

The Municipal Amendment Act, 1897.

1. Section 277 of the said Act is hereby amended by adding thereto the words "provided, however, that the time within which a member of a county council shall be required to make such declaration shall be thirty days."

2. Subsection 1 of section 113 of the said Act, 1892, is amended by striking out the words "last Monday but one in December" in the fourth and fifth lines thereof and substituting therefor the words "third Monday preceding the day for polling."

This refers to by-law of county council fixing nomination day.

ELECTRIC LIGHT BY-LAWS.

3. (1) Subsection 2 of section 340, subsection 1 of section 342, subsection 13 of section 504 and section 505 of the said act, are amended by adding the words "electric light" immediately after the word "gas" wherever the said word "gas" appears in the said several sections and subsections.

(2) No by-law of any municipality creating or intended to create a debt for the erection or purchase of, or for otherwise acquiring an electric light plant, heretofore passed and otherwise legal, shall be quashed or shall be deemed to be invalid or illegal by reason only that the period fixed in and by the said by-law for the repayment of the debt thereby created exceeds twenty years; provided always that such period does not exceed the period of thirty years.

(3) It shall not be necessary to pass separate by-laws creating debts for the acquirement of gas, electric light or water works in case the municipality desires at the same time to acquire more than one of the said conveniences, but all or any two may be united in one by-law and one debt, or separate by-laws creating separate debts, in respect of the said subject matters, may at the option of the municipal council be submitted and passed, subject to the provisions of the said Act, and in case the by-law embraces two or more subject matters, but including not more, the procedure shall be that of the said Act and not that of The Municipal Water Works Act.

(4) The provisions of this section shall apply only to towns having a population of 5,000 or less as ascertained by the latest census of Canada.

DEBENTURE BY LAWS.

4. Subsections 4 and 5 of section 352 of the said Act, are repealed.

5. The said Act is amended by inserting therein the following section as section 352a:

352a. (1) Every by-law providing for the issue of debentures passed under the provisions of this Act relating to local improvements, where the same has been so registered, and the debentures issued thereunder, and the assessment made upon the real property mentioned therein, notwithstanding any want of substance or form either in the by-law itself, or in the time and manner of passing the same, shall be absolutely valid and binding upon the municipality and upon such real property according to the terms thereof, and shall not be quashed or set aside on any ground whatever, unless an application or action to quash or set aside the same be made to some court of competent jurisdiction, within one month from the registry thereof.

(2) Where any action or proceeding shall be brought or taken or where an application shall be made to quash or set aside such by-law so registered, a certificate thereof under hand and seal of the clerk of the court shall be registered in such registry office within five weeks from the date of registering the by-law, and in default thereof the court or judge may refuse to hear or may dismiss any such action, proceeding, motion or application to quash or set aside the by-law.

(3) The provisions of subsection 1 of this section shall also apply to all by-laws passed

under section 623a of this Act as enacted by section 16 of The Municipal Amendment Act, 1894, and to the debentures issued thereunder.

6. Section 354 of the said Act is hereby amended by striking out the words "sections 352" in the first line thereof and substituting therefor the words "sections 352 and 352a," and by inserting in the form of notice after the words "three months" the words "or one month (as the case may require)."

7. (1) Section 351 of the said Act is hereby amended by striking out the word "two" in the ninth line thereof and substituting therefor the word "four."

(2) Subsection 1 of section 352 of the said Act is hereby amended by inserting in the first line thereof immediately after the word "registered" the words "or registered before the sale of such debenture or debentures."

This requires debenture by-laws to be registered within four weeks after passing.

JUSTICES OF THE PEACE.

8. Section 415 of the said Act is hereby amended by adding after the word "Council" in the first line thereof the words "all members of a county council."

County councillors are hereby made *ex officio* justices of the peace.

9. Subsection 1 of section 469 of the said Act is amended by inserting therein after the word "maintaining" in the fifth line thereof the words "enlarging or improving."

COUNTY BUILDINGS.

