



2ND SESSION, 37TH LEGISLATURE, ONTARIO  
50 ELIZABETH II, 2001

# **Bill Pr26**

## **An Act respecting the Ajax Pickering Transit Authority**

**Mr. O'Toole**

**Private Bill**

1st Reading    December 4, 2001  
2nd Reading  
3rd Reading  
Royal Assent

Printed by the Legislative Assembly of Ontario



EXPLANATORY NOTE

The purpose of the Bill is set out in the Preamble.

## An Act respecting the Ajax Pickering Transit Authority

### Preamble

The council of The Corporation of the Town of Ajax (“Ajax”) and the council of The Corporation of the City of Pickering (“Pickering”) have applied for special legislation to continue the Ajax Pickering Transit Authority as a corporation.

It is appropriate 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:

### Transit Authority continued

1. (1) The Ajax Pickering Transit Authority established by Ajax and Pickering is hereby continued as a corporation without share capital under the name Ajax Pickering Transit Authority in English and Régie des transports en commun d’Ajax et de Pickering in French.

### Composition

(2) The Transit Authority is composed of the members of its board of directors.

### Status as local board

(3) The Transit Authority shall be deemed to be a local board as defined in section 1 of the *Municipal Affairs Act*.

### Purposes

2. (1) The purposes of the Transit Authority are,
- (a) to carry on a public transportation system in Ajax and Pickering and in other municipalities to the extent necessary to integrate the system with other public transportation systems;
  - (b) to integrate its services with the other public transportation systems;
  - (c) to exchange information about operations and design with other public transit authorities.

### Same

(2) Upon the request of another municipality and with the consent of Ajax and Pickering, the Transit Authority may carry on a public transportation system in the other municipality on behalf of the other municipality.

### Powers

3. (1) The Transit Authority has the capacity, rights, powers and privileges of a municipality for carrying out its purposes.

### Operating licence

(2) Despite subsection 2 (1) of the *Public Vehicles Act*, the Transit Authority may operate a public vehicle without an operating licence issued under that Act, but only in Ajax, Pickering and municipalities referred to in subsection 2 (2) and in other municipalities to the extent necessary to integrate the transit services provided by the Transit Authority with other transit systems.

### Board of directors

4. (1) The board of directors is composed of six members, three of whom are to be appointed by the Ajax town council and three of whom are to be appointed by the Pickering city council.

### Same

(2) The composition of the board may be changed by a by-law approved by the Ajax town council and the Pickering city council, and the by-law may specify the manner in which the members of the board are to be chosen.

### Same

(3) If the composition of the board is changed to include members appointed by another municipality, a subsequent by-law to change the composition of the board requires the approval of the council of the other municipality as well as those councils specified in subsection (2).

### Remuneration

(4) The members of the board are to be paid such remuneration as is specified by a by-law of the Transit Authority.

### Vacancy

(5) If one or more positions on the board is vacant, the board shall be deemed to be properly constituted for a period not exceeding 90 days after the deficiency in the number of members first occurs.

### Initial board

(6) The individuals who are members of the board of the Ajax Pickering Transit Authority as it exists immediately before this Act receives Royal Assent are the members of the board of the Ajax Pickering Transit Authority on the day this Act receives Royal Assent.

### Same

(7) The term of office of the members of the initial board referred to in subsection (6) expires on the day on which their term of office would otherwise have expired, but for this Act.

**Powers of the board of directors**

5. (1) The affairs of the Transit Authority are under the management and control of the board of directors.

**Same**

(2) The board may pass by-laws and resolutions regulating its proceedings and generally for the conduct and management of the affairs of the Transit Authority.

**Exemption from taxation**

6. (1) The Transit Authority is not liable to pay tax under section 2 or 2.1 of the *Land Transfer Tax Act* or section 2 of the *Retail Sales Tax Act* in respect of any transfer of assets or rights from a municipality to the Transit Authority.

**Exemption**

(2) Section 2 of the *Bulk Sales Act* does not apply with respect to any transfer of assets or rights from a municipality to the Transit Authority.

**Winding up the Transit Authority**

7. (1) Despite subsection 210.4 (3) of the *Municipal Act*, the Transit Authority shall not be wound up except

by a by-law passed by the Ajax town council, the Pickering city council and the council of every other municipality on behalf of which the Transit Authority carries on a public transportation system.

**Same**

(2) Despite subsection 210.4 (4) of the *Municipal Act*, the Ajax town council, the Pickering city council and the council of every other municipality described in subsection (1) have the power to pass a by-law to dissolve the Transit Authority even if a regulation under subsection 210.4 (7) of that Act relating to the dissolution of such a local board is not in force.

**Commencement**

**8. This Act comes into force on December 31, 2001.**

**Short title**

**9. The short title of this Act is the *Ajax Pickering Transit Authority Act, 2001*.**