

The Corporation of the Town of Minto  
By-law No. 2018-49  
to provide for drainage works in the Town of Minto  
known as Municipal Drain 39

**WHEREAS** Council of the Town of Minto has procured a report under Sections 4 and 78 of the Drainage Act R.S.O. 1990 for the construction and improvement of Municipal Drain 39 serving Parts of Lots 5 to 7, Concessions 6 and 7, in the Town of Minto, County of Wellington.

**AND WHEREAS** a report prepared by Dietrich Engineering Ltd. of Kitchener, Ontario dated June 20, 2018 has been filed with the Corporation of the Town of Minto.

**AND WHEREAS** the estimated total cost of constructing the drainage works is \$213,900 which is proposed to be assessed to the lands and roads within the drainage area in accordance with Schedule A to this bylaw.

**AND WHEREAS** the Council is of the opinion that the drainage of the area is desirable:

**NOW THEREFORE**, the Council of the Town of Minto under the Drainage Act hereby enacts as follows:

1. The Engineer's Report Dietrich Engineering Ltd. of Kitchener, Ontario dated June 20, 2018 Reference No. 1617 is hereby provisionally adopted, and the drainage works as therein indicated and set forth are hereby authorized and shall be completed in accordance therewith.
2. The attachment extracted from the Engineer's report attached as Schedule "A" entitled Schedule of Net Assessment Municipal Drain 39 is hereby adopted and forms part of this by-law.
3. A special annual rate sufficient to recover the costs of the drainage works and associated interest costs shall be levied upon the lands as set forth in the attached Schedule "A" to be collected in the same manner and at the same time as other taxes are collected in each year for (5) five years after the passing of this by-law.
4. The Town of Minto may borrow on the credit of the Corporation the amount of \$213,900 being the amount necessary for construction of the drainage works. The Corporation may issue debentures for the amount borrowed less the total amount of:
  - a) grants received under Section 85 of the Act;
  - b) commuted payments made in respect of the lands and roads assessed within the Municipality;
  - c) monies paid under Subsection 61 (3) of the Act; and
  - d) monies assessed in and payable by another municipality, and such debentures shall be made payable within five years from the date of the debenture and shall bear interest at a rate not higher than the rate charged by the lender on the date of sale of such debentures.
5. A special equal annual rate sufficient to redeem the principal and interest on the debentures shall be levied upon the lands and roads as set forth in Schedule "A" attached to be collected in the same manner and at the same time as other taxes are collected in each year for five years after the passing of this By-law.
  - a) For paying the amount of \$99,243 being the amount assessed upon the lands and roads belonging to or controlled by the Town of Minto,
  - b) For paying the amount of \$114,657 being the amount assessed upon the landowners in accordance with the schedule of Assessment as provided in the report, a special rate sufficient to pay the amount assessed plus interest therein shall be levied upon each of the assessed owners, to be collected in the same manner and at the same time as other taxes are collected.

6. All assessments over \$1,000.00 will automatically be placed on the tax roll without further notification unless the Treasurer is contacted by the owner to have the amount debentured for five years at the going rate.
7. All assessments of \$1,000.00 or less are payable in the first year in which the assessment is imposed or will automatically be placed on the tax roll without further notification.
8. The Treasurer and Collector of taxes are hereby authorized to accept part payment, from time to time, on account of any taxes due and to give a receipt for such payment provided that acceptance of any such payment shall not affect the collection of any percentage charge imposed and collectable under this Clause hereof in respect of nonpayment of any taxes or any class of taxes or of any installment thereof.
9. In respect to the payment of taxes by tenants of lands owned by the Crown or in which the Crown has an interest provision is hereby provided that where any such tenant has been employed either within or outside the municipality by the same employer for not less than thirty (30) days such employer shall pay over to the Treasurer or Collector on demand out of any wages, salary or other remuneration due to such employee the amount then payable for taxes under this By-law and any such payment shall relieve the employer from any liability to the employee for the amount so paid.
10. This by-law shall come into force and effect upon the third and final reading and may be cited as "Municipal Drain 39 By-law, 2018-49"

**Read a first and second time and provisionally adopted in open Council this 3<sup>rd</sup> day of July, 2018**

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Ron Faulkner, Deputy Mayor

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Bill White, C.A.O. Clerk

**Read a third time and passed in open Council this 2018**

**day of ,**

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George A. Bridge, Mayor

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Bill White, C.A.O. Clerk

**Schedule "A" – Schedule of Net Assessment  
Municipal Drain 39**

**SCHEDULE OF NET ASSESSMENT FOR CONSTRUCTION  
Municipal Drain No. 39 - 2018  
Town of Minto**



LOT OR PART	CON.	OWNER	ROLL NO.	MAIN DRAIN	BRANCH 'C'	TOTAL ASSESSMENT	LESS 1/3		NET ASSESSMENT
							GOV'T GRANT	LESS ALLOWANCES	
5	6	R. & D. Ross	(4-151)	\$28,944		\$28,944	\$9,648	\$5,530	\$13,766
Pt 6	6	E. & L. Martin	(4-152)	\$28,346		\$28,346	\$9,449	\$5,720	\$13,177
Pt. 6	6	J. Ross	(4-152-50)	\$5,282		\$5,282	\$1,761		\$3,521
7	6	H. & B. Savage	(4-153)	\$785	\$1,383	\$2,168	\$723		\$1,445
* Pt. 7	6	H. & B. Savage	(4-153-01)	\$219	\$329	\$548			\$548
* Pt. 7	6	H. Savage	(4-153-03)	\$287	\$423	\$710			\$710
* Pt. 5	7	S. Howe & P. Harris	(4-170)	\$633		\$633			\$633
5	7	M., J., M. & F. Martin	(4-171)	\$8,997		\$8,997	\$2,999	\$500	\$5,498
E. Pt 6	7	L. Martin	(4-169)	\$987		\$987	\$329		\$658
* Pt. 6	7	The Trustees of Old Order Mennonite Conference	(4-169-10)	\$911		\$911			\$911
W. Pt 7, E. Pt 6	7	L. Martin	(4-168)	\$28,879	\$3,168	\$32,047	\$10,682	\$9,940	\$11,425
W. Pt 7	7	L. & S. Sinclair	(4-167)	\$5,084		\$5,084	\$1,695	\$2,740	\$649
<b>Total Assessment on Lands</b>				<b>\$109,354</b>	<b>\$5,303</b>	<b>\$114,657</b>	<b>\$37,286</b>	<b>\$24,430</b>	<b>\$52,941</b>
1st Road North Town of Minto				\$25,731		\$25,731			\$25,731
6th Line Town of Minto				\$69,815	\$3,697	\$73,512			\$73,512
<b>Total Assessment on Roads</b>				<b>\$95,546</b>	<b>\$3,697</b>	<b>\$99,243</b>			<b>\$99,243</b>
<b>Total Assessment on Lands and Roads, Municipal Drain No. 39 - 2018</b>				<b>\$204,900</b>	<b>\$9,000</b>	<b>\$213,900</b>	<b>\$37,286</b>	<b>\$24,430</b>	<b>\$152,184</b>

- NOTES:
- \*1. Denotes lands not eligible for ADIP grants
  2. The NET ASSESSMENT is the total estimated assessment less a one-third (1/3) Provincial grant, and allowances, if applicable.
  3. The NET ASSESSMENT is provided for information purposes only