

Municipality of Chatham-Kent
Infrastructure and Engineering Services
Engineering Division

To: Mayor and Members of Council
From: Marissa Mascaro, P.Eng., Director, Engineering
Date: July 15, 2024
Subject: Drain Maintenance Report to Council – 2024 Tax Levy

Recommendation

It is recommended that:

1. Three readings to the Drain Maintenance Levying By-law be given to provide for the collection of repair and maintenance costs on various Municipal Drains in accordance with Section 74 of the Drainage Act.

Background

Section 74 of the Drainage Act, R.S.O. 1990 provides that the Municipality of Chatham-Kent is responsible for the maintenance and repair of numerous drainage work. Section 74 directs that projects are completed at the expense of all the upstream lands and roads in the watershed. The costs for each drainage project are assessed in the proportions determined by previous engineer's reports and governed by the current by-law for each drain.

A list of drains on which maintenance and repairs have been completed is attached as Appendix A. The projects included in the by-law require Council's approval to levy the assessed maintenance and repair costs on the 2024 Final Tax Roll as legislated by Section 61(4) of the Drainage Act, R.S.O. 1990.

Comments

The Province of Ontario, through the Ministry of Agriculture, Food and Rural Affairs (OMAFRA), provides a one-third grant for municipal drainage assessments that are assessed to properties within the Municipality of Chatham-Kent providing the properties are classified at the Farm Tax Rate. The grant is applied for by drainage staff for all completed maintenance and repair projects each year.

The total maintenance requested by the Municipality for the 2024 final tax levy is \$4,080,010.86 and applies to projects completed by December 31, 2023. The 423

maintenance projects listed in Appendix A are to be levied and collected on the final two installments of the 2024 tax roll.

Council Term Priorities

This report supports the following Council Term Priorities:

			
Deliver Excellent Service	Promote Safety & Well-Being	Grow Our Community	Ensure Environmental Sustainability
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Consultation

Financial Services was consulted regarding the collection of drainage assessments through the tax system.

Communication

Communication is proposed to be through the inclusion of this report on the Council agenda and related communications.

Diversity, Equity, Inclusion and Justice (DEIJ)

This report does not have implications related to diversity, equity, inclusion, or justice.

Financial Implications

All costs associated with the projects are recovered through property assessments and the one-third grant from OMAFRA.

The total drainage grant to be recovered through OMAFRA listed in Appendix A is \$1,757,432.89.

The total drainage assessment to the Municipality for the 423 projects listed on Appendix A is \$811,346.64 which is funded from the Infrastructure and Engineering Services base budget.

The total actual landowner assessment is \$4,080,010.86, as identified in Appendix A.

Administrative fees totaling \$207,453.15 are included in the assessments to be levied on the 2024 final tax roll. The fees have been charged according to the amount established by Council in By-law 221-2023, being a By-law to Establish Certain User Fees. This amount is a budget revenue item for the Engineering Division.

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Reviewed by:

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Consulted and confirmed the content of the consultation section of the report by:

Matt Torrance, MBA, CPA, CGA, Director, Financial Services

Attachment: Appendix A – Complete Maintenance – 2024 Taxes