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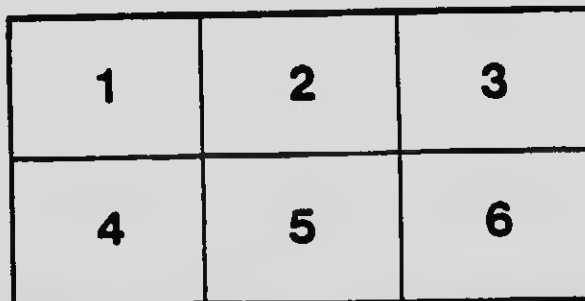
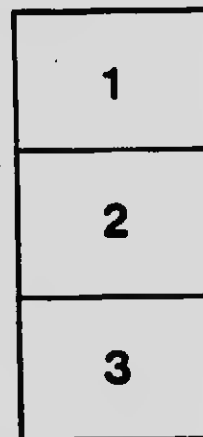
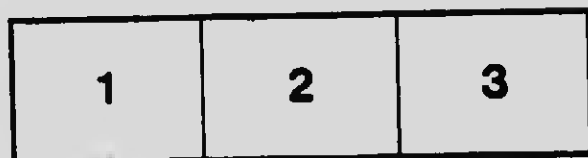
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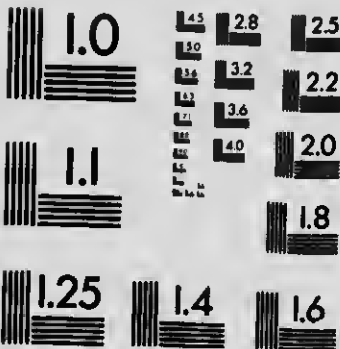
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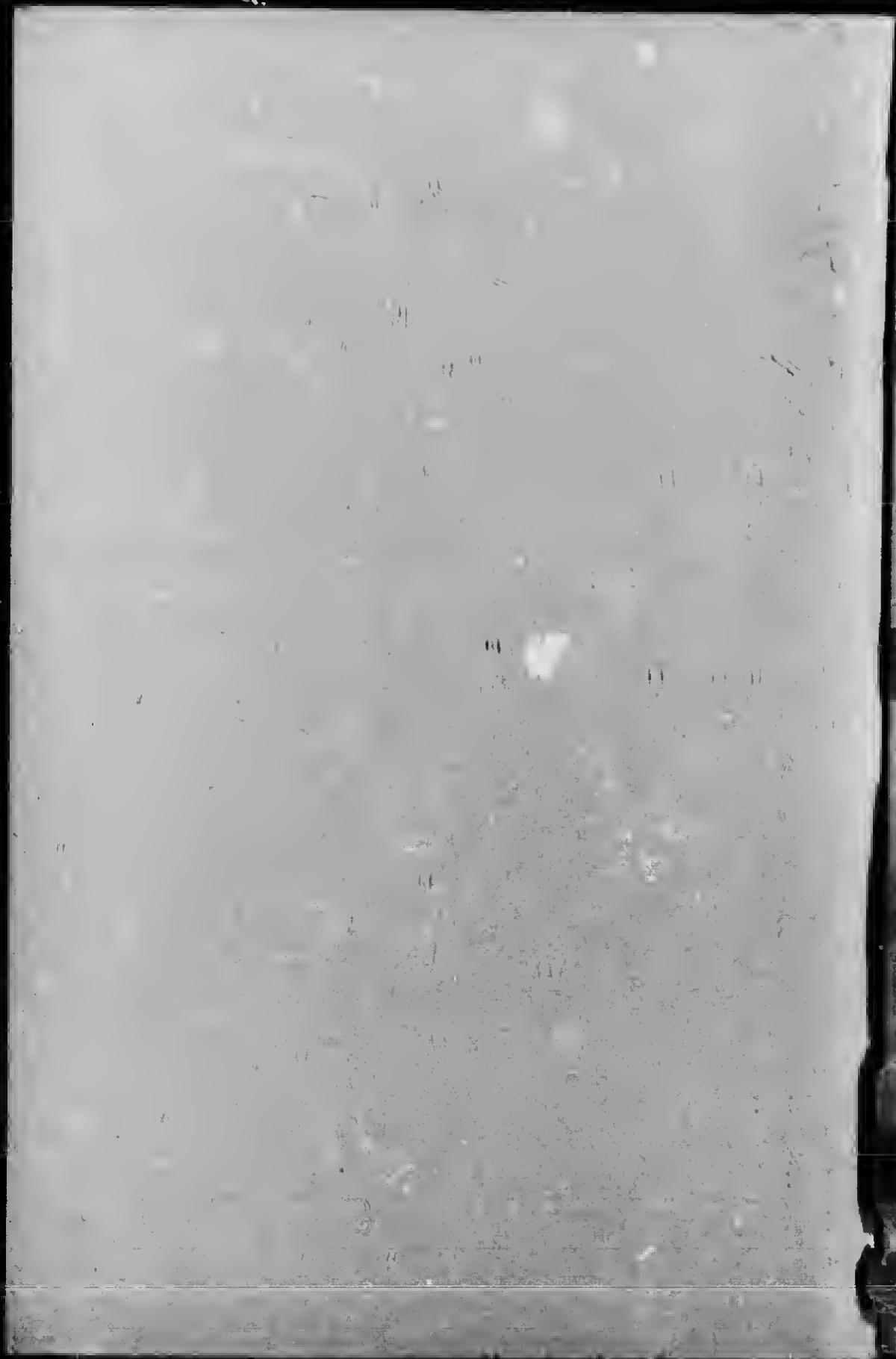
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OCT 25 1978

# Municipal Institutions in Ontario

By

K. W. McKay

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*Our municipal institutions are an evidence of the extent to which a representative government has approved of co-operation for the equalisation of opportunity and expense.*

*The further development of these institutions should be fostered by enlarging the field of co-operation and providing for a limited supervision through a department of the Government.*

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St. Thomas,  
January, 1916

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# Municipal Institutions in Ontario

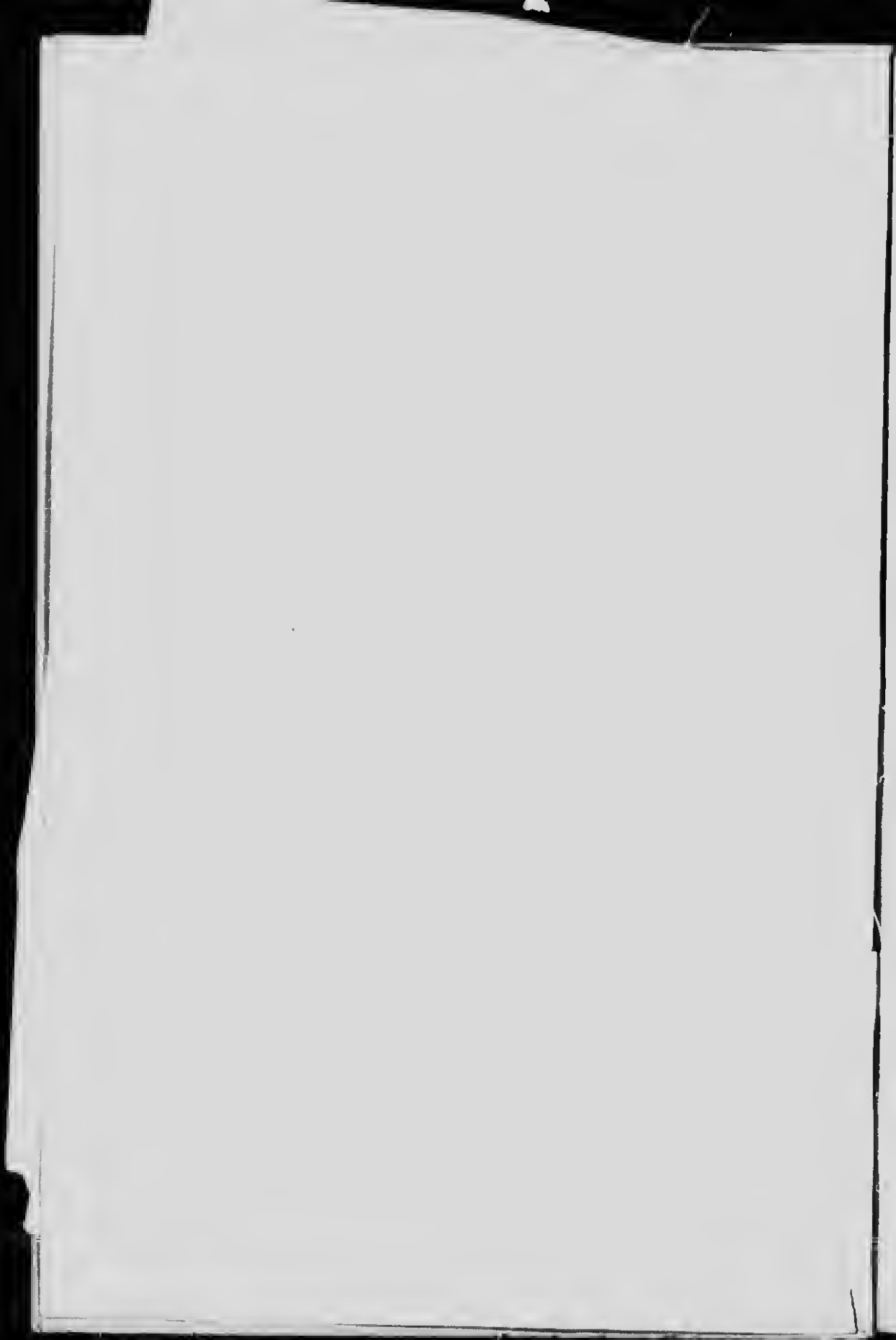
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## Introduction

The first statutes of Canada contained Acts relating to the municipal government of those portions of the country having a sufficient number of inhabitants to require it. Development, however, was slow until 1841, when The District Councils Act was passed. Under this Act, the Government retained the right to appoint the wardens, clerks, and treasurers, and approve of by-laws. This was followed by a considerable agitation for an extension of principles of responsible government. The result was the passing of The Municipal Act of 1849, providing for the incorporation of local municipalities. This has been termed the Magna Charta of municipal institutions, not only of Ontario, but of the newer provinces of Canada. Although amended at nearly every session of Parliament, changes have been chiefly in the direction of amplification and detail.

