

# BY-LAW 2019-1

## FEES PAYABLE TO THE AOLS FOR THE PROVINCIAL SURVEY RECORDS INDEX

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#### **ESTABLISHMENT OF FEES PAYABLE TO THE ASSOCIATION OF ONTARIO LAND SURVEYORS FOR THE PROVINCIAL SURVEY RECORDS INDEX**

WHEREAS Council for the Association of Ontario Land Surveyors (AOLS) has recognized the needs for a Provincial Survey Records Index (PSRI) to facilitate research for cadastral surveys;

AND WHEREAS Council is developing a regulation that would make it mandatory to use the PSRI across the province, which said draft is attached as appendix A;

AND WHEREAS many members across the province are currently using the PSRI;

AND WHEREAS the AOLS will be required to pay the provider to maintain and operate the PSRI and pay a Data Administrator to perform day to day operations;

AND WHEREAS Section 8(1)(22) of the Act authorizes Council to pass by-laws prescribing the amounts of and requiring the payment of various fees to the Association of Ontario Land Surveyors;

AND WHEREAS Section 8(1)(27) of the Act authorizes Council to pass by-laws regarding such other matters as are entailed in carrying on the business of the Association and are not included in section 7;

NOW THEREFORE Council for the Association of Ontario Land Surveyors hereby enacts as follows:

1. Effective August 1<sup>st</sup>, 2019 the fees for the Survey Records Index in South-Central will no longer be collected;
2. Effective October 1, 2019 an annual PSRI fee for 2019 for a certificate of authorization shall be \$50.00 per licensed surveyor employed payable on the 1<sup>st</sup> day of November, 2019; and
3. Effective October 1, 2019 an annual PSRI fee for a 2019 for government organization shall be \$50.00 per licensed surveyor employed payable on the 1<sup>st</sup> day of November, 2019.
4. Effective October 1, 2019 an annual PSRI fee for 2020 and beyond for a certificate of authorization shall be \$300.00 per licensed surveyor employed payable on the 1<sup>st</sup> day of January, 2020; and
5. Effective October 1, 2019 an annual PSRI fee for 2020 and beyond for a government organization shall be \$300.00 per licensed surveyor employed payable on the 1<sup>st</sup> day of January, 2020.

## Appendix A – Draft PSRI Regulation

Ontario Regulation 216/10 is amended by adding the following:

### PROVINCIAL SURVEY RECORDS INDEX

36. For the purposes of this section Firm means any firm holding a Certificate of Authorization and practicing cadastral surveys or a government organization that employs licensed members.

37. The Association of Ontario Land Surveyors will maintain a provincial survey records index that can communicate with any survey record system that Council endorses such that surveyors can complete research using this provincial survey records index.

38. Where any survey is completed that establishes or retraces a property boundary, the surveyor completing the survey will index the survey in the provincial survey records index maintained by the Association or in a system endorsed by the Council of the Association within one month of completion and/or signing the survey.

39. Within 5 years of this amendment coming into force, survey firms will index all historic surveys under their control.

40.(1) Council may extend this 5-year time frame for indexing historical surveys in unusual circumstances upon a written request by the Certificate of Authorization holder or the lead surveyor for a government agency.

40.(2) Council may grant an exemption to a firm from indexing historical surveys in an area where:

- a) there is limited searching activity by other survey firms;
- b) the firm enters a record into the provincial survey records index that describes the firm's normal area of practice; and
- c) the firm agrees to provide timely and reasonable responses to search requests for surveys from other firms.

41. Fees to maintain the system shall be established through a by-law passed by the membership.

Ontario Regulation 216/10 is amended by renumbering all section numbers after this addition.