



The Corporation of the Town of Pelham

By-law No. 4466(2022)

Being a By-law to provide for updated schedule of assessments, updated schedule of assessment for future maintenance and schedule of actual costs for Big Creek Drain System.

WHEREAS the Town of Pelham has procured an Engineer's Report prepared by K. Smart Associates Limited pursuant to Section 76 of the *Drainage Act*;

AND WHEREAS the Big Creek Drain System includes the Big Creek Drain, the Disher Drain, the Cyruss Nunn Drain, the Swayze Drain and the Ridgeville Drain;

AND WHEREAS the estimated costs of preparing the Engineer's Report is \$79,500;

AND WHEREAS \$101,456.18 of unbilled maintenance work is required to be assessed and billed to the benefitting property owners and road authorities;

AND WHEREAS Council is of the opinion that the updated schedule of assessments, updated schedule of assessment for future maintenance and the schedule of actual costs are desirable for fair and equitable billing purposes through the Big Creek Drain System watershed;

NOW THEREFORE the Council of the Corporation of the Town of Pelham under the *Drainage Act* enacts as follows:

1. The Engineer's Report for the Big Creek Drain System prepared by K. Smart Associates Limited dated February 14, 2022 is hereby adopted and updated assessment schedules contained therein are authorized.
2. This By-law shall come into force and effect upon third and final reading.

3. General

- 3.1 If any provision of this By-law is found by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, the balance of the By-law shall not be affected and shall remain in full force and effect.
- 3.2 If there is a conflict between a provision of this By-law and a provision of any other By-law of the Town, the provision that establishes the higher standard shall prevail.
- 3.3 This By-law shall be read with all changes in number or gender as are required by context.
- 3.4 Any reference to legislation in this By-law includes the legislation and any amendment, replacement, subsequent enactment or consolidation

of such legislation.

- 3.5 The Town Clerk is hereby authorized to effect any minor modifications or corrections solely of an administrative, clerical, numerical, grammatical, semantical or descriptive nature or kind to this By-law as are determined to be necessary.

4. Effective Date

- 4.1. This By-law shall come into force on the date that it is enacted.

Read a first and second time provisionally adopted on 7th day of June, 2022.

Read a third time and enacted on the 17th day of October, 2022.



Marvin Junkin, Mayor



Holly Willford, Town Clerk