

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

1ST SESSION, 43RD LEGISLATURE, ONTARIO
3 CHARLES III, 2024

Bill 219

**An Act to amend the Municipal Act, 2001 and the City of Toronto Act, 2006
with respect to fees and charges imposed on gas services and activities**

Co-sponsors:

Ms A. Clancy

Mr. M. Schreiner

Private Members' Bill

1st Reading November 4, 2024

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

The Bill amends the *Municipal Act, 2001* to give a municipality or local board the power to impose fees or charges on a producer, gas distributor, gas transmitter or storage company, as these terms are defined in section 3 of the *Ontario Energy Board Act, 1998*, for services or activities, costs payable or the use of property. The Act is also amended to provide that a regulation cannot impose conditions and limitations on that power.

Equivalent amendments are made to the *City of Toronto Act, 2006*.

**An Act to amend the Municipal Act, 2001 and the City of Toronto Act, 2006
with respect to fees and charges imposed on gas services and activities**

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

Municipal Act, 2001

1 Section 391 of the *Municipal Act, 2001* is amended by adding the following subsection:

Fees or charges on gas services and activities

(1.2) The power of a municipality or local board to impose fees or charges on persons under subsection (1) or (1.1) includes the power to impose a fee or charge on a producer, gas distributor, gas transmitter or storage company, as these terms are defined in section 3 of the *Ontario Energy Board Act, 1998*, for services or activities, costs payable or the use of property with respect to wires, cables, poles, conduits, pipes, equipment, machinery or other works that,

- (a) are or will be located on a municipal highway; and
- (b) are or will be used as part of the business of the producer, gas distributor, gas transmitter or storage company, as the case may be.

2 Section 400 of the Act is amended by adding the following subsection:

Limitation on regulation-making authority

(2) A regulation made under subsection (1) shall not impose conditions and limitations on the power of a municipality or local board to impose the fees or charges described in subsection 391 (1.2).

City of Toronto Act, 2006

3 Section 259 of the *City of Toronto Act, 2006* is amended by adding the following subsection:

Fees or charges on gas services and activities

(1.2) The power of the City or a local board (extended definition) to impose fees or charges on persons under subsection (1) or (1.1) includes the power to impose a fee or charge on a producer, gas distributor, gas transmitter or storage company, as these terms are defined in section 3 of the *Ontario Energy Board Act, 1998*, for services or activities, costs payable or the use of property with respect to wires, cables, poles, conduits, pipes, equipment, machinery or other works that,

- (a) are or will be located on a municipal highway; and
- (b) are or will be used as part of the business of the producer, gas distributor, gas transmitter or storage company, as the case may be.

4 Section 266 of the Act is amended by adding the following subsection:

Limitation on regulation-making authority

(2) A regulation made under subsection (1) shall not impose conditions and limitations on the power of the City or local board (extended definition) to impose the fees or charges described in subsection 259 (1.2).

Commencement

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

Short title

6 The short title of this Act is the *No Free Ride for Fossil Fuels Act, 2024*.