

THE CORPORATION OF THE

T O W N O F P E L H A M

BY-LAW #877 (1983)

Being a by-law to provide for drainage works in the Town of Pelham, in the Regional Municipality of Niagara, known as the Ridgeville Drain.

WHEREAS the drainage works in question was originally constructed in the year 1947 and was authorized by the Council of the Township in which it was located, namely the Township of Pelham, by its By-law No. 1257 (1946) passed the 15th. day of November, 1946 A.D.;

AND WHEREAS under the provisions of Section 74 of the Drainage Act, R.S.O., 1980, any drainage works constructed under a by-law passed under that Act or any predecessor of that Act, shall be maintained and repaired by the local municipality through which it passes;

AND WHEREAS under the provisions of Section 78 of the Drainage Act, R.S.O., 1980, the Council of any municipality whose duty it is to maintain, repair and improve the drainage works or any part thereof, may without the petition required in Section 4 of the Drainage Act, R.S.O., 1980, but on the report of an Engineer appointed by it, undertake and complete the drainage works as set forth in such report;

AND WHEREAS the Council of the Corporation of the Town of Pelham, in the Regional Municipality of Niagara, has procured a report made by Proctor & Redfern Limited and the report (except for contract documents and a drawing) is annexed hereto as Schedule "B" and made part of this by-law;

AND WHEREAS the estimated cost of constructing the drainage work is \$170,599.99;

AND WHEREAS \$170,599.99 is the amount to be contributed by the municipalities of the Corporation of the Town of Pelham and the Regional Municipality of Niagara for construction of the drainage works;

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

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NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF PELHAM PURSUANT TO THE DRAINAGE ACT, R.S.O., 1980, ENACTS AS FOLLOWS:-

(1) The report annexed hereto as Schedule "B" and made part of this by-law is hereby adopted and the drainage works as therein indicated and set forth is hereby authorized, and shall be completed in accordance therewith.

(2) (i) The Corporation of the Town of Pelham may borrow on the credit of the Corporation the amount of \$170,599.99, being the amount to be contributed by the municipality 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.

(ii) The Corporation may arrange for the issue of debentures on its behalf for the amount borrowed and such debentures shall be made payable within ten years from the date of the debenture and shall bear interest at a rate not higher than the rate charged by the Ontario Municipal Improvement Corporation on the date of sale of such debentures.

(3) (i) For paying the amount of \$157,260.95 being,

- (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 amount of,

- (c) grants under Section 85 of the Act;
- (d) moneys paid under subsection 3 of Section 61 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 the Schedule to be collected in the same manner and at the same time as other taxes are collected.

(ii) The amount of the special rate levied upon each parcel of land or part thereof shall be divided into ten equal amounts and one such amount shall be collected in each year for ten years after the passing of this by-law.

SCHEDULE

<u>PLAN OF CONCESSION</u>	<u>PARCEL OF LAND OR PART THEREOF</u>	<u>TOTAL ASSESSMENT</u>
7	2 & 3	202.14
8	4	2,109.73
7	2 & 3	1,227.69
8	4	130.79
8	4	144.67
8	4	160.52
8	4	67.38
8	4	1,202.92
8	4	642.08
8	4	235.83
8	4	146.65
8	4	186.28
8	4	162.50
8	4	71.34
8	4	309.15
8	4	188.27
8	4	71.34
8	4	91.16
8	4	132.78
8	4	216.01
8	5	247.72
8	5	317.08
7	3	196.75
8	5	120.89
8	5	47.56
8	5	261.59
8	5	642.08
8	5	79.27
8	5	103.05
8	5	59.45
8	5	71.11
8	5	489.40
8	5	90.08
8	5	161.19
8	5	3,958.72
8	5	374.54
8	5	170.67
8	5	184.90
8	5	189.64
8	5	189.64
8	5	144.60
8	5	441.93
8	5	111.41
8	5	94.82
8	5	142.73
8	5	101.93
8	5	66.37
8	5	61.63
8	5	49.78
8	5	95.12
8	5	419.44
8	5	103.05
8	5	99.09
8	5	332.93
8	5	204.12
8	5	245.74