When the Ontario Legislature met in 1868, the municipal corporations of the Province consisted of thirty-six counties, three hundred and ninety-nine townships, and one hundred and four cities, towns, and villages, all working under the powers conferred by the Act respecting municipal institutions in Upper Canada. Under Provincial control, the general municipal development of the Province has exceeded the highest anticipation of its originators. In no quarter of the world are there institutions of a similar kind so admirably adapted to the wants, intelligence, and genius of the people. In reference to this, Sir Charles Dilke, in his "Problems of Greater Britain," says: "The system of local government adopted in Ontario may be looked upon as nearly perfect, and certainly the best in the whole world."





## Municipal Divisions

**Counties.**—Counties were intended to be formed by proclamation of the Lieutenant-Governor, to consist of new townships not within the limits of any incorporated county. Under the present law, new counties can be organized only under the authority of special Acts of the Legislature. There are in all thirty-eight county corporations, two of which were constituted since Confederation—the provisional County of Haliburton in 1871, composed of townships within the limits of the incorporated Counties of Peterborough and Victoria; and the County of Dufferin, constituted, in 1875, out of townships previously within the limits of Grey, Simcoe, and Wellington. The County of Haliburton never completed its organization, and is still connected with the County of Victoria for the purposes of the administration of justice. All the other counties were formed previous to 1853. There are four county corporations composed of a union of counties—Leeds and Grenville, Northumberland and Durham, Prescott and Russell, Stormont, Dundas, and Glengarry. In these unions the county in which the court house is situated is known as the senior county. The proceedings for the separation of a junior county from a senior county is now a subject for special legislation, the provisions of the general law in reference thereto having been repealed in 1909.

**Townships.**—In the organized counties, townships or unions of townships are already constituted to the number of four hundred and twenty-eight, containing from twenty thousand to eighty thousand acres each. Townships outside of this area may, by proclamation, be annexed to any adjacent county. Junior townships in a union may, by by-law of the county council, become separated when they have one hundred resident freeholders and tenants on the assessment roll. In districts, the inhabitants of any township having a population of one hundred persons may become a township municipality. Organization meetings for this purpose are called by the District Judge or stipendiary magistrate, on petition of not less than thirty inhabitants. In the districts, about eight hundred townships have been surveyed, nearly all of which are six miles square, but only one hundred and twenty-one township municipalities have been organized.

**Cities, Towns and Villages.**—An unincorporated village and suburbs, having a population of seven hundred and fifty with an area of not more than five hundred acres, may be

incorporated by the county council as a village. The law in this respect had not always been the same, as the largest village territory, L'Original, in the County of Prescott, covers four thousand and fifty acres. When the population reaches two thousand, the Lieutenant-Governor in Council may, by proclamation, erect a village into a town, and when it has a population of fifteen thousand, a town may be proclaimed a city. The incorporation of towns and cities is effected by application to The Ontario Railway and Municipal Board. The area of towns varies from six thousand to four hundred acres, suggesting that the special circumstances connected with each incorporation have to be considered. There are in all two hundred and seventy-six towns and villages and twenty-two cities in the Province, of which three cities, forty towns, and four villages, are situated in the northern districts.

## Governing Bodies

**County Councils.**—County councils, as originally constituted, were composed of reeve and deputy reeves for each five hundred voters in a local municipality. Under this system they gradually became so unwieldy that it was difficult to transact business expeditiously, and the expense of holding meetings was heavy. In some cases the representation in a county council of small incorporated municipalities was out of all proportion to their interests in county taxation. The question of county council reform was considered by the Legislature for a number of years. In 1880 three Bills relating to the subject were introduced in the Legislature. In 1896 a new constitution for county councils was adopted, in which the main idea was that every member should be representative of the whole county. The Act reduced the size of county councils generally, changing the basis of representation from that of local municipalities to districts, into which all the counties were divided by a commission composed of County Judges; the number of districts in each county, varying from four to nine, was determined by population, assessed value, and extent of territory. Two members elected from each for two years formed the county council.

Under the old system, a man's conduct in the local council, with which the people were best acquainted, was the main factor in his re-election. Under the new system, there was a separate nominating day for the election of candidates for the county council, when the ratepayers had an opportunity to consider directly the duties and the expenditures of the county council. The change proved satisfactory, except in counties where it was found impossible to form all the districts out of adjoining municipalities. The more important objection was that the separation of the county council from the local municipal councils lessened the importance attached to the reeveships. The original system, moreover, permitted members of the various local councils to come together and bring their joint experiences to bear on the problems of municipal administration. In this way, no doubt, development of township government was greatly assisted. Many local municipalities were without a resident representative, and it is not surprising that considerable opposition developed from those who were unable to secure election in the districts.

Owing to continual opposition, an optional system was provided in 1903, whereby a majority of the councils of the

local municipalities in a county could decide on the abolition of the districts and the formation of county councils composed of reeves and mayors, with voting power on financial questions in proportion to equalized assessment of the municipality represented. Before any county had adopted this, there was a change of government, and a return, in 1907, to the original system of councils composed of reeves and deputy reeves, the number of deputy reeves being reduced by providing that one should be elected for each thousand voters instead of five hundred, as formerly.

**Township Councils.**—Township councils, as originally constituted, consisted of five members, elected annually, by general vote or by wards, the reeve and deputy reeve, if any, being chosen by the council. This system continued until the Act of 1866 was passed, providing for the election of reeves, deputy reeves, and councillors by general vote. In 1873 there was a return to the ward system; the reeve, however, continued to be elected by general vote, the deputy reeves being selected by the council for each five hundred names of qualified voters in the township. This system was continued until 1898, when it was provided that the election of reeves and councillors should be by general vote. In 1906, when the county council system was changed, the election in townships in organized counties of not more than three deputy reeves by general vote was authorized, one to be elected for each thousand names of persons on the voters' list qualified to vote at municipal elections.

**Village Councils.**—Village councils have always been composed of five members. Previous to 1866, the reeves were chosen by the councils. Since that date, the reeves and deputies have been elected as such by general vote.

**Town Councils.**—The constitution of town councils has been frequently the subject of legislative experiment. Under the Act of 1849, a town council consisted of three councillors from each ward, who, at their first meeting, elected from among themselves the mayor, the reeve, and also (if there were five hundred resident freeholders and householders on the collector's roll) a deputy reeve. By the Act of 1858 the election of the mayor was taken from the council and entrusted to the ratepayers. In 1866 the number of town councillors was reduced to two for each ward in towns having five wards, but was left at three for each ward in towns of less than five wards, and it was provided that but one councillor should retire annually in each ward, the representation of the town in the county council was increased by the addition of a deputy reeve for every five hundred persons appearing on the last revised assessment roll. The right to elect the

reeve and deputy reeve was, by the same Act, transferred from the council to the ratepayers, and the right to elect the mayor from the ratepayers to the council.

In the first session after Confederation (1867) the number of councillors for each ward was increased to three in all cases, the proviso that only one of these should retire annually being retained; but this proviso was struck out two years later, and in 1871 the number of councillors was reduced to two for each ward in towns having five or more wards. In 1873 the right of electing the mayor was again taken from the town council and given back to the municipal electors, in whom it has ever since been vested.

In 1898 ward elections in towns of not more than five thousand population were abolished, and for at least two years the mayor and six councillors were to be elected by general vote. At the expiration of this term the electors had the option of continuing the same or deciding that one-half of the council should be elected by wards. In the larger towns, where there were not more than five wards, two councillors were to be elected for each; and where there were less than five wards, this number was increased to three, with the proviso that it might be decreased to two if the electors so decided. In 1903, the council of any town of more than five thousand population was authorized to provide that the councils be composed of a mayor and not less than six aldermen, one to be elected for each thousand of population, with the option of returning to the ward system after two elections, if the electors so decided.

In the districts where there is now no provision for the incorporation of villages, the council of a small town consists of the mayor and six councillors, or, when the population is more than five thousand, the number of councillors is increased to nine. Towns in the organized counties, that are not separate from the county for municipal purposes, in addition to the other members of the council, are required to elect a reeve, and a deputy reeve for each one thousand names on the voters' list. The Reeves and deputies, limited to three, are members of the council, and are the town's representatives in the county councils.

Notwithstanding the varied constitutions provided for the one hundred and thirty-six town councils of the Province, one hundred and seventeen councils have but six members, one has seven, four have nine, two have ten, and three have twelve. County council representatives are elected in eighty-eight towns.

A town with at least five thousand population may, by by-law approved by the electors, withdraw from the jurisdiction of the county in which it is situate; previous to 1900 all

Correction—

In the Revised Statutes of Ontario 1914, the sections relating to the separation of towns from counties were omitted. This change can now only be brought about by special legislation.

towns had this privilege. This relieves them from taxation for county purposes, but renders them liable for administration of justice and other services rendered by the county. Eight Ontario towns are in this position.

**City Councils.**—City councils were at first composed of one alderman and two councillors for each ward, the mayor being chosen from among the aldermen. A second alderman for each ward was soon added, and the right to elect a mayor was transferred to the municipal electors. The Act of 1866 abolished the office of councillor, increased the number of aldermen to three for each ward, and restored to the council the right of choosing its own mayor. This system of selecting a mayor was abolished in 1873. Except as varied by an occasional Act, this was the constitution of city councils until 1903, when provision was made for reducing the number of aldermen to two for each ward, subject to the approval of the electors. The councils of cities with less than fifteen thousand population were at the same time authorized to provide by by-law for a council composed of a mayor and one alderman for each one thousand of population, and in cities with over fifteen thousand population, the optional principle of having the aldermen elected by general vote was introduced.

