



The Corporation of Norfolk County

By-Law 2024-103

Being a By-Law to amend the assessment schedules based on actual costs incurred for constructing various drains.

Whereas certain municipal drains in Norfolk County have been constructed, repaired and improved under the authority of By-Laws passed by the Council for that purpose; and

Whereas under the provisions of the *Drainage Act*, R.S.O., 1990, c.D.17, Section 62 require that the municipality shall pass a By-Law to impose upon the land assessed for the drainage works the assessment with which it is chargeable, and the amount so imposed is payable in such instalments as the Council may prescribe;

NOW THEREFORE the Council of The Corporation of Norfolk County hereby enacts as follows:

1. That the Municipal Drain construction balance pertaining to the projects as set out in "Schedule A – Drain Construction", attached hereto, and forming an integral part of this By-Law, in the amount of \$828,825.64 shall be levied against the lands as provided by the *Drainage Act* and shown in the Schedules of Assessment appearing in the corresponding By-Law providing for the construction or repair of the drain, and/or as set out in "Schedule B – Ellwanger Drains No. 1 & 7", "Schedule C – Paauw", "Schedule D – Regional Road 21 Municipal", "Schedule E – Lehi Re-Assessment", "Schedule F – Garnham Drain North Branch", and "Schedule G – J.A. Smith", attached hereto and forming an integral part of this by-law.
2. That such balance of costs be invoiced to the owners of the respective lands and roads liable in accordance with Norfolk County Policy CS-22 Municipal Drain Cost Recovery Policy and the following:
 - a. Assessments up to and including \$500, not paid within sixty (60) days of the invoice, shall be transferred to the collector's roll.
 - b. Owners with property assessments of greater than \$500 may arrange alternate financing options through the County wherein the assessment shall be levied on the lands as follows:
 - i. Assessments of between \$501 and \$5,000 shall be distributed with interest over a period of 3 years.
 - ii. Assessments greater than \$5,000 shall be distributed with interest over a period of 5 years.
 - iii. Alternate Financing Options shall bear an interest rate equal to the municipal lending rates as posted by Infrastructure Ontario plus 1%

and shall be levied on the lands and collected in the same manner
and at the same time as other taxes are collected.

3. That all assessments imposed under the *Drainage Act* if unpaid have priority lien status and will be collected in the same manner as municipal taxes.
4. And that the effective date of this By-Law shall be the date of passage thereof.

ENACTED AND PASSED this 16th day of October, 2024.

Mayor: A. Martin

County Clerk: W. Tigert