

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 76 - 2017

Being a By-law authorizing an extension of time for the filing of the engineer's report for the Esseltine Drain (RC Spencer Associates Inc. Proejct No.: 14-425)

WHEREAS by Resolution 762-2014 passed at its Regular Meeting held on December 22, 2014 Council accepted a Request for an Engineer's Report under Section 78 of the *Drainage Act, R.S.O. 1990, c. D.17* (the "Act") dated August 21, 2014 from the Municipal Services Department for repair and improvement of the Esseltine Drain;

AND WHEREAS at such Regular Meeting by Resolution 763-2014 the Town, acting as the initiating municipality, appointed the firm of RC Spencer Associates Inc. to undertake the Drainage Report for the Esseltine Drain under the provisions of the *Act* for the proposed works;

AND WHEREAS Section 39.(1) of the *Act* provides that the engineer shall file the report with the clerk of the initiating municipality as soon as it is completed or, in any event, within one year after the appointment of the engineer or within such further time as may be extended before or after the expiry of the one-year period by resolution of the council of the municipality;

AND WHEREAS the one-year period for the filing of the report expired on December 22, 2015 and the Town, due to the complexity of the project, deems it expedient to extend the time for filing of the report to December 22, 2017, being an additional two-year period.

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

1. **THAT** Council of The Corporation of the Town of Kingsville shall extend the time for filing of the engineer's report to December 22, 2017.
2. This By-Law comes into force and takes effect on the day of the final passing thereof.

READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 26th day of September, 2017.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo