



ORDINANCES

OF THE

YUKON TERRITORY

PASSED BY THE

YUKON COUNCIL

IN THE YEAR

1975

FIRST SESSION

J. SMITH

COMMISSIONER

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1975

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CHAPTER 1
ORDINANCES OF THE YUKON TERRITORY
1975 (First Session)

COMMUNITY ASSISTANCE ORDINANCE

(Assented to March 26, 1975)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

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| 1.(1) | This Ordinance may be cited as the <i>Community Assistance Ordinance</i> . | Citation |
| 2.(1) | In this Ordinance | |
| | "approved" means approved by the Commissioner; | "approved" |
| | "capital project cost" means the actual cost of the project and includes any planning and engineering costs directly attributable to and approved for the project but does not include any administration costs and overhead charges of the applicant; | "capital project cost" |
| | "improving" in respect of a road or street includes widening, straightening, extending, changing the grade of, diverting, paving, landscaping or boulevarding a street or road; constructing a sidewalk, footcrossing, curbing, bridge-culvert or embankment forming part of a street or road, installing underground street lighting or constructing a system of storm drainage; | "improving" |
| | "piped sewer system" includes sewage treatment facilities and equipment, sewage lift stations, trunk and force mains, buildings whose principal use is to house sewage treatment equipment, land required for plant, but does not include collection mains; | "piped sewer system" |
| | "piped water system" includes water pumping and treatment equipment, intakes, buildings housing water systems equipment, wells, storage tanks and ancillary equipment, trunk supply mains and land required for plant, but does not include distribution mains; | "piped water system" |
| | "unorganized area" means an area of the Territory designated as an unorganized area pursuant to section 60; | "unorganized area" |
| | "utility" includes all wires and pipes which provide service to property and includes piped storm drains. | "utility" |
| (2) | Any expression defined in the <i>Municipal Ordinance</i> , <i>Local Improvement District Ordinance</i> or <i>Taxation Ordinance</i> and not otherwise defined in this Ordinance shall have the meaning assigned to it in the <i>Municipal Ordinance</i> , <i>Local Improvement District Ordinance</i> or <i>Taxation Ordinance</i> as the case may require. | Interpretation |

- Capital Payment 3.(1) The Commissioner may, pursuant to this Ordinance, make capital payments to municipalities or in respect of local improvement districts and unorganized areas for the construction, rehabilitation, operation and maintenance of approved projects.
- Conditions - Municipalities 4.(1) It shall be a condition of a capital payment to a municipality that
- (a) the proposed project is included in the approved five year capital budget of the municipality; and
 - (b) that no portion of the cost of the project which is funded by Canada or the Territory or any corporation or agency thereof is eligible for funding pursuant to this Ordinance.
- Conditions - Local Improvement Districts 5.(1) It shall be a condition of a capital payment in a local improvement district that
- (a) the proposed project is included in an approved five year capital budget of the district; and
 - (b) that no portion of the cost of the project which is funded by Canada or the Territory or any corporation or agency thereof is eligible for funding pursuant to this Ordinance.
- Conditions - Unorganized Areas 6.(1) It shall be a condition of a capital payment in an unorganized area that
- (a) the priority of the project shall be determined by the Commissioner in consultation with the residents of the area; and
 - (b) an organization representative of the area enter into an agreement with the Commissioner to ensure that the project will be operated and maintained for such period as may be required.
- Appropriation must be made 7.(1) It shall be a condition of any payment pursuant to this Ordinance that an appropriation has been made by the Territorial Council.
- Municipalities
- Piped Sewer and Water Systems
- Water or Sewer System 8.(1) The Commissioner may pay to a municipality an amount not exceeding 90 per centum of the cost of an approved piped water system or an approved piped sewer system.
- Distribution and Collector Systems
- Grant for Mains System 9.(1) The Commissioner may pay to a municipality a portion of the construction cost of an approved distribution mains of a piped water system and the collector mains of a piped sewer system pursuant to section 10.
- Subsidy 10.(1) Where the actual per foot construction cost of an approved mains project exceeds the amount calculated pursuant to subsection (2), the Commissioner shall pay to the municipality in respect of properties served by the mains, three-quarters of the excess.
- Calculation (2) The Commissioner shall calculate the average per foot cost of the construction of a sewer collector main or a water distribution main in the Territory in the previous year.

- 11.(1) In calculating the excess cost pursuant to subsection 10(1), the Commissioner shall not include any excess costs caused by the use of mains pipes which are larger than the pipes which would ordinarily be required to serve existing developed properties and which are provided to serve land not yet developed.
- Roads
- 12.(1) In this section
- "total cost" means the whole cost of the improvement of a road which has been approved for a capital payment;
- "recoverable cost" means an estimate made by the Commissioner of the cost of a road (including curbing, sidewalks, pavement and storm drainage but not including footcrossings, bridge-culverts or embankments), sufficient to service those properties abutting on the road to the minimum standard based on the construction costs of roads in the Territory in the previous year or, where no relevant road has been constructed in the previous year, the best estimate of the Territorial Engineer;
- "shareable cost" means the difference between the total cost and the recoverable cost.
- 13.(1) The Commissioner shall pay to a municipality 90 per centum of the shareable cost of arterial roads.
- 14.(1) The Commissioner shall pay to a municipality 80 per centum of the shareable cost of collector roads.
- 15.(1) A road may be designated by a regulation of the Commissioner as an arterial road or collector road in accordance with the criteria established pursuant to section 16.
- 16.(1) In designating a road, the Commissioner shall have regard to the following matters:
- (a) the traffic the road bears or will be required to bear;
- (b) the relationship of the road to other roads and highways; and
- in respect of a collector road
- (c) whether the road provides traffic service and land service;
- (d) allows direct access to abutting properties as well as collects traffic from and distributes traffic to local and arterial roads;
- (e) whether it carries medium volume traffic from local roads to arterial roads and from arterial roads to local roads; and
- in the case of an arterial road
- (f) whether it carries large volumes of all types of traffic between principal areas of traffic generation;
- (g) whether it is designed to carry large volumes of traffic at high speeds between areas of major traffic generation; and
- Future Properties excluded
- "total cost"
- "recoverable cost"
- "shareable cost"
- 90% grant
- 80% grant
- Designation of a Road
- Criteria for Designation

(h) whether some access is permitted to abutting properties but without interfering by such access with the primary function of the road as a traffic distributor.

Minimum Width (2) In order to be eligible for a capital payment, a road must be not less than 32 feet wide and the design of the improvement must be approved by the Commissioner.

Underground Utilities 17.(1) The cost of placing utilities underground shall not be included in the approved cost of a road unless they are installed at least one construction season before the surface improvements are made.

Community Facilities

Community Buildings 18.(1) The Commissioner may pay to a municipality 90 per centum of the approved cost of building a community social and recreational facility.

Amount of Grant 19.(1) The amount payable by the Commissioner pursuant to section 18 shall not exceed the following amounts:

(a)	enclosed skating rink;	\$250,000
(b)	community hall,	106,650
	community hall with gymnasium, or	167,400
	community hall as part of a	
	community complex;	160,000
(c)	curling rink;	99,000
(d)	skiing chalet;	30,000
(e)	enclosed swimming pool for summer	
	use;	30,000

(2) Approval for construction of a community hall with gymnasium shall not be given where a suitable gymnasium already exists in an area.

(3) The amounts payable by the Commissioner pursuant to subsection (1) shall be adjusted annually by regulation at the commencement of each financial year by a percentage in accordance with changes in the input index for non-residential construction for the previous year as described in the Statistics Canada publication "Prices and Price Indexes" catalogue number 62-002 using the prices fixed in subsection (1) as the base figures.

Municipality pays 10% 20.(1) It shall be a condition of the payment that the municipality contribute an additional amount of not less than 10 per centum of the amount of the payment.

Payment by Cash or Labour 21.(1) The portion of the cost to be paid by the municipality pursuant to section 20 may be contributed either by cash or by donations of labour or a combination of cash and labour.

Computation of Labour 22.(1) Donated labour value shall be computed at the current hourly rate paid to members of the public service.

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| 23.(1) | Where labour is not donated or the donated labour does not equal the amount required by section 20, any balance shall be contributed in cash payable by the municipality at large. | Balance Payable in Cash |
| 24.(1) | The Commissioner shall not make a payment pursuant to section 18 to a municipality for more than one facility of the same kind except as provided in section 25. | Payment limited to One Building |
| 25.(1) | A municipality with a population greater than 4,000 may receive a payment for one additional facility of the same kind for each additional population of 3,000 or may combine such additional facility with the original facility in the same application. | Further Buildings for Large Municipalities |
| (2) | Subsection (1) does not apply in respect of a skiing chalet or a community hall as part of a community complex. | |
| 26.(1) | A municipality may, subject to the approval of the Commissioner be given, in lieu of a payment for the building of a new facility, a payment for the purchase of an existing building for a facility where | Purchase of Old Buildings |
| | (a) the building meets the minimum requirements of the National Building Code; | |
| | (b) the estimated life of the building and the building site justify the investment of the funds; | |
| | (c) the current needs of the community can be met by the building or the building as modified; and | |
| | (d) the building and the site conform to the zoning regulations of the municipality. | |
| (2) | The amount of a payment pursuant to subsection (1) shall not exceed the amount owing and unpaid by the community or community organization owning the building. | |

Cemeteries

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| 27.(1) | The Commissioner may pay to a municipality the development cost of one cemetery. | Cemeteries |
| 28.(1) | The cost of a cemetery may include the price of the land, fencing, planning, survey costs and the construction of an access road to a gravelled standard, but does not include payment for existing improvements. | Cost of Development |

Waste Disposal

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| 29.(1) | The Commissioner may pay to a municipality 75 per centum of the cost of restoring existing waste disposal grounds to sanitary landfill standards and pay 75 per centum of the cost of acquiring and developing one new approved waste disposal ground including fencing and the construction of an access road to a gravelled standard. | Nuisance Ground |
| 30.(1) | The Commissioner may pay to a municipality 50 per centum of the capital cost of necessary compaction equipment to be used solely for sanitary landfill purposes. | Machinery |
| (2) | A municipality may not be given more than one payment pursuant to this section. | |

Community Planning

- Grant for Community Plan 31.(1) The Commissioner may pay to a municipality the cost of the first community plan required for the municipality including the cost of preparation of initial zoning plans, land use maps and zoning by-laws.
- Five Year Review (2) The Commissioner may pay to a municipality the cost of a review of the community plan and zoning by-laws once every five years.
- Terms of Reference (3) No application pursuant to this section may be granted unless the Commissioner has approved in advance
- (a) the terms of reference for the preparation of the plan; and
 - (b) the qualifications of the person to be appointed to carry out the study and advise in respect of the plan,
- and not less than twelve months' notice of the application is given to the Commissioner by the municipality.

Local Improvement DistrictsPiped Water and Sewer Systems

- Piped Systems 32.(1) The Commissioner may pay in a local improvement district the cost of a piped water system or a piped sewer system.
- Special Levy 33.(1) There shall be applied against all lands and improvements in a district within which a piped water system exists, a special levy of 1 mill on the assessment thereof.
- Further Special Levy 34.(1) There shall be applied against all lands and improvements in a district within which a piped sewer system exists, a special levy of 1 mill on the assessment thereof.

Distribution and Collector Systems

- Distribution and Collector Mains 35.(1) The Commissioner may pay the cost of the distribution mains of a piped water system and the collector mains of a piped sewer system and recover the cost thereof as a local improvement by means of a frontage charge against the lands benefitted or deemed to be benefitted.
- Calculation of Basic Cost 36.(1) The Commissioner shall calculate the average per foot cost of the construction of a sewer main or a water main in the Territory in the previous year.
- Recovery of Cost 37.(1) The Commissioner may impose a frontage charge on all lands benefitted or deemed to be benefitted to recover over a period of years the cost of the mains calculated in accordance with the cost established under section 36.
- Developer pays for new Subdivision 38.(1) Where land abutting a distribution mains or a collector mains is subdivided into lots, the developer shall be responsible for paying the actual construction cost of all pipes within the subdivision.

