

The Corporation of the City of Port Colborne

By-Law no. _____

Being a By-law to Amend the Assessment Schedule and to Levy the Actual Costs Incurred for the Maintenance of Drainage Works Known as the Fred and John Pietz Municipal Drain

Whereas By-law No. 6495/62/17 and 435/18/75, Being By-law's to Provide for Drainage Works in the City of Port Colborne in the Regional Municipality of Niagara Fred and John Pietz Municipal Drains, consecutively were enacted on the 10th day of July 2017 and 22nd day of September 1975, and provide for the update of assessment schedules, as submitted consecutively by K. Smart Associates Limited and W J Smith, P. Eng; and

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 Report, and the total actual cost incurred was \$90,534.37;

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

1. That the cost of the Fred and John Pietz Municipal Drain as provided for in By-law No's. 6495/62/17 and 435/18/75, be levied against the lands and roads as set out in the assessment schedule in the Engineer's Report dated July 31, 2014, as amended, pro rata and as listed in the actual assessment column, more particularly shown on Schedules 'a', 'b' and 'c' attached hereto, to be levied and collected in the same manner as taxes.
2. The invoiced amount will be automatically added to the billable tax accounts.
3. The properties within the watershed will receive notice of the billable amount.
4. That the payments that have not been received within 90 days of the date of the notice, will accrue interest of 1.25% monthly.
5. That By-law No's. 6495/62/17 and 435/18/75 are hereby amended by replacing the assessment schedule with Schedule 'a', 'b' and 'c' appended hereto.
6. That this by-law shall come into force and take effect on the day of its final passing.

Enacted and passed this 10th day of May, 2022.

William C. Steele
Mayor

Nicole Rubli
Acting, City Clerk

**2020 MAINTENANCE
FRED PIETZ DRAIN**

TOTAL CURRENT COST ----- **\$17,826.52 To the watershed**
Account M33210 \$38,110.17 Total account balance
BY-LAW No. 6495/62/17

All properties confirmed for Ag April 7, 2020

K:\DRAINAGE SUPERINTENDENT\DRAINS\Pietz\FRED PIETZ\2018 MAINTENANCE ASSESSMENT SCHEDULE.XLS

LAND USE	OWNER	CON or PLAN No.	LOT No.	ROLL NUMBER	AREA AFFECTED (ha)	CURRENT COST	OMAF GRANT	NET COST
		3	5 & 6	006 03400	13.00	\$815.76	\$0.00	\$815.76
Ag		3	7	006 03700	3.70	\$708.71	\$236.24	\$472.47
		3	7 & 8	006 03800	6.65	\$1,370.48	\$0.00	\$1,370.48
Ag		3	7 & 8	006 03900	9.70	\$1,195.23	\$398.41	\$796.82
		3	8	006 04000	3.20	\$457.56	\$0.00	\$457.56
Ag		3	9 & 10	006 04200	52.15	\$4,958.74	\$1,652.91	\$3,305.83
Ag		3	10	006 04400	3.40	\$213.38	\$0.00	\$213.38
Ag		3	9 & 10	006 04500	15.00	\$941.15	\$313.72	\$627.43
Ag		3	10	006 04600	3.10	\$194.68	\$0.00	\$194.68
Ag		3	12	006 04900	8.80	\$552.15	\$0.00	\$552.15
Ag		3	11	006 05000	5.05	\$316.77	\$0.00	\$316.77
		3	11	006 05001	4.05	\$254.08	\$0.00	\$254.08
		3	11	006 05015	1.04	\$65.26	\$0.00	\$65.26
Ag		3	11	006 05100	7.75	\$889.46	\$296.49	\$592.97
Ag		3	11	006 05200	1.85	\$116.22	\$0.00	\$116.22
Ag		3	11	006 05205	10.20	\$1,043.44	\$347.81	\$695.63
Ag		3	11 & 12	006 05300	1.00	\$62.69	\$20.90	\$41.79
Ag		3	12	006 05600	7.20	\$451.69	\$0.00	\$451.69
Roads - Port Colborne	Neff Road				1.26	\$873.32	\$0.00	\$873.32
	Troup Road				3.52	\$1,015.21	\$0.00	\$1,015.21
	Brookfield Road				8.54	\$1,330.52	\$0.00	\$1,330.53
Brookfield Road Special Assessment for Culvert Replacement								\$20,283.67
TOTAL NON-AGRICULTURAL ASSESSMENT					70.66	\$8,027.08		\$8,027.09
TOTAL AGRICULTURAL ASSESSMENT					99.50	\$9,799.42	\$3,266.48	\$6,532.94
TOTAL ASSESSMENT					170.16	\$17,826.50		\$14,560.03
OMAF GRANT							\$3,266.47	
LANDOWNERS PAYMENTS								\$11,340.97
CITY OF PORT COLBORNE ASSESSMENT							\$23,502.73	

\$38,110.17
\$17,826.52

ORIGINAL OUTLET ASSESSMENTS FROM REPORT & BY-LAW:

