



BY-LAW

NO. 2024 –

Being a By-law to Authorize the Maintenance and Repair of a Municipal Drain Under the Provisions of the Drainage Act, R.S.O. 1990 (Kennedy Municipal Drain Extension)

Whereas By-law No. 65-642 of The Corporation of the Municipality of Kincardine Township of Kincardine was passed by Council March 15, 1965 providing for the construction of the Kennedy Municipal Drain Extension, being the current by-law; and

Whereas Council wishes to maintain and repair this Drain, without a new report of an Engineer, but in accordance with specifications outlined in the current Engineer's Report dated January 11, 1965 prepared by Howard M. Gibson, P.Eng, as contained within the above mentioned by-law; and

Whereas in accordance with section 74 of the Drainage Act, the cost of maintenance and repair of a Municipal Drain is to be at the expense of all the upstream land 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; and

Whereas the cost of this repair is \$8,313.76 and a grant of \$2,294.19 was received leaving \$4,604.55 to be raised by a cash assessment and \$1,415.02 as the amount to be contributed by the Municipality for the maintenance and repair of the municipal drain; now therefore be it

Resolved that the Council of The Corporation of the Municipality of Kincardine **Enacts** as follows:

1. That the Kennedy Municipal Drain Extension be maintained and repaired to the specifications outlined in the Engineer's Report by Howard M. Gobson, P.Eng.
2. That the actual costs of this drainage repair and maintenance, attached hereto as Schedule 'A', be assessed as per the current by-law less any grant money received for lands eligible to receive agricultural grants.
3. That the amount of \$6,019.57 necessary to be raised by the Municipality for such drainage works shall be made a cash assessment upon the roads and lands affected by the proposed work. All assessments are payable in the first year in which the assessment is imposed.
4. For paying the amount of \$1,415.02 being the amount assessed upon the lands and roads belonging to or controlled by the Municipality a special rate sufficient to pay the amount assessed plus interest thereon shall be levied upon the whole ratable property in the Municipality of Kincardine after the passing of this by-law to be collected in the same manner and at the same time as other taxes are collected.
5. This by-law shall come into full force and effect upon its final passage.
6. This by-law may be cited as the "Kennedy Municipal Drain Extension Maintenance (2024) By-law".

Read a First, Second and Third Time and Finally passed this 14th day of February, 2024.

Mayor

Clerk

**MAINTENANCE ASSESSMENT SCHEDULE
MUNICIPALITY OF KINCARDINE WARD II
KENNEDY MUNICIPAL DRAIN EXTENSION - Culvert Replacement Lot 46, Concession 3 SDR
MAIN DRAIN - OPEN**

Conc.	Lot	Roll #	Area acres	Owner	Costs Benefit & Outlet By-Law #	Percentage of Maintenance Costs By-Law #	Feb-24 Costs \$	grant dollars as per ADIP 2.3 c (ii)	Costs (1/3 grant applied if applicable)
Repair Cost =		\$8,313.76		<div style="border: 2px solid black; width: 150px; height: 30px;"></div>					
Project Completion Date		30-Sep-22							
Agricultural Lands					65 - 642	65 - 642			
2 SDR	52 & 53	410821000108000		FERRIER HARRY JOHN , FI	\$9.00	0.19%	\$16.15	\$5.38	\$10.77
3 SDR	46	410821000102600		ARMSTRONG BRENT WILL	\$771.00	16.65%	\$1,384.06	\$461.35	\$922.71
3 SDR	Pt 46	410821000102600		ARMSTRONG BRENT WILL	\$444.00	9.59%	\$797.04	\$265.68	\$531.36
3 SDR	47 & 48	410821000102800		SCHLEGEL PETER ,	\$1,248.00	26.95%	\$2,240.34	\$746.78	\$1,493.56
3 SDR	49	410821000102900		SPLETTSTOESSER FARM	\$783.00	16.91%	\$1,405.60	\$468.53	\$937.07
3 SDR	50	410821000102950		WAGLER CORNELIUS , WA	\$259.50	5.60%	\$465.84	\$155.28	\$310.56
3 SDR	51	410821000103000		HOOVER DAVID , GINGRIC	\$259.50	5.60%	\$465.84	\$155.28	\$310.56
3 SDR	52 & 53	410821000103100		SPLETTSTOESSER RALPH	\$60.00	1.30%	\$107.70	\$35.90	\$71.80
Total Assessment on Agricultural Lands					\$3,834.00	82.79%	\$6,882.57	\$2,294.19	\$4,588.38
Non-Agricultural Lands									
2 SDR	Pt 53	410821000108100		BERVIE COMMUNITY CEN	\$9.00	0.19%	\$16.15		\$16.15
Total Assessment on Non-Agricultural Lands					\$9.00	0.19%	\$16.15		\$16.15
Roads									
Huron-Kincardine Townline Road				Kincardine	\$750.00	16.19%	\$1,346.36		\$1,346.36
Concession Road 2-3				Kincardine	\$20.25	0.44%	\$36.35		\$36.35
Sideroad 50-51				Kincardine	\$18.00	0.39%	\$32.32		\$32.32
Total Assessment on Roads					\$788.25	17.02%	\$1,415.02		\$1,415.02
Total Assessment on Lands and Roads					\$4,631.25	100.00%	\$8,313.74		\$6,019.55