



MUNICIPALITY OF **West Elgin**

Staff Report

Report To: Council Meeting
From: Jana Nethercott, Clerk
Date: 2023-01-26
Subject: Appoint Court of Revision Members for DK Andrews Drain

Recommendation:

That West Elgin Council hereby receives the report from J. Nethercott, Clerk re: Appoint Court of Revision Members for DK Andrews Drain; and
That the Court of Revision for the DK Andrews Drain is hereby scheduled on February 23, 2023 at 9:00 a.m; and
Be it resolved that West Elgin Council hereby appoints the following members to the Court of Revision for the DK Andrews Drain:

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Purpose:

The purpose of this report is to appoint three (3) members to the Court of Revision for the DK Andrews Municipal Drain.

Background:

The *Drainage Act, R.S.O. 1990*, required a Court of Revision be held for the purpose of receiving appeals to the assessments for drainage work, as set out in the engineers report. The Court may have three (3) or five (5) members and where there are more than one municipality involved, the Court is to consist of two (2) members from the initiating municipality and one member each from the other involved municipalities. To be appointed to the Court a member must be on or be eligible to be elected to Council. The Court must be held at least twenty (20) days after but not more than thirty (30) days after mailing the notice.

DK Andrews Drain is also within the boundaries of Dutton Dunwich therefore, West Elgin as the initiating municipality has two (2) seats and Dutton Dunwich will have one.

The Court of Revision is an appeal body established under the *Drainage Act*, to allow land owners to challenge the drainage assessments in Engineers Reports quickly and informally. The Court of Revision has one power, to reallocate funds in the drainage assessment schedule. To appeal to the Court of Revision, a property owner assessed for drainage works must give written notice of appeal to the Clerk of the initiating municipality at least ten (10) days prior to the sitting of the Court, however the Court may decide to hear late appeals as long as a resolution is passed allowing late appeals by the Court.

Financial Implications:

There are no financial implications associated with this report

Policies/Legislation:

Drainage Act, R.S.O.1990,

Respectfully Submitted
Jana Nethercott, Clerk