

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2023-017

By-law to Delegate Duties under the Drainage Act to
Appointed Members to the Amherstburg Drainage Board

WHEREAS Section 23.1 of the *Municipal Act, 2001* as amended, authorizes a municipality to delegate its powers and duties to a person or body subject to restrictions;

AND WHEREAS Council desires to delegate its authority under Sections 10(2), and 42, of the *Drainage Act* to a Drainage Board;

AND WHEREAS Council desires to delegate its authority under Section 97 of the *Drainage Act* to hear appeals to assessments as outlined in Sections 52 to 56 to a Drainage Board;

NOW THEREFORE the Council of the Corporation of the Town of Amherstburg enacts as follows:

1. **THAT** the Drainage Board for the Corporation of the Town of Amherstburg is hereby constituted and the following persons are hereby appointed as its members for the 2022-2026 term of Council or until their successors are appointed;
 - Allan Major
 - Brian Renaud
 - Brad Laramie
 - Murray Sellars
 - Anthony Campigotto
2. **THAT** the remuneration paid to the Board members shall be \$75.00 per meeting attended;
3. **THAT** the Drainage Board shall exercise Council's powers and duties under the *Drainage Act*, with the following exceptions:
 - Council's powers to create, repeal, or quash by-laws,
 - Any of Council's right to appeal to the Tribunal, as provided for under the *Drainage Act*,
 - Any of Council's obligations, duties, or requirements dealing with the appointment of engineers, as provided for under the *Drainage Act*,
 - Any of Council's obligations, duties, or requirements dealing with raising payment or imposing of levies or assessments, or other payment of costs,
 - Any of Council's obligations, duties, or requirements dealing with the provision of payment of fees or other remuneration for the services performed by any municipal employees,
4. **THAT** all members of the Drainage Board shall be appointed by Council to serve as the Court of Revision, and that specific Court of Revision panels shall be selected by the Chair of Drainage Board.
5. **THAT** the Drainage Board shall exercise Council's powers and duties with respect to any matter under the *Drainage Act* in which Council is required through the provisions of the *Drainage Act* to hold hearing or afford an opportunity to be heard;

6. **THAT** in addition to the powers of the Board provided for herein, the Drainage Board is hereby granted the powers mandated for the Drainage Board in the Local Boards/Committees Terms of Reference, as amended.
7. **THAT** this By-law shall come into full force and take effect immediately upon the final passing thereof.

Read a first, second and third time and finally passed this 13th day of March, 2023.


MAYOR – MICHAEL PRUE


CLERK – KEVIN FOX