

1982

c 63 City of Barrie Act, 1982

Ontario

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Bibliographic Citation

City of Barrie Act, 1982, SO 1982, c 63

Repository Citation

Ontario (1982) "c 63 City of Barrie Act, 1982," *Ontario: Annual Statutes*: Vol. 1982, Article 65.

Available at: http://digitalcommons.osgoode.yorku.ca/ontario_statutes/vol1982/iss1/65

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CHAPTER 63

An Act respecting the City of Barrie

Assented to April 23rd, 1982

WHEREAS The Corporation of the City of Barrie, herein ^{Preamble} called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Where the council of the Corporation has the author- ^{Collection of expenses} ity under the *Municipal Act* or the *Planning Act* to direct or require by by-law or otherwise that any matter or thing be done and that, in default of its being done by the person directed or required to do it, such matter or thing shall be done at his expense, the Corporation shall have a lien for any amount expended by or on behalf of the Corporation and for an administrative fee, including legal costs and disbursements, which administrative fee shall not exceed the reasonable administrative expenses of the Corporation, and the certificate of the clerk of the Corporation as to the total amount expended shall be admissible in evidence as *prima facie* proof of the total amount expended and such total together with the administrative fee shall be deemed to be municipal real property taxes and shall be added to the collector's roll of taxes to be collected and shall be subject to the same penalty and interest charges as real property taxes and shall be collected in the same manner and with the same remedies as real property taxes. ^{R.S.O. 1980, cc. 302, 379}

(2) Before the certificate of the clerk of the Corporation is ^{Interim certificate and appeal} issued under subsection (1), an interim certificate shall be served on the owner of the property that is subject to the lien, as well as to all prior mortgagees or other encumbrancers, which service shall be made by personal service or by registered mail addressed to the person to whom it is to be given at his usual or last known place of address, or, where the last known place of address is that shown on the registered instrument under which he acquired his interest, to such address, or by leaving it at one of such places of address, and where service is effected by registered mail, such

service shall be deemed to have been made on the fourth day following the mailing of the certificate, and the affected owner, mortgagees or other encumbrancers shall have two weeks from the date of service of the interim certificate to appeal the amount shown thereon to the council of the Corporation.

Collection
of loans
R.S.O. 1980,
cc. 379, 209

(3) Where the council of the Corporation has the authority under the *Planning Act* or the *Housing Development Act* to provide for the making of loans to the registered owners of land to pay for,

(a) the whole or any part of the cost of repairs required to be done; or

(b) the clearing, grading and levelling of the lands,

on such terms and conditions as the council of the Corporation may prescribe, the Corporation shall have a lien for any amount loaned by or on behalf of the Corporation and for an administrative fee, including legal costs and disbursements, which administrative fee shall not exceed the reasonable administrative expenses of the Corporation incurred in connection with the loan, and the certificate of the clerk of the Corporation as to the total amount loaned shall be admissible in evidence as *prima facie* proof of the total amount loaned and, if default is made with respect to any terms of the loan, the whole of the balance of the loan, together with accrued interest thereon at the time of the default, becomes due and payable forthwith and the amount of such balance including interest and including so much of the administrative fee as remains unpaid shall be deemed to be municipal real property taxes and shall be added to the collector's roll of taxes to be collected and shall be subject to the same penalty and interest charges as real property taxes and shall be collected in the same manner and with the same remedies as real property taxes.

Commence-
ment

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

Short title

3. The short title of this Act is the *City of Barrie Act, 1982*.

