



The Municipal Corporation of the Town of Fort Erie

By-law No. 95-2022

Being a By-law to Approve the Final Assessment Levy for the Schihl Municipal Drain

Whereas Section 61 Chapter D.17 of the *Drainage Act* R.S.O. 1990 authorizes a municipality, upon the completion of the drainage works, to levy the final cost thereof to the lands and roads liable, as stated in the engineer's report; and

Whereas the Municipal Council of the City of Port Colborne procured and provided the construction of the drainage works for the Schihl Drain Municipal Drain based on estimates contained in the Engineer's Report submitted by Neal Morris P. Eng., from the firm of K. Smart Associates Limited, dated March 28, 2019, as amended; and

Whereas the Drainage Works were completed pursuant to the Engineer's Report, as amended, and the total actual costs incurred were Three Hundred and Sixty-Three Thousand Dollars and Seventy-One Cents (\$363,000.71) compared to an original estimated cost of Three Hundred and Ninety Thousand, Nine Hundred and Eighty Dollars (\$390,980.00), being 7.16% under the Engineer's estimate; and

Whereas One Hundred Seventy-Six Thousand, Six Hundred and Eighty Dollars and Eighty-One Cents (\$176,680.81) is the amount to be contributed by the Town of Fort Erie for the construction of the drainage works;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** the final amended assessments listed in Schedule "A" attached to this by-law in the amount of \$176,680.81 shall be levied and assessed against the appropriate lands as apportioned by the Engineer's Report submitted by Neal Morris P. Eng., from the firm of K. Smart Associates Limited, dated March 28, 2019, is adopted and approved.
2. **That** all assessments shall be paid as follows:
 - (a) All assessments of \$5.00 or less shall be payable by the municipality from the general funds of the municipality;
 - (b) Assessments up to \$100.00 shall be added to the property tax account;
 - (c) Assessments greater than \$100.00 up to \$5,000.00 may be paid in full within ninety (90) days from the date of the assessment billing and if not, shall be distributed over five (5) years from the date of the assessment billing and shall be calculated at an interest rate of 3.95% on the date of such billing and added to the tax roll.
 - (d) Assessments greater than \$5,000.00 can be distributed over a five (5) year period with an interest rate of 3.95% or a ten (10) year period with an interest rate of 4.20% if notification is provided to the Town of Fort Erie from the benefitting land owners within ninety (90) days and added to the tax roll.

3. **That** the amount of the special rate levied upon each parcel of land or part thereof shall, where applicable in accordance with Section 2, be divided into five (5) or ten (10) equal amounts and one such amount shall be collected in each year for five (5) or ten (10) years after the passing of this by-law.
4. **That** the Clerk of the Town is authorized to effect any minor modifications, corrections or omissions solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this 18th day of July, 2022.

Mayor

Clerk

I, Carol Schofield, the Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. 95-2022 of the said Town. Given under my hand and the seal of the said Corporation, this day of , 20

