



## BY-LAW

NO. 2024 –

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**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 (Kincardine-Kinloss Municipal Drain)**

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**Whereas** By-law No. 86-21 of The Corporation of the Municipality of Kincardine Township of Kincardine was passed by Council September 15, 1986 providing for the construction of the Kincardine-Kinloss Municipal Drain, 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 June 30, 1986 prepared by Paragon Engineering Ltd., 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 \$5,555.25 and a grant of \$1,632.24 was received leaving \$3,283.33 to be raised by a cash assessment and \$639.68 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 Kincardine-Kinloss Municipal Drain be maintained and repaired to the specifications outlined in the Engineer's Report by Paragon Engineering Ltd.
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 \$3,283.33 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 \$639.68 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 "Kincardine-Kinloss Municipal Drain Maintenance (2024) By-law".

**Read a First, Second and Third Time and Finally passed** this 14<sup>th</sup> day of February, 2024.

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Mayor

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Clerk

**MAINTENANCE ASSESSMENT SCHEDULE  
MUNICIPALITY OF KINCARDINE WARD II  
KINCARDINE-KINLOSS MUNICIPAL DRAIN - Tile Repair AND Cleanout Lot 32/33, Concession 4  
MAIN DRAIN - OPEN PORTION**

Repair Cost =		\$5,555.25		Costs		Percentage of	Feb-24	grant	Costs
Project Completion		6-Sep-22		Benefit & Outlet		Maintenance		dollars	(1/3 grant
Date				By-Law #		Costs		as per	if
		Area		By-Law #		By-Law #	Costs \$	ADIP 2.3 c	applicable)
		ha.		86 - 21		86 - 21		(ii)	
Conc.	Lot	Roll #	Area	Owner	86 - 21	86 - 21	Costs \$		
Agricultural Lands (Kincardine Twp)									
1 NDR	67, 68, 69	410821000123600	1.6	STAM LEONARD ,	0.109	0.43%	\$23.88	\$7.96	\$15.92
1 NDR	70	410821000123700	4.5	HODGINS MURRAY LYNN , HOE	0.300	1.18%	\$65.72	\$21.91	\$43.81
2 NDR	58, 59, 60	410821000203800	7.7	ALBRECHT ELMER , ALBRECHT SHARON LINE		0.00%	\$0.00	\$0.00	\$0.00
2 NDR	61, 62	410821000203900	23.9	ROACH ROY ERNEST , ROACH	0.095	0.37%	\$20.77	\$6.92	\$13.84
2 NDR	63, 64	410821000204000	25.9	ROACH ROY ERNEST ,	1.201	4.74%	\$263.05	\$87.68	\$175.37
2 NDR	65	410821000204100	14.6	WOODS GARRY THOMAS ,	0.915	3.61%	\$200.44	\$66.81	\$133.63
2 NDR	66	410821000204200	16.2	ROACH ROY ERNEST ,	1.046	4.12%	\$229.14	\$76.38	\$152.76
2 NDR	67 - 70	410821000204300	79.4	HAYES BURTON WELLINGTON	5.260	20.74%	\$1,152.29	\$384.10	\$768.19
3 NDR	56, 57	410821000208100	12.1	STAM FARMS INCORPORATED , STAM TIMOT		0.00%	\$0.00	\$0.00	\$0.00
3 NDR	58, 59, 60	410821000208200	59.1	BLUE HORIZON FARM INC ,		0.00%	\$0.00	\$0.00	\$0.00
3 NDR	61	410821000208400	20.2	ROACH ROY ERNEST ,		0.00%	\$0.00	\$0.00	\$0.00
3 NDR	62, 63	410821000208500	40.5	ROACH LORNE EDWARD GEOF	1.410	5.56%	\$308.88	\$102.96	\$205.92
