

THE CORPORATION OF THE MUNICIPALITY OF BLUEWATER

By-law Number 75 - 2018

A By-law to provide for various Fees and Charges and to repeal By-law Number 42-2014 "Being a By-law to establish a tariff of fees and to prescribe various municipal rates and charges."

WHEREAS section 391. (1) of the *Municipal Act, 2001*, .S.O. 2001, c. 25 as amended, ("Municipal Act") provides that without limiting sections 9, 10 and 11, those sections authorize a municipality to impose fees or charges on persons,

- (a) for services or activities provided or done by or on behalf of it;
- (b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board;
- (c) for the use of its property including property under its control; and

WHEREAS under section 391. (3) of the Municipal Act the costs included in a fee or charge may include costs incurred by the municipality or local board related to administration, enforcement and the establishment, acquisition and replacement of capital assets; and

WHEREAS under section 391. (4) of the Municipal Act a fee or charge may be imposed whether or not it is mandatory for the municipality or local board imposing the fee or charge to provide or do the service or activity, pay the costs or allow the use of its property; and

WHEREAS under section 398. (1) fees and charges imposed by a municipality or local board on a person constitute a debt of the person to the municipality or local board respectively; and

WHEREAS section 69 of the *Planning Act*, R.S.O. 1990, c. P. 13 as amended, ("Planning Act") provides that the Council of a municipality, by by-law, and a planning board, by resolution, may establish a tariff of fees for the processing of applications made in respect of planning matters which tariff shall be designed to meet only the anticipated cost to the municipality or to a committee of adjustment or land division committee constituted by the council of the municipality or to the planning board in respect of the processing of each type of application provided for in the tariff; and

NOW THEREFORE Council of The Corporation of the Municipality of Bluewater enacts as follows:

1. INTERPRETATION

1.1 That in this By-law unless a contrary intention appears:

- (a) "Development Deposit" means a cash payment remitted to the Municipality held without interest by the Municipality to recover unpaid External Costs.
- (b) "External Costs" means professional services costs incurred by the Municipality to process and review a development or property related application/request including but not limited to legal, planning, survey, property title, engineering, real estate appraisal, peer review of studies and advertising.
- (c) "HST" means Harmonized Sales Tax

- (d) "Municipality" means The Corporation of the Municipality of Bluewater.
- (e) "Person" means an individual, unincorporated association, sole proprietorship, partnership; corporation or municipality.
- (f) "Staff Costs" means the current hourly wage rate plus the associated payroll burden.

2. APPROVAL

That the fees and charges listed in the column headed "Fee" on Schedule "A" of this By-law are approved and imposed for the associated "Service/Activity" commencing on the date of passage of this By-law;

That Schedule "A" is attached to and forms part of this By-law;

3. TAXES

That the fees and charges listed in Schedule "A" of this By-law are subject to HST where applicable and shall be added to the fee and charge.

4. WHEN PAYABLE

That the fees and charges listed in Schedule "A" of this By-law plus all applicable taxes, are due and payable:

- (a) at the time of the transaction for which the fee or charge is imposed; or
- (b) if subsection 4. (a) is not applicable on the due date specified in any invoice issued by the Municipality of Bluewater to any person or party in connection with a fee or charge listed on Schedule "A" to this By-law; or
- (c) if subsection 4. (a) or (b) is not applicable on the due date specified in the terms of a contract signed by the Municipality;

5. EXTERNAL COSTS

That in addition to any planning, development or agreement fee all external costs incurred by the Municipality in the processing and review of a project shall be recovered from the applicant/requester. External costs will be invoiced to the applicant/requester as they are received.

That if external costs are incurred at a pre-consultation meeting they will be invoiced to the owner of the property that is the subject of the pre-consultation meeting.

6. DEPOSIT ON ACCOUNT OF EXTERNAL COSTS

- 6.1 That all planning, development or agreement applications/requests shall include a Development Deposit to be held until the project is completed. The Development Deposit is to ensure that all external costs incurred by the Municipality are recovered. In the event that any invoices for external costs are not paid within ninety (90) days of project completion, amounts owing will be deducted from the Development Deposit.

That any unused portion of a Development Deposit will be returned to the party that paid the Development Deposit following project completion. No interest is paid on Development Deposits held by the Municipality.

- 6.2 That the Municipality may require a developer/applicant to execute a Deposit Agreement when a development project is expected to incur external costs exceeding \$15,000.00.

7. INTEREST CHARGES

That any portion of a fee or charge that remains unpaid beyond the date fixed for payment shall bear interest at the rate of 1.25% (15% per annum) after thirty (30) days and each month thereafter until such fee or charge is paid in full.

8. COLLECTION – UNPAID INVOICES

- 8.1 That fees and charges in Schedule "A" of this By-law imposed on a person or party constitute a debt of the person or party to The Corporation of the Municipality of Bluewater. The Treasurer of a local municipality may add the fees and charges imposed by the municipality to the tax roll for the following property in the local municipality and collect them in the same manner as municipal taxes:

1. In the case of fees and charges for the supply of a public utility, the property to which the public utility was supplied.
2. In all other cases, any property for which all the owners are responsible for paying the fees and charges.

- 8.2 That in accordance with subsection 8.1 (1.) and (2.) unpaid charges on invoices, including interest charges will be added to the tax roll after 6 months or billing cycles.

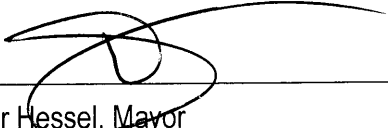
9. That this by-law shall supersede any other By-law and/or resolution inconsistent with the provisions set out herein.