Schedule "A" to By-law No. 95-2022

SCHIHL MUNICIPAL DRAIN
TOWN OF FORT ERIE
Regional Municipality of Niagara

					Actual				
Farm Tax Rated	Con	Lot	Roll No.	Report Gross Total	Actual Gross Total	Special	1/3 Grant	Allowances	Net Assessments
			(27-03-020-0)						
	14NR	Pt 14	31-086-00	5,338.00	4,169.03		-	4,200.00	(30.97)
	14NR	Pt 14	31-087-00	5,347.00	4,176.06		-	4,200.00	(23.94)
	14NR	Pt 14	31-088-00	3,343.00	2,610.92	4,223.04	-	2,600.00	4,233.96
	14NR	Pt 14	31-089-00	3,243.00	2,532.82	4,223.04	-	2,500.00	4,255.86
	14NR	Pt 13	31-093-00	37.00	28.90		-	-	28.90
	14NR	Pt 14	31-094-00	9,521.00	7,436.00		-	8,400.00	(964.00)
	14NR	Pt 14	31-096-00	52.00	40.61		-	-	40.61
F	15NR	Pt 12	31-137-01	104.00	81.23		27.08	-	54.15
F	15NR	Pts 13&14	31-140-00	22,211.00	17,347.03		5,782.34	14,300.00	(2,735.31)
F	15NR	Pt 14	31-141-00	22,395.00	17,490.73	1,788.98	6,426.57	14,000.00	(1,146.86)
	15NR	Pt 14	31-142-00	313.00	244.46		-	-	244.46
F	15NR	Pt 14	31-143-00	313.00	244.46		81.49	-	162.97
	15NR	Pt 14	31-144-00	313.00	244.46		-	-	244.46
	15NR	Pt 14	31-145-00	313.00	244.46		-	-	244.46
	15NR	Pt 14	31-146-00	4,343.00	3,391.93		-	1,600.00	1,791.93
	15NR	Pt 14	31-147-00	5,900.00	4,607.96		-	1,900.00	2,707.96
	15NR	Pt 14	31-148-00	6,999.00	5,466.29		-	1,900.00	3,566.29
	16NR	Pt 11	31-160-04	183.00	142.92		-	-	142.92
F	16NR	Pts 11&12	31-162-00	2,570.00	2,007.20		669.07	-	1,338.13
F	16NR	Pt 13	31-162-01	1,515.00	1,183.23		394.41	-	788.82
	16NR	Pt 13	31-163-00	659.00	514.69		-	-	514.69
	16NR	Pt 13	31-164-00	176.00	137.46		-	-	137.46
	16NR	Pt 13	31-165-00	5,930.00	4,631.39		-	4,600.00	31.39
	16NR	Pt 14	31-165-10	15,725.00	12,281.39	1,831.68	-	12,700.00	1,413.07
	16NR	Pt 14	31-165-15	198.00	154.64		-	-	154.64
	16NR	Pt 14	31-165-17	352.00	274.92		-	-	274.92
	16NR	Pt 14	31-166-00	373.00	291.32		-	-	291.32
	16NR	Pt 14	31-166-02	88.00	68.73		-	-	68.73
M	16NR	Pt 14	31-172-22	285.00	222.59		-	-	222.59
	16NR	Pt 14	31-172-24	439.00	342.86		-	-	342.86
	15&16NR	Pts 13&14	31-996-00	17,085.00	13,343.57	2,633.04	-	300.00	15,676.61
x	Total Assessments on Lands:			135,663.00	105,954.26	14,699.78	13,380.96	73,200.00	34,073.08
x									
M	Point Abino Road			16,123.00	12,592.23		-		12,592.23
M	Burger Road			16,463.00	12,857.78		-		12,857.78
S	Special Assess. to Burger Road			25,235.00		23,809.31	-		23,809.31
M	1/2 Holloway Bay Road			8,176.00	6,385.54		-		6,385.54
M	Fox Road			489.00	381.91		-		381.91
x	Total Assessments on Roads:			66,486.00	32,217.46	23,809.00	-	-	56,026.77
x	TOTAL TOWNSHIP OF FORT ERIE			202,149.00	138,171.72	38,508.78	13,380.96	73,200.00	90,099.85

Notes:

- All of the above lands noted with an "F" are classified as agricultural and currently have the Farm Property Class Tax Rate (F.P.C.T.R.).
- Section 21 of the Drainage Act, RSO 1990 requires that assessments be shown opposite each parcel of land and road affected. The affected parcels of land have been identified using the roll number from the last revised assessment roll for the Municipality. For convenience only, the owners' names as shown by the last revised assessment roll, has also been included.
- The lands noted above in the City of Port Colborne and Town of Fort Erie are in the geographic Township of Bertie and Humberstone.
- The value of the assessments identified in this schedule are estimates only and should not be considered final.

Annual Payment for Properties Over \$100 Amortized for 5 years (2023 - 2027)	Total of Payments after Amortization (including Interest)	Annual Payment for Properties Over \$100 Amortized for 10 years (2023 - 2032)	Total of Payments after Amortization (including Interest)
-	-	-	-
-	-	-	-
-	-	-	-
\$949.73	\$4,748.63	\$527.22	\$5,272.19
\$954.64	\$4,773.20	\$529.95	\$5,299.46
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
\$54.84	\$274.18	-	-
\$36.56	\$182.78	-	-
\$54.84	\$274.18	-	-
\$54.84	\$274.18	-	-
\$401.95	\$2,009.75	-	-
\$607.43	\$3,037.14	-	-
\$799.96	\$3,999.80	-	-
\$32.06	\$160.29	-	-
\$300.16	\$1,500.79	-	-
\$176.94	\$884.71	-	-
\$115.45	\$577.25	-	-
\$30.83	\$154.17	-	-
-	-	-	-
\$316.97	\$1,584.84	-	-
\$34.69	\$173.44	-	-
\$61.67	\$308.34	-	-
\$65.35	\$326.73	-	-
-	-	-	-
\$49.93	\$249.65	-	-
\$76.91	\$384.54	-	-
\$3,516.45	\$17,582.23	\$1,952.08	\$19,520.75
8,692.16	43,460.82	3,009.24	30,092.41