



**LS23011 / FCS23013**

**Legislation regulating funding of the  
Hamilton Police Services, the Hamilton  
Public Library and Conservation Authorities**

# Hamilton Police Services Board Legislation

Municipal police services are governed by the *Police Services Act*, R.S.O. 1990

Section 4 of the *Police Services Act* states that “every municipality... shall provide adequate and effective police services” which is defined as including at a minimum the following services:

1. Crime Prevention
2. Law Enforcement
3. Assistance to victims of Crime
4. Public Order Maintenance
5. Emergency Response

If the municipality does not provide police services, the Ontario Provincial Police provides the services and the costs are borne by the municipality.

Ontario Regulation 3/99 outlines in more detail what constitutes adequate and effective police services.

# Hamilton Police Services Board Composition and Duties

To deliver adequate and police services municipalities are required to establish a police services board.

The size and composition of the Board is set out in the Act.

The Hamilton Police Services Board is composed of seven members: the Mayor, two Councillors, three persons appointed by the Lieutenant Governor and one member of the public who is appointed by Council.

# Hamilton Police Services Board Budget

Section 39 of the Act governs the budget approval process of the Hamilton Police Services Board.

The board is required to submit its budget to Council.

Council establishes the overall budget for the Board, and in doing so, Council is not bound to adopt the budget submitted by the Board.

Council does not have the authority to approve or disapprove specific items in the budget.

In the case of a dispute between Council and the Board as to the budget, the Board may request that the Commission determine the question and the Commission shall, after a hearing, do so.

# Hamilton Public Library Board Legislation

Municipal public libraries are governed by the *Public Libraries Act, R.S.O. 1990*

Section 3 permits Council to establish a public library by by-law which shall be under the management and control of a Board.

By-Law 04-019 passed on February 11, 2004, established the Hamilton Public Library Board, replacing previous by-laws on the subject.

The by-law directs the Board to manage and direct the library in accordance with the Act. The Board consists of two members of Council and nine citizen appointees. The Board has the following officers: Chair, Vice Chair, Secretary, Treasurer and Chief Executive Officer.

The legislation directs the Board to submit its budget to Council annually.

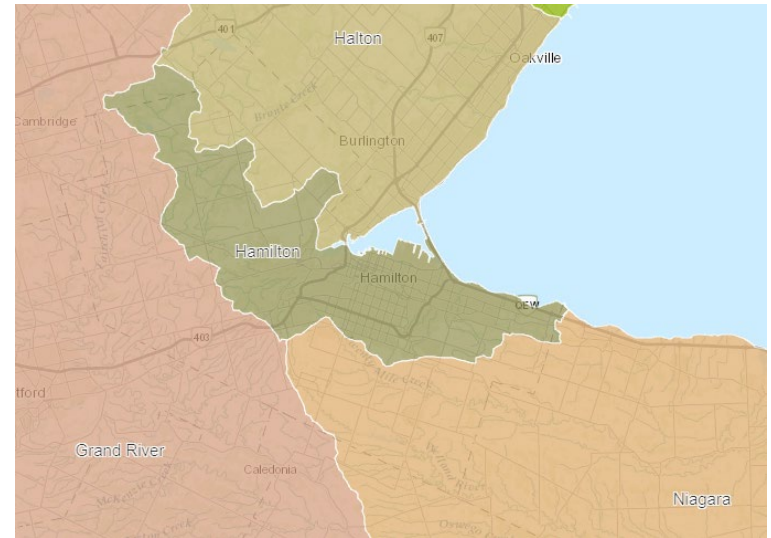
Council may adopt or amend the budget and the budget approved by Council shall be adopted by the Board.

# Conservation Authorities Legislation

Conservation Authorities are governed by the *Conservation Authorities Act, R.S.O. 1990*.

Under section 2 of *the Act* the jurisdiction of a Conservation Authority is delineated by the watersheds, not the municipal boundaries.

The municipal boundary of the City of Hamilton contains four watersheds, and therefore the City is a participating municipality in four conservation authorities, with varying levels of representation.



\*This Table does not reflect pending changes to board composition for Conservation Halton to 20 members in total and 3 Hamilton Councillors.

| Conservation Authority | Board Members | Hamilton Councillors | Hamilton Citizens |
|------------------------|---------------|----------------------|-------------------|
| Hamilton               | 11            | 5                    | 5                 |
| Niagara                | 17            | 2                    | 2                 |
| Grand River            | 26            | 1                    | 0                 |
| Halton*                | 19            | 0                    | 2                 |

# Conservation Authorities Budget and Municipal Levy

The annual budget of a conservation authority includes operating or maintenance costs, administration costs, revenues and levies from participating municipalities.

The levy to municipalities is calculated using a prescribed formula found in O.Reg. 670/00.

The calculation of the levy is based on the municipal property assessment share. A municipality with a larger assessment will have a larger burden of levy. The assessments are updated annually.

Capital projects are apportioned based on the total benefit to the municipality.

A municipality may appeal the levy (operating and capital) to the Ontario Land Tribunal.

# Conservation Authorities Budget Approval Process

Following approval of its draft budget by the Board, each conservation authority submits and presents its budget to Council during the Tax Operating Budget process.

Following approval of its budget, a municipal levy request is submitted to Council.



# Conservation Authorities Act Changes

Approval of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017*, will result in changes to the budget process, will come into force on July 1, 2023 and will affect the 2024 budget.

Refer to Ontario Regulations 399/22, 400/22, 401/22 and 402/22.

A comprehensive report on these changes will be presented at a future General Issues Committee.



Hamilton

THANK YOU