



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-Huron 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-Huron 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 \$1,902.85 and a grant of \$185.50 was received leaving \$1,717.35 to be raised by a cash assessment and \$0.00 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 \$1,717.35 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 \$0.00 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 Huron 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
TOWNSHIP OF HURON-KINLOSS
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 =					\$1,902.85				
Project Completion Date					30-Sep-22				
					65 - 642	65 - 642			
Agricultural Lands									
12	12	410716000313100		J.S & F.A. Farrell	\$310.00	29.25%	\$556.49	\$185.50	\$371.00
Total Assessment on Agricultural Lands					\$310.00	29.25%	\$556.49	\$185.50	\$371.00
Non-Agricultural Lands									
Total Assessment on Non-Agricultural Lands					\$0.00	0.00%	\$0.00		\$0.00
Roads									
Huron-Kincardine Townline Road				Huron-Kinloss	\$750.00	70.75%	\$1,346.36		\$1,346.36
Total Assessment on Roads					\$750.00	70.75%	\$1,346.36		\$1,346.36
Total Assessment on Lands and Roads					\$1,060.00	100.00%	\$1,902.85		\$1,717.35