Roads

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| 39.(1) | The Commissioner may pay the approved cost of arterial roads and collector roads in a local improvement district. | Construction of Roads |
| (2) | There shall be applied against all lands and improvements in a district within which a road is improved, a special levy of 1 mill on the assessment thereof. | Special Levy |
| 40.(1) | Prior to the improvement of a road, the Commissioner shall cause to be prepared an estimate of the cost of a road sufficient to service those properties abutting on the road to the minimum standard based on the construction costs of roads in the Territory in the previous year or, where no relevant road has been constructed in the previous year, the best estimate of the Territorial Engineer. | Advance Estimate of Cost |
| 41.(1) | The Commissioner shall levy a frontage charge on any lands abutting the road to which the road provides access to recover over a period of years the amount of the cost mentioned in section 40. | Recovery of Cost |
| 42.(1) | The cost of placing utilities underground shall not be included in the cost of a road unless they are installed at least one construction season before the surface improvements are made. | Underground Utilities |
| 43.(1) | A road may be designated by a regulation of the Commissioner as an arterial road or collector road in accordance with the criteria established pursuant to subsection (2). | Designation of Roads |
| (2) | In designating a road, the Commissioner shall have regard to the following matters: | |
| | (a) the traffic the road bears or will be required to bear; | |
| | (b) the relationship of the road to other roads and highways; and | |
| | in respect of a collector road | |
| | (c) where the road provides traffic service and land service; | |
| | (d) allows direct access to abutting properties as well as collects traffic from and distributes traffic to local and arterial roads; | |
| | (e) whether it carries medium volume traffic from local roads to arterial roads and from arterial roads to local roads; and | |
| | in the case of an arterial road | |
| | (f) where it carries large volumes of all types of traffic between principal areas of traffic generation; | |
| | (g) whether it is designed to carry large volumes of traffic at high speeds between areas of major traffic generation; and | |
| | (h) whether some access is permitted to abutting properties but without interfering by such access with the primary function of the road as a traffic distributor. | |

Community Facilities

Grant for Community Buildings	44.(1)	The Commissioner may pay in a district 90 per centum of the approved cost of building a community social and recreational facility.
Amount of Grants	45.(1)	The amount of a payment payable by the Commissioner pursuant to section 44 shall not exceed the following amounts: <ul style="list-style-type: none"> (a) enclosed skating rink; \$250,000 (b) community hall, 106,650 <li style="padding-left: 2em;">community hall with gymnasium, or 167,400 <li style="padding-left: 2em;">community hall as part of a <li style="padding-left: 2em;">community complex; 160,000 (c) curling rink; 99,000 (d) skiing chalet; 30,000 (e) enclosed swimming pool for summer use; 30,000
Annual Adjustment of Cost	(3)	The amounts payable by the Commissioner pursuant to subsection (1) shall be adjusted annually by regulation at the commencement of each financial year by a percentage in accordance with changes to the input index for non-residential construction for the previous year as described in the Statistics Canada publication "Prices and Price Indexes" catalogue number 62-002 using the prices fixed in subsection (1) as the base figures.
	(4)	Any facility constructed pursuant to subsection (1) shall be deemed to be a local improvement within the meaning of section 54 of the <i>Taxation Ordinance</i> .
District to Contribute 10%	46.(1)	It shall be a condition of the payment that the district contribute an additional amount of not less than 10 per centum of the amount of the payment.
Contribution by Cash or Labour	47.(1)	The portion of the cost to be paid by the district, pursuant to section 46, may be contributed either by cash or by donations of labour or a combination of cash and labour.
Value of Labour	48.(1)	Donated labour shall be computed at the current hourly rate paid to members of the public service.
Balance Payable in Cash	49.(1)	Where labour is not donated or the donated labour does not equal the required amount, any balance shall be contributed in cash by the district.
Recovery of Balance by Special Levy	50.(1)	Where the amount required to be paid pursuant to section 46 is not paid, the amount shall be recovered by the imposition of a special levy, not exceeding 3 mills annually applied on the assessment of all lands and improvements in the district until the required amount has been recovered.

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| 51.(1) | The Commissioner shall not make a payment pursuant to section 44 in a district for more than one facility of the same kind except as provided in section 52. | Grant
Limited to
One Building |
| 52.(1) | A district with a population greater than 500 may be given a payment as part of a community complex for the enhancement of existing facilities not exceeding \$160,000. | One Building
per District |
| 53.(1) | A district may, subject to the approval of the Commissioner, be given in lieu of a payment for the building of a new facility, a payment for the purchase of an existing building for a facility where <ul style="list-style-type: none"> (a) the building meets the minimum requirements of the National Building Code; (b) the estimated life of the building and the building site justify the investment of the funds; (c) the current needs of the community can be met by the building or the building as modified; and (d) the building and the site conform to the zoning regulations of the district. | Purchase of
New Building |
| 54.(1) | The amount of a payment pursuant to section 53 shall not exceed the amount owing and unpaid by the community or community organization owning the building. | Limitation |
| 55.(1) | Where an application is made for a payment pursuant to section 53 and the amount unpaid and owing in respect of the building by the community or community organization, is less than 70 per centum of the value of the building, the district shall not be required to pay any portion of the 10 per centum required to be paid by the district pursuant to section 46. | Amount of
Payment |
| 56.(1) | The trustees of the district shall enter into an agreement with the Commissioner respecting the operation and maintenance and the establishment of user charges in respect of any facility constructed, reconstructed or purchased pursuant to a payment under section 45. | Establishment
of User
Charges |
| 57.(1) | Where the Board becomes the owner of any building constructed, reconstructed or purchased pursuant to a payment pursuant to section 45 and the user charges agreed on between the trustees and the Commissioner are insufficient in any year to meet the costs of heating, lighting and maintenance of the building, the Commissioner shall pay the insufficiency and impose a levy not exceeding 2 mills on the assessment of every property in the district in respect of each such building in the ensuing year. | Recovery of
Loss |
| <u>Waste Disposal</u> | | |
| 58.(1) | The Commissioner may pay the cost of developing an approved solid waste disposal ground in a district including the cost of fencing and construction of an access road to gravelled road standards and provide for the restoration of any existing waste disposal ground. | Grant for
Nuisance
Ground |

Community Planning

- Community Plan 59.(1) The Commissioner shall prepare the first community plan required for the district including the cost of preparation of initial zoning plans, land use maps and zoning by-laws.
- Five Year Review (2) The Commissioner may prepare a review of the community plan and zoning by-laws once every five years.
- Terms of Reference (3) No application pursuant to this section may be granted unless the Commissioner has approved in advance
- (a) the terms of reference of the preparation of the plan;
 - (b) the person to be appointed to carry out the study and advise in respect of the plan; and
 - (c) not less than twelve months' notice of the application is given to the Commissioner by the district.

Unorganized Areas

- Designation of Unorganized Area 60.(1) The Commissioner may designate any area of the Territory which is not contiguous to an organized area to be an unorganized area for the purposes of this Ordinance.

Community Facilities

- Skating Rink 61.(1) The Commissioner may pay the cost of an illuminated outdoor skating rink together with a heated room.
- Community Building 62.(1) The Commissioner may pay the approved cost of building a community social and recreational facility in an unorganized area and recover an amount of not less than 10% of the cost pursuant to section 67.
- Amount of Grant 63.(1) The Commissioner shall not approve a cost for a facility exceeding the following amounts:
- (a) community hall, or \$106,650
community hall with gymnasium; 167,400
 - (b) skiing chalet; 30,000
 - (c) enclosed swimming pool for summer use. 30,000
- (2) A community hall with gymnasium shall not be approved where a suitable gymnasium already exists in the area.
- (3) The amounts to be approved by the Commissioner pursuant to subsection (1) shall be adjusted annually by regulation at the commencement of each financial year by a percentage in accordance with the changes in the input index for non-residential construction for the previous year as described in the Statistics Canada publication "Prices and Price Indexes" catalogue number 62-002 using the prices fixed in subsection (1) as the base figures.

64.(1)	No payment shall be approved pursuant to subsection 63(1) unless an amount not less than 10 per centum of the cost of the facility is provided by the residents of the area.	Community Pays 10%
65.(1)	The portion of the cost to be paid by the area pursuant to section 64 may be contributed either by cash or by donations of labour or a combination of cash and labour.	Contribution by Cash or Labour
66.(1)	Donated labour shall be computed at the current hourly rate paid to members of the public service.	Calculation of Labour
67.(1)	Where labour is not donated pursuant to an agreement or the labour does not equal the required amount, any balance shall be recovered by a special levy, not exceeding 3 mills per annum, applied on the assessment of every property in the area until the required amount has been recovered.	Balance Recovered by Special Levy
68.(1)	The purchase of an existing building or facility may be approved in lieu of the building of a new facility where : (a) the building meets the minimum requirements of the National Building Code; (b) the estimated life of the building and the building site justify the investment of the funds; (c) the current needs of the community can be met by the building or the building as modified; and (d) the building and the site conform to the zoning regulations of the area.	Purchase of Old Buildings
69.(1)	The amount of a payment to section 68 shall not exceed the amount owing and unpaid by the community or community organization owning the building.	Limitation
70.(1)	Where an application is made for a payment pursuant to section 68 and the amount unpaid and owing in respect of the building by the community or community organization is less than 70 per centum of the value of the building, the area shall not be required to pay any portion of the 10 per centum required to be paid by the area.	Amount of Payment
71.(1)	It shall be a condition of a payment that an organization representative of the area shall enter into an agreement with the Commissioner respecting the operation and maintenance and the establishment of user charges in respect of any facility constructed, reconstructed or purchased pursuant to a payment under section 62 or 68.	Establishment of User Charges
72.(1)	It shall be a condition of payment by the Commissioner for the cost of a community facility that the project is approved by a majority of the persons resident in the area.	Majority of Residents to Approve
73.(1)	Where the Commissioner becomes the owner of any building constructed, reconstructed or purchased pursuant to a payment pursuant to section 62 or 68 and the user charges agreed on between an organization representative of the area and the Commissioner	Recovery of Loss by Special Levy

are insufficient in any year to meet the costs of heating, lighting and maintenance of the building, the Commissioner shall pay the insufficiency and impose a levy not exceeding 2 mills on the assessment of every property in the area in respect of each such building in the ensuing year.

Waste Disposal

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| Nuisance Ground | 74.(1) | The Commissioner may pay the cost of developing an approved solid waste disposal ground in an unorganized area including the cost of fencing and construction of an access road to gravelled road standards and provide for the restoration of any existing waste disposal ground. |
| Septic Tanks | 75.(1) | The Commissioner may provide a community septic tank in an unorganized area for the disposal of trucked wastes and sewer eductor clean-out in any unorganized area in which there is no piped sewer system. |

Community Wells

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| Wells | 76.(1) | The Commissioner shall pay the cost of a community water well in any unorganized area where a water well is required. |
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General

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| Application of Taxation Ordinance | 77.(1) | Notwithstanding any provision of this Ordinance, section 54 of the <i>Taxation Ordinance</i> shall apply in respect of a local improvement which is constructed pursuant to this Ordinance. |
| Recovery of Loss | (2) | Where prior to the commencement of this Ordinance the Commissioner has provided a water distribution mains or a sewer collector mains in any area, he may recover the operational and capital cost thereof in the same manner as in a local improvement district. |
| Non-taxable Property included for Special Levy | 78.(1) | Where a levy or special levy is applied on the assessment of lands and improvements in a district or unorganized area for the purpose of raising money as a contribution towards the cost of a project pursuant to this Ordinance, the Commissioner shall include in the amount of such levy the total assessment including those lands and improvements normally exempt from taxation. |
| Transitional | 79.(1) | Where a district becomes a municipality pursuant to the <i>Municipal Ordinance</i> , the municipality may on application to the Commissioner continue for all the purposes of this Ordinance to be a local improvement district for a period of three years. |

Operation and Maintenance AssistanceMunicipalitiesWater Delivery by Truck

- 80.(1) The Commissioner may pay to a municipality an amount not exceeding 50 per centum of the deficit incurred each year in delivering water by truck in the municipality. **Cost of Water Delivery**
- (2) It is a condition of a payment pursuant to this section that the rate to be charged by the municipality shall be **Charges**
- (a) for three deliveries a week to a unit having a storage capacity not exceeding 500 gallons, not less than \$10.00 per month;
- (b) for three deliveries a week to a unit having a storage capacity over 500 gallons, not less than \$15.00 per month; and
- (c) for more than three deliveries a week, the actual cost of the delivery.

