



**BY-LAW NUMBER XXX-2024
OF
THE CORPORATION OF THE CITY OF STRATFORD**

BEING a By-law to abandon a portion of the Mullin Municipal Drain in the City of Stratford.

WHEREAS subsection 5(1) of the Municipal Act, 2001, S.O. 2001 c.25, as amended, ("the Municipal Act, 2001") provides that the powers of a municipal corporation are to be exercised by its council;

AND WHEREAS subsection 5(3) of the Municipal Act, 2001, provides that the powers of council are to be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS Section 84 of the *Drainage Act, R.S.O. 1990*, as amended, ("the Drainage Act") provides for the abandonment of a drainage works or a part thereof by by-law;

AND WHEREAS the existing Mullin Drain was originally constructed in 1963 under Township of South Easthope By-law No. 1074 and further expanded under a report dated April 29, 1975, prepared by E. H. Uderstadt Inc. under the provisions of the Drainage Act;

AND WHEREAS the City of Stratford has notified all owners of land assessed for the drainage works of its intention to abandon 420m of the Mullin Drain on Part of Lot 41, Concession 1 (formerly South Easthope), now in the City of Stratford, in accordance with Section 84 of the Drainage Act;

AND WHEREAS no property owner has requested the appointment of an engineer to examine the abandonment within the time period specified in the Drainage Act;

AND WHEREAS the City of Stratford shall assume the future costs of maintenance and repair of the new storm drainage system replacing the drain as outlet under the provisions of the *Ontario Water Resources Act*;

NOW THEREFORE BE IT ENACTED by Council of The Corporation of the City of Stratford as follows:

1. That the 420m portion of the Mullin Municipal Drain contained within the boundaries of Lot 41, Concession 1 is hereby abandoned.
2. This by-law shall come into force and effect on the date of passage.

Read a FIRST, SECOND and THIRD time and

FINALLY PASSED this 22nd day of July, 2024.

Mayor – Martin Ritsma

Clerk – Tatiana Dafoe