



## The Corporation of the Town of Tecumseh

Public Works & Engineering Services

**To:** Mayor and Members of Council

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

**Date to Council:** Tuesday, May 13, 2025

**Report Number:** PWES-2025-30

**Subject:** Request to Levy Municipal Drain Maintenance (S.74) Costs

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### Recommendations

It is recommended:

**That** Report PWES-2025-30 Request to Levy Municipal Drain Maintenance (S.74) Costs **be received**;

**And that** By-Law 2025-073 **be considered** for first, second, third and final readings, to authorize the levying of the maintenance costs for the municipal drains listed in Attachment 1 of Report PWES-2025-30.

### Background

The purpose of this report is to authorize the Chief Financial Officer to recover the costs incurred during maintenance of the municipal drains listed in Attachment 1 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.

Section 75(3) of the Act provides a stipulation for the accumulation of costs prior to the levying of costs for the maintenance work.

The Ontario Ministry of Agriculture, Food and Agribusiness (OMAFRA) supports the Agriculture Drainage Infrastructure Program (ADIP), which offers a grant to farm tax class properties for eligible Municipal Drain projects.

The Town has completed the works of maintenance, has applied for and received or is in the process of receiving grants for the drains listed in Attachment 1. Costs associated with these municipal drain maintenance works are eligible to be levied and collected by the Town. It should be noted that grants are not guaranteed and are provided at the discretion of the OMAFA.

## **Comments**

Section 61(1) of the Act stipulates that Council shall by by-law impose 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.

It is the intention to assess municipal drain maintenance costs on a yearly basis; however, administrative challenges have not always allowed for this in the past. In an effort to balance and bring our drainage projects costs current, there are projects older than 5 years from the date of completion which we intend to recover costs for.

## **Consultations**

Legislative Services & Clerk  
Financial Services

## **Financial Implications**

Other than the costs to administer the projects (administration staff time), the cost of maintenance is 100% recoverable by the affected lands and roads, including the Town's portion as detailed in Attachment 1.

The total drainage assessment to the Town for the drain maintenance as outlined within Attachment 1 is \$20,898.18. The Town will utilize the Municipal Drain Lifecycle Reserve to pay for its drainage assessments.

## Link to Strategic Priorities

Applicable	<a href="#">2023-2026 Strategic Priorities</a>
<input checked="" type="checkbox"/>	Sustainable Growth: Achieve prosperity and a livable community through sustainable growth.
<input type="checkbox"/>	Community Health and Inclusion: Integrate community health and inclusion into our places and spaces and everything we do.
<input type="checkbox"/>	Service Experience: Enhance the experience of Team Tecumseh and our citizens through responsive and respectful service.

## 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:

Matthew Shiha, E.I.T.  
Drainage Superintendent

Reviewed by:

John Henderson, P.Eng.  
Manager Engineering Services

Reviewed by:

Robert Auger, LL.B.  
Director Legislative Services & Clerk

Reviewed by:

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

Reviewed by:

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

Recommended by:

Margaret Misek-Evans, MCIP, RPP  
Chief Administrative Officer

Attachment Number	Attachment Name
1	Appendix A – Municipal Drain Maintenance Cost Summary