



Staff Report

Report To: Dan Best, Chief Administrative Officer
From: **Rebekah Msuya-Collison, Municipal Clerk**
Date: December 17 2018
Report: 35-2018
Subject: Request for Drainage Improvement

Recommendations:

That South Huron Council receives the report from R. Msuya-Collison, Clerk re: Requests for Drain Improvement under Section 78 of the Drainage Act; and

That South Huron Council hereby appoints William J. Dietrich, P. Eng., from Dietrich Engineering Ltd. as the Municipal Drainage Engineer to prepare a report for Drain Improvement.

Purpose:

To provide Council with the Petition for Drain Improvement filed by Mark Poortinga, Dale Penner and Gerben Steenbeek.

Background and Analysis:

A petition addressed to South Huron Council dated November 26, 2018 was filed with the Clerk by Mark Poortinga, Dale Penner and Gerben Steenbeek for presentations to Council.

Under Section 5(2) of the *Drainage Act*, Council must consider the petition within 30 days of the filing of the petition and decide whether or not to accept the petition. The Drainage Act provides a democratic procedure for the construction, improvement and maintenance of drainage works. Drainage works are maintained by the municipality at the expense of all the lands and roads assessed by the Engineer's Report.

Council has the right to deny the petition but must have a valid reason (e.g. doesn't comply with the municipality's official plan). If the petition is not accepted, the petitioner may appeal this decision. Council does not determine if the petition is valid, this responsibility is placed with the engineer. The engineer is required to examine the area and prepare a report.

Please find attached a Petition for Drain Improvement by Owners pursuant to Section 78 of the *Drainage Act* R.S.O. 1990, as submitted by Mark Poortinga, Dale Penner and Gerben Steenbeek.

Operational Considerations:

There are no operational considerations as a result of the actions outlined in this report.

South Huron's Strategic Plan:

Section 6.2.2 of the Municipality of South Huron 2015- 2019 Strategic Plan identifies key priorities and strategic directions. The following elements are supported by the actions outlined in this report:

- ✓ Administrative Efficiency and Fiscal Responsibility
- ✓ Transparent, Accountable, and Collaborative Governance

Financial Impact:

There is no financial impact as a result of the actions outlined in this report.

Legal Impact:

There is no legal impact as a result of the actions outlined in this report.

Staffing Impact:

There is no staffing impact as a result of the actions outlined in this report.

Policies/Legislation:

Drainage Act

Consultation:

Dietrich Engineering Limited

Related Documents:

Notice of Request for Drain Improvement

Respectfully submitted,

Rebekah Msuya-Collison, Municipal Clerk