyor or commissioner under the Drainage Act;

(d) anything done by a municipality as defined in section 147 of the Municipal Act that does not cause it to exceed the limit prescribed under clause 147 (4) (b) of that Act;

(e) Repealed: 1997, c. 31, s. 162 (3).

(f) Repealed: 1997, c. 31, s. 162 (3).

(g) a by-law or resolution of a local board mentioned in clause (2) (c) containing a provision to the effect that it shall not come into force until the approval of the municipality has been obtained. 1996, c. 32, s. 81 (1); 1997, c. 31, s. 162 (3).

Approval of Board

(4) The approval of the Board mentioned in clause (3) (a) means and, despite the decision of any court, shall be deemed always to have meant the approval of the work mentioned in subsection (1). 1996, c. 32, s. 81 (1).

Definition

(5) In this section,

"work" includes any undertaking, project, scheme, act, matter or thing. 1996, c. 32, s. 81 (1); 1997, c. 31, s. 162 (4).