Transit Operation

- 81.(1) The Commissioner may pay to a municipality a portion of the annual cost of the operation of a transit system pursuant to this section. **Bus System**
- (2) The portion of the cost to be provided by the Commissioner shall not exceed an amount which could be raised by a levy of 1 1/2 mills on the taxable assessment of the municipality.
- (3) A payment by the Commissioner shall not exceed 60 per centum of the operational losses of the transit system including amortization of capital.

Cemetery Maintenance

- 82.(1) The Commissioner may pay to a municipality a portion of the cost of the operation and maintenance of each cemetery in the municipality. **Operation of Cemetery**
- (2) The amount to be paid each year by the Commissioner pursuant to this section shall not exceed the lesser of
- (a) 60 per centum of the cost of operation and maintenance of the cemetery; or
- (b) \$1,000.00.

Local Improvement Districts

- 83.(1) The Commissioner shall fix the annual maximum rate that may be charged by the Board to users of each water and sewer system. **Maximum Charges Fixed by Commissioner**
- (2) Where any loss in the operation of the system results after the application of the rate fixed by the Commissioner, the Commissioner shall pay the amount of such loss.

Water Delivery by Truck

- Trucked Water Delivery 84.(1) The Commissioner may pay the deficit incurred each year in delivering water by truck in the district.
- (2) It is a condition of a payment pursuant to this section that the rate to be charged by the district shall be
- (a) for three deliveries a week to a unit having a storage capacity not exceeding 500 gallons, not less than \$10.00 per month;
 - (b) for three deliveries a week to a unit having a storage capacity over 500 gallons, not less than \$15.00 per month; and
 - (c) for more than three deliveries a week, the actual cost of the delivery.

Community Septic Tank Pump-out System

- Septic Tank Pump-out System 85.(1) Where there is no piped sewer system in a district, the Commissioner may supply any equipment required and may pay to the district any deficit incurred by the district in the operation and maintenance of a septic tank pump-out system.
- User Charges (2) It shall be a condition of any payment pursuant to subsection (1) that the Board shall fix a system of charges for the service based on an annual residential minimum rate of \$60.00 per annum and, to other users, on the basis of volume.

Unorganized AreasWater Delivery by Truck

- Trucked Water Delivery 86.(1) The Commissioner may operate a program of water delivery by truck in an unorganized area.
- User Charges (2) Where the Commissioner provides a program of water delivery by truck in an unorganized area, he may charge a rate for such delivery.
- (a) for three deliveries a week to a unit having a storage capacity not exceeding 500 gallons, not less than \$10.00 per month;
 - (b) for three deliveries a week to a unit having a storage capacity over 500 gallons, not less than \$15.00 per month; and
 - (c) for more than three deliveries a week, the actual cost of the delivery.

Community Well

- Community Wells 87.(1) The Commissioner may pay the cost of the operation and maintenance of a community well in any area where no piped water system exists.

Community Septic Tank Pump-out System

- Septic Tank Pump-out System 88.(1) The Commissioner may pay the cost of the operation and maintenance of a community septic tank pump-out system where no piped sewer system exists.
- (2) The Commissioner may recover a portion of the cost mentioned in subsection (1) by means of a system of charges to users based on a residential minimum charge of \$5.00 per month and, to other users, on the basis of volume.

General

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| 89.(1) | The Commissioner shall provide two annual visits by a sewage education unit to every community where such services are not being provided under section 85, or section 88, or by a locally based private operator and make a charge for this service at a rate, uniform throughout the Territory. | Sewer
Education |
|--------|---|--------------------|

ProcedureMunicipalities

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| 90.(1) | Every application by a municipality for a payment pursuant to this Ordinance shall be made in the prescribed form. | Form of
Application |
| 91.(1) | Where a by-law is required for the expenditure pursuant to the <i>Municipal Ordinance</i> , a certified copy of the by-law shall be transmitted to the Commissioner after the second reading thereof. | Transmittal
of Bylaw |
| 92.(1) | Where the approval of the taxpayers is required pursuant to the <i>Municipal Ordinance</i> , a certified copy of the by-law after second reading and after the approval of the taxpayers has been obtained, shall be transmitted to the Commissioner. | Money Bylaw |
| 93.(1) | Where a by-law proposing an expenditure is submitted to the taxpayers pursuant to the <i>Municipal Ordinance</i> and is rejected by the taxpayers, the Commissioner shall pay to the municipality one half of the cost incurred by the municipality in respect of the project planning or consultants' fees. | Rejection of
Money Bylaw |
| 94.(1) | Every application for an approval of a project pursuant to this Ordinance shall be accompanied by all necessary plans, diagrams, design details and such information as may be required by the Commissioner for evaluation of the project. | Transmittal
of Balance |
| 95.(1) | Any approval of a project to be given by the Commissioner shall be given in writing and on receipt of such approval, the municipality may <ul style="list-style-type: none"> (a) give final passage to the by-law where a by-law is required; (b) call tenders; (c) acquire any land required for the projects; and (d) do any other things necessary to complete the project. | Approval by
Commissioner |
| 96.(1) | Where any portion of a project cost will be funded by Canada, the Territory or any agent or corporation thereof, such portion shall be separately described in the application. | Form of
Application |

- Change in Application 97.(1) Where after approval of a project has been given by the Commissioner the municipality proposes, before or during construction, any change which may result in an increase in the cost of the project by more than 5 per centum, such change shall not be made without the prior approval of the Commissioner.
- Payment by Commissioner 98.(1) Where a capital project has been approved by the Commissioner pursuant to this Ordinance, the Commissioner shall pay the portion of the costs agreed upon to the municipality in instalments on evidence of the payment by the municipality in respect of the work.
- Application for Payment 99.(1) Payments in respect of operation and maintenance projects pursuant to this Ordinance shall be made by the Commissioner on the application of the municipality.

Local Improvement Districts

Procedure

- Trustees' Resolution to be Forwarded 100.(1) An application for a capital payment pursuant to this Ordinance in respect of a district shall be made in the prescribed form and accompanied by a resolution of the Board of Trustees supporting the application.
- Consent Required 101.(1) Where a consent is required to a capital project, the Board shall forward to the Commissioner as required, evidence that such consent has been obtained.
- Construction by Commissioner or Board 102.(1) When a capital project has been approved
 - (a) the work may be carried out by the Commissioner and on completion shall be turned over to the Board for operation and maintenance; or
 - (b) where it is a project for the construction of a facility pursuant to section 45, the Board may construct the project in accordance with approved plans and specifications.
- Commissioner to consult with Board 103.(1) The Commissioner will consult with the Board from time to time during the designing and construction of the project and respecting any changes in the project during the construction thereof.

Unorganized Areas

Procedure

- Form of Application 104.(1) An application for a capital project in an unorganized area may be commenced by an application in a prescribed form signed by not less than 10 residents of the area.
- Construction by Commissioner or Community Organization 105.(1) Where an application has been approved
 - (a) the Commissioner may plan and carry out the project including its design, inspection and the acquisition of land for the project; or
 - (b) where it is a project for the construction of a facility pursuant to section 61 or 62, a community organization may construct the project in accordance with approved plans and specifications.

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| 106.(1) | The Commissioner will consult with the residents of the area or a committee of the residents before and during construction as circumstances permit. | Continue-
ing
Consultation |
| 107.(1) | The Commissioner may make such regulations as he deems necessary to carry out the purposes and provisions of this Ordinance. | Regulations |
| 108.(1) | This Ordinance or any portion thereof shall come into force on such day or days as may be fixed by the Commissioner. | Coming into
Force |



CHAPTER 2
ORDINANCES OF THE YUKON TERRITORY
1975 (First Session)

COMPENSATION FOR THE VICTIMS OF CRIME ORDINANCE

(Assented to March 26, 1975)

The Commissioner of the Yukon Territory, by and
with the advice and consent of the Council of the said
Territory, enacts as follows:

Short Title	1.(1)	This Ordinance may be cited as the <i>Compensation for the Victims of Crime Ordinance</i> .
Definitions	2.(1)	In this Ordinance
"child"		"child" includes an illegitimate child and a child to whom a victim stands <i>in loco parentis</i> ;
"crime"		"crime" means an offence contrary to the provisions of the Criminal Code that is enumerated in the regulations;
"dependent"		"dependent" means any of the following persons who, at the time of an occurrence, were wholly or partially dependent on the victim for support, namely: (i) the spouse or other relative of the victim, (ii) a child who is under the age of nineteen years at the time of the occurrence, (iii) a child who is nineteen years of age or over at the time of the occurrence and who is unable by reason of mental or physical disability to earn a livelihood, (iv) a person who cohabited with the victim for one year or more immediately preceding the occurrence, (v) a person who at the time of the occurrence was cohabiting with the victim and by whom the victim had one or more children, (vi) a person who at the time of the occurrence was acting as a foster parent of the children of a victim in the victim's household for one year or more immediately preceding the occurrence, and (vii) a person formerly married to the victim;
"hearing"		"hearing" means a hearing by a judge under this Ordinance;
"injury"		"injury" means actual bodily harm and includes pregnancy as a result of a crime and mental or nervous shock and
"injured"		"injured" has a corresponding meaning;
"occurrence"		"occurrence" means an act or omission of a person in the Territory in the circumstances set out in subsection 3(1) as a result of which a victim is injured or killed;

- "peace officer" means a peace officer as defined in the Criminal Code (Canada); and
- "victim" means a person injured or killed in any of the circumstances set out in subsection 3(1).
- 3.(1) Where a person is injured or killed by any act or omission in the Territory of another person occurring in or resulting from
- (a) the commission of a crime;
 - (b) lawfully arresting or attempting to arrest or assisting a peace officer in making or attempting to make an arrest of a person offending or suspected of offending against an Act of Parliament or a regulation made thereunder; or
 - (c) lawfully preventing or attempting to prevent or assisting a peace officer in preventing or attempting to prevent the commission of an offence or suspected offence against an Act of Parliament or regulation made thereunder,
- a judge, on the filing of a claim for compensation therefor, by or on behalf of a person having an interest in the claim, may make any order that he, in his discretion exercised in accordance with this Ordinance, considers proper for the payment of compensation to or for the benefit of
- (d) the victim;
 - (e) a person who is responsible for the maintenance of the victim, or
- where the death of the victim has resulted
- (f) the victim's dependents or any of them;
 - (g) the person who was responsible for the maintenance of the victim immediately before his death; or
 - (h) who has on behalf of the victim or his estate, incurred an expense for which compensation may be awarded pursuant to paragraph 4(1)(a)
- arising from the occurrence.
- (2) Subsection (1) does not apply in respect of the injury or death of a peace officer occurring under circumstances entitling him or his dependents to compensation payable out of public monies under any other ordinance of the Territory, or an Act of the Parliament of Canada or payable by an organization that is supported in whole or in part by public funds.
- (3) Where a claim for compensation is for less than one hundred dollars, no claim for compensation shall be entertained by a judge and where an award determined is less than one hundred dollars, no award shall be made.