**Board of Control.**—The exigencies of municipal administration in the City of Toronto led to an innovation in the general law, providing for a cabinet, or board of control, to administer the affairs of the city, in connection with the council.

The board, as at first constituted in 1896, consisted of the mayor and three aldermen appointed by the council, who could be removed at any time on a two-thirds vote and others appointed. The salary of aldermen on the board was limited to seven hundred dollars, and it was their duty to prepare estimates, award contracts, inspect work, nominate and dismiss officers, and fix their duties.

Three years later the law was made applicable to all cities of over forty-five thousand population, except Hamilton, with a salary limit of four hundred dollars. In 1900 the number of controllers to be appointed was increased to four, and in 1903 the salary limit in cities of one hundred thousand was increased to one thousand dollars, and a change was made providing that candidates for the position of controller were to be elected by the city at large. A system of cumulative voting was at first adopted. This, however, was changed in favor of one vote for each controller in 1905, when the salary limit was again increased to two thousand five hundred dollars. Candidates for the position of controller

were limited to those who had two years' experience as aldermen, a restriction that was removed in 1906 and the qualification for the position of controller made the same as for mayor.

The board of control system was in 1909 extended to all cities between one hundred thousand and forty-five thousand population, subject to the approval of vote of the electors.

The Act of 1913 gave the council authority to vary the recommendations of the boards in certain cases on a two-thirds vote.

The City of Ottawa adopted the system in 1907, Hamilton in 1910, and London, the one other city with a sufficient population, elected a board of control for the first time in 1914. That the system works well is evidenced by the action of the ratepayers of Ottawa, who in 1911 voted for a continuance of the system.

The principal duties of the board, as distinguished from those of the council, are: to prepare estimates and certify the same to the council; to award contracts and report to the council, which may amend the same on a two-thirds vote; to inspect, and to report to the council, on municipal works, at least monthly; to nominate all heads of departments and sub-departments, and recommend their salaries, and suspend or dismiss the same, and to report. By a majority vote the council may refer back matters for further consideration. All the members, including the mayor, are elected for one year only.

Under a board of control organization, the work of the committees of the council is largely eliminated. In Ottawa, they have already been abolished. The council, however, is the safety valve, without which the board of control would, in time, come in for unfair criticism, as the details of their work would not be known to as many as at present. As an advisory board, the council is a necessity.

The salaries paid are:

	Mayor	Controllers
Toronto .....	\$7,500	\$2,500
Ottawa .....	3,500	1,500
Hamilton .....	2,500	1,200
London .....	2,000	500

**Term of Office.**—When city and town councils were first established, the members were elected for two or three years, one-half or one-third to retire each year, according to the number elected for each ward. This was continued until 1869, when it was decided that members of all councils should be elected annually. In 1906 the Legislature authorized an optional system of election for two years, when assented to by vote of the electors. The demand for this change was



not general, as few, if any, municipalities have taken advantage of it. There are but two exceptions to the general law. The City of Kingston returned, in 1907, to the old system of election of three aldermen for each ward for three years, to retire in rotation, 1916. In 1908, the City of Peterborough was authorized to elect aldermen for two years, half to retire annually; the elections of 1909 were by general vote. In the following year a return to the ward system was approved by the electors. Two aldermen were elected for each ward in January, 1911, the one receiving the larger number of votes being elected for a two-years term.

**Police Villages.**—There is an intermediate condition of populous localities in townships known as police villages, organized originally to enforce regulations for the prevention of fires, the storing of gun-powder, and the abatement of nuisances. Since Confederation, they have developed rapidly in communities desiring the conveniences a village may provide without the expenses or liabilities of a separate municipality, no fewer than one hundred and twenty-five being in existence in 1915. The jurisdiction of the offices of the township is not interfered with. The treasurer pays the orders of the police trustees out of their special funds, and the clerks perform the same duties as before the village was formed.

Where a locality has a population of one hundred and fifty in an area of not more than five hundred acres, a majority of the freeholders may petition the county council to erect the locality into a police village. This gives the inhabitants the right to elect three persons, known as police trustees, whose business it is to improve the highways of the village, to make contracts for the supply of light, heat, or power, to enforce regulations for prevention of fires and abatement of nuisances, and generally to exercise many of the powers conferred on village corporations. Provision is made for incorporation when a police village has a population of not less than five hundred. This continues the organization makes the village liable to the township for actions for damages caused by the non-repair of highways, and extends the powers of village corporations for water, light, heat, and power works.

## Qualification of Members of Councils

The qualification for election to a municipal council is about the same as for electors. Candidates are required to be British subjects and twenty-one years of age. That men only are entitled to be elected was first expressed in The Municipal Act of 1873, although this was clearly implied in, and accepted as the meaning of, the previous Act. A specified property assessment has always been necessary. Residence in the county, if not in the municipality, was at first required, but at present residence within two miles of the municipality is sufficient.

At Confederation, the values necessary to qualify candidates were:

In townships .....	\$400	freehold	or	\$800	leasehold.
In villages .....	600	"		1200	"
In towns .....	800	"		1600	"
In cities .....	4000	"		8000	"

It was necessary that persons elected should be rated on the assessment roll for these amounts. In 1873, this was changed by providing that candidates elected were entitled to qualify if they were sufficiently rated for part freehold and part leasehold property.

There appears to have been some dissatisfaction with the high qualification required in cities, as the amounts were reduced to one thousand five hundred dollars freehold and three thousand dollars leasehold. Another important change was made in 1880, when it was required that the qualification values should be over and above all liens and encumbrances affecting the same, the amount entered on the assessment roll to be the value from which the deductions should be made. The question at once arose as to a tenant's qualification on property that has been mortgaged by his landlord, and it was decided by the Courts to refer only to encumbrances created by the owner of the leasehold interest.

This led up to a further amendment in 1883, providing that assessment for freehold to four thousand dollars should be sufficient in any municipality, whether encumbered or not. This amount was reduced in 1892 to two thousand dollars, when the qualification values in all urban communities were fixed as at present:

Villages .....	\$200	freehold,	\$400	leasehold.
Towns .....	600	"	1200	"
Cities .....	1000	"	2000	"

Some allowance was necessary, owing to the low values of property in the unorganized districts, where the qualification was at this time fixed for townships at two hundred dollars freehold and four hundred dollars leasehold, and for cities and towns, at four hundred dollars freehold and eight hundred dollars leasehold. In 1903, the amounts required in these townships were still further reduced to one hundred dollars freehold and two hundred dollars leasehold.

The fact that members of councils were sometimes slow to pay their taxes was the reason for a clause in the Act of 1909 providing that candidates could not qualify in respect to property on which there were any arrears of taxes, and The Municipal Act of 1914 goes still further by making liability for any arrears of taxes a disqualification.

There are certain specified officials, hotel-keepers, and those having contracts with or claims against the municipality, who are disqualified from holding office, and others who are exempt; the difference being that a person disqualified cannot hold office, but a person exempt, even though qualified, need not. The one is incapacity or disability, the other a privilege. A qualified person duly elected, who refuses to accept office, may be summarily convicted and punished.

## The Municipal Franchise

The municipal franchise in Ontario has always been enjoyed by the male owners or tenants residing in the municipality, who were twenty-one years of age and British subjects, rated on the assessment roll for specified real property values, which are graded for different classes of municipalities. In 1866, the real property qualification for a township, \$100; on which all taxes had been paid before December 16th. of the year in which they were levied. Voters assessment roll, in cities, for \$600; towns, \$400; villages, \$300; were allowed to vote once in each ward or electoral district. The only change in these values was made in 1873, when the qualifying amount for a vote in urban municipalities was reduced in cities to \$400, in towns to \$300, and in villages to \$100, and the disqualification for non-payment of taxes removed until reimposed by a by-law of the council of any municipality. In the following year the franchise was extended to all who were entered on the assessment roll for income amounting to \$400 and who resided in the municipality continuously from the completion of the roll to the date of the election.

Following the example of England, where the ballot was adopted at both parliamentary and municipal elections in 1872, the system of open voting in vogue was changed, and voting by ballot was required at all elections after January, 1875. In the following year the same system was applied to the voting on a by-law.

The Provincial Voters' Lists Act, passed in 1876, was adapted to municipal elections in the following year, and the municipal franchise was extended to the sons of farmers who owned twenty acres or more of land, rated at an amount sufficient to give the necessary qualification to each. The sons were required to have resided on the farm for eight months during the year previous to the completion of the assessment roll.

Under The Voters' Lists Act, it is necessary that a municipal voter's name should be entered in the printed list as finally revised before he is entitled to vote. In 1884, the right to vote was extended to widows or unmarried women who are owners of real property rated on the assessment roll for the qualifying amounts. A few years later (1892) the qualification of voters in towns with less than three thousand population was reduced to two hundred dollars, and in villages to one hundred dollars.

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## Assessment and Taxation

The Ontario law relating to municipal taxation is the result of gradual development. In 1793, during the first session of the second Legislature of Upper Canada, an Act was passed "to authorize and direct the levying and collecting of assessment rates in every district within this Province." This provided for the appointment of assessors and the valuation of real and personal property. The taxes were levied by the justices in quarter session. When the present system of municipal institutions was established, the authority to levy taxes was transferred to the municipal councils. The original system was continued for many years, with very little change. An agitation, however, gradually arose for a more equitable basis, and in 1878 the Legislature appointed a special committee to consider and take evidence on the subject of municipal taxation and exemptions. Ten years later the report of a municipal commission contained an extended reference to taxation. The only important change from the basis of taxation first established was made at this time, the live stock and implements of the farmer being exonerated from assessment as personal property. The effect of an active agitation for some reform in the assessment of personal property resulted in the appointment, in 1900, of a commission to consider the whole question. Its report, together with a consolidation of the assessment laws of the Province, was presented in 1902. This showed that ninety-five per cent. of the municipal taxation of the whole Province was levied on the assessed value of lands and buildings, and that in townships practically the whole tax was derived from this source. The commission recommended that the main basis or incidence of taxation be the same, the actual value of lands and buildings, personal property, machinery of all kinds to be exempt. New sources of municipal revenue were suggested, to be levied on the actual value of lands and buildings occupied for business or residence purposes. The Legislature did not approve of the residence tax, but adopted the principle of a special business tax. This includes a tax on business of all kinds, based on the value of the property occupied for business purposes, the tax to be levied in the same manner as other taxes, and for this purpose the business properties were classified and their values increased from twenty-five per cent. to one hundred and fifty per cent.

