

**Ambulance Act
Loi sur les ambulances**

ONTARIO REGULATION 129/99

COSTS ASSOCIATED WITH THE PROVISION OF LAND AMBULANCE SERVICES

Consolidation Period: From November 25, 2008 to the [e-Laws currency date](#).

Last amendment: O. Reg. 411/08.

This Regulation is made in English only.

**PART I
DEFINITIONS**

1. In this Regulation,

"board" means a district social services administration board under the *District Social Services Administration Boards Act*;

"tax ratio", with respect to a property, means the tax ratio established under section 363 of the *Municipal Act* for the property class it is in;

"weighted assessment" means,

(a) with respect to property that is in a sub-class to which section 368.1 of the *Municipal Act* applies, the taxable assessment for the property, as reduced by the percentage reduction that applies to the tax rate for properties of that sub-class under section 368.1 of the *Municipal Act* and multiplied by the tax ratio of the property class that the property is in, and

(b) in all other cases, the taxable assessment for a property multiplied by the tax ratio of the property class that the property is in. O. Reg. 129/99, s. 1.

**PART II
RECOVERY OF COSTS OF DELIVERY AGENT**

2. (1) For the purposes of section 6.9 of the Act, the costs associated with the provision of land ambulance services in a designated area shall be apportioned and paid in accordance with this Part. O. Reg. 129/99, s. 2 (1).

(2) This Part does not apply to a designated area to which Part III applies or to a designated area that

consists entirely of one local municipality. O. Reg. 129/99, s. 2 (2).

3. If a designated area consists entirely of one upper-tier municipality, the municipality shall pay to the delivery agent all costs associated with the provision of land ambulance services in the designated area. O. Reg. 129/99, s. 3.

4. (1) This section applies to a designated area that consists of two or more local municipalities. O. Reg. 129/99, s. 4 (1); O. Reg. 256/00, s. 1 (1).

(2) Subject to subsections (3) and (4), the costs associated with the provision of land ambulance services in the designated area shall be apportioned among its municipalities as follows:

1. When the assessment rolls of the municipalities are returned to the clerk under section 36 of the *Assessment Act*, they shall also be provided to the delivery agent.
2. Each municipality shall provide the delivery agent with a copy of its by-law setting its tax ratios on or before the date it is required under section 363 of the *Municipal Act* to make the by-law.
3. The delivery agent shall determine, for each municipality, the amount to be apportioned to the municipality in accordance with the following formula:

$$A = B \times (C \div D)$$

where,

A = the amount to be apportioned to the municipality,

B = the costs associated with the provision of land ambulance services in the designated area,

C = the sum of the weighted assessments for all of the properties in the municipality,

D = the sum of the weighted assessments for all of the properties in the designated area.

O. Reg. 129/99, s. 4 (2).

(3) If the delivery agent for the designated area is not a board,

(a) the municipalities in the designated area may enter into an agreement reapportioning among themselves the share of the costs apportioned to them under subsection (2); and

(b) each municipality in the designated area shall pay its share of the costs to the delivery agent. O. Reg. 129/99, s. 4 (3).

(4) If the delivery agent for the designated area is a board, the board shall apportion the costs associated with the provision of land ambulance services in the designated area in a way other than that provided in subsection (2) if,

(a) a majority of the municipalities in the designated area consent to that apportionment; and

(b) those municipalities that have consented represent a majority of the electors in the board's district. O. Reg. 129/99, s. 4 (4).

(5) Each of the municipalities included in the designated area is entitled to one vote under clause (4) (a). O. Reg. 129/99, s. 4 (5).

(6) A resolution of the municipal council is required for a municipality to consent under subsection (4). O. Reg. 129/99, s. 4 (6).

(7) Each municipality in a designated area shall pay the delivery agent the apportioned amount on demand. O. Reg. 256/00, s. 1 (2).

(8) If the delivery agent for the designated area is not a board and a municipality fails to pay its

apportioned amount to the delivery agent in accordance with subsection (7), the delivery agent may charge the municipality interest on the amount due at a rate to be set by the delivery agent and the municipality shall pay the interest. O. Reg. 256/00, s. 1 (2).

(9) If the delivery agent for the designated area is a board, the rate of interest that may be charged by the board under the *District Social Services Administration Boards Act* if a municipality fails to pay an apportioned amount shall not exceed 1 per cent per month. O. Reg. 256/00, s. 1 (2).

