



## The Corporation Of The Municipality Of South Huron

### By-Law #47-2017

Being a By-law to collect costs for maintenance and repair of municipal drains in the Municipality of South Huron in the County of Huron

Whereas the *Drainage Act*, R.S. O. 1990, as amended, provides under Section 74 that any drainage works constructed under a by-law passed under this Act or any predecessor of this Act, relating to the construction or improvement of a drainage works by local assessment, shall be maintained and repaired by each local municipality through which it passes, to the extent that such drainage works lies within the limits of such municipality, at the expense of all the upstream lands and roads in any way assessed for the construction or improvement of the drainage works and in the proportion determined by the then current by-law pertaining thereto until, in the case of each municipality, such provision for maintenance or repair is varied or otherwise determined by an engineer in a report or on appeal therefrom; and

Whereas maintenance and repairs for 2016 and prior year projects and some current year projects have now been completed on the following drains, and the total costs for each drain are as indicated below:

Adams Drain	(Stephen Ward B/L 24-2002)	849.50
Carey Drain	(Stephen Ward B/L 17-1985)	736.69
Cooke Drain	(Usborne Ward B/L 4-1968)	100.00
Crediton Drain	(Stephen Ward B/L 48-1968)	297.65
Dietrich Drain	(Stephen Ward B/L 23-1970)	8,362.91
Dundas Br A	(Stephen Ward B/L 59-1969)	861.98
Finkbeiner Drain	(Stephen Ward B/L 20-1994)	496.08
Fish Creek Drain	(Usborne Ward B/L 12-1997)	280.00
Fleming-Morrissey Drain	(Stephen Ward B/L 33-1975)	1,191.72
Gardiner Drain	(Usborne Ward B/L 9-1967)	978.39
Glavin Drain	(Stephen Ward B/L 8-1961)	370.00
Glavin-Swartz Drain	(Stephen Ward B/L 7-2000)	50.00
Haugh Drain	(Stephen Ward B/L 10-1960)	8,195.00
Hern-Leyes Drain	(Usborne Ward B/L 4-1976)	270.00
Hicks Drain	(Stephen Ward B/L 37-1991)	786.14
Isaac Drain	(Stephen Ward B/L 31-1969)	460.00
Keller Drain	(Stephen Ward B/L 30-1984)	11,324.13
Khiva Drain	(Stephen Ward B/L 15-1997)	3,753.18
Khiva A Drain	(Stephen Ward B/L 9-1976)	3,305.44
Lamport Drain	(Stephen Ward B/L 29-1967)	870.00
Mud Creek Drain	(Stephen Ward B/L 39-1991)	27,628.51
O'Brien Drain	(Stephen Ward B/L 8-1958)	3,341.05
Pickering Drain	(Stephen Ward B/L 7-1957)	4,618.14
Prance Drain	(Usborne Ward B/L 9-1973)	1,264.12
Ratz Drain	(Stephen Ward B/L 9-1999)	1,887.18
Regier A Drain	(Stephen Ward B/L 22-1969)	765.61
Washburn Drain	(Usborne Ward B/L 1-1981)	620.00

Now therefor be it resolved that the Council of the Corporation of the Municipality of South Huron enacts as follows:

1. That a special rate sufficient to collect drain maintenance and repair costs as indicated above shall be levied upon upstream lands and roads on a pro rata basis in accordance with the maintenance provisions set out in the reports adopted by the respective By-laws identified above.
2. That all costs shall be payable in full in the year in which they are imposed.
3. That where lands in the same ownership have drainage assessments with an accumulated total of \$10 or less, the costs shall be charged to general municipal drain expenses. This includes costs on drains where due to the excessive size of the watershed, as determined by the Drainage Superintendent, it would not be cost effective to have the costs assessed out. The amounts assessed against the lands as described in "1" above shall be levied and collected in the same manner and at the same time as the final taxes are levied and collected.
4. That this By-law shall come into force and take effect on the date of final passing.

Read a first and second time this 21st day of August, 2017.

Read a third time and passed this 21st day of August, 2017.

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Maureen Cole, Mayor

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Genevieve Scharback, Clerk