"peace officer"

"victim"

Person injured or killed by another person

Injury or death of peace officer

Claim for compensation

- Non-payment of losses (4) The judge shall not make an order for the payment of compensation for loss or damage to property, except clothing, eyeglasses or other like property on the person of the victim.
- Filing a Claim (5) A claim for compensation under this Ordinance may be made by filing a claim in the prescribed form with the Clerk of the Supreme Court.
- Time of Claim (6) A claim for compensation shall be made within one year after the occurrence, but the judge, before or after the expiry of the one-year period, may extend the time for such further period as he considers warranted.
- Judge to deal with claim (7) Upon the filing of the claim for compensation referred to in subsection (5), the Clerk shall bring it before the judge for his attention and the judge shall deal with the claim in accordance with this Ordinance.
- (8) Except as otherwise provided in this Ordinance, the judge may fix his own procedure.
- Compensation awarded 4.(1) Compensation may be awarded for
 - Expenses incurred (a) expenses reasonably incurred or to be incurred as a result of a victim's injury or death;
 - Pecuniary loss or damages affecting work (b) pecuniary loss or damages incurred by the victim as a result of total or partial disability affecting the victim's capacity for work;
 - Pecuniary loss or damages resulting in death (c) pecuniary loss or damages incurred by dependents as a result of the victim's death;
 - Child as result of rape (d) maintenance of a child conceived and born as a result of rape;
 - Other pecuniary losses (e) other pecuniary loss or damages including pain and suffering resulting from the victim's injury and any expense that, in the opinion of the judge, it is reasonable to incur; and
 - Common law (f) in claims arising under the circumstances mentioned in paragraphs 3(1)(b) or (c), such other damage to the injured person resulting from the injury for which compensation may be recovered at common law other than punitive or exemplary damages.
- Considerations for compensation 5.(1) The judge shall take into consideration in determining any amount of compensation to be awarded to an applicant
 - Recoverable amount (a) any amount recovered from the person whose act or omission resulted in the injury or death whether it is damages or compensation pursuant to an action at law or otherwise;
 - Benefits (b) any benefits received or to be received
 - (i) by the victim in respect of his injury;

- (ii) by the person who is responsible for the maintenance of a victim; or
 - (iii) by the applicant in respect of the death of the victim,
- under any Act of the Parliament of Canada or the legislature of a province or any ordinance other than benefits under a pension plan or program under such act or ordinance;
- (c) such other benefits received or to be received by an applicant as the judge considers reasonable. Other benefits
- (2) In determining whether to make an order for the payment of compensation, a judge shall have regard to all relevant circumstances, including any behaviour of the victim that may have directly or indirectly contributed to his injury or death. Determining compensation
- 6.(1) The judge, in making an order for the payment of compensation, shall consider and take into account all such circumstances as he considers relevant to the making of the order and, without limiting the generality of the foregoing, the judge shall consider and take into account any behaviour that directly or indirectly contributed to the injury or death of the victim. Considerations for order of payment
- (2) The judge may decline to make an order for compensation if the injured person does not co-operate fully during the hearing and, in particular, if he
- (a) refuses to submit to a medical examination as required by the judge, or
 - (b) refuses to testify at the hearing.
- (3) The judge shall decline to make an order for compensation where the victim is himself culpable in relation to the crime or where, at the time of the commission of the crime resulting in his injury, the victim was himself engaged in unlawful activity unless the judge considers that, having regard to exceptional circumstances, compensation should be awarded. Decline of payment
- 7.(1) Where a claim for compensation under this Ordinance is made, the judge shall fix a time and place for the hearing of the claim and shall, at least ten days before the date fixed, cause notice thereof to be given to the applicant and to any other person appearing to the judge to have an interest in the matter including the person whose act or omission was or is alleged to be responsible for the occurrence, and the Public Administrator for the Yukon Territory. Time and place for hearing of claim

Entitlement	8.(1)	Where a person entitled to apply for the payment of compensation
Infant	(a)	is an infant, the application may be made on his behalf by his parent or guardian or by such person as the judge may direct, or
Mentally disordered person	(b)	is a mentally disordered person, the application shall be made on his behalf by his committee or, if the person has no committee, by the Public Administrator or such person as the judge may direct.
Parties to proceedings	9.(1)	Every person upon whom notice of a hearing referred to in section 7 is served and any other person specified by the judge is a party to the proceedings.
Non-attendance at hearing	10.(1)	If any party to the proceedings referred to in section 7 does not attend the hearing, the judge may proceed in his absence.
Hearing	11.(1)	A person who, in any hearing, inquiry or other proceeding under this Ordinance, knowingly
False Statement	(a)	makes a false statement to the judge, or
Misleads judge	(b)	misleads or attempts or mislead the judge, commits an offence.
Oral or written material	12.(1)	A judge may receive in evidence at a hearing under this Ordinance any oral or written statement, document, information or matter that, in his opinion, may assist him to deal with the matter before him, whether or not such statement, document, information or matter is given or produced under oath or would be admissible as evidence in a court.
Conviction of criminal offence	13.(1)	If a person is convicted of a criminal offence in respect of an occurrence on which a claim under this Ordinance is based, proof of the conviction shall, after the time for an appeal has expired, or if an appeal was taken, after it was dismissed and no further appeal is available, be taken as conclusive evidence that the offence has been committed.
Rights of Witnesses	(2)	The judge shall advise every person at a hearing as a witness of his right to object to answer any question under Section 8 of the <i>Evidence Ordinance</i> and Section 5 of the <i>Canada Evidence Act</i> .
Hearing "in camera"	(3)	Where a hearing is held <i>in camera</i> , counsel for a witness is not entitled to be present except when the witness is giving evidence.
	14.(1)	A judge shall hold a hearing <i>in camera</i> where he is of the opinion that a public hearing
	(a)	would be prejudicial to the trial of the person whose act or omission caused injury or death;
	(b)	would not be in the interest of a victim of an alleged sexual offence or his dependents, or

- (c) would not be in the interest of public morality.
- 15.(1) A judge may make an order prohibiting the publication of any report or account of the whole or any part of the evidence at a hearing where the judge considers it necessary for one of the reasons mentioned in section 14, but in making an order under this subsection, the judge shall have regard to the desirability of permitting the public to be informed of the principles, nature and result of each case. Evidence
- (2) Any person who publishes a report or account of any evidence at a hearing contrary to an order of a judge under subsection (1), commits an offence and is liable on summary conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding six months or to both fine and imprisonment. Publication of evidence
- (3) Where a corporation is convicted of an offence under subsection (2), the maximum penalty that may be imposed is \$10,000. Corporation conviction
- 16.(1) The final decision of a judge, including reasons therefor, shall be in writing. Final decision of judge
- (2) The reasons for the final decision of a judge shall include Reasons
 - (a) any findings of fact;
 - (b) the findings of fact on the evidence; and
 - (c) the conclusions of law based on the findings mentioned in paragraphs (a) and (b).
- (3) The Clerk shall cause a copy of the decision including the reasons to be served on the Commissioner and the parties to proceedings under this Ordinance. Copy of decision
- 17.(1) An order for compensation may be made whether or not any person is prosecuted for or convicted of an offence as a result of an occurrence, but a judge may, on his own initiative or upon the application of the Commissioner, adjourn proceedings pending the final determination of a prosecution or intended prosecution. Order for compensation
- (2) Notwithstanding that a person for any reason is legally incapable of forming criminal intent, the judge may, for the purposes of this Ordinance, deem him to have intended an act or omission that caused injury or death for which compensation is payable under this Ordinance. Intended act or omission
- 18.(1) A judge shall, upon request, release anything put in evidence at a hearing under this Ordinance to the lawful owner or the person entitled to possession thereof within a reasonable time after the matter in issue has been finally determined. Release of evidence

Variation of payment	19.(1)	A judge may on his own initiative or on the application of a victim, a dependent, the Commissioner, a person who committed or is alleged to have committed an offence, or other interested party, vary an order for payment of compensation in such manner as the judge thinks fit, whether as to the terms of the order or by increasing or decreasing the compensation, or otherwise.
Proceedings of variation of payment	(2)	In proceedings under subsection (1), the judge shall consider <ul style="list-style-type: none"> (a) any new evidence that has become available; (b) any change of circumstances that, since the making of the order or any variation of the order, has occurred or is likely to occur, and (c) any other matter the judge considers relevant.
Exception	(3)	This Ordinance, except section 8, applies to a variation of an order under subsection (1) in the same manner as to an application for compensation.
Fees	20.(1)	A judge may, with respect to any hearing or other proceeding under this Ordinance, make such order as to costs as he thinks fit, but the fees to be allowed to counsel shall not exceed seventy-five percent of the fees that would be taxed or that are taxed by the court on a solicitor-client basis.
Appeal	21.(1)	An appeal lies to the Court of Appeal from any order or decision made under this Ordinance.
Payment of compensation	22.(1)	The judge may order compensation to be paid in a lump sum or in periodic payments or both.
Award	23.(1)	An award of compensation made by a judge shall not exceed <ul style="list-style-type: none"> (a) in the case of one victim, a lump sum payment of \$15,000 or a periodic payment of \$500 per month, and (b) in the case of more than one victim arising out of a single occurrence, a total of lump sum payments of \$75,000 or a total of periodic payments for all victims of \$125,000.
Exceeds maximum	(2)	Where the total compensation that would have been awarded in respect of any single occurrence exceeds the maximum in paragraph (1)(b), the maximum award shall be distributed in proportion to the total compensation that would have been made.
More than one act	(3)	For the purposes of this section, a judge may deem more than one act to be one occurrence where the acts have a common relationship in time and place.

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| 24.(1) | Any compensation or amount awarded as costs paid or payable under this Ordinance is not subject to garnishment, attachment, seizure or any other legal process and the right thereto is not assignable. | Compensation not assignable |
| 25.(1) | The judge may, in his discretion, order that the payment of compensation be made subject to any terms and conditions | Terms and conditions |
| | (a) with respect to the payment, disposition, allotment or apportionment of the compensation; or | |
| | (b) as to the holding of the compensation or any part thereof in trust for the victim or the dependents, or any of them, whether as a fund for a class or otherwise. | |
| (2) | The judge may, in his discretion, order that any compensation payable for expenses under section 4 shall be paid directly to the person entitled thereto. | Direct payment |
| 26.(1) | Subject to subsections (2), (3) and (4), nothing in this Ordinance affects the right of any person to recover from any other person by civil proceedings damages as a result of an occurrence. | Civil proceedings |
| (2) | The Commissioner is subrogated to all the rights of the person to whom compensation is paid under this Ordinance to recover damages by civil proceedings in respect of an occurrence and may maintain an action in the name of such person against any person against whom such action lies, and any amount recovered by the Commissioner shall be applied | Commissioner's rights |
| | (a) first, to payment of the costs actually incurred in the action and in levying execution; and | Payment of costs |
| | (b) secondly, to reimburse to the Commissioner the value of the compensation that has been paid, | Reimbursement |
| | and the balance shall be paid to the person whose rights were subrogated. | |
| (3) | Any settlement or release does not bar the rights of the Commissioner under subsection (2) unless the Commissioner consents thereto but any such consent does not prejudice the further rights of the victim. | Rights |
| (4) | A claimant for or a person awarded compensation shall forthwith notify the Commissioner of any action he has brought against the offender who caused the injury or death of the victim. | Notification |
| 27.(1) | The Commissioner may make regulations | Regulations |
| | (a) prescribing forms for the purposes of this Ordinance and providing for their use; | |
| | (b) prescribing the description of the criminal offences to which this Ordinance pertains; and | |

(c) respecting any matter that he deems necessary to carry out the intent and purpose of this Ordinance.