TOTAL NON-AGRICULTURAL LANDS	\$19,501.00
TOTAL AGRICULTURAL LANDS	\$26,728.00
TOTAL ASSESSMENT	\$19,501.00

**2018-2020 MAINTENANCE
JOHN PIETZ DRAIN**

All properties confirmed for Ag April 7, 2021

K:\DRAINAGE SUPERINTENDENT\Drains\Pietz\JOHN PIETZ\2018 MAINTENANCE ASSESSMENT SCHEDULE.XLS

TOTAL CURRENT COST --- **\$51,914.87**

Account M33201

BY-LAW No. 6495/62/17

LAND USE	OWNER	CON or PLAN No.	LOT No.	ROLL NUMBER	AREA AFFECTED (ha)	CURRENT COST	OMAF GRANT	NET COST
Ag		2	7	006 01300	6.00	\$737.82	\$245.94	\$491.88
Ag		2	8	006 01600	6.00	\$737.82	\$245.94	\$491.88
Ag		3	5	006 03000	15.30	\$1,881.10	\$627.03	\$1,254.07
Ag		3	5	006 03200	3.40	\$417.68	\$46.26	\$371.42
		3	5 & 6	006 03400	27.89	\$11,152.49	\$0.00	\$11,152.49
Ag		3	5 & 6	006 03500	43.65	\$5,365.88	\$1,788.63	\$3,577.25
Ag		3	7	006 03700	35.00	\$6,132.14	\$2,044.05	\$4,088.09
Ag		3	7 & 8	006 03900	53.40	\$9,918.74	\$3,306.25	\$6,612.49
Ag		3	8	006 04001	6.90	\$848.59	\$93.98	\$754.61
Ag		3	9	006 04100	3.30	\$405.49	\$0.00	\$405.49
		3	9	006 04101	16.80	\$2,065.05	\$459.65	\$1,605.40
Ag		3	9	006 04102	15.40	\$1,893.30	\$631.10	\$1,262.20
Ag		3	9 & 10	006 04200	9.20	\$1,131.10	\$377.03	\$754.07
Roads - Port Colborne			Neff Rd. South		7.54	\$3,231.39	\$0.00	\$3,231.39
			Troup Rd.		6.03	\$3,044.39	\$0.00	\$3,044.39
			Second Conc. Rd.		4.02	\$493.90	\$0.00	\$493.90
Roads - Region			Wilhelm Rd.		1.26	\$2,458.00	\$0.00	\$2,457.99
TOTAL NON-AGRICULTURAL ASSESSMENT					60.34	\$22,317.31		\$22,317.30
TOTAL AGRICULTURAL ASSESSMENT					200.75	\$29,597.57	\$9,865.86	\$19,731.71
TOTAL ASSESSMENT					261.09	\$51,914.88		\$42,049.01
OMAF GRANT							\$9,865.86	
LANDOWNERS PAYMENTS								\$35,279.33
CITY OF PORT COLBORNE ASSESSMENT							\$6,769.68	

\$51,914.87

ORIGINAL OUTLET ASSESSMENTS FROM REPORT & BY-LAW:

TOTAL NON-AGRICULTURAL LANDS	\$19,500.00
TOTAL AGRICULTURAL LANDS	\$29,385.00
TOTAL ASSESSMENT	\$51,084.00

**2015 MAINTENANCE
JOHN PIETZ DRAIN**

TOTAL CURRENT COST - **\$509.33**

2015 Ag Properties Confirmed

BY-LAW No. 435/18/75

K:\DRAINAGE SUPERINTENDENT\DRAINS\JOHN Pietz\2015 Maintenance Assessment Schedule .xls

LAND USE	OWNER	CON or PLAN No.	LOT No.	ROLL NUMBER	AREA AFFECTED (ha)	CURRENT COST	OMAFRA GRANT	NET COST
FL		2	8	006 01600	4.8969	\$1.46	\$0.49	\$0.97
FL		2	7	006 01300	8.3368	\$2.48	\$0.83	\$1.65
FL		3	9	006 04200	7.3655	\$14.09	\$4.70	\$9.39
FL		3	9	006 04101	14.9132	\$15.33	\$5.11	\$10.22
		3	9	006 04100	2.0235	\$2.08	\$0.00	\$2.08
FL		3	9	006 04102	15.4393	\$15.87	\$5.29	\$10.58
		3	8	006 04001	7.4303	\$8.54	\$0.00	\$8.54
FL		3	7 & 8	006 03900	66.0228	\$70.16	\$23.39	\$46.77
FL		3	7	006 03700	34.8042	\$35.77	\$11.92	\$23.85
FL		3	5 & 6	006 03500	50.5875	\$15.06	\$5.02	\$10.04
		3	5	006 03200	10.1175	\$3.01	\$0.00	\$3.01
FL		3	5	006 03000	12.1410	\$3.62	\$1.21	\$2.41
		3	4	006 02600	1.6188	\$0.48	\$0.00	\$0.48
		3	4	006 02500	2.4282	\$0.72	\$0.00	\$0.72
		3	4	006 02700	4.0470	\$1.21	\$0.00	\$1.21
NIAGARA PEN. CON. AUTHORITY		3	5 & 6		242.17248	\$48.49	\$0.00	\$48.49
CITY OF PORT COLBORNE			TROUP ROAD		3.39948	\$21.23	\$0.00	\$21.23
			SECOND CON. ROAD		1.74021	\$10.87	\$0.00	\$10.87
			NEFF ROAD		4.00653	\$25.03	\$0.00	\$25.03
NIAGARA REGION			Wilhelm Rd #98		1.98303	\$213.82	\$0.00	\$213.84
TOTAL NON-AGRICULTURAL ASSESSMENT					273.24	\$64.53		\$335.50
TOTAL AGRICULTURAL ASSESSMENT					214.51	\$173.84	\$57.96	\$115.88
TOTAL ASSESSMENT					487.74	\$259.60		\$201.64
O.M.A.F.R.A. GRANT							\$57.95	
LANDOWNERS PAYMENTS								\$212.51
CITY OF PORT COLBORNE ASSESSMENT							\$238.87	

\$509.33

ORIGINAL OUTLET ASSESSMENTS FROM REPORT & BY-LAW:

TOTAL NON-AGRICULTURAL LANDS	\$14,260.36
TOTAL AGRICULTURAL LANDS	\$7,389.64
TOTAL ASSESSMENT	\$21,650.00