

Pilon, Janet

Subject: Funding School Playgrounds via Special Infrastructure Levy Funds
Attachments: Special Services Ont Regulation.PNG

From: viv
Sent: September-12-17 9:24 AM
To: Pilon, Janet
Cc: DL - Council Only
Subject: Funding School Playgrounds via Special Infrastructure Levy Funds

Janet, can you please add this correspondence on to the next Council meeting. Thanks. Viv

Dear Honourable Mayor & Council Members:

Re: Item #7.6 Playground Revitalization Motion

Can you please advise whether playgrounds/playground equipment is considered a Health Program and/or Health Service?

Joint ventures with the Boards to provide safe and enhanced playground equipment is an extremely worthwhile project but it's disturbing that Area Rated funds are being used in place of General Levies that we all contribute to. I'm requesting that you consider that all wards and all City of Hamilton students be treated equally under this type of joint venture.

If this venture falls under Board of Health (Health Promotion and Protection Act), the Municipal Act, via the attached regulation, is clear that Special Area Taxation funds cannot be used for these types of costs. Part II of the Act states:

School pupils

6. (1) Every board of health shall provide such of the health programs and services as are prescribed by the regulations for the purposes of this section to the pupils attending schools within the health unit served by the board of health. R.S.O. 1990, c. H.7, s. 6 (1).

In other words, Council has an obligation to provide health programs & services to the masses; and not view health as a special service provided to certain special areas within our City.

Prior to voting on the Motion, clarity on my inquiry would be appreciated.

Respectfully,

Viv Saunders

Municipal Act, 2001

ONTARIO REGULATION 585/06

SERVICES THAT CANNOT BE IDENTIFIED AS A SPECIAL SERVICE

Consolidation Period: From January 1, 2007 to the e-Laws currency date.

No amendments.

This is the English version of a bilingual regulation.

Services that cannot be identified as a special service

1. For the purposes of clause 326 (5) (a) of the Act, the following services are prescribed as services that cannot be identified as a special service under clause 326 (1) (a) of the Act:

1. Health programs and services under Part II of the *Health Protection and Promotion Act*. O. Reg. 585/06, s. 1.