Claims after
this ordinance
comes into force 28.(1)

This Ordinance applies in respect of claims for compensation arising from an occurrence that happens after this Ordinance comes into force.

Agreements 29.(1)

The Commissioner may, on behalf of the Government of the Territory, enter into agreements with the Government of Canada respecting the payment by Canada to the Territory of such part of the expenditures required for the purposes of this Ordinance as is agreed upon.

Power to
implement
agreement (2)

The Commissioner is empowered to do every act and exercise every power for the purpose of implementing every obligation assumed by the Government of the Territory under such agreement.

Coming into
force 30.(1)

This Ordinance comes into force on a day to be fixed by the Commissioner.

CHAPTER 3
ORDINANCES OF THE YUKON TERRITORY
1975 (First Session)

COURT WORKER AGREEMENT ORDINANCE

[Assented to March 26, 1975]

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

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| 1.(1) | This Ordinance may be cited as the <i>Court Worker Agreement Ordinance</i> . | Short Title |
| 2.(1) | The Commissioner is authorized to enter into and execute on behalf of the Government of the Territory an agreement with Canada providing for | Agreement with Canada |
| | (a) the establishment of a Court Worker Program to provide advice and counselling services, other than legal advice and counselling services, to persons charged with an offence under any federal or territorial statute or municipal by-law in order that such persons may receive information about court procedures, be told of their rights and be referred to legal aid or other resources; | |
| | (b) the compensation to be paid by Canada to the Territory in respect of such program; and | |
| | (c) such other terms and conditions as may be agreed upon by the Commissioner. | |
| 3.(1) | The Commissioner is empowered to do every act and exercise every power for the purpose of implementing every obligation assumed by the Government of the Territory under any agreement entered into pursuant to section 2. | Power to implement agreement |

CHAPTER 4
ORDINANCES OF THE YUKON TERRITORY
1975 (First Session)

CUSTODY OF FEDERAL PAROLE VIOLATORS AGREEMENT ORDINANCE

(Assented to March 26, 1975)

The Commissioner of the Yukon Territory, by and
with the advice and consent of the Council of the said
Territory, enacts as follows:

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| Short Title | 1.(1) This Ordinance may be cited as the <i>Custody of Federal Parole Violators Agreement Ordinance</i> . |
| Agreement with Canada | 2.(1) The Commissioner is authorized to enter into and execute on behalf of the Government of the Territory, an agreement with Canada providing for <ol style="list-style-type: none">(a) the custody and confinement of persons in respect of whom an order for remand, custody or confinement has been issued under the <i>Parole Act of Canada</i> and for the compensation to be paid by Canada to the Territory in respect of such persons; and(b) such other terms and conditions as may be agreed upon by the Commissioner. |
| Power to implement agreement | 3.(1) The Commissioner is empowered to do every act and exercise every power for the purpose of implementing every obligation assumed by the Government of the Territory under any agreement entered into pursuant to section 2. |
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- Eligibility** 4.(1) No eligible employee is entitled to the benefit of the plan unless:
- (a) he makes application to the Corporation within 60 days of becoming eligible for the benefit of the Plan, and
- (b) he satisfies the Corporation that the housing unit has been on offer for sale to the public for not less than 60 days during the period commencing 60 days prior to the day on which he becomes eligible for the benefit of the Plan and ending 60 days after he makes application.
- Purchase** 5.(1) The Corporation may purchase, pursuant to the Plan, a qualified housing unit from any employee who is entitled under the Plan.
- Price** 6.(1) The price to be paid by the Corporation to an employee for a housing unit shall be ninety-five *per centum* of the mean of two appraisals, one of which shall be made by an appraiser appointed by the Government and the other by an appraiser appointed by the employee.
- Qualification of housing unit** 7.(1) A housing unit will qualify under the Plan if:
- (a) it is the principal residence of the employee,
- (b) the unit qualifies for a mortgage loan pursuant to the *National Housing Act*,
- (c) the appraised value of the unit does not exceed \$60,000, and
- (d) the unit has been registered with the Corporation by the employee within 60 days of his acquisition of the unit.
- Inspection** 8.(1) The Corporation shall inspect every housing unit within 60 days of the registration of the unit with the Corporation.
- Notification of qualification** (2) The Corporation shall advise the employee whether or not the housing unit qualifies pursuant to the Plan.
- Further inspection** (3) An employee may apply for a further inspection after remedying any deficiencies found on inspection by the Corporation.
- Fees** 9.(1) It shall be a condition of a purchase pursuant to this Ordinance, that the employee pay all costs and fees incurred in the transaction.
- Transfer of title** 10.(1) The employee shall transfer the title to the property to the Corporation at the time of purchase.
- Disposal of housing units** 11.(1) The Corporation shall dispose of or utilize housing units acquired pursuant to this Ordinance:
- (a) by resale to employees at the market price,
- (b) by renting the housing units to employees at an economic rent,

- (c) by resale to the public at the market price,
or
- (d) by renting the units to the public at an
economic rent.
- 12.(1) A revolving fund of Five Hundred Thousand Dollars (\$500,000.00) is hereby established for the purpose of acquiring, in accordance with this Ordinance, housing units owned by employees. Revolving Fund
- 13.(1) The Corporation may undertake and administer the Plan pursuant to this Ordinance and the *Housing Corporation Ordinance*. Administer Plan
- 14.(1) The Corporation shall annually after the end of the fiscal year prepare and submit a report to the Commissioner respecting the administration of this Ordinance not later than June 1 in each year. Report to Commissioner
- (2) The annual report made by the Corporation under this section shall be laid before the Council by the Commissioner within fifteen days after the opening of the next regular session thereof or within five days if the Council is in session. Annual Report
- 15.(1) The Commissioner may make such regulations as may be necessary for the carrying out of this Ordinance. Regulations
- (2) Notwithstanding the generality of subsection (1), the Commissioner may, be regulation: Powers of Commissioner
- (a) define the expression "Community", and
- (b) decide who shall be entitled to the benefits of the plan on the death of an employee.
- 16.(1) Notwithstanding paragraph 7(d), a housing unit will qualify under the Plan if the unit is registered with the Corporation by the employee within 90 days of the coming into force of this Ordinance. Registration of unit
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CHAPTER 6
ORDINANCES OF THE YUKON TERRITORY
1975 (First Session)

OCCUPATIONAL TRAINING ORDINANCE

(Assented to March 26, 1975)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

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| Short Title | 1.(1) | This Ordinance may be cited as the <i>Occupational Training Ordinance</i> . |
| Program established | 2.(1) | The Commissioner may establish, organize and promote programs to develop and improve the occupational and other skills of persons. |
| Agreements | 3.(1) | <p>The Commissioner may, on behalf of the Territory, enter into agreements on behalf of the Territory with</p> <ul style="list-style-type: none">(a) the Government of Canada;(b) the Government of a province; or(c) any municipality, agency, organization, corporation or person, <p>for the purpose of arranging for or providing for programs, research or services relating to</p> <ul style="list-style-type: none">(d) occupational or other skills; or(e) the improvement of the labour force. |
| Power to establish advisory and appellate committees | 4.(1) | <p>(2) The Commissioner is empowered to do every act and exercise every power for the purpose of implementing every obligation assumed by the Government of the Territory pursuant to any agreement entered into pursuant to this section.</p> <p>The Commissioner may establish such boards or committees as he considers necessary to act in an advisory, administrative or appellate capacity in connection with any policy, program, service or other matter provided pursuant to section 2 or 3.</p> |
| Duties of committees | (2) | <p>The Commissioner may, with respect to any board or committee established under this section</p> <ul style="list-style-type: none">(a) appoint or provide for the manner of appointment of its members;(b) prescribe the term of office of any member;(c) designate a chairman, vice-chairman and secretary; and(d) authorize, fix and provide for the payment of remuneration and expenses to its members. |

- (3) A board or committee established pursuant to this section may make rules of procedure, subject to the approval thereof by the Commissioner, governing the calling of meetings, the procedure to be used at and conduct of the meetings, reporting and such other matters as required. Procedure

 - (4) A board or committee established pursuant to this section may exercise such powers and shall perform such duties and functions as the Commissioner may approve, confer or impose upon it. Powers

 - 5.(1) The Commissioner may make any regulations necessary to carry out the provisions of this Ordinance. Regulations

 - (2) Notwithstanding the generality of subsection (1), the Commissioner may make regulations
 - (a) for the establishment, operation, administration and management of vocational or technical schools;
 - (b) for the registration of students in programs offered pursuant to this Ordinance;
 - (c) prescribing fees to be charged for any matter or service provided pursuant to this Ordinance;
 - (d) providing for correspondence courses and the fees to be charged in connection therewith;
 - (e) concerning programs offered pursuant to this Ordinance;
 - (f) providing for the payment by the Territory of expenses or subsistence allowances to students pursuing courses offered pursuant to this Ordinance;
 - (g) establishing eligibility factors or conditions for persons undertaking courses or receiving allowances pursuant to this Ordinance; and
 - (h) respecting the provision of accommodation for students undertaking courses or allowances in lieu thereof.
-

CHAPTER 7
ORDINANCES OF THE YUKON TERRITORY
1975 (First Session)

SUPERVISION OF FEDERAL PAROLEES AGREEMENT ORDINANCE

(Assented to March 26, 1975)

The Commissioner of the Yukon Territory, by and
with the advice and consent of the Council of the said
Territory, enacts as follows:

- | | | |
|------------------------------|-------|---|
| Short Title | 1.(1) | This Ordinance may be cited as the <i>Supervision of Federal Parolees Agreement Ordinance</i> . |
| Agreement with Canada | 2.(1) | The Commissioner is authorized to enter into and execute on behalf of the Government of the Territory, an agreement with Canada providing for <ol style="list-style-type: none">(a) the supervision of persons who are admitted to parole pursuant to the <i>Parole Act of Canada</i> and for the compensation to be paid by Canada to the Territory in respect of such persons; and(b) such other terms and conditions as may be agreed upon by the Commissioner. |
| Power to implement agreement | 3.(1) | The Commissioner is empowered to do every act and exercise every power for the purpose of implementing every obligation assumed by the Government of the Territory under any agreement entered into pursuant to section 2. |

CHAPTER 8
ORDINANCES OF THE YUKON TERRITORY
1975 (First Session)

TRANSFER OF PRISONERS AGREEMENT ORDINANCE

(Assented to March 26, 1975)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

- | | | |
|-------|---|------------------------------|
| 1.(1) | This Ordinance may be cited as the <i>Transfer of Prisoners Agreement Ordinance</i> . | Short Title |
| 2.(1) | The Commissioner is authorized to enter into and execute on behalf of the Government of the Territory, an agreement with Canada providing for | Agreement with Canada |
| | (a) the confinement in a Territorial institution of persons who, upon conviction, have been sentenced to a term of imprisonment and would, in the absence of such an agreement, be required to serve their sentences in a penitentiary and for the compensation to be paid by Canada to the Territory in respect of persons so confined; | |
| | (b) the confinement in a penitentiary or other institution of Canada of persons who, upon conviction, have been sentenced to a term of imprisonment and would, in the absence of such an agreement, be required to serve their sentences in a Territorial institution and for the compensation to be paid by the Territory to Canada in respect of persons so confined; and | |
| | (c) such other terms and conditions as may be agreed upon by the Commissioner. | |
| 3.(1) | The Commissioner is empowered to do every act and exercise every power for the purpose of implementing every obligation assumed by the Government of the Territory under any agreement entered into pursuant to section 2. | Power to implement agreement |

CHAPTER 9
ORDINANCES OF THE YUKON TERRITORY
1975 (First Session)

YOUNG VOYAGEUR AGREEMENT ORDINANCE

(Assented to March 26, 1975)