(10) A delivery agent shall give a municipality prior written notice of the day on which interest begins to accrue and of the interest rate. O. Reg. 256/00, s. 1 (2).

(11) Subsections (7), (8) and (10) do not apply if the delivery agent is the Ministry. O. Reg. 256/00, s. 1 (2).

5. (1) This section applies to a designated area that consists of one or more local or upper-tier municipalities and territory without municipal organization. O. Reg. 129/99, s. 5 (1).

(2) Subject to subsection (7), the costs associated with the provision of land ambulance services in a designated area shall be apportioned between the municipalities in the area and the territory without municipal organization as follows:

1. The costs associated with the provision of land ambulance services in the parts of the designated area comprised of municipalities shall be apportioned to the municipalities.
2. The costs associated with the provision of land ambulance services in the territory without municipal organization shall be apportioned to the territory. O. Reg. 129/99, s. 5 (2).

(3) Subject to subsections (6) and (7), the costs referred to in paragraph 1 of subsection (2) shall be apportioned among the municipalities in the designated area as follows:

1. When the assessment rolls of the municipalities are returned to the clerk under section 36 of the *Assessment Act*, they shall also be provided to the delivery agent.
2. Each municipality shall provide the delivery agent with a copy of its by-law setting its tax ratios on or before the date it is required under section 363 of the *Municipal Act* to make the by-law.
3. The delivery agent shall determine, for each municipality, the amount to be apportioned to the municipality in accordance with the following formula:

$$A = B \times (C \div D)$$

where,

A = the amount to be apportioned to the municipality,

B = the costs associated with the provision of land ambulance services in the parts of the designated area comprised of municipalities,

C = the sum of the weighted assessments for all of the properties in the municipality,

D = the sum of the weighted assessments for all of the properties in all of the municipalities in the designated area.

O. Reg. 129/99, s. 5 (3).

(4) The delivery agent for the area shall inform the Minister of the share of the costs that is to be apportioned to the territory without municipal organization forthwith after determining those costs. O. Reg. 129/99, s. 5 (4).

(5) Despite subsection 6.9 (4) of the Act, the Ministry shall pay to the delivery agent the share of the costs apportioned to the territory without municipal organization in the designated area in accordance with subsection (2). O. Reg. 129/99, s. 5 (5).

- (6) If the delivery agent for the designated area is not a board,
- (a) the municipalities in the designated area may enter into an agreement reapportioning among themselves the share of the costs apportioned to them under subsection (3); and
 - (b) each municipality in the designated area shall pay its share of the costs to the delivery agent. O. Reg. 129/99, s. 5 (6).
- (7) If the delivery agent for the designated area is a board, the board shall apportion the costs associated with the provision of land ambulance services in the designated area in a way other than that provided in subsections (2) and (3) if,
- (a) a majority of the municipalities in the designated area and of the members who represent the territory without municipal organization on the board consent to that apportionment; and
 - (b) those municipalities and members who have consented represent a majority of the electors in the board's district. O. Reg. 129/99, s. 5 (7).
- (8) Each of the municipalities included in the designated area and each of the members who represent territory without municipal organization on the board is entitled to one vote under clause (7) (a). O. Reg. 129/99, s. 5 (8).
- (9) For the purposes of clause (7) (b), if two or more members of the board represent territory without municipal organization in the designated area, each member shall be deemed to represent the total number of electors in the territory divided by the total number of board members who represent the territory. O. Reg. 129/99, s. 5 (9).
- (10) A resolution of the municipal council is required for a municipality to consent under subsection (7) and a signed consent of a member representing territory without municipal organization is required for the member to consent under subsection (7). O. Reg. 129/99, s. 5 (10).
- (11) Each municipality in a designated area shall pay the delivery agent the apportioned amount on demand. O. Reg. 256/00, s. 2.
- (12) If the delivery agent for the designated area is not a board and a municipality fails to pay its apportioned amount to the delivery agent in accordance with subsection (11), the delivery agent may charge the municipality interest on the amount due at a rate to be set by the delivery agent and the municipality shall pay the interest. O. Reg. 256/00, s. 2.
- (13) If the delivery agent for the designated area is a board, the rate of interest that may be charged by the board under the *District Social Services Administration Boards Act* if a municipality fails to pay an apportioned amount shall not exceed 1 per cent per month. O. Reg. 256/00, s. 2.
- (14) A delivery agent shall give a municipality prior written notice of the day on which interest begins to accrue and of the interest rate. O. Reg. 256/00, s. 2.
- (15) Subsections (11), (12) and (14) do not apply if the delivery agent is the Ministry. O. Reg. 256/00, s. 2.
- 6.** (1) Subsection (2) applies only if the designated area is a deemed designated area and the Ministry is the deemed delivery agent under section 6.10 of the Act. O. Reg. 129/99, s. 6 (1).
- (2) A local municipality in a designated area shall pay the amount due to the delivery agent on demand. O. Reg. 129/99, s. 6 (2).
- 7.** (1) This section applies to a designated area that consists entirely of territory without municipal organization. O. Reg. 129/99, s. 7 (1).
- (2) Despite subsection 6.9 (4) of the Act, the Ministry shall pay the costs associated with the provision of land ambulance services in the designated area to the delivery agent. O. Reg. 129/99, s. 7 (2).

