

BY-LAW NUMBER 138-23

- of -

THE CORPORATION OF THE COUNTY OF BRANT

To provide for the collection of costs of repairs and maintenance of
municipal drainage works in the County of Brant.

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 of the 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 County and neighboring municipalities;

AND WHEREAS the Council of The Corporation of the County of Brant deems it expedient to assess and levy the costs of such maintenance and repair on the upstream lands;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE COUNTY OF BRANT
HEREBY ENACTS** as follows:

1. **THAT** the costs and charges for the maintenance and repair of municipal drainage works within the County of Brant shall be assessed and levied in accordance with Schedules "1" to "28" inclusive, attached hereto and forming a part of this By-law, being:

Maintenance Works Completed within the County of Brant

	Name	By-law No.	Total Maintenance	Grant
1	Barker Drain	88-07D	\$4,572.62	\$827.32
2	Branch Creek Drain – Beaver	123-08	\$3,565.16	\$937.95
3	Branch Creek Drain – Cleanout	123-08	\$24,636.10	\$6,566.01
4	Branch Creek Drain – Cleanout	123-08	\$1,923.26	\$465.27
5	Christiaens Drain – Main	77-29	\$22,509.62	\$2,389.94
6	Christiaens Drain – Branch No. 1	77-29	\$10,246.92	\$2,280.78
7	Christiaens Drain – Beaver	77-29	\$125.00	\$0
8	Fisher Drain	1748-72	\$1,212.65	\$314.78
9	Gilles Drain	79-95	\$17,214.06	\$5,225.70
10	Haight Drain	1558	\$12,195.94	\$2,958.64
11	Hamilton Lockhart Drain	1699	\$3,057.60	\$832.11
12	Hugh Wight Branch	13-23	\$2,813.66	\$902.15
13	Kelvin Drain	1909-75	\$3,419.98	\$1,014.78
14	Meadows-McCormack Drain	1712	\$1,237.84	\$380.77
15	Mitchell Drain	1457	\$9,506.47	\$2,371.75
16	Robert Guest Drain	3914	\$1,803.26	\$383.83

17	Roberts Drain	76-37	\$19,095.26	\$4,858.06
18	Rush Drain	1506	\$5,998.75	\$1,930.04
19	Schofield Drain	1653	\$41,050.17	\$9,712.80
20	Schofield Drain – Brushing	1653	\$2,533.83	\$626.30
21	Schofield Drain – Flush and Repair	1653	\$6,853.73	\$1,018.42
22	Scott Drain	76-22	\$14,597.47	\$4,583.92
23	Third Concession Drain	1434	\$3,013.49	\$759.56
24	West Quarter Townline Drain – Main	81-26D	\$31,471.47	\$4,877.34
25	West Quarter Townline Drain – Branch	81-26D	\$16,946.17	\$1,245.04
26	West Quarter Townline Drain – Beaver	81-26D	\$250.00	\$0
Total			\$261,850.48	\$57,463.27

Maintenance Works Completed by Neighbouring Municipalities

	Name	By-law No.	Net Assessment to the County of Brant
27	Kelvin Drain	64-75	\$1,563.13
28	Scott Drain		\$34.84
Total			\$1,597.97

- THAT** for the purpose of paying the said repairs and expenses the amount will be charged against the land assessed in the same manner and at the same time as other taxes are levied and collected.
- THAT** where payment of the assessment levied under paragraph 2 is not received by the due date, the amount unpaid shall be considered to be in arrears and shall be subject to interest charges of 1.25% per month.
- THAT** the provisions of this By-law shall take effect on the date of the final passing thereof.

READ a first and second time, this 19th day of December, 2023.

READ a third time and finally passed in Council, this 19th day of December, 2023.

THE CORPORATION OF THE COUNTY OF BRANT

David Bailey, Mayor

Alysha Dyjach, Clerk