The basis for the imposition of the tax is definite, and its amount is easily ascertained. It is applied to all professions, trades, and businesses with a definite location. It is not

claimed that this tax is equitable in every respect. The percentages were determined largely by the proportion of personalty tax formerly paid by each class of business. This was inaccurate, and the existing tax perpetuates the inaccuracy. The business tax eliminates all opportunities for evasion and dishonesty, and is simple and inexpensive in administration. It increases revenue by not allowing anyone in business to escape taxation.

**Income Assessment**—Under the old Acts, income was included in the term "personal property." As now defined, all income derived either within or without the Province by any person resident therein is liable to taxation. This includes the income from mines and gas or oil wells, the minimum assessment on the latter being twenty dollars per year.

**Income Exemptions**—In 1869, the assessment exemptions included income from farm, real estate, capital liable to assessment, and personal earnings to four hundred dollars. In 1887, the exemption of personal earnings had been increased to seven hundred dollars and four hundred dollars income from other sources, provided it did not exceed one thousand dollars. Ten years later this was changed, and no person was allowed more than seven hundred dollars exemption. The gradual increase in cost of living brought about a further consideration of the question, and in 1903 personal earnings were exempt to one thousand dollars, and other income to four hundred dollars. The following year the personal earnings income of assessed householders only in cities of ten thousand population was exempt to the extent of one thousand dollars, and in other municipalities to seven hundred dollars. The exemption of non-householders' income being limited to four hundred dollars was referred to as an attempt to tax bachelors.

The principle of the business tax was introduced at this time, and all income derived from business paying the tax was exempt. In 1906, the personal earnings exemption of one thousand dollars was extended to towns of five thousand of population and over, and the exemption of non-householders in his class of municipalities was increased to six hundred dollars. In 1910, these exemptions were again increased to one thousand two hundred dollars and nine hundred dollars respectively in all cities and towns. The principal reason given for this discrimination was that the cost of living in the larger urban communities was more expensive.

The particular income exemptions included in the present Act are: income from surplus funds of any registered friendly society; official income of Governor-General and Lieutenant-Governor; income of officers of army and navy and pensions from the Imperial treasury; income of a farmer from his

farm; income from stock in any incorporated company, the income of which is liable to assessment; income from stock or share in a toll road.

**In Cities and Towns.**—Income from personal earnings: assessed householder or head of family, one thousand five hundred dollars; non-householder, six hundred dollars.

**In Townships and Villages.**—Income from personal earnings: assessed householder or head of family, one thousand two hundred dollars; non-householder, four hundred dollars.

Income from other than personal earnings to four hundred dollars is exempt when income from small sources does not exceed that amount.

Income from mines is taxed under The Supplementary Revenue Act for Provincial purpose, and as result one-half is exempt in the Town of Cobalt, and two-thirds in other municipalities.

**Property Exemptions.**—Most of the property exemptions at present in force were taken from the Act of 1869, the additions being seminaries of learning, public parks, and machinery for manufacturing and farming.

The structures, rails, poles, ties, etc., on the right of way of a railway are exempt from assessment. The Province, however, collects from sixty to twenty dollars per mile of track, a portion of which is distributed among the municipalities in proportion to population.

The Assessment Act of Ontario contains the most modern ideas in reference to municipal taxation. The most important features in addition to the business assessment are the reduction of income exemption in the case of those who are not householders, the specific assessment value per mile for telegraph and telephone companies in townships and assessment based on gross receipts in urban municipalities and police villages—the assessment of land including buildings at actual value. The taxable values of the province have increased very rapidly under its administration.

The total assessed values of the Province for 1914 show the following increase when compared with 1904:

In townships .....	43 per cent.
In towns and villages .....	85 per cent.
In cities .....	226 per cent.



THE HISTORY OF THE

## Municipal Ownership

One of the most important features in connection with the municipal institutions of Ontario is the extent to which the municipal ownership idea has been developed in urban communities. Public opinion was at first opposed to the councils having anything to do with enterprises that could be carried on by private individuals. It was thought that the main highways could not be kept up under municipal management, and an elaborate system of toll roads under company or individual management was the result. The condition in which some of the roads were kept awakened public interest, and, as population increased, the roads gradually came under the control of the councils.

When municipal institutions were introduced, provision was made for regulating the use of the streets by gas and water companies. Cities and towns were given the same powers as companies, but before exercising them, they were required to consider the purchase of the plants of companies already operating therein. Few municipalities exercised their rights in this respect previous to Confederation, with the result that the purchase of the vested interests of companies has been a handicap in the development of many a progressive community.

The establishment of waterworks in a few of the larger cities and towns led to the passing of a Municipal Waterworks Act in 1889, and a similar Light and Heat Act in the following year, to which all of the powers necessary for municipal ownership were fully set forth with provision for management by the council or a commission, as the council might determine. A great impetus was thereby given to the establishment of these utilities in urban municipalities. The management of the companies already established came in for considerable criticism, and they were forced to secure further legislation to protect their vested interests. This provided that before municipalities could establish gas, electric, or water works, the rights of the existing company should be purchased. The introduction of electricity for lighting purposes, owing to the low cost of installation and distribution, was rapidly taken advantage of by all classes of urban municipalities. The municipal ownership idea was greatly encouraged in 1909, when councils were deprived of the right to grant franchises to public utility companies without securing the assent of the electors.

The recognition of the telephone as a municipal necessity was evidenced in the passing of The Ontario Telephone Act

in 1912, which gives municipalities authority to construct, maintain, and operate telephone systems, and to purchase, expropriate, or lease any telephone system already established. Previous to this, three progressive western towns—Port Arthur, Fort William, and Kenora—profiting by the experience of their sister municipalities in the east, had, under the authority of special legislation, successfully solved the problem of telephone management. Some fifty-eight townships have taken advantage of the Act of 1912 and are now developing telephone systems. The Province generally is served by the Bell Company, while in rural districts co-operative companies or lines under individual management have been in favor, the trunk line service for long distance being supplied through connection with the exchanges of the larger company.

Transportation facilities are also included in the list of public utilities. Eight electric railway systems are owned by municipalities, one of which is operated by a company under lease. In addition to these, controlling interests in steam railways have been assumed at different times, and while two cities have retained their interests, the roads are operated under lease by one of the larger companies.

The municipalities of the Province have been liberal in their grants to assist in the construction of railways, over ten million dollars having been voted since Confederation, an amount greater than has been paid in Provincial subsidies.

**Hydro Electric Power**—The development of electrical energy at Niagara Falls for commercial purposes attracted considerable attention, and in 1903 the Provincial Government passed an Act authorizing municipal corporations to co-operate to secure "the acquisition, construction, maintenance, and operation of all necessary works, plants, machinery, and appliances for the development, generation, transmission, distribution, and supply of electrical or other power for their own corporate use, as well as for public uses and purposes." The municipalities co-operating were to appoint commissioners and an electrical engineer to report on the matter. Under this Act, the municipalities of Toronto, London, Brantford, Stratford, Woodstock, Ingersoll, and Guelph arranged for the appointment of a commission consisting of C. W. B. Snider, of St. Jacobs; P. W. Ellis, of Toronto; W. F. Cockshutt, of Brantford; R. A. Fessenden, electrical engineer of Washington; and the Hon. Adam Beck. Ross and Holgate, of Montreal, were appointed to investigate the engineering aspect of the question. This commission reported in March, 1906, to the municipalities concerned. The report stated that eleven other municipalities were interested, and that to all eighteen municipalities, which included St. Thomas on the

west and Toronto on the east, the transmission of power from Niagara Falls could be made under the most advantageous conditions.

In the matter of the development of industrial possibilities the commission were enthusiastic:

"The municipalities represented by your commissioners are pre-eminently manufacturing and industrial communities. They are equipped by nature to excel. They enjoy a high degree of proficiency in the manufacturing arts. The overflow of their aggressive and self-reliant enterprise has pushed their products into many lands. The barriers of cheap labor and other natural conditions which might have kept them out, have been overcome. From the greatest economic leverage that Niagara power—unloaded by corporation tribute—will give, an incalculable stimulus to the productive and competitive efficiency and enterprise of their manufactures will be derived. The economic conditions will not only, in obedience to natural law, beget an increasing activity, but they will also attract to the district the enterprise of others. As a result, therefore, of such development as is herein considered, a great stimulus to the manufacturing activity may confidently be expected. If, however, all the municipalities that are capable of being efficiently served by a Niagara Falls development were to combine and carry out an undertaking corresponding to their needs and prospects, it would exercise an influence upon their future that cannot be estimated, and that the past industrial history of Ontario affords no parallel to."

The Ontario Government in the meantime had appointed an official commission of inquiry, of which the Hon. Adam Beck was the chairman, and in 1906 an Act was passed to provide for the transmission of electrical power to municipalities. This determined that the policy of the Government would be to erect transmission lines and deliver power, the municipalities to assume the whole of the expense under agreements to pay a fixed sum per horse-power per year, to be reduced as the consumption on the various transmission lines increased. The management of the undertaking was to be in charge of a commission of three, under the name of The Hydro-Electric Power Commission of Ontario.

