



## The Corporation of the Town of Tecumseh

Public Works & Environmental Services

**To:** Mayor and Members of Council

**From:** Phil Bartnik, Director Public Works & Environmental Services

**Date to Council:** May 25, 2021

**Report Number:** PWES- 2021-23

**Subject:** Request to Levy 2020 Municipal Drain Maintenance Costs

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### Recommendations

It is recommended:

**That** Report PWES-2021-23 Request to Levy 2020 Municipal Drain Maintenance Costs, **be received;**

**And that** By-Law No. 2021-38 to levy maintenance costs for the drains attached in Appendix A, **be adopted.**

### Background

The purpose of this report is to authorize the Chief Financial Officer to recover the costs incurred during maintenance of the drains listed in Appendix A in accordance with section 61(1) of the *Drainage Act* (Act).

Section 74 of the Act instructs that any drainage works constructed under a by-law passed under the Act shall be maintained and repaired by each municipality through which it passes at the expense of all upstream lands and roads in the proportions determined by the then current by-law.

The Town has completed maintenance and applied for a grant on April 30, 2021 for the drains listed in Appendix A, at the request of affected landowners, including the Town. Costs associated with these projects are now eligible to be levied and collected by the Town.

### Comments

Section 61(1) of the Act stipulates that Council shall by by-law imposing upon the land assessed for drainage works the assessment with which it is chargeable, and the amount so

imposed is payable in such instalments as Council may prescribe. The individual assessments to the affected lands are to be in the proportions set out in the current adopted by-law for the respective municipal drain. Through recent communication with the Ministry of Agriculture, Food and Rural Affairs (OMAFRA) regarding the availability of grant funds, OMAFRA advised that municipalities not yet completing maintenance levying should do so in accordance with the Act.

## Consultations

Corporate Services & Clerk  
Financial Services

## Financial Implications

Other than the costs to administer the projects (i.e. Administration staff time), the cost of maintenance is 100% recoverable by the affected lands and roads including the Town's portion as detailed in Appendix A.

The total drainage assessment to the Town for the Drain maintenance in Appendix A is \$52,547.20. The Town will utilize the Municipal Drain Lifecycle Reserve to pay for its drainage assessments.

## Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
<input type="checkbox"/>	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
<input checked="" type="checkbox"/>	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
<input type="checkbox"/>	Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
<input checked="" type="checkbox"/>	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
<input type="checkbox"/>	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

## Communications

Not applicable

Website

Social Media

News Release

Local Newspaper

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Cameron Hedges, E.I.T.  
Assistant Drainage Superintendent

Reviewed by:

John Henderson, P.Eng.  
Manager Engineering Services

Reviewed by:

Tom Kitsos, CPA, CMA, BComm  
Director Financial Services & Chief Financial Officer

Reviewed by:

Laura Moy, Dipl. M.M., CMMIII HR Professional  
Director Corporate Services & Clerk

Reviewed by:

Phil Bartnik, P.Eng.  
Director Public Works & Environmental Services

Recommended by:

Margaret Misek-Evans, MCIP, RPP  
Chief Administrative Officer

<b>Attachment Number</b>	<b>Attachment Name</b>
1	Appendix A – 2020 Municipal Drain Maintenance Costs