PART III DETERMINATION OF APPORTIONMENT OF COSTS

8. In this Part,

"designation date" means the first date on which a delivery agent is designated for a designated area;

"separated municipality" means a local municipality that is geographically situated in a county but that does not form part of the county for municipal purposes. O. Reg. 256/00, s. 3.

9. (1) This Part applies with respect to,

(a) a designated area that is composed of,

(i) a county and the separated municipalities in it, or

(ii) two or more upper-tier municipalities; and

(b) a county and the separated municipalities in it, where the county and the municipalities do not form a single designated area as described in subclause (a) (i). O. Reg. 256/00, s. 3.

(2) In the case of a county and the separated municipalities described in clause (1) (b), the county and the delivery agents for the municipalities shall,

(a) share the costs associated with the provision of land ambulance services within their territory;

(b) determine how to allocate those shared costs among themselves in accordance with an agreement made under subsection 6 (3) of the Act or an arbitration award made under this Part; and

(c) pay the shared costs in accordance with the agreement or award. O. Reg. 256/00, s. 3.

(3) This Part does not apply with respect to,

(a) a designated area referred to in clause (1) (a) if the Ministry is the deemed delivery agent for the area under section 6.10 of the Act; or

(b) an area described in clause (1) (b) if the Ministry is the deemed delivery agent for a separated municipality situated in the county. O. Reg. 256/00, s. 3.

10. (1) In the case of a designated area described in clause 9 (1) (a), the county and the separated municipalities, or the upper-tier municipalities, as the case may be, may enter into an agreement apportioning among themselves the costs associated with the provision of land ambulance services in the designated area. O. Reg. 256/00, s. 3.

(2) If an agreement is made under subsection (1), or if an agreement is made under subsection 6 (3) of the Act between a county that is not part of a designated area and the delivery agents for the separated municipalities situated in the county, the agreement becomes effective,

(a) if a date is specified in the agreement,

(i) on the specified date, if it is the first day of a month, or

(ii) on the first day of the month after the specified date, if that date is not the first day of a month; or

(b) on the first day after the day it is made if no date is specified in the agreement. O. Reg. 256/00, s. 3.

(3) The agreement may be effective with respect to a period before it is made and, in that case, shall provide for a monetary reconciliation among the parties. O. Reg. 256/00, s. 3.

(4) If the county and the separated municipalities in it have been designated as one designated area, the delivery agent for the area shall provide a copy of the agreement to the Minister forthwith after it is made. O. Reg. 256/00, s. 3.

(5) If the county does not form part of the designated area that its separated municipalities form part of, the county shall provide a copy of the agreement to the Minister forthwith after it is made. O. Reg. 256/00, s. 3.