This commission issued three reports during 1906, and as all of these favored the idea of securing electrical energy from power generated at Niagara Falls and at other points in the Province, it is not surprising that a number of meetings were held by representatives of municipalities interested, for the purpose of securing the fullest information. The result was

the formation of the Western Ontario Municipal Power Union, the object of which was to secure the co-operation of all municipalities in obtaining the purchase and transmission of electrical power.

In January, 1907, propositions for the supply of electrical power were submitted to the ratepayers of seventeen of the chief industrial centres, all of which gave a substantial majority in favor of cheaper power. The commission has arranged to supply municipalities as far west as Windsor, a distance of two hundred and fifty miles; and as fast as sufficient consumers can be secured to warrant the erection of additional transmission lines, municipalities desiring power within that radius of Niagara Falls will receive attention. Arrangements are also being made to secure power at points in the eastern and northern sections of Ontario, so that the whole Province may be supplied, and where this cannot be procured the commission will undertake its development.

The necessity for uniformity of installation and equipment resulted in the adoption by the commission of regulations to which all municipalities using hydro-electric power are required to conform. The commission was also authorized to make regulations pertaining to the installation and use of electrical power by all municipalities, companies, or individuals, and order such changes as in their opinion may be necessary for the safety of the public or workmen or for the protection of property against fire or otherwise.

The rates chargeable by a municipal corporation, company, or individual for the supply of electrical power or energy are now subject to the approval and control of the power commission, which also prescribes the system in which the books and accounts of municipal corporations or commissions shall be kept. Provision is also made for the appointment of inspectors to enforce the regulations.

Under an Act respecting the public construction and operation of electric railways passed in 1913, municipalities may arrange with the power commission for the location, construction, equipment, and management of lines of electric railways. Another Act passed in the same year authorizes the election of one or more public utility commissions, with all the powers, rights, and privileges of municipal corporations, and makes the election of such a commission compulsory in all cities and towns that have entered into a contract with The Hydro-Electric Power Commission. These commissions are to consist of three or five members, of whom the head of the council is a member *ex-officio*—one-half of the elective members to retire annually.

This summarizes the development that has attended the introduction of the municipal ownership idea in Ontario. The future success of these undertakings will depend on the men who direct and control them. Given public men, with high ideals of municipal management, with broad and comprehensive views, with business training, the municipal movement will continue in its prosperous career and will justify the conclusions long ago arrived at: namely, that all those undertakings which are in the nature of necessities or monopolies and require the use of public streets should be owned and operated by the municipalities in the interest of the public generally.

1890-1891

## Municipal Boards and Commissions

One of the special features of the development of municipal management in urban communities is the multiplication of commissions. The members of councils are not remunerated, although they devote considerable time to municipal duties. Ordinary municipal organization has not always been sufficient to attend to details of every phase of development in towns and cities, the result being that important duties have been from time to time transferred to special boards and commissions, the members of which are either appointed or elected with terms of office so arranged that only a portion of the members retire annually.

**Water and Light Commissions.**—The management of municipal waterworks, lighting and heating plants, may be undertaken by a committee of the council, or these duties may be transferred by by-law, assented to by the electors of the municipality, to a commission consisting of not less than three or more than five members, of whom the head of the council shall, *ex-officio*, be one, and the remainder shall be elected annually, at the same time and in the same manner as the head of the council. When a vacancy occurs, the council is authorized to appoint a commissioner, to hold office during the remainder of the term for which his predecessor was appointed. The duty of the commissioners is to report annually to the council, and make application to that body for moneys required in respect to such work. All rents and rates collected, less disbursements, shall, quarterly, or as the council may direct, be paid over by the commissioners to the municipal treasurer for the credit of the separate works account.

**Public Libraries.**—In cities, towns, and villages, councils may, on petition, submit a by-law providing for the establishment of a public library. When the by-law has been approved, the general management, regulation, and control of the library and rooms in connection therewith shall be vested in and exercised by the public library board, to be composed of the mayor of the city or town or the reeve of the village, and three other persons appointed by the council, three appointed by the public school board, and two appointed by the separate school board, where one exists. The members appointed hold office for three or two years, and retire in rotation. Members of the appointing committee are not eligible for appointment as members of the board. For the



purpose of providing for the expenses of the board, the council is required to levy a special rate not exceeding one-half mill on the dollar for public library purposes. In cities of over one hundred thousand, the rate is limited to one-quarter of a mill. If additional money is required, the board makes application to the council, which may grant it on a two-thirds vote of the members, or the question may be submitted to a vote of the electors.

**Park Boards.**—Councils of municipalities may establish and maintain parks, and if a majority of the ratepayers so decide, The Public Parks Act may be adopted, after which the general management, regulation, and control of all existing parks and avenues, and all properties, both real and personal, applicable to the maintenance of parks belonging to the municipality, shall be vested in and exercised by a board to be called the Board of Park Management, the board to be composed of the mayor of the city or town or reeve of the village or township, and six other persons, who shall be residents of the municipality but not members of the council, to be appointed by the council on the nomination of the mayor or reeve, the members to hold office for three years and to retire in rotation. The park board has the power to acquire, by purchase, lease, or otherwise, the lands, rights, and privileges needful for park purposes. The board is required to report annually to the council, and submit an estimate of their requirements. It is the duty of the council to levy annually a rate of one-half mill on the dollar for the expenses of the board, and to raise by debentures sums required for the purpose of purchasing lands and privileges necessary for park purposes.

**Police Commissions.**—In all cities, control of the police force is in the hands of the mayor, county judge, and police magistrate. In towns and villages, control of the police force is the duty of the council. In every town having a police magistrate, the council may constitute a board of police commissioners as in cities, but the council of the town may at any time, by by-law, dissolve and put an end to the board and assume their duties. In addition to the management of the police force in cities, these board license and regulate second-hand and junk shops, livery stables, cabs, etc., and also supervise and issue licenses and permits to auctioneers, bill-posters, places of amusement, ferries, hawkers and pedlars, intelligence offices, milk vendors, plumbers, electrical workers, transient traders, and meeting-houses.

## Ontario Railway and Municipal Board

When in 1906 it was announced that the Provincial Government had decided to appoint a Railway and Municipal Board to take the place of the Railway Committee of the Executive Council, it met with general approval. For some years previous the matter had been suggested in a general way in and out of the Legislature by those who were in favor of an organization similar to the Local Government Board of England. While the board was not promoted to bring this about, subsequent development has shown that it may ultimately be looked to for an expert supervision of municipal activities. The board, which has the powers of a Court of Record, is composed of three members, appointed by the Lieutenant-Governor, who hold office during pleasure, one of whom is designated as chairman. It is evidently intended that the chairman shall be a lawyer, as his opinion on a question of law prevails.

The board has all the powers vested in it by The Railway Act of 1906, which includes the approval of location, completion, equipment of railways, and adjustment of disputes with employees. The only appeal allowed from the board is as to jurisdiction or upon a question of law. The Assessment Act requires appeals from Court of Revision to be made to the board when large amounts are involved. Under The Municipal Act, by-laws for the alteration of boundaries or annexation to a city or town may be submitted to the board for approval, and by-laws relating to finance, debentures, etc., and public utilities may be confirmed. Telegraph, telephone, and electric light, heat, and power companies were required to adopt the board's orders as to installation and equipment for safety of life and property, a responsibility that has now been assumed by the Hydro-Electric Commission. The board may be required to report on proposed changes in the railway law and private Acts relating to municipal corporations or railways. It may also superintend the book-keeping of public utilities and require annual returns and statements. In cases of disputes between the management and railway employees, the board may arbitrate and endeavor to settle the same. The board was also authorized to fix the standard of construction and installation of municipal telephone systems. This was the programme set for the board when the members entered upon their duties, and it is not surprising that they have found a considerable staff of assistants necessary, including street railway and telephone experts.

The duties and responsibilities of the board have been constantly increasing, and every year new matters are referred to it. It has been authorized to report on the sufficiency of rates charged by public utilities, whether too high or too low to pay debt, interest, cost of operation, and maintenance, to approve of the equipment of the cars of street railways, and, under The Municipal Securities Act, to certify to the validity of issues of municipal debentures. It has authority to extend the time for the issue of debentures and approve of by-laws changing the rates of interest on these securities. The equipment, route, and service of street railways have been placed within its jurisdiction, as have all matters pertaining to telephone companies, their installation, rates, and exchange of business. When local improvements, costing over fifty thousand dollars are objected to, an appeal may be made to the board. Under The Survey and Plans Act, plans of sub-divisions within five miles of cities of fifty thousand population are subject to its approval.

The Legislature has connected the board with so many matters since it was organized that in publishing a list of the several Acts under which it exercises jurisdiction, the following note was appended: "The above list is prepared to facilitate reference to legislation, and does not purport to be exhaustive."

The annual reports of the board give full particulars of their decisions and complete statistics of the public utility and other similar corporations of the Province. Up to the end of the year 1915, 3,586 formal applications had been made to the board. The amount of revenue collected in law stamps on orders made by the board indicates in a general way the growing importance of that body. In 1906 the amount was \$134.50; in 1907, \$703; in 1908, \$1,640; in 1909, \$2,484; in 1910, \$2,177; in 1911, \$2,279; in 1912, \$3,487; in 1914, \$6,445. Under The Municipal Securities Act, debentures aggregating over \$11,000,000 have been validated since 1908.

The chairman of the board is paid an annual salary of six thousand nine hundred dollars, and the associate members four thousand dollars each. The total expenses of the board and its staff is a charge on the railway mileage tax collected by the Province under the provisions of The Corporations Tax Act.

## Highway Improvement

The maintenance of highways is always an important question in a growing community. Toll road companies, statute labor, county and local municipal corporations were the source formerly depended upon for the betterment of all the highways of the Province. The tendencies of Provincial legislation have always been in favor of equalization by gradually placing more of the responsibility on the counties for the construction and maintenance of bridges and such roads as they would assume. Many of the toll roads, when made free, became county roads.

