

THE CORPORATION OF THE
T O W N O F P E L H A M
BY-LAW #2003 (1998)

Being a by-law to provide for a drainage works in the Town of
Pelham, known as the "Keenan Drain".

WHEREAS the Council of the Town of Pelham, in accordance with the provisions of Sections 4 & 78 of the Drainage Act has appointed an engineer to prepare a report for the improvement of the drainage of lands and roads affected by the Keenan Drain as shown by Schedule "A" attached hereto and forming part of this by-law;

AND WHEREAS the Council of the Town of Pelham has procured the report made by Spriet Associates and the report is attached hereto and forms part of this by-law as Schedule "B";

AND WHEREAS the estimated total cost of constructing the drainage work is \$175,100.00;

AND WHEREAS \$22,670.00 is the amount to be contributed by the Town of Pelham for the construction of the drainage works;

AND WHEREAS \$2,400.00 is the amount to be contributed by the Regional Municipality of Niagara for the construction of the drainage works;

AND WHEREAS \$70.00 is the amount to be contributed by the Canadian Pacific Railway for the construction of the drainage works;

AND WHEREAS \$820.00 is the amount to be contributed by 729 Canboro Road Property Inc. for the construction of the drainage works related to unassumed roads in the Cherry Ridge Subdivision;

AND WHEREAS \$13,200.00 is the amount to be contributed by the Town of Pelham as a special assessment pursuant to Section 26 of the Drainage Act;

AND WHEREAS \$5,000.00 is the amount to be contributed by 729 Canboro Road Property Inc. as a special assessment pursuant to Section 26 of the Drainage Act;

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


NOW THEREFORE THE COUNCIL OF THE TOWN OF PELHAM HEREBY ENACTS AS FOLLOWS:

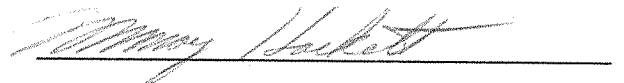
- (1) THAT the report dated April 30th, 1998 and attached hereto is hereby adopted and the drainage works as therein indicated and set forth is hereby authorized and shall be completed in accordance therewith.
- (2) AND THAT:
 - (1) The Corporation of the Town of Pelham may borrow on the credit of the Corporation the amount of \$175,100.00, being the necessary amount for construction of the drainage works less the total amount of,
 - (a) grants received under Section 85 of the Act; and,
 - (b) commuted payments made in respect of the lands and roads assessed within the Municipality;
 - (2) The Corporation of the Town of Pelham may arrange for the issue of debentures on its behalf for the amount borrowed and such debentures shall be made payable within five (5) years from the date of the debenture and shall bear interest at a rate not higher than the rate charged by The Ontario Improvement Corporation on the date of such debentures.
- (3) AND THAT:
 - (1) For paying the amount of \$175,100.00:
 - (a) the amount assessed upon the lands and roads, except the lands and roads belonging to or controlled by the municipality; and,
 - (b) the amount required to pay interest on the portion of the amount borrowed represented by the amount in clause (a),
less the total sum of,
 - (c) grants under Section 85 of the Act;
 - (d) monies paid under Subsection 61 (3) of the Act; and
 - (e) commuted payments made in respect of the lands and roads assessed,a special rate shall be levied upon lands and roads as set forth in Schedule "C", a copy attached hereto and forming for al purposes part of this by-law, to be collected in the same manner and at the same rate as other taxes are collected.
 - (2) The amount of the special rate levied upon each parcel of land or part thereof shall be divided into five (5) equal amounts and one such amount shall be collected in each year for five (5) years after the passing of this by-law.
- (4) AND THAT for paying the amount of \$35,870.00, being the amount assessed upon the lands and roads belonging to or controlled by the municipality of the Town of Pelham, a special rate sufficient to pay the amount assessed plus interest thereon shall be levied upon the whole rateable property in the Town of Pelham in each year for one (1) year 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) AND THAT all assessments of \$50.00 or less shall be payable in the first year in which the assessment is imposed.
- (6) AND THAT all assessments of \$5.00 or less shall be payable by the municipality from the general funds of the municipality.
- (7) AND THAT this by-law may be cited as the "*Keenan Drain By-law*".
- (8) AND THAT this by-law shall come into force, take effect and be passed on the third and final reading thereof.

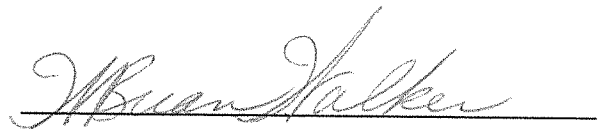
BY-LAW READ A FIRST TIME THIS 25TH. DAY OF MAY, 1998

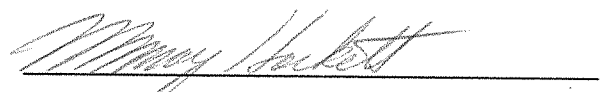
BY-LAW READ A SECOND TIME AND BE PROVISIONALLY ADOPTED THIS 25TH. DAY OF MAY, 1998.


MAYOR


CLERK

BY-LAW READ A THIRD TIME AND FINALLY PASSED THIS 8th. DAY OF _____
SEPTEMBER, 199 8.


MAYOR , ACTING


CLERK