

The Corporation of the City of Port Colborne

By-Law No. _____

Being a By-Law to Amend the Assessment Schedules and to Levy the Actual Costs Incurred for the Maintenance of Various Drainage Works in the Municipality Known as the Point Abino, Biederman, Wignell, Bearss Drain West Branch West, Oil Mill Creek, Marsh, Zavitz Drain, Skelton, Beaver Dam, Michener 2, Henry Drain, Wm Micheal, Bearss, Wagner Branch and East Branch Lyons Creek Municipal Drains

Whereas the following By-laws, Being the By-laws to Provide for Drainage Works in the City of Port Colborne in the Regional Municipality of Niagara, were enacted on the corresponding dates, and provide for the update of assessment schedules, as submitted by the corresponding Engineering firms;

By-Laws	Municipal Drain	Engineering Firm	Date Enacted
1420/113/83	Point Abino Drain	C.J. Clarke, Niagara Ltd.	March 10, 1986
7069/14/23	Biederman Drain	Spriet Associates	April 23, 2024
1333	Wignell Drain	C.J. Clarke, Niagara Ltd.	August 11, 1969
5037/92/07	Bearss Drain W. Br W.	K. Smart Associates Limited	May 11, 2009
3904/49/00	Oil Mill Creek Drain	K. Smart Associates Limited	April 10, 2000
6495/62/17	Marsh Drain	K. Smart Associates Limited	July 10, 2017
6521/88/17	Zavitz Drain	Amec Earth and Environmental Limited	October 10, 2017
6744/108/19	Skelton Drain	Spriet Associates	February 10, 2020
3487/68/97	Beaver Dam Drain	K. Smart Associates Limited	May 12, 1997
773/89/78	Michener 2 Drain	R.V. Anderson Associates Limited	October 10, 1978
6495/62/17	Henry Drain	K. Smart Associates Limited	July 10, 2017
3429/11/97	Wm Michael Drain	K. Smart Associates Limited	January 27, 1997
3429/11/97	Bearss Drain	K. Smart Associates Limited	January 27, 1997
3469/50/97	Wagner Branch Drain	Wiebe Engineering Inc.	April 14, 1997
3890/35/00	East Branch Lyons Creek	Wiebe Engineering Inc.	May 8, 2000

Whereas Section 74, Chapter D.17 of the *Drainage Act, R.S.O. 1990* (the Act) compels each municipality to maintain that portion of a drainage works within its limits; and

Whereas Section 61(1) of the Act authorizes a municipality, upon the completion of the maintenance of the drainage works, to levy the final cost thereof to the lands and roads liable, as stated in the Engineer's Report, so as to recover the cost of said maintenance; and

Whereas in compliance with such duty, the municipality has carried out maintenance of said drainage works as per the design of the Engineer's Reports, and the total actual cost incurred were \$217,846.78;

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. That the cost of the Drainage works as provided in their corresponding By-law, be levied against the lands and roads as set out in the assessment schedule in the Engineer's Reports, as amended, pro rate and as listed in the actual assessment column, as shown on Schedules A - U attached hereto, to be levied and collected in the same manner as taxes.
2. That the assessed amounts will be automatically added to the billable tax accounts
3. That the assessed amounts will be automatically added to the final tax bills and

collected with the final tax amount.

4. That should the amount of Ontario Ministry of Agriculture, Food and Agribusiness (OMAFRA) grant applied for the farm tax class parcels not be received in full, the revised assessed amount shall be added to the affected parcels.
5. That the By-laws identified above are hereby amended by replacing Schedules A – U with Schedules A - U attached hereto and forming part of this by-law.
6. That this by-law shall come into force and take effect on the day of its final passing.

Enacted and passed this 8th day of April, 2025.

William C. Steele
Mayor

Charlotte Madden
City Clerk