

Municipal Amendment Act, 1898.

1. (1) Sub-section 4 of section 30 of the Act respecting the provisional county of Haliburton is hereby amended by striking out the words "who are entitled to vote" in the third line thereof and substituting therefor the words "actually voting."

(2) Sub-section 5 of section 30 of "The said Act respecting the Provisional County of Haliburton" is hereby amended by striking out the word "twenty" in the second line thereof and substituting therefor the word "fifteen."

TOWN COUNCILS.

2. "The Municipal Act" is hereby amended by adding thereto the following section:

71a.—(1) The council of every town having a population of not more than 5,000 by the last Canadian census shall consist of a mayor, who shall be the head thereof, and of six councillors to be elected by a general vote.

(2) At any time after two annual elections have been held under the provisions of this section, the council of the town may, and upon a petition of twenty per cent. of the electors, shall, at the time of holding an annual election, submit a by-law providing for the division of the town into wards. If the said by-law shall receive the assent of a majority of the electors voting thereon, one councillor shall thereafter, and so long as the said by-law shall remain in force, be annually elected by the electors of each ward, and the remaining councillors, to complete the full number of six, shall be elected as in sub-section one of this section is provided. The proceedings in regard to the submission of any such by-law both as to its enactment and repeal shall be as provided in this Act in regard to by-laws requiring the assent of the electors.

(3) The council of any town having a population of more than 5,000 and the council of any city having a population of 15,000 or less may by by-law provide that the council of such town or city shall be composed of a mayor and one alderman for each 1,000 of population to be elected by general vote, but such by-law shall not come into force unless and until it has first been submitted to a vote of the electors according to the provisions in this act in regard to by-laws requiring the assent of the electors. For purposes of this section, the population of any city or town shall be determined by the last census of the Dominion of Canada. The persons entitled to vote upon such by-law shall be those who are entitled to vote at municipal elections. Where a vote of the electors within one year of the passing hereof has been taken substantially upon the questions which would be submitted under the aforesaid by-law, it shall not be necessary to submit the by-law to the electors unless the council otherwise determine.

This section shall apply to towns and cities above mentioned notwithstanding anything contained in any act of incorporation or other act, but shall not affect the councils elected for the present year.

3. Section 72 of the said act is hereby amended by striking out all the words after the word "councillors" in the second line thereof and substituting therefor the words "who shall be elected by a general vote."

4. Section 73 of the said act is hereby amended by striking out all the words after the word "councillors" in the second line thereof and substituting therefor the words "who shall be elected by a general vote."

5. Section 74 of the said act is hereby amended by striking out the words and figures "sections 71 to 73" in the first and second lines thereof and substituting therefor the word and figures "section 71."

HOUR FOR CLOSING POLL IN CITIES

6. Sub-sec. 4 of sec. 128 of the said act is amended by adding thereto the following proviso: "Provided, however, that in cities of over 100,000 inhabitants the council may by by-law to be passed before the fifteenth day of November in any year extend the time for holding the election until seven o'clock in the afternoon and no longer."

PLACE FOR COUNTY COUNCIL NOMINATIONS.

7. Paragraph (a) of sub-section 2 of section 132 of the said act is amended by adding thereto the following proviso: "Provided that the said nominating officer, in case there is, in his opinion, no suitable place within the county council division at which to hold the nomination, may name some place within a city, town or village adjacent to the county council division in which the election is to be held."

8. Section 299 of the said act is hereby amended by striking out the words "one of whom shall be such person as the head of the council nominates," in the fourth and fifth lines thereof.

APPOINTMENT OF AUDITORS.

8. Sub-section 1 of section 301 of the said act is repealed and the following is substituted therefor:

"The council of any municipality may pass a by-law declaring that it is expedient to appoint an auditor or auditors for the municipality in the month of November or in the month of December in each year, and thereafter while such by-law remains in force, the council shall appoint an auditor or auditors in the month of November or in the month of December, according to the tenor of the by-law, instead of at its first meeting after being duly organized."

10. Section 309 of the said act, is repealed and the following is substituted therefor:

"Notwithstanding anything in this act contained, the council of any municipality may appoint an auditor, who shall daily or otherwise as directed by the council, examine and report and audit the accounts of the corporation in conformity with any regulations or by-laws of the council, and who shall perform such other duties as the council may by by-law direct."

TREASURER'S STATEMENT OF PAYMENTS TO OTHER MUNICIPALITIES.