<u>PLAN OF CONCESSION</u>	<u>PARCEL OF LAND OR PART THEREOF</u>	<u>TOTAL ASSESSMENT</u>
7	4	142.23
7	4	109.04
7	4	3,057.93
7	4	139.86
7	4	94.82
7	4	286.83
7	4	670.85
7	5	94.82
7	5	215.71
7	5	156.45
7	5	912.64
7	5	746.70
7	5	132.75
7	5	132.75
7	5	189.64
7	5	1,043.01
M-48	Block B	301.23
7	2 & 3	2,517.46
7	2 & 3	160.52
7	2 & 3	27.74
7	2 & 3	35.67
7	2 & 3	43.60
7	2 & 3	43.60
8	4	111.41
9	5	380.49
9	5	105.03
9	5	63.41
9	5	126.83
7	6	64.00
8	7	3,344.19
8	7	1,208.86
7	6	118.52
7	6	346.09
9	6	317.08
9	6 & 7	2,299.76
9	6	217.99
9	6	134.76
9	6	323.26
9	6	854.89
9	7	160.52
9	7	1,608.92
9	7	3,110.31
9	7	363.52
9	7	1,110.05
9	8	212.77
9	8	317.08
9	8	960.69
9	9	152.60
10	7	6,801.64
10	6	176.48
10	7	635.33
10	7	815.02
10	7	2,725.62
10	8	3,251.80
10	8	649.77
8	6	37.93
8	6	92.45
8	6	737.22
8	6	106.67
8	6	92.45
8	6	107.55
8	6	99.05
8	6	89.95
8	6	80.60

<u>PLAN OF CONCESSION</u>	<u>PARCEL OF LAND OR PART THEREOF</u>	<u>TOTAL ASSESSMENT</u>
8	6	75.85
8	6	658.69
8	6	379.28
8	6	113.78
8	6	431.43
8	6	317.64
8	6	94.82
8	6	616.33
8	6	66.37
8	6	239.42
8	6	67.38
8	6	35.67
8	6	352.75
8	6	386.44
8	6	43.60
8	6 & 7	336.90
8	6	110.98
8	6	39.63
8	6	3,043.83
8	6	94.82
8	6	75.85
8	6	653.79
8	6	71.11
8	6	120.89
8	6	35.56
8	6	71.11
8	6	71.11
8	6	21.33
8	6	180.16
8	6	97.19
8	6	142.23
8	6	149.34
8	6	649.51
8	6	61.63
8	6	42.67
8	6	52.15
8	6	521.51
8	6	758.56
8	6	51.53
8	6	713.43
7	6	497.80
8	7	356.71
8	7	39.63
8	7	202.14
8	7	158.54
8	7	653.97
8	7	435.98
7	6	66.37
8 & 9	7	693.61
8 & 9	6	4,860.52
8 & 9	7	2,215.08
8	7	81.25
8	7	81.25
8	7	87.20
8	7	83.23
8	7	35.67
8	7	39.63
8	7	126.83
8	7	301.23
13	5	375.17
13	5	202.74
13	6	1,707.00
13	6	94.86
13	6 & 7	3,672.84

<u>PLAN OF CONCESSION</u>	<u>PARCEL OF LAND OR PART THEREOF</u>	<u>TOTAL ASSESSMENT</u>
13	7	1,062.40
13	7	100.84
13	7	5,937.96
13	8	70.93
13	8	436.70
13	8	1,013.68
14	3 & 4	449.81
14	5	1,355.93
14	5	1,468.85
11	7	9,299.40
11	7	2,408.26
11	7	256.45
11	8	1,473.63
11	8	533.73
11	9	78.11
11	8	528.53
11	8	447.82
11	8	527.23
12	6 & 7	374.21
12	7	644.84
12	7	641.67
12	7	1,201.09
12	8	1,460.04
12	7	84.57
12	8	5,037.23
13	8	2,138.41
12	8	2,208.65
12	8	1,692.75
12	8	57.08
13	8	71.79
12	9	112.05
12	9	443.99
13	5	170.07
Roads & Lands of Regional Municipality of Niagara		5,341.51
Roads & Lands of the Town of Pelham		13,898.67
Roads & Lands of the Ministry of Transportation & Communications		5,229.50
Roads & Lands of the T. H. & B. Railway		2,504.25
Pelham Urban Area		<u>6,884.58</u>
TOTAL		<u>\$170,599.99</u>

(4) All assessments of \$50.00 or less are payable in the first year in which the assessment is imposed.

(5) This by-law comes into force on the passing thereof and may be cited as "The Ridgeville Drain By-law."

FIRST READING - September 8th., 1983 A.D.

SECOND READING - September 8th., 1983 A.D.

PROVISIONALLY ADOPTED THIS 8th. DAY OF SEPTEMBER, 1983 A.D.

E.S. Bergenstein
MAYOR

Murray Lockitt
CLERK

THIRD READING - ENACTED THIS 10th. DAY OF APRIL , 198⁴₃ A.D.

E.S. Bergenstein
MAYOR

Murray Lockitt
CLERK