

**THE CORPORATION OF THE TOWN OF AMHERSTBURG**

**BY-LAW NO. 2022 – 059**

**By-law to provide for the Jeths Drain Improvements based on the Drainage Report by M. Gerrits Consulting Inc.**

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**WHEREAS** a request for improvement of the Jeths Drain was received under section 78 of the Drainage Act;

**WHEREAS** a petition for drainage works was received under section 4 of the Drainage Act;

**WHEREAS** Council of the Corporation of the Town of Amherstburg appointed an engineer for the purpose of preparation of an engineer's report for the improvements of the Jeths Drain under section 78 of the Drainage Act and for the creation of the Jeths Branch Drain under section 4 of the Drainage Act;

**WHEREAS** Council of the Corporation of the Town of Amherstburg has authorized Michael Gerrits, P. Eng., to prepare a report and said engineer's report dated May 23, 2022, was considered by the Amherstburg Drainage Board at the meeting held on June 2, 2022;

**WHEREAS** Council of the Corporation of the Town of Amherstburg has instructed Michael Gerrits, P. Eng., to revise the report and said engineer's report dated August 12, 2022, can be referenced as Schedule A, as attached hereto;

**WHEREAS** \$157,720.00 is the estimated cost of improving the drainage works;

**AND WHEREAS** the revised engineer's report dated August 12, 2022 was reconsidered by the Amherstburg Drainage Board at the meeting held on September 6, 2022.

**NOW THEREFORE** the Council of the Corporation of the Town of Amherstburg hereby enacts as follows:

**1. AUTHORIZATION**

The attached report is adopted and the drainage works is authorized and shall be completed as specified in the report

**2. BORROWING**

The Corporation of the Town of Amherstburg may borrow on the credit of the Corporation the amount of \$157,720.00 being the amount necessary for the improvements of the drainage works.

**3. DEBENTURE(S)**

The Corporation may issue debenture(s) for the amount borrowed less the total amount of:

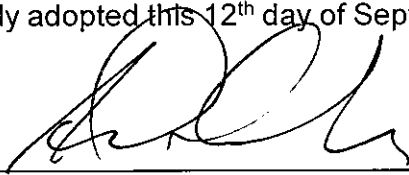
- (a) Grants received under section 85 of the Drainage Act;
- (b) Monies paid as allowances;
- (c) Commuted payments made in respect of lands and roads assessed with the municipality;
- (d) Money paid under subsection 61(3) of the Drainage Act; and
- (e) Money assessed in and payable by another municipality.


**4. PAYMENT**

Such debenture(s) shall be made payable within 5 years from the date of the debenture(s) and shall bear interest at a rate not higher than 1% more than the municipal lending rates as posted by The Town of Amherstburg's Bank's Prime Lending Rate on the date of sale of such debenture(s).

- (1) A special equal annual rate sufficient to redeem the principal and interest on the debenture(s) shall be levied upon the lands and roads and shall be collected in the same manner and at the same as other taxes are collected in each year for 5 years after the passing of this by-law.
- (2) All assessments of \$1000.00 or less are payable in the first year in which the assessments are imposed.

Read a first and second time and provisionally adopted this 12<sup>th</sup> day of September, 2022.

  
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MAYOR – ALDO DICARLO

  
\_\_\_\_\_  
CLERK – VALERIE CRITCHLEY

Read a third time and finally passed this \_\_\_ day of \_\_\_\_\_, 2022.

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MAYOR – ALDO DICARLO

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CLERK – VALERIE CRITCHLEY