3 NDR	64, 65	410821000208600	40.5	WHITE BETTY JEAN , ANDERS(	1.978	7.80%	\$433.32	\$144.44	\$288.88
3 NDR	66, 67	410821000208700	40.5	WHITE BETTY JEAN ,	2.100	8.28%	\$460.04	\$153.35	\$306.69
3 NDR	68, 69, 70	410821000208800	60.7	HAYES BURTON WELLINGTON	3.542	13.97%	\$775.93	\$258.64	\$517.29
4	28, 29, 30	410821000210700	27.1	STREICHER WAYNE MURRAY , STREICHER E		0.00%	\$0.00	\$0.00	\$0.00
4	31, 32, 33	410821000210800	53.9	WILKEN JONATHAN MURRAY ,	1.538	6.07%	\$336.95	\$112.32	\$224.63
4	34, 35	410821000210900	37.2	EISEN RONALD WILLEM EVERT	1.944	7.67%	\$425.87	\$141.96	\$283.91
5	28	410821000214300	0.8	ALBRECHT ISRAEL , ALBRECHT IDA		0.00%	\$0.00	\$0.00	\$0.00
5	29	410821000214400	4	HEWITT RONALD JAMES , HEWITT JANICE EL		0.00%	\$0.00	\$0.00	\$0.00
5	30	410821000214500	32.8	BRONKHORST JOHANNES JURIE , BRONKHO		0.00%	\$0.00	\$0.00	\$0.00
5	W 31	410821000214600	20.2	CROSSLEY BRUCE CAMPBELL , CROSSLEY G		0.00%	\$0.00	\$0.00	\$0.00
5	E 31	410821000214700	20.2	RICHARDS ASHLEY ELLEN ,		0.00%	\$0.00	\$0.00	\$0.00
5	32, 33	410821000214800	81	EICKMEYER RICHARD DANIEL .	0.159	0.63%	\$34.75	\$11.58	\$23.17
5	34	410821000214900	40.5	EISEN RONALD WILLEM EVERT	0.326	1.29%	\$71.46	\$23.82	\$47.64
5	35	410821000215000	40.5	HUSK EDDIE MICHAEL , HUSK (	0.430	1.70%	\$94.25	\$31.42	\$62.83
6	28	410821000219600	6.1	DUFTON ROBERT STERRITT , DUFTON DEBO		0.00%	\$0.00	\$0.00	\$0.00
6	29	410821000219700	35.6	MICHEL EDWARD ARNOLD , MICHEL WILHELM		0.00%	\$0.00	\$0.00	\$0.00
6	30	410821000219800	32.4	BRONKHORST JOHANNES JURIE , BRONKHO		0.00%	\$0.00	\$0.00	\$0.00
6	31	410821000219900	23.9	MCKEE DIANE SHARON ,		0.00%	\$0.00	\$0.00	\$0.00
6	32	410821000220000	20.2	MCCONNELL WRAY , MCCONNELL JANET		0.00%	\$0.00	\$0.00	\$0.00
6	33	410821000220100	19.4	EISEN ALLARD , EISEN TRIJNTJE		0.00%	\$0.00	\$0.00	\$0.00
6	34	410821000220200	12.6	MCCONNELL WRAY , MCCONNELL JANET		0.00%	\$0.00	\$0.00	\$0.00
6	Pt 35	410821000220300	6.9	HUSK EDDIE MICHAEL , HUSK SANDRA LYN		0.00%	\$0.00	\$0.00	\$0.00
6	Pt 35	410821000220400	0.4	ANGLICAN CHURCH CANADA ,		0.00%	\$0.00	\$0.00	\$0.00
<b>Total Assessment on Agricultural Lands</b>					<b>22.353</b>	<b>88.15%</b>	<b>\$4,896.73</b>	<b>\$1,632.24</b>	<b>\$3,264.49</b>
Non-Agricultural Lands									
4	Pt 33	410821000210802	2	ZARUBICK JENNIFER ANN , GR	0.086	0.34%	\$18.84		\$18.84
<b>Total Assessment on Non-Agricultural Lands</b>					<b>0.086</b>	<b>0.34%</b>	<b>\$18.84</b>		<b>\$18.84</b>
Roads (Kincardine Twp)									
Kincardine-Kinloss Boun	Boundary Road	Twp of Kinc Municipality of Kincardine			0.689	2.72%	\$150.94		\$150.94
North Line	Conc Rd 2/3	Twp of Kinc Municipality of Kincardine			0.914	3.60%	\$200.23		\$200.23
Concession Road 5	Conc Rd 4/5	Twp of Kinc Municipality of Kincardine			0.599	2.36%	\$131.22		\$131.22
Sideroad 30 South	Sdrd Rd 30/31	Twp of Kinc Municipality of Kincardine			0.718	2.83%	\$157.29		\$157.29
<b>Total Assessment on Roads</b>					<b>2.920</b>	<b>11.51%</b>	<b>\$639.68</b>		<b>\$639.68</b>
<b>Total Assessment on Lands and Roads</b>					<b>25.359</b>	<b>100.00%</b>	<b>\$5,555.24</b>		<b>\$3,923.00</b>