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

469a. When a city or town has heretofore been paid by the county for its interest in such court house and gaol or in a house of correction or registry office after the separation and when such city has not erected separate buildings, then the award may determine what sum (if any) shall be annually paid to the county as the share or contribution of such city or town for or in respect of any enlargement or improvement made by the county after the separation. But no award shall hereafter provide for the purchase by the county from a city or town not separated from the county for judicial purposes of the interest of such city or town in such buildings or in the enlargement or improvement thereof.

469b. Where under an agreement or award heretofore made upon the separation of a town from a county for municipal purposes, or under any award made or agreement entered into thereafter between the city or town and the county, the corporation of such county has paid to the corporation of such separated town or city compensation for the amount contributed by such separated town or city prior to its separation from the county for municipal purposes, towards the erection, enlargement or improvement of the court house, gaol or house of correction, or registry office, or any of them, and in case such town or city has not erected separate buildings the corporation of such city or town shall pay to the county annually an amount equal to five per centum of the amount so paid, to the city or town, and the amount so to be paid by the city or town shall be in addition to the amount to be contributed by the city or town under section 469 of this Act.

469c. Nothing in sections 469a or 469b contained shall effect any agreement or award at present in force, but this section shall apply in case of any agreement or award hereafter made between any such county and city or separated town, but shall not affect any case or proceedings at law now pending.

INSPECTION OF ELEVATORS.

11. Section 479 of the said Act is hereby amended by adding thereto the following as subsection 16b:

16b. The council of any municipality shall have power to pass by-laws providing for licensing and inspecting elevators and hoists

used by the public or by employees for passengers or freight, and to impose and enforce penalties for infringement of such by-laws, and to prohibit and prevent the use of elevators or hoists contrary to the provisions of such by-law. But the provisions in this subsection contained shall be subject to The Ontario Factories Act and amending acts and any other Act, making provisions applicable to elevators and hoists.

TREES.

12. Section 479 of the said Act is amended by adding thereto the following subsection:

20b. For authorizing the park commissioner, or other officer appointed by the council so to do, to plant trees upon the streets of any municipality having a population of 40,000 or more, and to trim all trees in such cities, the branches of which extend over the streets thereof, and such municipality shall not be liable for injury to trees occasioned thereby when reasonable care, skill, and judgement have been exercised in such trimming.

FIRE ESCAPES.

13. Section 493 of the said Act is amended by adding thereto the following sub-section:

2a. To compel the owners and other persons interested in all buildings more than two storeys in height (except private dwellings and buildings in respect of which provision is made for requiring the construction of fire escapes thereon or in connection therewith in The Factory Act, The Shops' Act, or The Liquor License Act, or any other act of the Legislature now in force or hereafter to be passed) to provide proper fire escapes thereon, and to prevent the occupation of such buildings unless such fire escapes are provided.

WATER POWER.

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

496a. It shall be lawful for the corporation of any town or village to acquire by lease or purchase any water privilege or water privileges situate within its limits, together with sufficient lands adjacent thereto, for the proper user of such water privilege or water privileges, and from time to time to expend thereon such sums of money as may be necessary for the development, repairs and user of such water privilege or water privileges; and for the purpose of such acquisition, development, repairs and user to borrow upon the debentures of the corporation such sums as shall be required for the same for such periods and at such rates of interest as the corporation shall by by-law determine.

496b. Before acquiring any such water privilege or water privileges and lands, a by-law shall be submitted to the ratepayers of the municipality setting forth the agreement for such acquisition which shall have been previously entered into, subject to ratification by the ratepayers, the amount required to be borrowed for the purpose of such acquisition and containing generally all such matters as are required by the provisions of this Act in relation to money by-laws.

496c. The vote of the ratepayers upon such by-law shall be taken in manner provided by sections 293 to 319, both inclusive, of this Act, and the persons entitled to vote thereon shall be the persons named in the said sections, and in case a majority of such persons shall vote in favor of said by-law the council shall pass the same.

496d. Upon the acquisition of such water privilege or water privileges it shall be lawful for the corporation to use the same for its own purposes, and to grant leases of the whole or any parts thereof upon such terms and conditions as may be agreed upon and to otherwise deal with the same as fully and effectually to all intents and purposes as might be done by an individual, but no sale of any part of the said water privileges or lands so acquired shall be made until a by-law authorizing the same has been submitted to the ratepayers and passed by