

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2004-95

**BEING A BY-LAW TO AMEND 1999-44
(BEING A BY-LAW TO IMPOSE USER FEES FOR
MONITORED AUTOMATIC ALARMS (FALSE) AND
EMERGENCY FIRE DEPARTMENT RESPONSE FOR MOTOR
VEHICLE ACCIDENTS (NON-RESIDENT))**

WHEREAS Section 391 of the *Municipal Act, 2001* (S.O. 2001, C.25) authorizes the Council to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of the municipality and for the use of its property;

AND WHEREAS Council passed Resolution No. 2004-295 at its meeting held May 3, 2004 to authorize that By-Law No. 1999-44 be amended to more clearly define the fee structure for responses to subsequent "Monitored Automatic False Alarms" as was intended in the original by-law and to update the fees for responses to Motor Vehicle Accidents/Incidents for Non-Residents;

AND WHEREAS notice of the proposed amendments was published in the North Bay Nugget on Saturday, May 15, 2004 in accordance with the provision of the *Municipal Act 2001* (S.O. 2001, c.25);

AND WHEREAS a public meeting in accordance with the provision of the *Municipal Act 2001* (S.O. 2001, c.25) was held on Monday, June 7, 2004.

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY ENACTS AS FOLLOWS:

1. That Section 2 of By-law No. 1999-44 is hereby deleted and the following inserted in lieu thereof:

"2. False Alarms:

Where the Fire Department responds to a false alarm, the following schedule of fees shall be payable to The Corporation of the City of North Bay by the owner of the property from which the alarm originated:

- (i) first false alarm – no charge;
- (ii) second false alarm within a twelve (12) month period of a first false alarm - \$100.00;
- (iii) third false alarm within a twelve (12) month period of a first false alarm - \$200.00;
- (iv) fourth false alarm within a twelve (12) month period of a first false alarm - \$300.00;
- (v) fifth false alarm within a twelve (12) month period of a first false alarm - \$400.00;
- (vi) sixth false alarm within a twelve (12) month period of a first false alarm - \$500.00;
- (vii) seventh false alarm within a twelve (12) month period of a first false alarm - \$600.00;
- (viii) each additional false alarm within a twelve (12) month period of a first false alarm shall result in an additional charge of \$100.00;
- (ix) there shall be no limit as to the additional charges for false alarms within a twelve (12) month period of the false alarm;
- (x) the above fees shall be payable by the owner of the premises to which the emergency response to the false alarm was made; and
- (xi) where an owner with multiple false alarms is able to prevent any false alarm for a period of six (6) months, then, at the discretion of the Fire Chief, the amount payable shall revert to a first alarm."

2. That Section 3 of By-law No. 1999-44 is hereby deleted and the following inserted in lieu thereof:

"3. Non-Resident Vehicle Fires or Extrications:

Where the North Bay Fire Department provides an emergency response to a fire in a vehicle or to extricate a person or persons from a vehicle, where the vehicle is owned by a non-resident, a fee of \$700.00 shall be payable by the owner of the vehicle to The Corporation of the City North Bay."

3. That Section 5 of By-law No. 1999-44 is hereby deleted and the following inserted in lieu thereof:

"5. Response on Provincial Highways:

Where the North Bay Fire Department provides an emergency response service to a vehicle which is: (1) owned by a non-resident and (2) located on a Provincial Highway, the following fees shall be payable by the owner of the vehicle to The Corporation of the City of North Bay:

(i)	for the first hour of response by any fire trucks:	\$350.00
(ii)	for each additional half-hour or part thereof for response by any fire truck:	\$175.00"

4. This by-law shall come into effect as of the 1st day of July, 2004.

READ A FIRST TIME IN OPEN COUNCIL THIS 14TH DAY OF JUNE, 2004

READ A SECOND TIME IN OPEN COUNCIL 14TH DAY OF JUNE, 2004.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 14TH DAY OF JUNE, 2004.



MAYOR



DEPUTY CITY CLERK