11. Arbitrations under sections 12, 13 and 14 are governed by the *Arbitration Act, 1991*, subject to those sections and to the following rules:

1. The parties may jointly appoint a single arbitrator on or after the day the arbitration is commenced.
2. If the parties are entitled to appoint an arbitrator jointly but have not done so, the Superior Court of Justice may make the appointment on a party's application under section 10 of the *Arbitration Act, 1991*.
3. The arbitrator shall make a final award that disposes of the issue, within three months after being appointed.
4. The date by which the arbitrator is required to make an award shall not be extended by a court, despite section 39 of the *Arbitration Act, 1991*. However, that date may be extended by agreement of the parties.
5. The final award shall apportion among the parties the costs associated with the provision of land ambulance services,
 - i. in the designated area, or
 - ii. if a county and the separated municipalities that are in it are not part of a single designated area, in the territory of the county and the separated municipalities.
6. The arbitration shall not deal with costs associated with the provision of land ambulance services incurred before the designation date.
7. The final award may be effective with respect to a period before it is made and, in that case, shall provide for a monetary reconciliation among the parties.
8. A party may appeal the final award to the Superior Court of Justice only on a question of law, with leave, which the court shall grant only if it is satisfied that the conditions in clauses 45 (1) (a) and (b) of the *Arbitration Act, 1991* are met. No appeal lies on a question of fact or of mixed law and fact, despite any agreement by the parties.
9. The arbitrator shall provide a copy of the final award to the Minister forthwith after it is made.
10. At any time during the arbitration, the parties may enter into an agreement under section 10 that includes an agreement apportioning the costs of the arbitration among the parties, in which case the arbitration terminates.
11. The parties may, at any time, amend the final award by agreement or replace the award with an agreement under section 10. O. Reg. 256/00, s. 3.

12. (1) In the case of a designated area described in clause 9 (1) (a), if on the day that is six months after the designation date the parties have not entered into an agreement under section 10, they shall be deemed to have commenced, on that day, an arbitration of the apportionment among them of the costs associated with the provision of land ambulance services in the designated area. O. Reg. 256/00, s. 3.

(2) In the case of a county and the separated municipalities described in clause 9 (1) (b), if on the day that is six months after the last designation date for the designated areas in the county the parties have not entered into an agreement under subsection 6 (3) of the Act, they shall be deemed to have commenced, on that day, an arbitration of the apportionment among them of the costs associated with the provision of land ambulance services in the county and the separated municipalities. O. Reg. 256/00, s. 3.

(3) At any time before the commencement of an arbitration under subsection (1) or (2), a party may, by serving a notice on the other parties, commence an arbitration of the apportionment. O. Reg. 256/00, s. 3.

(4) The rules set out in section 11 and the following rules apply to an arbitration under this section:

1. The final award shall come into effect or be deemed to have come into effect,

i. in the case of a designated area described in clause 9 (1) (a), on the designation date, if it is the first day of the month, and otherwise on the first day of the first month after the designation date, and

ii. in the case of a county and separated municipalities described in clause 9 (1) (b), on the last designation date for the designated areas in the county, if it is the first day of the month, and otherwise on the first day of the first month after the designation date.

2. The final award remains in effect unless superseded by an agreement under subsection 10 (1) or a final award in a subsequent arbitration. O. Reg. 256/00, s. 3.

13. (1) If a final award has been in effect for at least two years, a party may, by serving a notice on the other parties, commence a new arbitration to deal with the apportionment among the parties of the same costs that are the subject of the final award. O. Reg. 256/00, s. 3.

(2) The rules set out in section 11 and the following rule apply to an arbitration under subsection (1):

1. The final award shall come into effect and supersede the previous award or be deemed to have come into effect and superseded the previous award on the later of,

i. the day that is three years after the effective date of the previous award, and

ii. the day the notice is served if it is served on the first day of a month and otherwise the first day of the month after the day the notice is served. O. Reg. 256/00, s. 3.

14. (1) If an agreement expires or is terminated in accordance with the agreement and the parties have not entered into a new agreement, they shall be deemed to have commenced an arbitration on the date of expiry or termination with respect to the apportionment among them of the costs that had been the subject of the previous agreement. O. Reg. 256/00, s. 3.

(2) The date of expiry or termination of the agreement,

(a) shall be the date determined in accordance with the agreement or notice of termination, if that date is the last day of a month; and

(b) otherwise, shall be deemed to be the last day of the month in which that date falls. O. Reg. 256/00, s. 3.

(3) A party may commence an arbitration of the apportionment by serving a notice on the other parties,

(a) if a notice of termination of the agreement is served, on or after the day it is served; or

(b) otherwise, at any time during the 12 months preceding the date of expiry of an agreement. O. Reg. 256/00, s. 3.

