



THE CORPORATION OF THE TOWNSHIP OF KING

BY-LAW NUMBER 2023-062

A BY-LAW TO SET AND LEVY FOR THE RECOVERY OF AMOUNTS EXPENDED TO MAINTAIN THE HOLLAND MARSH DRAINAGE SYSTEM, THE SMALL SCHEME, AND INTERIOR DRAINS FOR THE YEAR 2023

WHEREAS it is necessary for the Corporation of the Council of the Township of King to establish levies for 2023 with respect to the cost of drainage works and the maintenance and repair thereof; and

WHEREAS the Drainage Act, R.S.O. 1990, D.17, as amended, provides for the imposition of levies in relation to the cost of drainage works and the maintenance and repair of drainage works; and

WHEREAS the Council for The Corporation of the Township of King has approved the budget and business plan for the Holland Marsh Drainage System Joint Municipal Services Board for the year 2023; and

WHEREAS section 345 of the Municipal Act, 2001, S.O. 2001. c.25, as amended, authorizes municipalities to collect penalty/interest on late payments;

NOW THEREFORE the Council of The Corporation of the Township of King HEREBY ENACT AS FOLLOWS:

1. DEFINITIONS

In this By-law:

"By-law" means the 2023 Holland Marsh Drainage System Levy By-law.

"Collector" means the tax collector for the Township and includes the Townships' Treasurer.

"Township" means The Corporation of the Township of King.

2. The following sums shall be levied and collected from benefiting properties as listed with the attached schedules and values below:

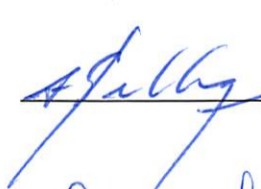
Holland Marsh Drainage System	
Description	Amount
Bradford Pumping Station	\$ 109,740.97
Drain #5	\$ 2,953.27
Drain #8	\$ 14,385.25
Drain #9	\$ 1,384.87
Drain #10	\$ 598.92
Drain #11	\$ 615.53
HMDS Maintenance	\$ 58,502.75
HMDS Canal Perimeter	\$ 203,312.43
HMDS Canal Perimert Final Billing	\$ 199,391.81
<b>TOTAL</b>	<b>\$ 590,885.80</b>

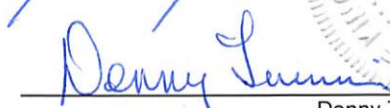
- (a) For the purpose of providing the sum required to meet the expenses of maintaining and operating the drains listed in Section 2, an amount shall be levied to the assessed lands and roads in accordance with the provisions of the applicable Engineer's report and items listed in Section 2;
- (b) That for eligible lands the final cost levied shall be reduced by the amount of grants received from OMAFRA under Section 85 of the Act;


- (c) That the maintenance costs to be levied for the various drains listed in Section 2, shall be as outlined in Schedule A attached.
- 3. The Township will include the attached levies to the final tax billing as a special charge as required under subsection 343(2) of the *Municipal Act, 2001*.
- 4. **THAT** the Treasurer shall mail or email the notice specifying the amount of taxes payable by any person liable for taxes addressed to them at their place of residence, or business as shown on the latest assessment roll, or other location as may be requested by the person from time to time.
- 5. **THAT** as provided in Section 345 of the *Municipal Act, 2001*, if the taxes or any class or installment thereof so levied in accordance with this by-law remain unpaid on the due date, a penalty of one and one quarter per cent (1.25%) of the unpaid taxes may be levied on the first day of default and shall be levied on the first day of the next calendar month following the due date and a further one and one quarter per cent (1.25%) of the taxes remaining unpaid shall be levied on the first day of each calendar month thereafter for so long as there are taxes remaining unpaid.
- 6. Where words and phrases used in this By-law are defined in the *Municipal Act, 2001* but not defined in this By-law, the definitions in the *Municipal Act, 2001* shall apply to such words and phrases. The headings and subheadings used in this By-law shall be deemed to be inserted for convenience of reference.
- 7. Where there is any conflict between the provisions of this By-law and the provisions of the *Municipal Act, 2001*, the provisions of the *Municipal Act, 2001* shall prevail to the extent of the conflict.
- 8. Notwithstanding any section, subsections, clause, paragraph or provision of this By-law, or parts thereof, may be declared by a court of competent jurisdiction to be invalid, unenforceable, illegal or beyond the powers of Council to enact, such section or sections or parts thereof shall be deemed to be severable and shall not affect the validity or enforceability of any other provisions of the By-law as a whole or part thereof and all other sections of the By-law shall be deemed to be separate and independent there from and enacted as such and continue in force in effect. Whenever any reference is made in this By-law to a statute of the Legislature of the Province of Ontario, such reference shall be deemed to include all subsequent amendments to such statute and all successor legislation to such statute.
- 9. This By-Law shall be cited as the "**2023 HOLLAND MARSH DRAINAGE SYSTEM LEVY BY-LAW**".
- 10. This By-law shall come into force and take effect on and from the date of the final passing thereof for the current year 2023.

READ a FIRST and SECOND time this 29th day of May 2023.

READ a THIRD time AND FINALLY PASSED this 29th day of May 2023.

  
Steve Pellegrini  
Mayor

  
Denny Timm  
Township Clerk



Faint, illegible text, possibly bleed-through from the reverse side of the page.



*[Handwritten signature]*