

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 Indian Creek, Wagner and Haun Municipal Drains

Whereas By-law No. 3469/50/97, Being By-law's to Provide for Drainage Works in the City of Port Colborne in the Regional Municipality of Niagara for the Indian Creek, Wagner and Haun Municipal Drains Municipal Drains, was enacted on the 12th day of April 1999, and provide for the update of assessment schedules, as submitted by Wiebe Engineering Inc.; 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 \$78,583.53;

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

1. That By-law No.3469/50/97 is hereby amended by replacing the assessment schedule with the schedules appended hereto.
2. That the cost of the Indian Creek, Wagner and Haun Municipal Drains as provided for in By-law No. 3469/50/97, be levied against the lands and roads as set out in the assessment schedule in the Engineer's Report dated April 21, 1997, as amended, pro rata and as listed in the actual assessment column, more particularly shown on the schedules attached hereto, to be levied and collected in the same manner as taxes.
3. The invoiced amount will be automatically added to the billable tax accounts.
4. The properties within the watershed will receive invoices of the billable amount.
5. That the payments that have not been received within 90 days of the date of the notice, will accrue interest of 1.25% monthly.
6. That this by-law shall come into force and take effect on the day of its final passing.

Enacted and passed this 23rd day of August, 2022.

William C. Steele
Mayor

Nicole Rubli
Acting, City Clerk