11.—(1) The treasurer of every municipality paying money to the treasurer of any other municipality, shall, on or before the seventh day of January in each year, make up a statement in detail showing the amounts of such payments and the dates of the same for the year ending on the 31st day of December last preceding, and he shall transmit such statement by registered letter to the head of the municipality, to whose treasurer the payments have been made.

DUTY OF REEVE OR MAYOR.

(2) The head of every municipality, upon receiving such statement, shall cause the same to be read at the meeting of the council and shall also deliver the statement to the auditors of his municipality before the auditing of the accounts of the previous year.

REGISTRAR'S STATEMENT.

12. Every registrar of deeds, shall, on or before the seventh day of January in each year, make up and transmit to the head of any municipality to which he has made payments in accordance with the provisions of the "Registry Act" during the preceding year a statement signed by him showing the amounts so paid and the dates of payment, and the head of the municipality receiving such statements shall cause same to be laid before the auditors when auditing the accounts of the previous year, and shall also read such statements at the first meeting of the council held after the receipt thereof.

AUDITORS TO STAMP AND INITIAL VOUCHERS.

13. The auditor or auditors of every municipality after the examination of every account, voucher, receipt and paid debenture submitted to them for audit, shall stamp in indelible letters thereon the word (audited), and shall also initial the same, and the municipality shall furnish a suitable stamp and pad for that purpose.

COLD STORAGE.

14. The said act is amended by adding the following section thereto:

331a. The corporation of any city may

establish and carry on the business of cold storage in connection with or upon the city's market property, and may pass by-laws therefor.

15. Sub-section 1 of section 386 of the said act is hereby amended by inserting therein after the words "public school houses," in the ninth line thereof, the words "or for electric light works in towns having a population of 5,000 or under."

LIMIT OF AMOUNT TO BE BORROWED.

16.—(1) Sub-section 2 of section 435 of the said act is repealed and the following substituted therefor:

"(2) The amount so borrowed and outstanding shall not, in the case of any municipality other than a county, exceed eighty per cent. of the amount collected as taxes, to pay the ordinary current expenditure of the municipality in the preceding municipal year, and in the case of a county, the amount so borrowed and outstanding shall not at any time exceed the amount to be raised and paid over to the county by the local municipalities therein for ordinary expenditure for county purposes for the current municipal year, and in the event of any council authorizing the borrowing of any larger sum than the amount limited by this sub-section, the members of the council who vote therefor shall be disqualified from holding any municipal office for the period of two years.

(2) The said sub-section 2 shall not be held to have applied heretofore to a town or township any portion of which is situate within two miles of a city containing more than 100,000 inhabitants, nor shall the said sub-section apply to such town or township until the last day of the next ensuing session of this Legislature, but it shall thereafter apply to such municipalities.

17. Section 506 of the said act is hereby amended by adding thereto the following sub-section:

"(2) In the case of the Crown Attorney of the city of Toronto, the City Council of the city of Toronto shall provide proper offices, together with fuel, light, stationery and furniture."

18. Sub-section 1 of section 565 of the said act is amended by striking out the words "water privileges; and they may for the purpose of such acquisition, development repairs and user," in the 8th and 9th lines, and inserting in lieu thereof the words "water privileges and lands, including the erection, improvement and repair of buildings in connection therewith; and they may for the purposes aforesaid."

19. Section 574 of the said act is amended by adding the following sub-section thereto:

"5. For authorizing the Park Commissioner or other officer appointed by the council of any city of over 100,000 inhabitants to cut down and remove all decayed trees, and remove and transplant any trees, shrubs or saplings growing or planted in any public place, square, highway, street, lane or alley, or other means of communication under its control, after giving forty-eight hours notice of the intention so to do, and the corporation shall not be liable to any owner or owners of adjoining property for any act so performed." Provided that no live tree, unless within 20 feet of other trees, shall be removed without the consent of the owner of the property in front of which such tree is situate.

AGREEMENTS RE FIRE ENGINES AND ROAD MACHINERY.

20. Section 687 of the said act is hereby amended by adding thereto the following sub-sections:

(7) The councils of two or more adjoining municipalities, whether in the same county or not, may enter into an agreement for the purchase of and may purchase jointly a fire engine and other appliances for the purpose of fire protection, or roadmaking machinery and appliances. The councils of such municipalities may in and by such agreement determine the proportion of the purchase money and yearly cost of managing and maintaining such fire engine and appliances or other machinery and