

The Corporation of the Township of Huron-Kinloss



BY-LAW No.

2025 - 36

Being a By-Law to Amend Assessment Schedule for Actual Costs incurred for Constructing the Bruce Beach Municipal Drain Phase 1

WHEREAS Section 8(1) and 9 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provide that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues and has the capacity, rights, powers and privileges of a natural person for the purposes of exercising its authority under this or any other Act;

AND WHEREAS By-law No.2021-85 enacted the 16th day of May 2022 provided for the construction of the Bruce Beach Municipal Drain Phase 1 based on the estimates contained in the drainage report dated July 8, 2021 as submitted by Stephen Brickman, P.Eng of Headway Engineering;

AND WHEREAS the Drainage Works were completed as per the Engineer's report and the total actual costs incurred were \$1,052,046.03 compared to the original estimated cost of \$1,015,000. Actual costs for constructing the drain were 3.6% over the Engineer's estimate.

AND WHEREAS the Council of The Corporation of the Township of Huron-Kinloss deems it expedient to amend the assessment schedules of By-law No. **2021-85**, to reflect actual costs for constructing the drain;

NOW THEREFORE the Council of The Corporation of the Township of Huron-Kinloss **ENACTS** as follows;

1. That pursuant to the *Drainage Act, 1990*, and amendments thereto, that the Council for the Township of Huron-Kinloss enact the amended assessment schedule for the construction of Bruce Beach Drain Phase 1, attached hereto as Schedule "A".
2. That the assessments listed in the actual cost column of Schedule "A" shall be levied and assessed against the appropriate lands.
3. The amount assessed to lands used for agriculture shall be reduced by the one-third grant available in accordance with section 85 (a)(1) and 87 (1) (a) of the *Drainage Act, R.S.O. 1990*.
4. That this by-law shall come into full force and effect upon its final passage.
5. That this by-law may be cited as the "Bruce Beach Drain, Actual Cost Apportionment By-law".

READ a FIRST and SECOND TIME this 23rd day of April, 2025.

READ a THIRD TIME and FINALLY PASSED this 23rd day of April, 2025.

Mayor

Clerk