There was for years a spirit of unrest in connection with the administration of the statute labor law and a general agitation for larger expenditures for the improvement of highways. This resulted in the organization of the Ontario Good Roads Association in 1894, which had for its guiding spirit the late Andrew Pattullo, then editor of the *Sentinel-Review*, of Woodstock, and afterwards member of the Legislature. A campaign of education was inaugurated. Farmers' Institute speakers were designated to introduce the question, and public meetings held in different parts of the Province. So numerous were the demands on the resources of the association that the Government, at its request in 1896, appointed A. W. Campbell, C.E., as Provincial Highway Commissioner.

Campbell had made a study of the question from both a technical and popular point of view, and under his direction public interest became more active. The press of the Province was of the greatest assistance, and public meetings were held in a majority of the municipalities. The statute labor system was attacked, and the use of machinery especially adapted to the construction and improvement of roads was advocated. In the eastern counties a good-roads train, with the most improved machinery, in charge of James Sheppard, of Queenston, assisted by giving practical demonstrations in the modern methods of road-making.

In 1900, after six years' work, many of the townships had abolished statute labor, and road graders and other machinery were coming into use. The result, however, was far from satisfactory. Pattullo, who was then a member of the Legislature, took up the question with his ever-increasing interest and enthusiasm.

**Highway Improvement Act.**—In 1901 The Highway Improvement Act was passed, providing for a Provincial

appropriation of one million dollars to assist the organized counties in the work of road improvement, to the extent of one-third of their expenditures under the provisions of the Act. This sum, which looked large, was to be divided on the basis of acreage, and on the average provided for \$26,000 for each county. It was not expected that this grant would solve the problem to a greater extent than to interest county authorities in the construction of model highways of a better class, and through them, to educate the people up to the benefits to be derived from the expenditures necessary to secure better roads. In working out the Act, this fact appears to have been lost sight of. The important question with the county councillors was always the designation of roads for improvement within their particular municipality. In most cases the road mileage assumed was too large. The cost of maintenance was often overlooked, and is now an important question.

When The Highway Improvement Act was passed, county roads were to be found in Hastings and Wellington as a result of the abolition of tolls in previous years. These counties have since received some consideration towards placing them in the same position as others in reference to their road expenditures.

The results of twenty-one years of development of the movement for better roads may be said to be evidenced: in the abolition of statute labor in many townships; the adoption of The Highway Improvement Act in twenty counties, in which 3,771 miles of highway were assumed for improvement; the expenditure of \$6,000,000 in the improvement of county roads, one-third of which was paid by the Province; the second million dollars for the purpose of the Highway Improvement Act appropriated by the Province in 1912, has been expended and it will be necessary for the Legislature to grant a further sum at the next session of the House.

It is not possible to say how many miles of the roads assumed have been improved. Experimental work was necessary before county authorities appreciated fully the problems they were endeavoring to solve. In many cases the initial work done was temporary, and at the present time can hardly be classified as satisfactory construction. A considerable sum has been expended on bridges, machinery, and grants to villages and towns. The County of York and the City of Toronto are jointly interested with the Province in a special arrangement for the improvement of the principal roads leading into the city. The York highway commission is doing the best and most expensive work yet undertaken. Its experience will be of the greatest benefit in years to come, as the question of subsequent maintenance

which is not provided for in the Highway Improvement Act, is being largely considered in the first cost of the roads in its charge.

The highway legislation passed by the Legislature in 1912 provided for an appropriation of five million dollars to be expended in the construction of roads in the northern districts of the Province, and for the construction by the Province in each county of sample or experimental roads of a more expensive class than the counties have undertaken, concrete being used to a considerable extent on all of them.

Following up its decision to expend a large amount in the improvement of highways in the districts, the Provincial Government took into consideration the needs of the organized sections of the Province. The increase in the use of motor vehicles and the effect of that traffic, together with a growing desire for better highways than were being constructed, led up to an announcement of the Government's intention to expend upwards of ten million dollars for highway improvement and the appointment of a commission to prepare a plan of road construction for the Province.

The report of the Commission presented in 1914 recommended:

The establishment of a Provincial Highway department under a Minister of the Crown, a Deputy-Minister and Chief Engineer.

The continuance of County road construction under the provisions of the Highway Improvement Act.

The classification of County roads in accordance with the functions performed.

Rural.

Suburban in districts surrounding cities.

Interurban, between centres of population.

The increase of Provincial aid for construction and additional aid for maintenance as follows:

Classification	Construction		Maintenance	
	County	City Prov.	County	City Prov.
Rural .....	60%	40%	60%	40%
Suburban .....	30%	30%	40%	33½%
Interurban .....	33½%		66½%	40%

Plans for the improvement of Township roads including the establishment of a proper organization in each in charge of a competent foreman appointed by the council and the election of members of township councils for more than one year.

The higher taxation of motor vehicles.

Following this report the Legislature in 1915, increased the percentage of Provincial aid under the Highway Improvement Act to forty per cent. and passed the Ontario Highways Act, providing: (1) for a Department of Public Highways: (2) for Provincial aid to the extent of twenty per cent. of the cost of maintaining County roads: (3) for encouraging townships to appoint a township overseer or foreman by paying twenty-five per cent of his salary: (4) for the appointment of commissioners to designate and define the suburban roads towards which cities and separate towns may be required to contribute: (5) for the improvement of connecting links of main or county roads through villages: (6) for the construction of main roads when three-fourths of the municipalities interested petition therefor and for the appointment of a Board of Trustees to take charge of the construction and maintenance thereof, the Province to pay forty per cent. of cost up to \$4,000 per mile.

This Act, or any portion thereof, is not in force but may become law at any time by proclamation of the Lieutenant-Governor.

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## The Local Improvement System

The principle upon which ordinary municipal taxes are assessed and levied is that which was laid down in 1776 by Adam Smith, viz.: that "the subjects of every state ought to contribute to the expense of the Government as nearly as possible in proportion to their respective abilities." The Assessment Act provided that all municipal taxes shall be levied equally upon the whole ratable property, real and personal, in a municipality, according to the assessed value of such property. This, however, did not include rates or taxes paid under the local improvement system, the fundamental principle of which is: "The right of the local authority to assess and levy upon the owners of real estate specially benefited by the construction of a local work, a share at least of the benefit thus conferred."

The foundation of the local improvement procedure in Ontario was adopted in the Act of 1859; from that date to 1882, benefit was the only criterion of assessability. In the latter year, locality became in certain cases the test, the rates being imposed "upon the real property fronting or abutting upon the street or place whereon or wherein the work was done"; and in 1883 this rule was made applicable in all cases. In 1885 this was changed so that property benefited might be included in assessment for the cost of bridges, culverts, embankments, or the opening up or extension of streets. In 1888 the restriction of the assessment to abutting property was removed in the case of sewers of large capacity. In 1896 the principle of benefit as in force prior to 1882 was again adopted.

Alterations have been made in the method of apportioning the amount to be assessed. By the Act of 1866, a rate on assessed values, exclusive of improvements, was the only one authorized. In 1881 a further change was made, by which the respective frontages of the lots determined the sum to be levied. This is the general principle of the present law.

In 1886 the only method of initiating a local improvement work was by petition. In 1871 councils were authorized to initiate the work when they were prepared to pay one-half the cost. In 1880 this liability was removed, provided the local improvement system had been adopted by general by-law. In 1890 the initiation of work for sanitary reasons was permitted, when recommended by the local board of



health. Up to 1868 the local improvement sections were applicable to cities only. In that year they were extended to towns, to villages in 1871, and to townships in 1887.

The works that could be undertaken were first limited to sewers, sidewalks, and street improvement, sweeping and watering. In 1871 bridges were included, in 1880 the deepening of streams and drainage work, in 1890 culverts and embankments, and in 1892 water and light mains. This system of making municipal improvements is a popular one; it appeals to ratepayers desirous of bettering the condition of their surroundings. It has been adopted in nearly all the urban municipalities of the Province, and in townships where urban conditions exist.

There is considerable variation in the proportion of the cost, if any, assumed by the municipality. In some, the property fronting on the work pays the whole cost; in others, the municipality assumes a percentage, and constrains all street intersections and a portion of the excessive frontage on corner lots. These particulars, which apply to the whole municipality, should be finally determined by by-law before local improvement works are undertaken.

Power to construct a work on a two-thirds vote of the council was first granted in 1890 to a city only, and was confined to plank sidewalks. In 1901 was extended to towns, and in 1902 to villages, and enlarged to include a sidewalk of plank, gravel, cinders, or a combination with tar and sand; in the following year sidewalks of cement, concrete, or brick were added. In 1906 every kind of sidewalk was included, and the necessary vote changed to two-thirds of the members of a council present at a regular meeting. In 1911 the power was extended to include a curbing, pavement, sidewalk, hedge, and the opening, widening, extending, grading, diverting, or otherwise improving a street.

Generally speaking, the system has found favor. Councils take advantage of it to undertake works that are desirable in the public interest. In the case of expensive work, parties objecting to the action of the council may have the matter considered by the Ontario Railway and Municipal Board.

## Public Health

In 1849 a central board of health was established by the Parliaments of Upper and Lower Canada, and the first regulations issued from Montreal in June of that year in connection with the suppression of a violent epidemic of cholera. When the epidemic subsided the central board remained inactive until 1866, when the cholera returned, and an Act was passed to continue in force in Upper Canada the regulations issued from Montreal. These were enforced by a central board at the seat of Government in Ottawa.

In 1873 and 1877 the Provincial Legislature passed Acts respecting the public health, in which provision was made for a Provincial board, and members of councils were designated health officers. In some cases of epidemics the Lieutenant-Governor could, by proclamation, require a council to appoint a board of health consisting of three persons. Very little interest was taken in this legislation, and seven years later a new Act was passed requiring councils to appoint boards of health annually. These were to be composed of the reeve, clerk, and three ratepayers in townships, villages, and towns under four thousand population, and of the mayors and eight ratepayers in the larger towns and cities. The appointment of medical health officers and sanitary inspectors was not compulsory. In the following year, 1885, a council was required to appoint a medical health officer when so requested by the Provincial board. Ten years later, the members in cities and towns were reduced to six, and continuity of procedure in boards of health was ensured by requiring one-third of the appointed members to retire annually. The powers of the Provincial board were extended to the supervision and approval of plans for waterworks and sewers. Although medical health officers and sanitary inspectors were included in the organization of the local boards in most of the municipalities, their appointment was not made compulsory until 1911.