10. If a Court of competent jurisdiction should declare any section or part of a section of this By-law to be invalid the remainder of this By-law shall be valid and shall remain in full force and effect.

11. This By-law shall come into full force and effect on October 1, 2018.

12. By-law Number 42 – 2014 is repealed effective October 1, 2018.

Read a first, second and third time and finally passed this 17th day of September, 2018.



Tyler Hessel, Mayor



Chandra Alexander, Clerk

Schedule "A" to By-law 75-2018

Service/Activity	Fee
Building Permit Fees – see the current Building By-law	
Development Charges Fees – see the current Development Charges By-law	
Planning Application Fees – see the current Planning Act Applications fees By-law	
Water and Sewer Fees – see the current Water and Sewer Services fees By-law	
Fire Department Fees – see the current Fire Department Fees for Services By-law	
Service Grouping: Administration	Fee
Tax Certificate	\$ 50.00
Property Information Report	\$ 75.00
Property Information Report – analysis of current survey respecting zoning by-law compliance; survey created within ninety (90) days of request for analysis	\$ 75.00
Request for letter of agreement compliance	\$ 100.00
Information Searches – search, research, copying – first ½ hour	No Charge
Information Searches – search, research, copying – every hour after ½ hour relating to a single enquiry	\$ 35.00
Certification of documents	\$ 15.00
Administration of oath or declaration – Planning Act applications are exempt	\$ 10.00
Courier charge – minimum weight package/envelope	\$ 30.00
Courier charge – over minimum weight package/envelope	\$ 30.00 plus External Costs
Print or copy of document – black and white	\$.25
Print or copy of document – colour	\$.75
Print plan/map – larger than ledger size	\$ 10.00
Service Grouping: Planning, Development & Property Services	Fee
Request and process property title information	\$ 75.00 plus External Costs
Document and By-law registrations in Land Registry systems	\$ 87.50 plus External Costs
External Costs Deposit Administration Fee - per invoice	\$ 35.00
Consent to Applications for First Registration in Land Titles	\$ 200.00 plus External Costs
Request for release of registered by-laws relating to loans	\$ 200.00 plus External Costs
Prepare and process easements and property transfers required as a condition of development approval	\$ 350.00 plus External Costs
Application for Road Closure and Sale	\$ 525.00 plus External Costs
Application for Disposition of Property	\$ 350.00 plus External Costs
Municipal Review and Concurrence of an Antenna System	\$ 200.00 plus External Costs
Request for Municipal Review and Concurrence of utility projects and completion of Municipal Consultation Form for renewable energy projects	\$ Staff costs plus External Costs
Request to lift 0.3 m reserve	\$ 200.00 plus External Costs
Arrange preparation of Subdivision, Condominium, Site Plan Control, Development, Minor Variance, Consent, Servicing, Miscellaneous Agreements and Amending Agreements	\$ 325.00 plus External Costs

Schedule "A" to By-law 75-2018

Request for Release of Agreement	\$ 525.00 plus External Costs
Site Plan Control - Basic Application and Amendment to Basic Application	\$ 250.00
Site Plan Control - Standard Application and Amendment to Standard Application	\$ 500.00
Development Inspection Fees – Project Completion – initial two (2) inspections	No Charge plus External Costs
Development Inspection Fees – Project Completion – each additional inspection	\$ 125.00 plus External Costs
Development Deposit – Site Plan Control Approval, Development, Minor Variance, Consent, Servicing, Miscellaneous and Amending Agreements	\$ 1,000.00
Development Deposit – Plan of Subdivision, Plan of Condominium	\$ 5,000.00
Request for Private Road Naming	\$ 350.00
Service Grouping: Licences/licenses	Fee
Marriage Licence	\$ 100.00
Lottery Licenses:	
Bingo license	\$ 3% of the prize value
Raffle license	\$ 3% of the prize value – minimum \$5.00
Break Open license	\$ 3% of the prize value
Service Grouping: Waste Management	Fee
Minimum charge for waste other than bags	\$ 10.00
Garbage Bag Tags – bags no larger than 66 cm X 90 cm (26" X 36"), not to exceed 20 kg (45 lbs.)	
Tags purchased by an individual	\$ 3.00
Tags purchased by an authorized reseller	\$ 2.95
Industrial Packer - per yd ³	\$ 20.00
Residential Packer - per yd ³	\$ 20.00
Industrial Truck or container (loose) – per yd ³	\$ 15.00
Large truck, wagon or trailer – up to 5 yd ³	\$ 60.00
Full size pickup 8 ft. box – level 2 yd ³ – above level charge by yd ³	\$ 30.00
Mid size pickup 6 ft. box – level 1.5 yd ³ – above level charge by yd ³	\$ 25.00
Small size pickup 5 ft. box – level 1.0 yd ³ – above level charge by yd ³	\$ 20.00
Pickup truck with small trailer – add to pickup charges above	\$ 20.00
Car, truck, couches, mattresses, etc.	\$ 10.00
Burnables (wood) any type of lumber, furniture etc.	Applicable rate
Asphalt shingles, drywall	Double applicable rate
Stoves, water tanks, bed springs, scrap metal	No charge
Fridges, freezers, air conditioners, any item tagged freon free	No charge
Service Grouping: Miscellaneous	Fee
Line Fences Act - request for award by fence-viewer	\$ 150.00
Property Blade Sign - production and installation of property blade sign	\$ 35.00