The Commissioner of the Yukon Territory, by and
with the advice and consent of the Council of the said
Territory, enacts as follows:

- | | | |
|------------------------------------|-------|--|
| Short Title | 1.(1) | This Ordinance may be cited as the <i>Young Voyageur Agreement Ordinance</i> . |
| Agreement with
Canada | 2.(1) | <p>The Commissioner may, on behalf of the Government of the Territory, enter into and execute on behalf of the Territory, agreements with Canada providing for</p> <ul style="list-style-type: none">(a) the establishment of a Federal/Provincial/Territorial travel and exchange program to provide young Canadians with the opportunity to meet, know and develop a closer understanding of other Canadians who live and work in regions of Canada other than their own and to introduce them to the geography of their country and to the political, cultural and artistic achievements of the people in other parts of Canada; and(b) such other terms and conditions as may be agreed upon by the Commissioner. |
| Power to
implement
agreement | 3.(1) | The Commissioner is empowered to do every act and exercise every power for the purpose of implementing every obligation assumed by the Territory under this agreement. |

CHAPTER 10
ORDINANCES OF THE YUKON TERRITORY
1975 (First Session)

AN ORDINANCE TO REPEAL THE ADULT OCCUPATIONAL TRAINING AGREEMENTS ORDINANCE

(Assented to March 26, 1975)

The Commissioner of the Yukon Territory, by and
with the advice and consent of the Council of the said
Territory, enacts as follows:

1. The *Adult Occupational Training Agreements Ordinance*, being Chapter 1 1967 Second Session is repealed. Repeal

CHAPTER 11
ORDINANCES OF THE YUKON TERRITORY
1975 (First Session)

AN ORDINANCE TO REPEAL THE DISABLED PERSONS' ALLOWANCE ORDINANCE

(Assented to March 26, 1975)

R.O.Y.T.
Chapter D-5

The Commissioner of the Yukon Territory, by and
with the advice and consent of the Council of the said
Territory, enacts as follows:

Repeal 1. The *Disabled Persons' Allowance Ordinance* is
repealed.

CHAPTER 12
ORDINANCES OF THE YUKON TERRITORY
1975 (First Session)

AN ORDINANCE TO REPEAL THE OLD AGE ASSISTANCE AND
BLIND PERSONS' ALLOWANCE ORDINANCE

(Assented to March 26, 1975)

The Commissioner of the Yukon Territory, by and
with the advice and consent of the Council of the said
Territory, enacts as follows:

R.O.Y.T.
Chapter 0-1

1. *The Old Age Assistance and Blind Persons' Allowance Ordinance* is repealed.

Repeal

CHAPTER 13
ORDINANCES OF THE YUKON TERRITORY
1975 (First Session)

AN ORDINANCE TO REPEAL THE UNEMPLOYMENT ASSISTANCE
AGREEMENT ORDINANCE

(Assented to March 26, 1975)

The Commissioner of the Yukon Territory, by and
with the advice and consent of the Council of the said
Territory, enacts as follows:

- Repeal
1. The *Unemployment Assistance Agreement Ordinance*,
being Chapter 2 1959, First Session, is repealed.

CHAPTER 14
ORDINANCES OF THE YUKON TERRITORY
1975 (First Session)

AN ORDINANCE TO AMEND THE LABOUR STANDARDS ORDINANCE

(Assented to March 26, 1975)

The Commissioner of the Yukon Territory, by and
with the advice and consent of the Council of the said
Territory, enacts as follows:

R.O.Y.T.
Chapter L-1

1. Section 49 of the *Labour Standards Ordinance* is amended by adding thereto the following new paragraph:

"(j) to exempt any individual or group of individuals employed, as part of their rehabilitation process, in any sheltered employment facility sponsored or approved by him from any of the provisions of this ordinance."

Exemption

CHAPTER 15
ORDINANCES OF THE YUKON TERRITORY
1975 (First Session)

AN ORDINANCE TO AMEND THE MINING SAFETY ORDINANCE

(Assented to March 26, 1975)

R.O.Y.T.
Chapter M-9

The Commissioner of the Yukon Territory, by and
with the advice and consent of the Council of the said
Territory, enacts as follows:

- Repeal 1. Subsections 10(2) and (3) of the *Mining
Safety Ordinance* are repealed.

CHAPTER 16
ORDINANCES OF THE YUKON TERRITORY
1975 (First Session)

AN ORDINANCE TO AMEND THE MUNICIPAL ORDINANCE

(Assented to March 10, 1975)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

R.O.Y.T.
Chapter M-12

1. The *Municipal Ordinance* is amended by adding thereto the following new section:

"115.1 (1) The council may, with the approval of the Commissioner, pass bylaws for the purpose of

Pass bylaws

- (a) acquiring, constructing, operating and maintaining any service mentioned in subsection 118(1);
- (b) establishing a tariff of charges to be assessed against users thereof;
- (c) providing for the collection of charges and fixing the time or times when and places where such charges shall be payable, providing for the allowance of a discount for prompt payment thereof and for the imposition of penalties for late payment; and
- (d) providing, in case of default of payment of charges, for the enforcement thereof by disconnecting the service.

(2) No bylaw passed pursuant to paragraph (1)(a) shall be valid unless, prior to the third reading thereof, it has been submitted to and approved by the Commissioner and, when so required, has received the assent of the majority of the taxpayers in the municipality voting thereon.

Validity

(3) A copy or synopsis of any bylaw to be voted on pursuant to subsection (2) shall be posted in at least four public places in the municipality for at least two weeks immediately preceding the date fixed for voting on the bylaw.

Posting of
bylaw

(4) Where the municipality operates an electrical power distribution system pursuant to a bylaw passed under this scheme, the council shall be deemed to be a public utility within the meaning of section 2 of the *Electrical Public Utilities Ordinance*.

Electrical
power distrib-
ution system

- (5) . Where a municipality operates a service pursuant to paragraph (1)(a), the council may by bylaw prohibit any person from operating the same service in all or any part of the municipality."
-

CHAPTER 17
ORDINANCES OF THE YUKON TERRITORY
1975 (First Session)

AN ORDINANCE TO AMEND THE REHABILITATION SERVICES ORDINANCE

(Assented to March 26, 1975)

The Commissioner of the Yukon Territory, by and
with the advice and consent of the Council of the said
Territory, enacts as follows:

R.O.Y.T.
Chapter R-5.

1. The definition of "disabled person" in section 2 of the *Rehabilitation Services Ordinance* is repealed and the following substituted therefor:

Definition

"disabled person" means a person who, because of a physical or mental impairment, learning difficulty, a lack of preparation or as a result of technological change is incapable of pursuing regularly any substantially gainful occupation;"

"disabled person"

2. Section 3 of the said ordinance is repealed and the following substituted therefor:

"(1) The Commissioner may enter into agreements with the Government of Canada for the purpose of providing for payment by Canada to the Commissioner of contributions in respect of the costs incurred by the Territory in undertaking in the Territory a comprehensive program for the rehabilitation of disabled persons or undertaking projects, the purpose of which is to prepare disabled persons for entry or return to employment."

Agreement
with Canada

3. Paragraph 5(1)(b) of the said ordinance is repealed and the following substituted therefor:

"(b) The Commissioner may establish a Yukon Rehabilitation Services Board consisting of a Chairman and not less than 4 members."

Board

4. Section 6 of the said ordinance is repealed and the following substituted therefor:

"(1) The Board shall

- (a) establish appropriate means of seeking disabled persons in need of rehabilitation services;
- (b) coordinate the services being provided to disabled persons;
- (c) hear appeals pursuant to section 8; and
- (d) make recommendations to the Commissioner respecting the provision of rehabilitation services."

5. Section 7 of the said ordinance is repealed and the following substituted therefor:
- Training and selection committee** "(1) The Commissioner may establish a training and selection committee consisting of the Coordinator as Chairman and not less than two members who shall have the jurisdiction of approving in respect of applicants the provision of rehabilitation services."
6. Section 8 of the said ordinance is repealed and the following substituted therefor:
- Appeal** "(1) Any person directly affected by a decision of the Committee may, by notice in writing, appeal the decision to the Board within two weeks of the notification to him of the decision.
- Meeting re appeal** (2) On receipt of a notice of appeal pursuant to subsection (1), the Board shall meet and consider the matter and shall give the applicant and the Committee an opportunity to be heard respecting the decision.
- Hearing re appeal** (3) At the hearing of the appeal, the parties may appear in person or may be represented by counsel or agent.
- Decision re appeal** (4) After considering the matter and hearing the parties or their representatives, the Board shall decide the appeal and shall deliver a copy of their decision together with the reasons for the decision to the parties.
- Decision final** (5) A decision of the Board shall be final and no appeal shall lie therefrom except as provided by subsection (6).
- Jurisdiction of Magistrate** (6) The Magistrate has jurisdiction to hear and determine an application to review and set aside a decision or order, other than a decision or order of an administrative nature not required by law to be made on a judicial or quasi judicial basis, made by or in the course of proceedings before the Board upon the ground that the Board
- (a) failed to observe a principle of natural justice or otherwise acted beyond or refused to exercise its jurisdiction;
 - (b) erred in law in making its decision or order, whether or not the error appears on the face of the record; or
 - (c) based its decision or order on an erroneous finding of fact that it made in a perverse or capricious manner or without regard for the material before it.

- | | | |
|----|--|------------------------|
| 6. | (7) Any application pursuant to subsection (6) may be made by the Coordinator or any party directly affected by the decision or order by filing a notice of the application within ten days of the time the decision or order was first communicated to the Coordinator or to that party by the Board or within such further time as the Magistrate may allow either before or after the expiry of those ten days. | Notice of application |
| | (8) The Board may at any stage of the proceedings before it, refer any question or issue of law, or jurisdiction to the Magistrate for hearing and determination. | Referral to Magistrate |
| | (9) An application or reference to the Magistrate made under this section shall be heard and determined without delay and in a summary way." | Hearing by Magistrate |
| 7. | Paragraph 9(1)(f) of the said ordinance is amended by deleting the word "disabled" in that paragraph. | Delete word "disabled" |
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CHAPTER 18
ORDINANCES OF THE YUKON TERRITORY
1975 (First Session)

AN ORDINANCE TO AMEND THE TAXATION ORDINANCE

(Assented to March 26, 1975)

R.O.Y.T.
Chapter T-01

The Commissioner of the Yukon Territory, by and
with the advice and consent of the Council of the said
Territory, enacts as follows:

1. Section 50 of the *Taxation Ordinance* is amended
by adding thereto the following new subsection:

Levy or
Special Levy
of Taxes

"(5) Notwithstanding subsections (2) and (3),
the Commissioner may increase the rate of
tax to be levied on the assessed value of
real property liable to taxation by imposing
a levy or special levy in accordance with
the provisions of the *Community Assistance
Ordinance*."

CHAPTER 19
ORDINANCES OF THE YUKON TERRITORY
1975 (First Session)

SIXTH APPROPRIATION ORDINANCE, 1974-75

(Assented to March 10, 1975)

Whereas it appears by message from James Smith, Esq., Commissioner of the Yukon Territory, and in the estimates accompanying the same that the sums hereinafter mentioned in Schedule "A" of this Ordinance are required to defray certain expenses of the Public Service of the Yukon Territory and for the purpose relating thereto, for the twelve months ending the thirty-first day of March, 1975.

