



**Municipality of Middlesex Centre
By-Law Number 2021 –108**

**Being a by-law of the Corporation of the Municipality of Middlesex Centre to
provide for a drainage works to be known as the Bear Creek Municipal Drain
Branch 6, 12 and 13 Municipal Drain**

WHEREAS the requisite number of owners have petitioned the Council of the Municipality of Middlesex Centre in accordance with the provisions of the *Drainage Act*, requesting that the following lands and roads may be drained by a drainage works as follows:

Bear Creek Municipal Drain serving parts of Lots 23 to 26, Concessions 12 and 14 (geographic London) in the Municipality of Middlesex Centre. The total watershed area contains approximately 187 hectares.

AND WHEREAS the Council of the Municipality of Middlesex Centre in the County of Middlesex has procured a report made by Spriet Associates;

AND WHEREAS the estimated total cost of the drainage works is \$543,649.00

AND WHEREAS \$173,085.00 is the amount to be contributed by the Municipality for construction of the drainage works;

AND WHEREAS the Council is of the opinion that the drainage of the area is desirable;

THEREFORE the Council of the Municipality of Middlesex Centre pursuant to the *Drainage Act* enacts as follows;

1. The report dated September 30, 2021 is hereby adopted and the drainage works as indicated therein and set forth is hereby authorized, and shall be completed in accordance therewith.
2. The Municipality of Middlesex Centre may borrow on the credit of the Corporation the amount of \$370,564.00 the amount necessary for reconstruction of the drainage works.
3. The Corporation may issue debentures for the amount borrowed less the total amount of:
 - a) grants received under Section 85 of the *Act*;
 - b) commuted payments made in respect of the lands and roads assessed within the Municipality;
 - c) monies paid under Subsection 61 (3) of the *Act*; and
 - d) monies assessed in and payable by another municipality, and such debentures shall be made payable within five years from the date of the debenture and shall bear interest at a rate not higher than the rate charged by the Infrastructure Ontario on the date of sale of such debentures.
4. A special equal annual rate sufficient to redeem the principal and interest on the debentures shall be levied upon the lands and roads as set forth in the report to be collected in the same manner and at the same time as other taxes are collected in each year for five years after the passing of this By-law, for paying the amount of \$173,085.00 being the amount assessed upon the lands and roads belonging to or controlled by the municipality.

5. For paying the amount of \$241,674.00 being the amount assessed upon the landowners in accordance with the schedule of Net Assessment and Special Assessment as provided in the report, a special rate sufficient to pay the amount assessed plus interest therein shall be levied upon each of the assessed owners, to be collected within 21 days of being invoiced.
6. All landowner assessments will be invoiced. Assessments that remain unpaid following the specified due date, will be further subject to interest of 1.25% per month. A landowner may submit a request to the Treasurer to have the amount debentured for a period of five years at the rate determined by the municipality. If no request is submitted, any unpaid balances shall be transferred onto the tax roll without further notification, to be collected in the same manner as taxes.
7. The Treasurer and Tax Collector are hereby authorized to accept part payment, from time to time, on account of any taxes due and to give a receipt for such payment provided that acceptance of any such payment shall not affect the collection of any percentage charge imposed and collectable under this Clause hereof in respect of non-payment of any taxes or any class of taxes or of any installment thereof.
9. In accordance with Ontario Regulation 403/02 the Treasurer has calculated the Annual Repayment limit for long-term debt charges and has certified the present capacity available to the Corporation is \$4,473,682 and that this By-law is not in contravention of the Regulation.
10. This By-law shall come into force on the passing thereof and may be cited as the Bear Creek Municipal Drain Branch 6, 12 and 13.

Provisionally adopted this 24th day of November, 2021.

Aina DeViet, Mayor

James Hutson, Municipal Clerk

Third reading and finally passed this ____ day of _____, 20__.

Aina DeViet, Mayor

James Hutson, Municipal Clerk