In 1912, owing to the growing interest in public health matters, a new Act was found to be necessary. This changed the constitution of the local boards of the larger towns and cities to the mayor, medical health officer, and three ratepayers, and in all other municipalities one ratepayer. The necessity for central control or supervision was emphasized by providing for the appointment of seven medical officers of health to devote their whole time to supervising the sanitary work of the respective districts into which the Province was

divided. The headquarters of these officers are: London, Palmerston, Hamilton, Peterborough, Kingston, North Bay, and Fort William. With the exception of the two for New Ontario, the salaries and expenses of these new officials will be paid by the groups of counties in each district. The medical health officer is a member and the chief executive officer of the local board. With a view to having some permanency in this office, it is provided that he shall not be dismissed except for cause, and with the approval of the Provincial board. Among other things, the Act requires that the indigent sick and injured must be cared for by the municipality, and, as the medical officer is paid a salary, he attends to this duty. The whole question of communicable disease, its notification, quarantine, and disinfection, is specially dealt with, and, for the first time in the history of the Province, notification of tuberculosis is required. The question of nuisances and offensive trades and their control receives attention. Provision is made for the inspection of lodging-houses, and the air space required for occupants is raised from four hundred to six hundred cubic feet. The medical health officer is authorized to close and placard a house unfit for habitation. The supervision of water supply and sewage disposal is continued, and the care of ice supplies and inspection of meat is fully dealt with.

The Vaccination Act provides that infants shall be vaccinated within three months, and all residents when required by proclamation, unless they have been vaccinated within seven years.

From the new system of district officers of health, combined with independent local health officers, a good deal of improvement in the sanitary condition of the Province is expected.

## Municipal Legislaion

Municipal councils exercise authority by virtue of the powers conferred in the general Provincial laws, which in Ontario are largely an expansion of the principles laid down in the Municipal (Baldwin) Act of 1849. The result of such restriction is that municipalities often apply to the Legislature for consideration or authority to exercise special powers. These applications result in what are known as "Private Bills, relating to almost every phase of municipal progress and mismanagement, large numbers of which are passed at each session.

Special legislation in the interests of large cities may also be found in the general Acts, framed so as to apply in future to other corporations, which may, by the growth of population, come within their application. This very often provides for nothing more than the old problems of local government so intensified in cities that they become essentially new problems.

Notwithstanding the large amount of municipal legislation, and the care with which it is enacted, every session of the Legislature produces some new development calculated to improve the best system of local government.

STANDARD MANUFACTURING

## Entertainment and Publicity

The traditions of the past were somewhat disturbed in 1891, when expenditures by cities for the entertainment of distinguished guests were authorized, and again in 1897, when the commercial tendencies of municipalities were recognized by providing for the expense of diffusing information respecting the advantages of a municipality as a manufacturing, business, educational, or residential centre, or holiday resort. This led to considerable competition between the cities and towns, with a view to industrial expansion, and publicity departments established in the larger cities are now presided over by a commissioner of industries.

The active campaign for settlers in the north-west provinces, fostered by land companies and the Canadian Immigration Department, had an ever-decreasing effect on population and land values in the rural districts. Lambton was the first county to recognize the necessity for the adoption of modern methods, by the formation in 1910 of a county publicity association for the purpose of diffusing information respecting its advantages as an agricultural centre. The Legislature approved of this, and authorized special grants to the extent of one-third of county expenditures for this purpose. A large number of counties are already organized, and their efforts are having the desired effect on land values and the system of selecting and distributing immigrants.

The system of placing trained experts, representatives of the Agricultural Department, in each county to assist in the introduction of improved methods of farming, fruit-raising, etc., has been well received. County councils are required to contribute a portion of the expense. This co-operation, combined with the awakening that is sure to result from publicity campaigns already inaugurated, should bring about conditions most beneficial to rural communities as soon as the war is over.

THE UNIVERSITY OF CHICAGO  
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## The Bonus System

In 1884, councils were authorized to bonus manufacturing industries to the extent of exemption from taxation for ten years. Three years later they received permission to grant a bonus when a by-law was approved by ratepayers on a two-fifths vote. This introduced a system of what has been called "ruinous competition" between the cities and towns of the Province for industries, which were peddled around in order to get the competing communities to bid against one another. Five years' experience was sufficient, and in 1892 the Act was repealed. After this, the only inducement a council could offer a manufacturer was exemption from taxation. This did not deter the more ambitious municipalities, who soon ascertained that by means of special Acts they could continue to grant as large sums by way of bonus as formerly. This was a practical evasion of the general law. The old system, which had been abolished by reason of the many evils attached to it, was found to have been better than that of placing the responsibility on the Legislature.

In 1900 the bonus sections were re-enacted, and by-laws thereunder were required to be assented to by two-thirds of the ratepayers entitled to vote, or where only one-fifth voted against a by-law, a three fifths majority was sufficient. These sections are at present in force, but the by-laws require the approval of three-fourths of the members of the council and two-thirds of the votes cast. No bonus can be granted when a similar industry is located in a municipality, or to a business that is located elsewhere in the Province. The business of securing industries is now well organized in most cities and towns. The bonus idea is giving way in favor of loans to manufacturers for a term of years. This is better from an economic point of view.



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## Care of the Poor

The care of the poor in Ontario has always devolved upon citizens who are charitably disposed, and upon the municipal authorities. In some of the larger urban communities, vountary organizations devote their energies to outside relief and care of the unfortunate in institutions of various kinds, some of which are supported by municipal grants and grants from the Provincial Treasurer, apportioned on a per diem basis. The number of ins. tutions of this class has increased from thirty-eight in 1877 to two hundred and thirty-four in 1914, classified as follows, namely: one public and sixty-eight private hospitals, thirty-eight refuges, thirty-two orphanages, three homes for incurables, two convalescent homes, two Magdalen asylums, and twelve sanatoria for consumptives. The cost of maintenance of patients in hospitals, when they are unable to pay, is charged to the municipality to which they belong.

In rural districts, the care of the poor was originally the duty of the councils of the local municipalities, and considerable sums were expended on outdoor relief. This has been largely assumed by the county councils, through the establishment of houses of industry and refuge.

**Houses of Industry.**—Previous to Confederation, the legislative authorities decided that the helpless and friendless poor should be provided for by indoor relief in industrial homes.

The Act of 1866 was mandatory in tone, a limit of two years being allowed within which county councils were to secure land, build houses of industry, make regulations, appoint officers, and provide for the maintenance of the institutions. One of the first Acts of the Legislature of Ontario after Confederation was to make the establishment of these institutions optional. In 1888, a general Act for their establishment was authorized, and in 1890 they were encouraged by Provincial grants to the extent of four thousand dollars each, but not to exceed one-quarter of the amount actually expended by the counties in the purchase of land and erection of houses of industry thereon. Provision was also made for inspection of houses of industry by the Provincial Inspector of Asylums and Public Charities.

In 1903, the Legislature made it compulsory for counties to erect houses of industry, either separately or in conjunction with adjoining counties. There are at present thirty-two houses of industry in the Province, with farms of from forty-

five to one hundred acres attached. The largest number of inmates, over one hundred, is to be found in Waterloo, the average being fifty-five.

The expenditures by the municipalities of the Province for the support of the poor and public charities have been growing rapidly.

	1886	1910
Cities .....	\$ 81,566	\$ 599,233
Counties .....	46,326	242,404
Villages and Towns .....	34,510	55,771
Townships .....	64,916	57,043
	<hr/>	<hr/>
	\$ 227,318	\$ 954,451

The increases that would naturally show in the expenditures of villages, towns, and townships are included in the amounts paid by counties under the house of industry system.

The passing of the Act respecting neglected children and children's aid societies made counties and cities in which the children last resided for one year, responsible for their maintenance when committed to their care pending investigation, or until they are provided with foster homes. These societies have been formed in every city and county, and are doing splendid work for the protection of children, and as a result, no child between the ages of two and sixteen years has been legally an inmate of a house of industry since 1895. One of the main objects to these societies is to avoid institutionalizing of children.

