

# **The Corporation of The City of Kawartha Lakes**

## **By-Law 2018-XXX**

### **A By-Law to Amend Bylaw Ops 1975-1309 and to Provide for the Levying of Costs Resulting from Maintenance of the Ops Drain 1.**

#### **Recitals**

1. The Council of the City of Kawartha Lakes deems it expedient to amend by-law Ops 1975-1309 which provided for a now outdated assessment schedule of the Ops Drain #1.
2. The total maintenance work shall now be assessed against the lands and roads in the watershed of the Ops #1 Drainage Works prorated with the updated

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2018-XXX.**

#### **Section 1.00: Definitions and Interpretation**

##### **1.01 Definitions:** In this by-law,

**“City”, “City of Kawartha Lakes” or “Kawartha Lakes”** means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

**"City Clerk"** means the person appointed by Council to carry out the duties of the clerk described in section 228 of the Municipal Act, 2001;

**“City Treasurer”** means the office and function of the Treasurer as set out in the *Municipal Act, 2001*;

**“Council” or “City Council”** means the municipal council for the City.

##### **1.02 Interpretation Rules:**

(a) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

(b) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.

##### **1.03 Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time that are applicable within the Province of Ontario.

##### **1.04 Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-

law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

**Section 2.00: Authorization to Levy Maintenance Costs on Ops Drain #1**

- 2.01 Bylaw No. Ops 1975-1309 is hereby amended to conform to the attached Schedule "A" which forms part of this By-law.
- 2.02 Where an allowance or compensation has been determined for an owner pursuant to the provisions of the Drainage Act, and where the amount so determined is less than the total amount owing from the owner, the City shall deduct from the total amount so determined, and the owner shall be responsible for paying the balance in the manner prescribed in this by-law.

**Section 3.00: Effective Date**

- 3.01 This By-law shall come into force on the date it is finally passed and may be cited as the "Ops Municipal Drain #1 Levying By-law".

By-law read a first, second and third time, and finally passed, this 11 day of December, 2018.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

## Schedule 'A' – By-Law 2018 – XXX



Ops #1 Drain  
Schedule.pdf