

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-129

**BEING A BY-LAW TO AUTHORIZE USER FEES
FOR NORTH BAY FIRE & EMERGENCY SERVICES**

WHEREAS Section 391 of the *Municipal Act, 2001* (S.O. 2001, c.25) authorizes municipalities and local boards to pass by-laws imposing fees or charges on any class of person for services or activities provided or done by or on behalf of the municipality or the Local board and for the use of its property;

AND WHEREAS Notice of the Public Meeting in the matter of fees and charges for inspections or the issuance of permits for fire purposes was given by advertisement in the North Bay Nugget on the 9th day of April, 2011 and the 16th day of April, 2011.

AND WHEREAS a Public Meeting under the *Municipal Act* in the matter of the fees and charges for inspections or the issuance of permits for fire purposes was held on the 9th day of May, 2011.

AND WHEREAS Council passed General Government Committee Report No. 2011-14 at its Regular Meeting held on 16th day of May, 2011 to authorize a by-law for user fees charged by North Bay Fire & Emergency Services effective June 1, 2011.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY DOES HEREBY ENACT AS FOLLOWS:

1. In this by-law:
 - 1.1 "False Alarm" means an alarm signal where a fire department response, in the opinion of the North Bay Fire Chief, is not required.
 - 1.2 "Non-Resident" means a person who is not a resident of the City of North Bay.
 - 1.3 "Owner" means:
 - (a) for property, the person for the time being managing or receiving the rent of the land or premises in connection with which the word is used whether on his own account or as agent or trustee of any other person or who would so receive the rent if such land and premises were it, and shall also include a lessee or occupant of the property who, under the terms of the lease, is required to repair and maintain the property in accordance with standards for maintenance and occupancy of property;
 - (b) for vehicles, the person registered as owner.
 - 1.4 "Property" means the property defined by the municipal address by the 9-1-1 Dispatch System.
 - 1.5 "Resident" means a natural person whose name is included on the City of North Bay Voters' List, pursuant to the *Municipal Elections Act*, as updated from time to time by the City Clerk, in the absence of evidence satisfactory to the City Solicitor to the contrary.
2. The fees and charges set out on the attached Schedule are hereby imposed and ratified.
3. (a) All fees and charges set out in this by-law for permits and inspection fees, opening burning permits, fire apparatus stand-by and miscellaneous fee shall

be payable prior to the provision of the service unless an agreement in writing is made to the contrary and approved by a municipal official.

- (b) All fees and charges set out in this by-law for emergency response shall be due within thirty (30) days of the issue of an invoice from The Corporation of the City of North Bay.
- 4. (a) In the event any fee or charge imposed herein remains unpaid after provision of the service or is otherwise in arrears, such fees or charges may be added to the Tax Roll for any real property in the municipality, the owner of which is responsible for paying the fee or charge and shall be collected in like manner as municipal taxes.

(b) In default of payment of any charge levied herein, by the required due date for the payment thereof, a percentage charge of one and one-quarter per cent (1 1/4 %) is hereby imposed as a penalty for non-payment of such charge thereof, and such penalty shall be added to the charge as aforesaid or any instalment or part thereof remaining unpaid on the first day of each calendar month thereafter in which default continues.
- 5. Council does hereby delegate to the Fire Chief and to the Deputy Fire Chief of The Corporation of the City of North Bay, the authority to administer such fees and charges and approve such forms and procedures as may be required for the efficient administration of the fees and charges.
- 6. This by-law shall come into force and effect as of June, 2011.
- 7. By-law No. 2007-116 is hereby repealed as of June 1, 2011.

READ A FIRST TIME IN OPEN COUNCIL THE 24TH DAY OF MAY, 2011.

READ A SECOND TIME IN OPEN COUNCIL THE 24TH DAY OF MAY, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THE 24TH DAY OF MAY, 2011.

"original signature on file"

MAYOR ALLAN McDONALD

"original signature on file"

CITY CLERK CATHERINE CONRAD

THIS IS SCHEDULE "A" TO BY-LAW NO. 2011-129 THE CORPORATION OF THE CITY OF NORTH BAY.

Schedule for proposed user fees to be charged by the North Bay Fire & Emergency Services:

Service	2011	2012	2013	2014
Permits and Inspection Fees				
Permit Inspections: Including residential, commercial, care and treatment facilities, malls/plazas, hotel/motel, real estate transactions, retrofit, industrial, liquor license, trade shows/home shows/ special functions, and any other request for inspection not listed below	\$120 for 1 st hour/inspector plus \$85 per additional hour/inspector	\$125 for 1 st hour/inspector plus \$90 per additional hour/inspector	\$130 for 1 st hour/inspector plus \$95 per additional hour/inspector	\$135 for 1 st hour/inspector plus \$100 per additional hour/inspector
Day Care & Foster Care Homes	\$85/hr	\$90/hr	\$95/hr	\$100/hr
Mobile Food Vendors	\$85/hr	\$90/hr	\$95/hr	\$100/hr
Emergency Response				
False Automatic Monitored Alarms (within a 12 month period)	1 st – No charge 2 nd - \$175 3 rd - \$350 4 th - \$525 Each additional false alarm shall result in an additional charge of \$175 (unlimited)	1 st – No charge 2 nd - \$205 3 rd - \$410 4 th - \$615 Each additional false alarm shall result in an additional charge of \$205 (unlimited)	1 st – No charge 2 nd - \$235 3 rd - \$470 4 th - \$705 Each additional false alarm shall result in an additional charge of \$235 (unlimited)	1 st – No charge 2 nd - \$265 3 rd - \$530 4 th - \$795 Each additional false alarm shall result in an additional charge of \$265 (unlimited)
Vehicles fires; Rescues, Fires, Accidents involving MVC for non-residents (MTO rates. Minimum 2 fire vehicles)	1 st hour / apparatus – \$410 \$205 for each additional ½ hour	Current MTO rate	Current MTO rate	Current MTO rate
Technical Responses: CBRNE/HAZMAT, confined space, hazardous environments, ice/water, snowmobile rescue, Transportation of Dangerous Goods Incident	\$1,150 for first hour \$575 for each additional ½ hour <hr/> Plus consumable materials and administrative overhead charge.	\$1,180 for first hour \$590 for each additional ½ hour <hr/> Plus consumable materials and administrative overhead charge.	\$1,210 for first hour \$605 for each additional ½ hour <hr/> Plus consumable materials and administrative overhead charge.	\$1,240 for first hour \$620 for each additional ½ hour <hr/> Plus consumable materials and administrative overhead charge.

Exceptional use items (foam, chemical suits, etc)	Cost of consumable materials plus administrative overhead charge	Cost of consumable materials plus administrative overhead charge	Cost of consumable materials plus administrative overhead charge	Cost of consumable materials plus administrative overhead charge
Non-emergency assistance calls; elevator out of service, etc. (except when assisting another agency). (MTO rates)	1 st hour / apparatus – \$410 \$205 for each additional ½ hour	Current MTO rate	Current MTO rate	Current MTO rate
Fire Watch: Post Fire Property Security/Safety	Actual costs plus 25% Minimum: Captain (1) and Firefighter (1)	Actual costs plus 25% Minimum: Captain (1) and Firefighter (1)	Actual costs plus 25% Minimum: Captain (1) and Firefighter (1)	Actual costs plus 25% Minimum: Captain (1) and Firefighter (1)
Fires on or beside the Railroad, as a result of the Railroad left unattended in tie burning or otherwise, out of control fires, and failure to attempt to extinguish those fires that impinge on private or public properties	Actual costs plus 25% Minimum: Captain (1) and Firefighter (3)	Actual costs plus 25% Minimum: Captain (1) and Firefighter (3)	Actual costs plus 25% Minimum: Captain (1) and Firefighter (3)	Actual costs plus 25% Minimum: Captain (1) and Firefighter (3)
Illegal Burning of Hazardous Materials or Burning regarding Open Air Burning Permits under the Ontario Fire Code	1 st hour / apparatus – \$410 \$205 for each additional ½ hour plus any additional clean up costs	Current MTO rate plus any additional clean up costs	Current MTO rate plus any additional clean up costs	Current MTO rate plus any additional clean up costs
Open Burning Permits (issued by North Bay Fire & Emergency Services)				
Residential / Campground Burning Permits	Annual - \$80 Weekly - \$20	Annual - \$80 Weekly - \$20	Annual - \$80 Weekly - \$20	Annual - \$80 Weekly - \$20
Commercial Site Burning Permits (per site)	Annual – \$220 Monthly – \$120 Weekly - \$95	Annual – \$225 Monthly – \$125 Weekly - \$100	Annual – \$230 Monthly – \$130 Weekly - \$105	Annual – \$235 Monthly – \$135 Weekly - \$110
Responding to Burning Complaint & Permit Not Found	1 st hour / apparatus – \$410 \$205 for each additional ½ hour	Current MTO rate	Current MTO rate	Current MTO rate
Fire Apparatus Stand-by				
Shows, Exhibitions, Demonstrations, Assistance to Other Agencies	Overtime rate. Minimum per vehicle: Captain (1) and Firefighter (1)	Overtime rate. Minimum per vehicle: Captain (1) and Firefighter (1)	Overtime rate. Minimum per vehicle: Captain (1) and Firefighter (1)	Overtime rate. Minimum per vehicle: Captain (1) and Firefighter (1)
Fire Prevention / Education Fees				
Fire Safety Plan Review / signature	\$170/hr	\$175/hr	\$180/hr	\$185/hr

Fire Route processing and approval if not on building permit	\$170	\$175	\$180	\$185
Copies of Fire Reports, Information from Files, Legal Inquiry, Fire Inspection Reports, et.	\$125	\$125	\$125	\$130
Smoke Alarm/CO Alarm kept and not returned	\$25 Fire Alarm \$50 CO Alarm	\$25 Fire Alarm \$50 CO Alarm	\$25 Fire Alarm \$50 CO Alarm	\$25 Fire Alarm \$50 CO Alarm
Training				
Training of outside Agencies, public, etc (including fire extinguisher training)	\$100/hr per instructor/ trainer plus expenses	\$105/hr per instructor/ trainer plus expenses	\$110hr per instructor/ trainer plus expenses	\$115/hr per instructor/ trainer plus expenses