



**Municipality of Middlesex Centre
By-Law 2022-050**

BEING A BY-LAW TO provide for the collection of costs of repairs and maintenance of municipal drainage works in 2022 for works completed 2021 and prior in the Municipality of Middlesex Centre.

WHEREAS pursuant to Section 74 of the *Drainage Act, R.S.O. 1990, D.17*, the local municipality shall maintain and repair any drainage works constructed under the provisions of the said Act at the expense of all upstream lands and roads in the proportion determined by the then current by-law;

AND WHEREAS pursuant to Section 75(3) of the Drainage Act, R.S.O. 1990, D.17, the Council of any municipality shall not be required to assess and levy the amount charged for maintenance or repair of a drainage works more than once in every five years, if the total incurred does not exceed the sum of \$5,000.00;

AND WHEREAS such maintenance and repair work has been carried out on certain drainage works within the Municipality in 2021 or prior;

AND WHEREAS the Council of The Municipality of Middlesex Centre deems it expedient to assess and levy the costs of such maintenance and repair on the upstream lands;

AND WHEREAS it is desirable to make a pro rata assessment and levy, pursuant to the Drainage Act, upon the lands and roads assessed for the construction of the drainage so as to collect the costs of the repairs and expenses.

NOW THEREFORE the Council of the Municipality of Middlesex Centre
HEREBY ENACTS AS FOLLOWS:

1. **THAT** the costs and charges for the maintenance and repair of municipal drainage works within the Municipality of Middlesex Centre shall be assessed and levied in accordance with Schedules for each identified drain below inclusive, attached hereto and forming a part of this By-law being:

Name of Drain	Bylaw	Total Cost of Repair
Allen Drain	12-70	\$ 1,527.15
Bear Creek Drain 2008	2008-060	\$ 2,185.53
Bear Creek Drain 2008	2008-060	\$ 6,781.58
Bugg Drain	4664	\$ 707.38
Carpenter Drain	2006-016	\$ 1,350.00
Conkey Drain	15-85	\$ 203.25
Daugherty Drain	4-65	\$ 389.74
Dekort Drain	4491	\$ 731.04
Donaldson Drain	3162	\$ 3,050.21
Donley Drain	4580	\$ 1,736.13
Flood Drain	4723	\$ 2,133.44
Follen-Hughes Drain	17-67	\$ 591.71
Government Drain No 1	1272	\$ 2,530.17
Government Drain No 2	20-82	\$ 961.63
Hodgen-Walls Drain	4405	\$ 2,016.88
Ilderton Drain No 2	5057	\$ 760.88
Irwin Drain	5302	\$ 35,027.38
Lenders-Mackichan	97-06	\$ 1,111.83
Luyten-Barclay Drain	2015-045	\$ 854.78
Martin Drain	4093	\$ 578.42
Mason Drain	4333	\$ 430.54
McComb Drain no 2	4756	\$ 3,767.51
McKellar Drain	1062	\$ 914.82
Moore Drain	19-75	\$ 383.75
Munro Creek Drain	2017-141	\$ 1,307.60
Patrick Drain	2001-033	\$ 3,053.96
Reith Drain	28-74	\$ 2,505.02
Sherwood Drain	4313	\$ 15,854.22
Siddall-Bowman Drain	4609	\$ 4,811.27
Sinker Drain	95-52	\$ 396.87
Spada Drain	5649	\$ 3,968.64
Spada Drain	5649	\$ 3,110.34
Squires Drain	2018-034	\$ 332.09
Stewart-Siddall Drain	30/1969	\$ 1,428.98
Ward-Taylor Drain	2003-100	\$ 1,191.05
Warner Drain	15/1979	\$ 2,711.94
Warner Drain	29-79	\$ 12,409.02
Windsor-Harrison Drain	2003-068	\$ 326.90
Wood Drain	4-1974	\$ 1,618.54
Total		\$ 125,752.19

2. That for the purpose of paying the said repairs and expenses and for repaying into the General Funds of the Municipality of Middlesex Centre the amount or cost of the sum of \$79,196.39, being the amount charged against the land assessed for the construction of the drainage works and now assessable for the maintenance, to be invoiced from the under mentioned lots or parts of lots as specified in the attached schedules of Assessment in the present year.
3. For the purpose of paying the said repairs and expenses and for repaying into General Funds of the Municipality the amount or cost thereof the sum of \$4,920.18 the amount charged against the Ministry of Transportation, Canadian National Railway (CNR), Canadian Pacific Railway (CPR), County of Middlesex and other municipalities assessed for the construction of drainage works, and now assessable for maintenance the following shall be assessed and be invoiced from the under mentioned lots or parts of lots or roads as specified in the attached schedules of Assessment in the present year.
4. For the purposes of paying the sum of \$7,463.04 the amount charged against the said roads owned by the Municipality of Middlesex Centre shall be levied and collected upon and from the whole rateable property in the Municipality of Middlesex Centre.
5. Assessments under \$10.00 shall be written off.
6. For the purposes of paying the sum of \$376.68 the amount charged against the assessments for properties located within the settlement areas be charged to the Stormwater Reserve Fund.
7. Assessments that remain unpaid after the specified due date, the amount unpaid shall be considered to be in arrears and shall be subject to interest of 1.25% per month. For assessments levied under paragraph 2, any unpaid balances shall be transferred onto the 2022 tax roll, to be collected in the same manner as other taxes.
8. Pro rata assessment schedules for the municipal drains as listed above shall form part of this by-law.
9. THAT any other by-laws or resolutions contrary to this by-law are hereby repealed.
10. THAT this by-law shall take effect and come in full force on May 18th, 2022.

This by-law shall go into full force and effect upon the final passing thereof and may be cited as Municipal Drain Collection By-law No. 2022-050

PASSED AND ENACTED this 18th day of May, 2022.

Aina DeViet, Mayor

James Hutson, Clerk