

ORIGINAL

The Corporation of the Town of Innisfil

By-Law 044-24 (as amended)

Hewitt's Creek Drainage Works

A By-Law of The Corporation of the Town of Innisfil to provide for Hewitt's Creek Drainage Works, Innisfil Beach Road Realignment, 2024 Section 78 Improvements in the Town of Innisfil, County of Simcoe, Province of Ontario,

Whereas the Council of The Corporation of the Town of Innisfil received a request for Drainage Improvement by the County of Simcoe on March 31, 2022, for the improvements of the Hewitt's Creek Drainage Works, Innisfil Beach Road Realignment, 2024 Section 78 Improvements; and

Whereas R.J. Burnside & Associates Limited was appointed by Council as the Engineer pursuant to Section 78 of *the Drainage Act* to prepare a new engineer's report for a portion of the Hewitt's Creek Drainage Works known as the Hewitt's Creek Drainage Works, Innisfil Beach Road Realignment; and

Whereas the Council of The Corporation of the Town of Innisfil in the County of Simcoe, Province of Ontario, has procured from R.J. Burnside & Associates Limited a Report dated April 15, 2024, which report is appended hereto and forms part of this by-law; and

Whereas Subsection 42 of *the Drainage Act* requires Council to consider the engineering report which may be adopted by by-law in order to fulfill the requirements of *the Drainage Act*; and

Whereas the **actual** total cost of the engineering report is **\$42,763.17**; and

WHEREAS an estimated \$0.00 is being assessed for lands and roads, to the Town of Innisfil; and

WHEREAS an estimated \$0.00 is being assessed for private lands, in the Town of Innisfil; and

Whereas the County of Simcoe is being assessed an estimated **\$42,763.17**; and

Now Therefore the Council of The Corporation of the Town of Innisfil, pursuant to the provisions of *The Drainage Act*, hereby enacts as follows:

1. That the Engineering Report prepared by J.R. Dickson, P.Eng. of R.J. Burnside & Associates Limited, dated March 15, 2024, and attached hereto as Appendix "A" is hereby adopted and the drainage works as therein indicated and set forth are hereby authorized and shall be completed in accordance therewith.
2. That it is hereby declared that notwithstanding any section, subsections, clause paragraph, or provision of the By-law or parts thereof, may be declared by a court of competent jurisdiction to be invalid, unenforceable, illegal, or beyond the powers of Council to enact, such section or sections or parts thereof shall be deemed to be severable and shall not affect the validity of enforceability of any other provisions of the By-law as a whole or part thereof and all other sections of the By-law as a whole or part thereof and all other sections of the By-law shall be deemed to be separate and independent therefrom and enacted as such.

to By-law 044-24
(as amended)

3. That whenever any reference is made in this By-law to a statute of the Legislature of the Province of Ontario, such reference shall be deemed to include all subsequent amendments to such statute and all successor legislation to such statute.
4. That this By-law shall be cited as the "Hewitt's Creek Drainage Works, Innisfil Beach Road Realignment, 2024 Section 78 Improvements By-law".
5. That this By-law shall come into force and take effect on the date of third reading and final enactment.

First and second reading this 8th day of May 2024.



Lynn Dollin, Mayor



Patty Thoma, Clerk

Third and final reading, this 25th day of June 2025.



Lynn Dollin, Mayor



Patty Thoma, Clerk