Therefore, the Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

- | | | |
|-------|---|-------------------------------|
| 1.(1) | This Ordinance may be cited as the <i>Sixth Appropriation Ordinance, 1974-75.</i> | Short Title |
| 2.(1) | From and out of the Yukon Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole Three Million, Eight Hundred and Fifty-Six Thousand, One Hundred and Fifty-Five Dollars for defraying the several charges and expenses of the public service of the Territory for the twelve months ending the thirty-first day of March, 1975, as set forth in Schedule "A" of this Ordinance and such sum shall be applied only in accordance with the Schedule. | Amount
Granted |
| 3.(1) | The due application of all monies expended pursuant to section 2 shall be accounted for. | Monies to be
accounted for |
-

SCHEDULE "A"Appropriation or Item

Administrative Services	\$ 195,230
Department of Treasury	50,001
Department of Education	741,129
Department of Secretary and Registrar General	8,000
Department of Health, Welfare and Rehabilitation	138,000
Department of Tourism, Conservation & Information	121,300
Department of Legal Affairs	38,650
Department of Highways and Public Works	355,345
Project Capital	<u>2,208,500</u>
	<u>\$3,856,155</u>

CHAPTER 20
ORDINANCES OF THE YUKON TERRITORY
1975 (First Session)

FIRST APPROPRIATION ORDINANCE, 1975-76

(Assented to March 26, 1975)

Whereas it appears by message from James Smith, Esq., Commissioner of the Yukon Territory, and in the estimates accompanying the same that the sums hereinafter mentioned in Schedule "A" of this Ordinance are required to defray certain expenses of the Public Service of the Yukon Territory and for the purpose relating thereto, for the twelve months ending the thirty-first day of March, 1976.

Therefore, the Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

- | | | |
|-------|---|-------------------------------|
| 1.(1) | This Ordinance may be cited as the <i>First Appropriation Ordinance, 1975-76.</i> | Short Title |
| 2.(1) | From and out of the Yukon Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole Sixty-Nine Million, Four Hundred and Sixty-Four Thousand, One Hundred and Ten Dollars for defraying the several charges and expenses of the public service of the Territory for the twelve months ending the thirty-first day of March 1976, as set forth in Schedule "A" of this Ordinance and such sum shall be applied in accordance with the Schedule. | Amount
Granted |
| 3.(1) | The due application of all monies expended pursuant to section 2 shall be accounted for. | Monies to be
accounted for |

SCHEDULE "A"APPROPRIATION OR ITEM

Administrative Services	\$ 1,407,731
Department of Treasury	1,362,523
Department of Education	10,789,712
Department of Secretary and Registrar General	1,025,081
Department of Health, Welfare and Rehabilitation	8,520,173
Department of Local Government	2,146,170
Department of Tourism, Conservation and Information	1,898,531
Department of Legal Affairs	1,642,840
Department of Highways and Public Works	11,727,849
Yukon Housing Corporation	1,653,500
Project Capital	22,213,000
Loan Capital	3,050,000
Loan Amortization	<u>1,527,000</u>
	68,964,110
Government Employee Housing Plan - Revolving Fund	<u>500,000</u>
	<u>\$ 69,464,110</u>

CHAPTER 21
ORDINANCES OF THE YUKON TERRITORY
1975 (First Session)

FINANCIAL AGREEMENT ORDINANCE, 1975

(Assented to March 26, 1975)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

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|-------|--|--|
| 1.(1) | This Ordinance may be cited as the <i>Financial Agreement Ordinance, 1975</i> . | Short Title |
| 2.(1) | In this Ordinance

"agreement" means the agreement entered into pursuant to section 3;

"fiscal year" means the period beginning on and including the first day of April in one year and ending on and including the thirty-first day of March in the next year;

"local administrative district" has the meaning given to it in the agreement. | Definitions

"agreement"

"fiscal year"

"local administrative district" |
| 3.(1) | Subject to this Ordinance the Commissioner is authorized to enter into and execute, on behalf of the Government of the Yukon Territory, an agreement which will provide

(a) that the Government of Canada will pay to the Government of the Yukon Territory,

(i) as an operating grant for the fiscal year 1975-76, an amount equal to seven million and eight thousand dollars;

(ii) as a payment in lieu of the Government of the Yukon Territory levying personal and corporate income taxes, an amount equal to six million, five hundred and ninety thousand dollars; and

(iii) as a capital grant for the fiscal year 1975-76 an amount equal to eleven million, six hundred and six thousand dollars.

(b) that in consideration thereof the Government of the Yukon Territory will suspend and refrain and will require local administrative districts in the Territory to suspend and refrain from the imposition, levying and collection of individual income taxes, corporation taxes and corporation income taxes in respect of the period commencing on the first day of January 1975, and ending on the thirty-first day of December 1975. | Commissioner may execute agreement

Provisions of agreement |
| 4.(1) | The agreement shall also provide

(a) that the amounts payable by the Government of Canada to the Government of the Yukon Territory shall be paid | Additional provisions of agreement |

- 4.(1) (i) in the case of the amounts described in sub-paragraphs 3(a)(i) and (ii), in equal instalments in each month in the period from the first day of April 1975 to the thirty-first day of March 1976; and
- (ii) in the case of amounts described in sub-paragraph 3(a)(iii) in the amounts and at the times fixed in a schedule to be provided by the Territory and agreed to by Canada.
- (b) for such other terms and conditions as may be agreed upon for the purpose of giving effect to this Ordinance.
- Variation and Amendment 5.(1) The agreement may be varied or amended from time to time, as may be agreed upon with the Government of Canada by the Commissioner.
- Ratification 6.(1) No variation or amendment to the agreement made pursuant to section 5 is valid unless it is ratified by the Council.
- Suspension of Ordinance etc. 7.(1) Upon execution of the agreement, the Ordinance of the Territory and any regulations, rules, by-laws or order made thereunder, including those of any local administrative district, shall, for the relevant periods provided in the agreement, be deemed to be amended, suspended or inoperative as the case may be to the extent necessary to give effect to the agreement and to permit the Government of the Yukon Territory to fulfill every obligation assumed by it under the agreement.
- No Tax collection contravening agreement 8.(1) Neither the Commissioner nor any local administrative district shall do any act or exercise any power or collect any tax in contravention of the provisions of this agreement.
- Powers of Commissioner 9.(1) The Commissioner is empowered to do every act and exercise every power for the purpose of implementing every obligation assumed by the Government of the Yukon Territory under the agreement.
- Operation of Section 7 to 9 10.(1) Sections 7 to 9 shall remain in operation for only so long as is necessary to give effect to the agreement.

CHAPTER 22
ORDINANCES OF THE YUKON TERRITORY
1975 (First Session)

LOAN AGREEMENT ORDINANCE (1975) NO. 1

(Assented to March 26, 1975)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

- | | | |
|-------|---|--------------------------------------|
| 1.(1) | This Ordinance may be cited as the <i>Loan Agreement Ordinance (1975) No. 1</i> . | Short Title |
| 2.(1) | The Commissioner may on behalf of the Yukon Territory borrow from the Government of Canada a sum not exceeding three million and fifty thousand dollars for loans to municipalities, to Central Mortgage and Housing Corporation second mortgages, and for development of land. | Commissioner may borrow |
| 3.(1) | The Commissioner is authorized to enter into and execute on behalf of the Government of the Territory an agreement with the Government of Canada providing for | Commissioner may execute agreement |
| | (a) the repayment to the Government of Canada of the amount borrowed pursuant to section 2; | |
| | (b) the payment to the Government of Canada of interest at such a rate as may be agreed upon by the Commissioner on the principal from time to time outstanding on the amount borrowed pursuant to section 2; and | |
| | (c) such other terms and conditions as may be agreed upon by the Commissioner. | |
| 4.(1) | The Commissioner is empowered to do every act and exercise every power for the purpose of implementing every obligation assumed by the Government of the Territory under this agreement. | Commissioner may implement agreement |

CHAPTER 23
ORDINANCES OF THE YUKON TERRITORY
1975 (First Session)

MUNICIPAL GENERAL PURPOSES LOAN ORDINANCE

(Assented to March 26, 1975)

The Commissioner of the Yukon Territory, by and
with the advice and consent of the Council of the said Territory,
enacts as follows:

- | | | |
|---|-------|--|
| Short Title | 1.(1) | This Ordinance may be cited as the <i>Municipal General Purposes Loan Ordinance</i> . |
| Definitions | 2.(1) | In this Ordinance |
| "borrowing by-law" | | "borrowing by-law" means a by-law mentioned in section 4; |
| "Council" | | "Council" means the Council of a municipality; |
| "municipality" | | "municipality" means a town or city. |
| Ordinance one with Municipal Ordinance | (2) | This Ordinance shall be construed as one with the <i>Municipal Ordinance</i> , but in case of conflict, the provisions of this Ordinance shall prevail. |
| Commissioner may lend to municipalities | 3.(1) | The Commissioner may on behalf of the Territory, lend a sum not exceeding two million six hundred fifty thousand dollars in the whole to municipalities in the Yukon Territory to enable them to carry on programs of municipal works and for that purpose, the Commissioner may, on behalf of the Territory, enter into agreements with the municipalities. |
| By-laws | 4.(1) | Subject to this Ordinance, a Council may pass by-laws for the borrowing of money for the purpose mentioned in section 3 but no such by-law shall be valid unless, prior to being finally passed by the Council, it has been approved in accordance with the <i>Municipal Ordinance</i> . |
| Form of by-law | 5.(1) | A borrowing by-law shall set out in detail:
(a) the amount proposed to be borrowed;
(b) the purpose for which the expenditure is to be made;
(c) the term of the loan;
(d) the rate of interest payable thereon;
(e) the method of repayment; and
(f) the amount of the existing debt of the municipality, if any, and how much, if any, of the principal or interest thereof is in arrears. |

- 5.(2) Every by-law to borrow money shall, by its terms:
 - (a) fix the amount of the loan and the rate or rates of interest payable thereon, and the places and the times when the principal and interest shall be payable;
 - (b) provide that the loan and interest thereon shall be paid in lawful money of Canada;
 - (c) provide for the levy of an annual tax or taxes sufficient to pay the principal and interest of the loan; and
 - (d) generally shall be in such form and contain such further provisions as may be required by the Commissioner.

- 6.(1) No money borrowed pursuant to a borrowing by-law shall be used for a purpose other than that stated in the by-law except that if on completion of the work for which the money was borrowed, there remains an unexpended balance, such balance may be used by a municipality
 - (a) for the payment of any interest payable in respect of the loan;
 - (b) for the repayment of the principal amount of the loan or any portion thereof; or
 - (c) for such other purposes and upon such terms and conditions as the Council, with the approval of the Commissioner, deems appropriate.

Money to be used for purpose stated

- 7.(1) A by-law may provide that the loan shall be repaid prior to the due date at the option of a municipality at such time or times as the municipality may find it possible to repay it.

Repayment prior to due date

- (2) Where the loan or any portion thereof is repaid prior to the due date, the repayment shall not affect the validity of any by-law by which taxes have been imposed in respect thereof, the validity of such taxes or the power of the Council to continue to collect taxes in respect thereof.

Redemption

- 8.(1) Any loan agreement made pursuant to this Ordinance shall be valid and binding upon a municipality notwithstanding any insufficiency in the form or substance of the agreement or the by-law if the by-law has been approved in accordance with the *Municipal Ordinance*.

Agreement binding

- 9.(1) If a municipality defaults in payment of the monies owing in respect of a loan made under a by-law passed pursuant to this Ordinance, the Council shall forthwith make a special levy against all property in the municipality to raise sufficient funds to pay the arrears owing on the loan.

Special levy where default in debentures

TABLE OF ORDINANCES

MARCH, 1975

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A-1	Apprentice Training		
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A-5	Assignment of Book Debts		
B-1	Bills of Sale		
B-2	Blasting		
B-3	Brands		
B-3.1	Building Standards	new	-1973(1st)
B-4	Bulk Sales		
B-5	Business Licence		
C-1	Cancer Diagnosis		
C-2	Cemeteries and Burial Sites		
C-3	Change of Name		
C-4	Child Welfare	s.20(1) s.20(3) s.23(2) s.32(1) s.40.1 s.55(2) s.66(1) s.71(3) s.73 s.75(1) s.89 s.94.1	- 1972,c.15 - 1972,c.15 - 1972,c.15 - 1972,c.15 - new 1972,c.15 - 1972,c.15 - 1972,c.15 - 1972,c.15 - 1972,c.15 - 1972,c.15 - 1972,c.15 - 1972,c.15 - new 1972,c.15
C-5	Chiropractic	s.11-12(2) s.15(3) s.20	- 1972,c.16 - 1972,c.16 - 1972,c.16
C-6	Choses in Action		
C-7	Citizenship Instruction Agreement		
C-8	Civil Emergency Measures		
C-9	Collection		
	Community Assistance	new	- 1975,c.1
C-10	Companies		
	Compensation for the Victims of Crime	new	- 1975,c.2
C-11	Conditional Sales		
C-12	Condominium		

<u>CHAPTER NO.</u>	<u>TITLE OF ORDINANCES</u>	<u>AMENDMENTS</u>	
C-12.1	Conflict of Laws (Traffic Accidents)	new	- 1972,c.3
C-13	Consumers' Protection		
C-14	Contributory Negligence		
C-15	Controverted Elections		
C-16	Cooperative Associations	s.32.1	- new 1973(1st)
C-17	Cornea Transplant		
C-18	Coroners		
C-19	Corporation Securities Registration		
C-19.1	Corrections	new	- 1973(1st)
C-20	Court of Appeals	s.5	- 1974,c.4
	Court Worker Agreement	new	- 1975,c.3
C-21	Credit Unions		
C-22	Creditors' Relief		
C-23	Curfew		
	Custody of Federal Parole Violators Agreement	new	- 1975,c.4
D-1	Defamation		
D-2	Dental Profession	s.23.1 s.24(1)	- new 1973(1st) - 1973(1st)
D-3	Dependants' Relief		
D-4	Devolution of Real Property		
D-5	Disabled Persons' Allowance	repealed	- 1975,c.11
D-6	Distress		
D-7	Dog		
E-1	Elections	s.4(1) s.15(2) Sched. I	- 1974,c.5' - 1974,c.5 - 1974,c.5
E-1.1	Electoral District Boundaries Commission	new	- 1974,c.1
E-2	Electrical Protection		
E-2.1	Electrical Public Utilities	new s.19(2) s.21(2) s.26(1)	- 1972,c.4 - new 1974,c.6 - new 1974,c.6 - 1974, c.6
E-3	Elevator and Fixed Conveyances		
E-4	Employment Agencies	R/R	- 1972,c.5
E-4	Employment Agencies	new	- 1972,c.5
E-5	Engineering Profession		
E-6	Evidence		
E-7	Exemptions		

<u>CHAPTER NO.</u>	<u>TITLE OF ORDINANCE</u>	<u>AMENDMENTS</u>	
E-8	Expropriation		
F-1	Factors		
F-2	Fair Practices	s.3 s.4 s.5 Paragraph 13 (1)(d) repealed s.13(3)	- 1974,c.7 - 1974,c.7 - 1974,c.7 - 1974,c.7 - 1974,c.7
F-3	Fatal Accidents		
F-4	Financial Administration		
F-5	Fire Prevention	s.21.1 s.21.1	- new 1972,c.18 - 1973(1st)
F-6	Fitness and Amateur Sport Agreement		
F-7	Flag		
F-8	Floral Emblem		
F-9	Forest Protection		
F-9.1	Fraudulent Preferences and Conveyances	new	- 1973(1st)
F-10	Frustrated Contracts		
F-1	Fuel Oil Tax	R/R	- 1973(1st)
F-11	Fuel Oil Tax	new	- 1973(1st)
F-12	Fur Export		
G-1	Game	Schedule I Sched.III repealed s.2 s.37(1) s.38 s.48(1)	- 1972,c.19 - 1972,c.19 - 1973(1st) - 1973(1st) - 1973(1st) - 1973(1st)
G-2	Gaols		
G-3	Garage Keepers' Lien		
G-4	Garnishee		
G-5	Gasoline Handling	new	- 1972,c.6
	Government Employee Housing Plan	new	- 1975,c.5
H-1	Health Care Insurance Plan		
H-2	Historic Sites and Monuments		
H-3	Hospital Insurance Services		
H-4	Hotels and Tourist Establishments		
H-5	Housing		
H-5.1	Housing Corporation	new	- 1972,c.7
H-6	Housing Development		

<u>CHAPTER NO.</u>	<u>TITLE OF ORDINANCE</u>	<u>AMENDMENTS</u>	
I-1	Immunity of Members		
I-2	Insurance		
I-3	Interpretation	s.20 s.26 s.20	- 1973(1st) - 1973(1st) - 1974,c.8
I-4	Intestate Succession		
J-1	Judicature		
J-2	Jury		
J-3	Justice of the Peace		
L-1	Labour Standards	s.11(1) s.12.1(1)-12.6(1) s.49(j)	- 1973(1st) - new 1973(1st) - new 1975,c.14
L-2	Landlord and Tennant	s.60-92	- new 1972,c.20
L-3	Lands	Repealed Replaced	- 1972,c.14 - 1972,c.8
L-3	Lands	new	- 1972,c.8
L-4	Legal Profession		
L-5	Legal Profession Accounts		
L-6	Legitimation		
L-7	Limitation of Actions		
L-8	Liquor		
L-9	Local Improvement District	s.2 s.2(1) s.3 s.5(1) s.6(5) & 6(6) s.7 s.7.1 s.8(2) & 8(3) s.9(1) s.9(3) s.9(5) s.10(5) & 10(7) s.10(8.1) s.10(9) s.11 s.13(1) s.15.1-15.10 s.18(2) repealed s.19(1) s.21	- 1972,c.21 - 1972,c.22 - 1972,c.22 - 1972,c.22 - 1972,c.21 & c.22 - 1972,c.21 - new 1972,c.21 - 1972,c.21 - 1972,c.22 - 1972,c.21 & c.22 - 1972,c.21 - 1972,c.21 - new 1972,c.21 - 1972,c.21 - 1972,c.21 - new 1972,c.21 - 1972,c.21 - 1972,c.21 - new 1972,c.21 - 1972,c.21 - 1972,c.22 - new 1972,c.22
L-10	Lord's Day		
L-10.1	Lotteries	new	- 1974,c.2
L-11	Low Cost Housing		
M-1	Magistrat's Court		
M-2	Maintenance		
M-3	Marriage		
M-4	Married Women's Property		

<u>CHAPTER NO.</u>	<u>TITLE OF ORDINANCE</u>	<u>AMENDMENTS</u>	
M-5	Mechanics' Lien		
M-5.1	Mediation Board	new	- 1972,c.9
M-6	Medical Profession		
M-7	Mental Health	s.2 s.6.1-6.3(1)	- 1973(1st) - new 1973(1st)
M-8	Miners' Lien		
M-9	Mining Safety	s.10(1) s.10(2) & (3) repealed	- 1974,c.10 - 1975,c.15
M-10	Motion Pictures		
M-11	Motor Vehicles	s.26(1) s.9 s.15(3) s.26(2) s.28(1) s.32(1) s.49(4) s.62(4) s.155(1) s.9(2) & 9(3) s.62(3) Paragraph 155 (1)(w) repealed s.175(1) & 175(2)	- 1972,c.23 - 1973(1st) - new 1973(1st) - 1973(1st) - 1973(1st) - 1973(1st) - 1973(1st) - new 1973(1st) - 1973(1st) - 1974,c.11 - 1974,c.11 - 1974,c.11 - new 1974,c.11
M-12	Municipal	R/R	- 1972,c.10
M-12	Municipal	new s.115.1 - new	- 1972,c.10 - 1975,c.16
M-13	Municipal Aid	new	- 1972,c.11
M-14	Municipal Elections	new	- 1972,c.12
N-1	Newspaper		
N-2	Noise Prevention		
N-3	Notaries	s.6(1)	- 1974,c.12
	Occupational Training	new	- 1975,c.6
O-1	Old Age Assistance and Blind Persons' Allowance	repealed	- 1975,c.12
O-2	Optometry		
P-1	Partnership		
P-2	Pawnbrokers and Secondhand Dealers		
P-3	Perpetuities		
P-4	Pharmaceutical Chemists	s.6.1 s.24(1)	- new 1973(1st) - 1973(1st)
P-5	Plebiscite		

<u>CHAPTER NO.</u>	<u>TITLE OF ORDINANCE</u>	<u>AMENDMENTS</u>
P-6	Pounds	s.19.1(1) - new 1973(1st) s.20 - 1973(1st) s.21(1) - 1973(1st) s.22(1) - 1973(1st) s.23(1) - 1973(1st)
P-7	Presumption of Death	
P-8	Public Health	s.2(1) - 1972,c.24 s.9(1) - 1972,c.24 s.18.1 - new 1972,c.24
P-8.1	Public Inquiries	new - 1973(1st)
P-9	Public Printing	
P-10	Public Service	
P-11	Public Service Staff Relations	s.2(new definition)- 1974,c.13 s.7(1),(2) & (3) - 1974,c.13 s.8(2) - new 1974,c.13 paragraph 12(2)(a) - 1974,c.13 s.12(3) - 1974,c.13
R-1	Reciprocal Enforcement of Judgments	
R-2	Reciprocal Enforcement of Maintenance Orders	
R-3	Recording of Evidence by Sound Apparatus	
R-4	Regulations	
R-5	Rehabilitation Services	s.2(new definition)- 1975,c.17 s.3 - 1975,c.17 s.5(1)(b) - 1975,c.17 s.6, 7 & 8 - 1975,c.17 s.9.(1)(f)- deleted- 1975,c.17 word
S-1	Sale of Goods	
S-2	Saw Logs Driving	
S-3	School	s.1-13 & 78-100 repealed - 1974,c.14 s.14-77 now numbered s.226-289 - 1974,c.14 Part II District Schools now Part IX - 1974,c.14
S-4	Scientists and Explorers	
S-5	Securities	
S-6	Social Assitance	
S-7	Societies	s.30 - 1974,c.15
S-8	Steam Boilers	
S-9	Students' Grants	
S-10	Superannuation, Territorial Employees'	
	Supervision of Federal Parolees Agreement	- 1975,c.7

<u>CHAPTER NO.</u>	<u>TITLE OF ORDINANCE</u>	<u>AMENDMENTS</u>	
S-10.1	Supreme Court		
S-11	Survivorship		
T-01	Taxation	R/R	- 1972,c.13
T-01	Taxation	new s.50 (new)	- 1972,c.13 - 1975,c.18
T-1	Tenants in Common		
T-2	Tobacco Tax	new	- 1974,c.3
T-3	Trade Schools Regulation		
	Transfer of Prisoners Agreement	new	- 1975,c.8
T-4	Transport Public Utilities		
T-5	Trustee		
V-1	Variation of Trusts		
V-2	Vital Statistics	s.2 s.3 repealed s.4.1 s.4-6 s.9-10 s.12-14 s.15 s.16 repealed s.17 s.26-27 s.30 s.45 Form A-H repealed Form J-K repealed	- 1973(1st) - 1973(1st) - new 1973(1st) - 1973(1st) - 1973(1st) - 1973(1st) - 1973(1st) - 1973(1st) - 1973(1st) - 1973(1st) - 1973(1st) - 1973(1st) - 1973(1st) - 1973(1st) - 1973(1st) - 1973(1st)
W-1	Wages Recovery		
W-2	Warehousemen's Lien		
W-3	Wills		
W-4	Woodmen's Lien		
W-5	Workmen's Compensation	R/R	- 1973,c.6
W-5	Workmen's Compensation	new	- 1973,c.6
W-6	Workmen's Compensation Supplementary Benefits	new	- 1973,c.7
	Young Voyageur Agreement	new	- 1975,c.9