

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 39 - 2024

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 – Clifford Drain
- 3rd Concession Road Drain East
- 8th Concession Road Drain
- C.A. Quick Drain
- Cameron Road Branch of Billings Drain
- East Branch of No. 47 Drain
- Irwin Drain & Branch (Town of Leamington)
- Moon Drain
- Oxley Drain
- Palmer Drain
- Silver Creek Drain (Town of Lakeshore)
- South East Townline Drain
- Staddon Drain
- Thurston Drain
- Tinney Drain
- Union Avenue Drain

for a total cost of approximately \$123,609.82.

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. Amounts assessed to property owners under the Drainage Act, shall be billed in accordance with the Town of Kingsville's *Municipal Drainage Billing Policy* dated June 24, 2019.
4. Any costs added to a property's tax roll in accordance with the *Municipal Drainage Billing Policy*, shall have priority lien status and shall be collected in the same manner as property taxes.

5. This by-law comes into force on the passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS
6th DAY OF MAY, 2024.**

MAYOR, Dennis Rogers

CLERK, Angela Toole