

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 45-2021

Being a by-law to provide for the collection of the costs incurred for drainage works completed for numerous drains all in the Town of Kingsville.

WHEREAS the Council of the Town of Kingsville, in the County of Essex, has accepted petitions in accordance with the provisions of Section 74 of the Drainage Act, R.S.O. 1990, c. D. 17, requesting that maintenance and repair be carried out on these drains,

AND WHEREAS the Council of the Town of Kingsville has incurred costs for the said works to date as follows:

- 3rd Concession Road Drain West of Townline Drain
- 9th Concession Drain East of Belle River
- 11th Concession Drain West of Ruscom River
- Airport Drain
- East Third Concession Drain
- East Branch of Jackson Branch of Cottam Outlet Drain
- Irwin Drain
- James Wright Drain
- Lane Drain (portion)
- Lane Drain (portion)
- Morley Wigle Drain
- Moroun Pumping Station
- Puce River Drain
- South Malden Road Drain (Town of Essex)
- Spinks Subdivision Drain
- Union Avenue Drain

for a total cost of approximately \$241,205.73.

AND WHEREAS the said amount to be collected on a pro rata basis on the lands and roads assessed by the Corporation of the Town of Kingsville for such maintenance and repair;

AND WHEREAS Council is of the opinion that the repair of the area was desirable.

THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF KINGSVILLE, PURSUANT TO THE DRAINAGE ACT, R.S.O 1990, c. D. 17, ENACTS AS FOLLOWS:

1. The actual costs are hereby adopted as set forth in the final schedules of assessment.
2. The Corporation of the Town of Kingsville may borrow on the credit of the Corporation the amount to be contributed by the Corporation for the maintenance repair of the drainage works less the amount of
 - a) Grants received under Section 85 of the Act; and
 - b) Commuted payments made in respect of lands assessed.
3.
 - i) For paying of the amount of \$195,016.70 being:
 - (a) The amount assessed upon the lands and roads, except the lands and roads belonging to or controlled by the Corporation;
 - (b) The amount required to pay interest on the portion of the amount borrowed represented by the amount in clause (a);
 - (c) Grants received under the Section 85 of the Act;
 - (d) Monies paid pursuant to Subsection 3 of Section 61 of the Act;
 - (e) Commuted payments made in respect of the lands and roads assessed;

a special rate shall be levied upon the land and roads as set forth in the Schedules of Assessment to be collected in the manner and at the same time as other taxes are collected.

- ii) The amount of the special rate levied upon each parcel of land or part thereof shall be divided into two or five equal amounts and one such amount shall be collected in each year for two or five years at an interest rate to be determined at the time of issuance, after the passing of this By-Law.
4. All assessments of \$250.00 or less are payable in the first year in which the assessment is imposed.
5. This by-law comes into force on the passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 25TH DAY OF MAY, 2021.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo