

## Motion

**Agenda Number:** 20.3

**Date:** September 12, 2024

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**Moved by** Councillor Dasko

**Seconded by** Councillor Butt

Whereas the Royal Canadian Legion, Branch 82 (“Legion”), located at 35 Front Street, Mississauga had a sanitary sewer lateral blockage on July 7, 2024;

And whereas, the Legion is a non-profit organization;

And whereas, the Legion has incurred costs to identify and clear deficiencies within the wastewater lateral (“Maintenance Work”) due to having material deposits that were within both the private side and the Region’s side, a portion of which the Region offered to reimburse in the amount of \$1,118.80 for rodding and CCTV but which offer was not accepted by the Legion;

And whereas, pursuant to Resolution 93-255-40 Regional Council approved a financial cap for Policy F05-02 Sewer Back-Up Ex Gratia Payments which allows for payments up to a maximum of \$1,500.00 for damages (“Damages”) resulting from non-storm related sanitary sewer backups that meet certain conditions in the policy;

And whereas, pursuant to Policy F05-02 the Region may make ex-gratia payments for damages resulting from a sanitary sewer backup provided all of the following conditions are met:

- a. That the blockage or defect in the sanitary sewer or lateral connection occurs on municipal property (including easements);
- b. That the backup is not caused by the negligence of the Region;
- c. That the backup is not caused by the property owner’s misuse of the sewer system or failure to maintain the sewer pipes on private property;
- d. That the backup is not caused by rainfall, flood or other natural occurrence unless a blockage in the sanitary sewer was a contributory factor;
- e. That an appropriate release is signed;

Therefore be it resolved, that subject to the receipt of a signed release, the Region of Peel make a full and final grant payment to the Royal Canadian Legion, Branch 82, in the amount of \$11,061.68 for all costs incurred by the Legion due to material deposits throughout the wastewater lateral on both the private and Region’s side, to be financed from Operational Reserves.