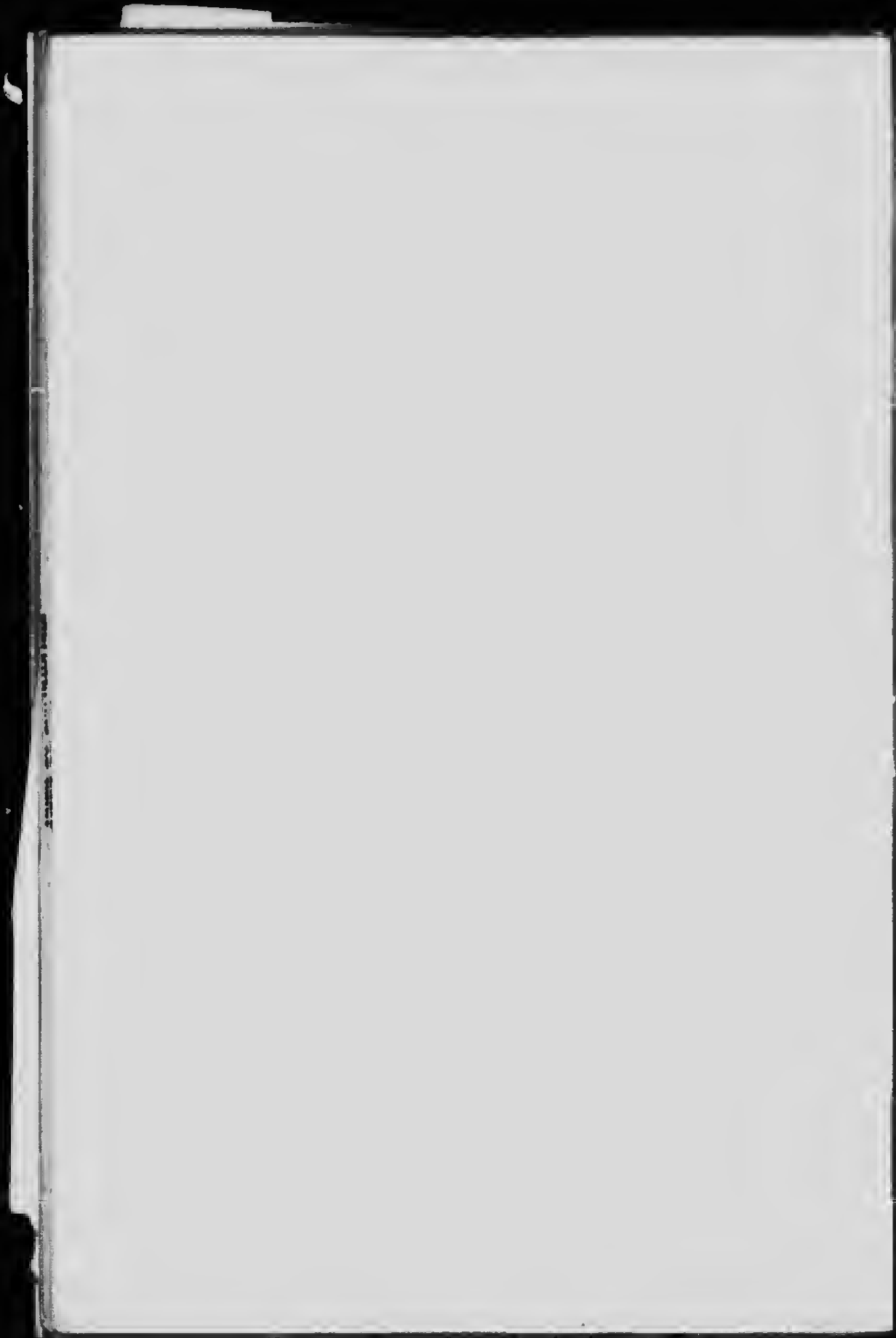
The indigent insane are cared for in the Provincial asylums when it is dangerous for them to be at large or when it is thought that they may be amenable to treatment. Many harmless insane are cared for in houses of industry and other institutions, the accumulation of this class of inmates is sometimes transferred from the asylums to institutions maintained by the municipalities.

## Municipal Accounts and Audits

Up to 1897 the accounts of municipalities generally were audited by two auditors, one of whom was nominated by the head of the council. These were annual appointments. Toronto alone had the right to appoint auditors who held office during pleasure; other cities and towns had authority to submit their accounts to one auditor, whose duties were regulated by by-law of the council. There were many irregularities in treasurers' accounts, and a great lack of uniformity in the system of books in which they were kept. The auditing of accounts was a farce in many municipalities. In many cases, where a special investigation was held and errors or defalcations discovered, the accounts had been found correct and certified by the annual auditors. In 1897, under the authority of an Act to make better provision for keeping and auditing municipal and school accounts, a Provincial Municipal Auditor was appointed, with authority to frame rules respecting the following matters: the number and forms of books of account to be kept by the treasurers of county, city, township, town, and village municipalities, and of police villages respectively; the system of book-keeping to be adopted by all municipal treasurers or by the treasurers of any class of municipalities, and by the treasurers of all or of any class of school boards; the manner in which books of account, vouchers, receipts, moneys, and securities of municipalities and school boards shall be kept; the audit and examination of accounts and moneys of municipal corporations and of school moneys by municipal and school auditors respectively, or by the Provincial Municipal Auditor, or by any person appointed by him for that purpose.

Books of account were accordingly prepared and approved by the Lieutenant-Governor in Council, after which it was the duty of the municipal treasurers to use them, if the system of books and accounts in use was not satisfactory to the Provincial Auditor. The analytical cash books then issued went into general use in all municipalities except cities with over fifteen thousand population, to which the regulation did not apply. This brought about considerable improvement and uniformity.

In 1898, heads of municipalities were deprived of the right to nominate one of the auditors, and all councils were authorized, if they so desired, to appoint one auditor only, and to define his duties. This favored continuity and experience.



## Municipal Statistics

As a result of a report in 1881 of a royal commission on agriculture, a Provincial Bureau of Industries was established in 1882 for the purpose of collecting, tabulating, and publishing industrial information for public purposes. In 1887, the activities of the bureau were extended to statistics relating to the assessment, taxation, and finances of municipalities.

1. The clerk of every municipality is required to furnish to the secretary of the Ontario Bureau of Industries, at Toronto, who is attached to the Department of Agriculture, any information asked for from the assessment and the collection rolls.

2. The auditors are required to send to the same official a copy of their certified audit at the time of its completion.

3. The treasurer is required to make a return once a year of the financial transactions of the year, such as the receipts and expenditures, the assets and liabilities, on such forms as the secretary of the bureau provides for that purpose.

These returns are received and examined as far as possible, and if complete, or if they require further explanation, are amended and corrected by correspondence. When satisfactory, these statements are published in tabulated form as one of the reports of the bureau. These reports now cover the years 1886 to 1910. Preliminary Bulletins have been issued including population to 1915 and assessed values, taxation and debenture debts, etc. to 1914. As a result of these returns, there has been a partial supervision of municipal accounts by the officers of the bureau with a view to making the returns as complete and reliable as possible.

The municipal records have been gradually improved, so that the required statistics may be easily obtained. The classification of accounts in the approved municipal cash books was arranged to facilitate the preparation of financial returns to the bureau. The results for twenty-five years are now available.

The statistics relating to assessment and taxation, which appear elsewhere, directed attention to a very large increase in property values.

The financial features of the reports show the very great development that has been going on in the municipal business

of the Province. This is best emphasized by a comparison of the taxes levied in 1886 with those of 1914, the increase being in:

Townships .....	\$ 1,771,574	or	40 per cent
Towns and villages....	2,486,151	or	143 per cent
Cities .....	12,954,156	or	433 per cent

## Aids to Municipal Development

The investigation of municipal problems with a view to the betterment of conditions has at all times been of the greatest importance. The Province of Ontario has not been behind in this respect, and, following the custom of other governments, has usually placed this responsibility on commissions appointed by the Lieutenant-Governor in Council. The reports of these special bodies have been valuable, and while their recommendations may not always have been accepted, they contained a great deal of information of the greatest interest to members of the Legislature and others.

The Royal Commission on Agriculture recommended, in 1881, among other things, the formation of the Bureau of Industries, which was afterwards entrusted with the collection of municipal statistics. The Municipal Commission of 1888 placed an outline of the municipal systems of various countries in convenient form, and compared the more important features with those of Ontario. The Drainage Commission of 1893 was followed by a revision of the drainage laws and the enactment of The Ditches and Watercourses Act, a most valuable aid in the settlement of local drainage disputes. The Toll Road Commission of 1895 dealt with those relicts of municipal mismanagement, and its report included suggestions for the purchase of the roads then in existence. The Tax Commission of 1898 included in its report the systems of assessment and taxation in other countries, and the report of a similar commission appointed in 1901 was followed by the adoption of the present law. A select committee on municipal ownership in 1904 set forth particulars of municipal ownership laws in other countries, and showed the extent to which the idea had developed in Ontario. The Hydro-Electric Commission reports resulted in the conservation of electric power development for the municipalities of the Province. The Railway Tax Commission of 1905 reported a large amount of well-considered information, and recommended radical changes in the system of railway taxation for Provincial and municipal purposes. The Highway Commission suggested plans, ways, and means for the permanent improvement of the highways of the Province.

The Statute Revision Commissioners, appointed every ten years, recommend many improvements in the Municipal laws.



The Ontario Municipal Association, organized at Hamilton in 1899, has since been most active in considering the needs of municipalities generally, and has been the means of bringing about much progressive legislation. The University of Toronto studies in political science, published from time to time, have been most valuable in directing attention to municipal affairs. All these, combined with the critical but progressive attitude of the Provincial press, have done much to improve municipal conditions.

The newer provinces, recognizing the lack of co-operation on the part of the various Provincial authorities in Ontario, having to do with municipal affairs, included in their organization a sub-department of municipal affairs, in charge of an efficient deputy minister. The result has been most beneficial in directing municipal development along right lines. There would appear to be the greatest necessity for the establishment of a similar department in Ontario if local government problems are to receive the attention necessary to keep the municipalities abreast of the rapid progress that is being made elsewhere.

One of the tendencies of present-day legislation is to surround both the legislative and administrative powers of municipal councils with a wise measure of central control.

The supervising authorities have been shown to be: the Bureau of Industries, the Provincial inspection of county houses of industry, etc., the Provincial Board of Health, the Provincial Highway Commissioner, the Hydro-Electric Power Commission, the Railway and Municipal Board, the Provincial Auditor, and the Education Department, which regulates grants and reserves the right to approve of the dismissal of public school inspectors after they have been appointed by the councils.

In the matter of returns relating to statistics, the same information may be demanded by several authorities, and the control of systems of book-keeping would appear to require consideration. The Railway and Municipal Board under their Act and The Public Utilities Act, have authority over books and accounts of public utilities. The Power Commission have a similar authority to which the Municipal Board cannot object. The Provincial Municipal Auditor, however, has a general authority to determine the system of book-keeping to be adopted in all municipalities.

The continual investigation of municipal progress elsewhere, the adaptation of the best ideas to Ontario conditions, and the necessity for co-ordination throughout, all combine in favor of the idea that a Department of Municipal Affairs will greatly encourage future development and progressive legislation.

