

# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 70 - 2023

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### **By-law to provide for drainage works for South Malden Drain initiated by the Town of Essex where the ratepayers are affected in the Town of Kingsville in the County of Essex**

**WHEREAS** The Corporation of the Town of Essex has received a request for a bridge replacement over the South Malden Road Drain initiated by The Corporation of the Town of Essex pursuant to the provisions of The Drainage Act, R.S.O. 1990, c. D 17, Section 78 and that Council of the Town of Essex has procured an engineer's report dated July 12, 2019 by Road Engineering Inc., which engineer's report was mailed to the attention of the affected owners in the Town of Kingsville under date of September 3, 2019 and a copy of the said report is attached herewith to this by-law;

**AND WHEREAS**, the estimated total cost of repairs and improvements estimated total cost is \$86,500.

**AND WHEREAS**, \$30,679 is the amount to be contributed by the Town for the bridge replacement

### **NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:**

1. (1) The Corporation of the Town of Kingsville may borrow on the credit of the Corporation the amount of \$27,549 being the amount necessary for construction of the drainage works.  
  
(2) The Council may authorize the borrowing of monies towards the construction by the issuance and sale of debentures. Pending the sale of the debentures, Council authorizes the Mayor and Treasurer to make such temporary borrowing as may be required in order to meet the payments due to the vendors.  
  
(3) The Corporation may issue debentures for the amount borrowed less the total amount of,
  - a) grants received under Section 85 of the act;
  - b) commuted payments made in respect of lands and roads assessed within the municipality;
2. If the actual cost of the drainage works varies from the estimated cost as set out in the Schedule of Assessment contained in the engineer's report, and as included herewith and forming part of this by-law, the actual cost shall be assessed, levied and collected upon and from the said parcels of lands and roads and parts of parcels in the same proportions and in the same manner as provided in the Schedule of Assessment contained in the Engineer's report, or as revised by the Court of Revision or some higher court of appeal.
3. This By-law comes into force on the passing thereof, and may be cited as the "South Malden Road Drain – Access for Kendrick".

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 27<sup>th</sup> DAY OF NOVEMBER, 2023.**

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**MAYOR, Dennis Rogers**

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**DEPUTY CLERK, Angela Toole**