(4) The rules set out in section 11 and the following rules apply to an arbitration under this section:

1. Subject to paragraph 2, the final award shall come into effect or be deemed to have come into effect on the day after the date of expiry or termination of the agreement, and supersedes the agreement as of that date.

2. If the agreement expires or is terminated before the final award is made,

i. the agreement shall be deemed to be in effect until the final award is made, and

ii. the final award shall provide for a monetary reconciliation among the parties. O. Reg. 256/00, s. 3.

15. (1) If an arbitration is commenced or is deemed to be commenced under this Part but an arbitrator has not yet been appointed and an arbitration involving the same parties is commenced or is deemed to be commenced under one or more of the provisions listed in subsection (2) but an arbitrator has not yet

been appointed,

(a) one arbitrator shall be appointed for all of those arbitrations; and

(b) those arbitrations shall be held as one arbitration. O. Reg. 256/00, s. 3.

(2) Subsection (1) applies with respect to:

1. Paragraph 2 of subsection 18 (3) and subsection 18 (4) of the *Day Nurseries Act*.

2. Paragraph 2 of subsection 55 (8) and subsection 55 (9) of the *Ontario Disability Support Program Act, 1997*.

3. Paragraph 2 of subsection 74 (7) and subsection 74 (8) of the *Ontario Works Act, 1997*.

4. Paragraph 2 of subsection 13 (2) and subsection 13 (3) of Schedule D to the *Social Assistance Reform Act, 1997*.

5. Clauses 9 (5) (b) and (c) and subsection 9 (7) of the *Social Housing Funding Act, 1997*. O. Reg. 256/00, s. 3.

(3) An arbitration under this section is governed by the *Arbitration Act, 1991*, subject to the following rules:

1. The parties may jointly appoint a single arbitrator on or after the day the arbitrations are consolidated.

2. If the parties are entitled to appoint an arbitrator jointly but have not done so, the Superior Court of Justice may make the appointment on a party's application under section 10 of the *Arbitration Act, 1991*.

3. The arbitrator shall make a final award that disposes of the issue within three months after being appointed.

4. The date by which the arbitrator is required to make an award shall not be extended by a court, despite section 39 of the *Arbitration Act, 1991*. However, that date may be extended by agreement of the parties.

5. The final award shall apportion among the parties the costs associated with the provision of land ambulance services,

i. in the designated area, or

ii. if a county and the separated municipalities that are in it are not part of a single designated area, in the county and the separated municipalities situated in the county.

6. The arbitration shall not deal with costs associated with the provision of land ambulance services incurred before the designation date.

7. The final award may be effective with respect to a period or periods before it is made and, in that case, shall provide for a monetary reconciliation among the parties.

8. A party may appeal the final award to the Superior Court of Justice only on a question of law, with leave, which the court shall grant only if it is satisfied that the conditions in clauses 45 (1) (a) and (b) of the *Arbitration Act, 1991* are met. No appeal lies on a question of fact or of mixed law and fact, despite any agreement by the parties.

9. The arbitrator shall provide a copy of the final award to the Minister forthwith after it is made.

10. At any time during the arbitration, the parties may enter into an agreement under section 10 that includes an agreement apportioning among the parties that part of the costs of the arbitration attributable to costs associated with the provision of land ambulance services, in which case that part of the arbitration terminates.

11. The parties may, at any time, amend that part of the final award concerning costs associated with the provision of land ambulance services by agreement or replace that part of the award with an agreement

under section 10.

12. That part of the final award in the consolidated arbitration attributable to costs associated with the provision of land ambulance services comes into effect in accordance with subsection 12 (5), 13 (2) or 14 (4), as the case may be. O. Reg. 256/00, s. 3.

Note: Despite its revocation by section 3 of Ontario Regulation 256/00, Part III as it read immediately before May 1, 2000, continues to apply to the determination of the sharing of costs between a county and the separated municipalities in it until,

(a) an agreement affecting the county and its separated municipalities is made under section 10, as set out in section 3 of Ontario Regulation 256/00, or under subsection 6 (3) of the Act; or

(b) a final award affecting the county and its separated municipalities is made under section 12, as set out in section 3 of Ontario Regulation 256/00. See: O. Reg. 256/00, s. 5.

PART IV (s. 16) Revoked: O. Reg. 411/08, s. 1.

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