

The Corporation of the Town of Tecumseh

By-Law Number 2020 - 62

Being a by-law to approve Drainage Apportionment Assessment Agreements

Whereas in accordance with the *Drainage Act*, R.S.O., 1990, Chap. D.17, Section 65(1) if, after the final revision of an engineer's assessment of land for a drainage works, the land is divided by a change in ownership of any part, the clerk of the local municipality in which the land is situate shall instruct an engineer in writing to apportion the assessment among the parts into which the land was divided, taking into account the part of the land affected by the drainage works.

Whereas in accordance with the *Drainage Act*, R.S.O., 1990, Chap. D.17, Section 65(2) owners of the subdivided land mutually agree on the share of the drainage assessment that each should pay, they may enter into a written agreement and file it with the clerk of the local municipality and, if the agreement is approved by the council by resolution, no engineer need be instructed under subsection (1). 2010, c.16, Sched.1, s.2 (26)

And Whereas the property owners listed in Appendix A have signed Drainage Apportionment Agreements on Share of Assessment (Agreements)

And Whereas pursuant to the *Municipal Act 2001*, S.O. c.25 the powers of the municipality shall be exercised by by-law.

Now Therefore the Council of The Corporation of The Town of Tecumseh enacts as follows:

1. **That** the Drainage Apportionment Agreements as listed on Schedule A attached hereto and forming part of this by-law are hereby approved.
2. **That** the Treasurer be authorized to invoice the affected landowners for the preparation and the administration of the apportionment agreements in accordance with the annual Fees Charges By-law.

This By-law shall come into full force and effect upon the final passing thereof.

Read a first, second, third time and finally passed this 22nd day of September, 2020.

Gary McNamara, Mayor

Laura Moy, Clerk