



Date: February 14, 2022
To: Mayor and Council
Author: Margaret Schroeder, Manager of Financial Services
RE: 2022 Fees and Charges
Report No.: FS-2022-02

RECOMMENDED ACTION

1. That **By-law 3-2022**, being a by-law to impose fees and charges be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same; and,
2. That Council endorse the proposed changes to Schedule D, in principle, and direct staff to solicit feedback for implementation in the 2023 fees and charges by-law.

BACKGROUND

In accordance with section 391 of the *Municipal Act, 2001* (the "Act"), the municipality is authorized to pass by-laws imposing 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; and
- (c) for the use of its property including property under its control.

Each year, Administration reviews the fees charged for various services and activities to ensure they remain appropriate.

DISCUSSION

The proposed changes to the Fees and Charges By-law 15-2021 and the Building Code Fees and Charges by-law 16-2021 are outlined in the attachments to this report. Any changes to the wording of the by-law, fee amounts or fee descriptions have been highlighted. Details on the more significant amendments are discussed below:

Administrative Services

Marriage Solemnization

These fees refer to a marriage ceremony or service provided by the Town. The proposed new fees for Cancellations, Rehearsals and Civil Marriage Ceremony have been introduced to recover staff time associated with these services.

Credit Card Convenience Fee

The Town currently accepts credit cards for a variety of small dollar transactions and absorbs the transaction fees through general operating expenses. In an effort to respond to increasing requests from the public, and to facilitate online service delivery, Management plans to expand the use of credit cards as an acceptable form of payment for certain services. However, the fees associated with large dollar value transactions will be significant. To prevent the credit card transaction fees from becoming a significant burden on general taxation, Administration is recommending a 2% convenience fee to accept credit card payments on all transaction in excess of \$2,000. Residents who do not wish to pay the convenience fee will have the option to pay through alternative methods, such as cash or cheque.

Cemetery Services

Interment/Disinterment for Adult or Child Grave

The Town performs interment services (includes opening/closing grave, lowering/raising device, grass seeding) for local cemeteries. Management has reviewed the time required to complete internments and noted no significant difference between the timing (winter/spring/summer/fall) to perform the service. Therefore, the proposed fees are consolidated into one fee regardless of timing within the year. Administration has also examined labour costs and rates charged for similar services in neighbouring municipalities and determined that the weekday and weekend rates should be increased due to rising labour costs.

Fire Services

Commercial Fireworks Permit Review and Inspection

This new fee is applicable to ensure the safe practices of large firework displays (typically does not include domestic or backyard events). The fee is applicable per review and is set at \$100 per request.

Special Events Inspection

Special Events inspections are required when there are outdoor tents, food service trucks or coverings that may cause a fire hazard. The event must have emergency service access criteria that must be met. The inspection will review and approve the site safety plan and validate all statements made in the application. The fee is set at \$80 per request/event.

Fire Safety Request for Training Services

A request is for a Training Officer to perform fire safety training at a private business. Activities include fire extinguishing training, fire safety drills etc. The recommended fee of \$100 per session (minimum of 2 hours) per Training Officer to attend. If apparatus was required the MTO rate would be applicable.

Non-emergency alarm activation

A False Alarm means the activation of a fire alarm or emergency system which occurs without just cause, including where there is no fire, carbon monoxide or other emergency situation. A fee will be charged to the property owner upon the 3rd false alarm in a calendar year. The rate for this fee is set per MTO rates.

Fire Safety Plan/Sprinkler review

Upon request, the Town will review a Fire Safety Plan or Sprinkler system (if applicable) to ensure the plan is adequate for the type of facility. The fee is an \$80 flat fee per request.

Occurrence Report

Report requested by a resident or business to document a building fire that occurred, usually for insurance purposes. The report may be a simple written report (Standard) or also expanded to include pictures for documentation purposes (Full Investigation). Administration is proposing to increase these fees due to a re-assessment of the staff time involved.

Burn Permits

As directed by Council, there will not be an open burn permit fee at this time. However, if the Fire Department is required to respond to a complaint where the property owner is not following the prescribed rules for open burns, the MTO rates for the emergency response should apply.

Fire Response to Un-located Utility Strike

This fee applies to a property owner or contractor that has failed to obtain a utility locate. The fee is based on MTO rates.

Fire Rescue Standby Service Request

This is a request for non-emergency service standby of fire personnel and apparatus. The fee is based on MTO rates and wages.

Fire Code Inspections

The OFMEM recommends minimum inspection criteria on an annual or bi-annual for certain occupancies in the Province of Ontario. Administration is proposing set fees based on the time required to perform such inspections. See Appendix A for a complete list of the proposed fees by facility type.

Licenses

Refreshment Vehicles

Administration has amended Schedule A to create a distinction between Refreshment Vehicles operating throughout the year and those servicing Special Events. Those who intend to operate throughout the year will be subject to the existing fees and licensing process. Those who are only attending Special Events will be subject to the fees and requirements established by the organizing committee.

Planning Services

Administration is proposing a number of modest increases to various planning department fees. These proposed fee increases are part of a multi-year strategy to reduce the cost of Planning Services on the general tax levy. Refer to schedule A of the attached for details. In contemplation of these fees, consideration was given to the amount of time required to process an application as well as the rates set by neighbouring municipalities.

Building Services

Building is proposing a few amendments to the fees currently established in By-law 16-2021. The fee increases are required to keep pace with rising operating costs and to better reflect the time required to provide each service. The proposed increases will help ensure Building Services has sufficient resources to maintain a satisfactory level of customer service which supports the growth and development of the Town.

To help streamline future fee amendments, Administration has incorporated Building Service fees into Schedule A of the Town's general Fees and Charges By-law 3-2022. All of the proposed changes to these fees are highlighted on this schedule.

By-law 4-2022, being a by-law to regulate permits issued under the Building Code Act and establish a Code of Conduct for the Chief Building Official and Inspectors reflects the removal of service fees only which have now been incorporated into the Fees and Charges By-law. This change will eliminate the need for the Building By-law to be considered each year. It will only be brought back from time to time when legislative amendments must be reflected in the by-law. By-law 4-2022 will be considered by Council on February 14, 2022 as a housekeeping matter in the By-laws section of the agenda.

Schedule D – Reduced or No Fee Services

At the January 17, 2022 Committee of the Whole Meeting, Council and Staff discussed concerns surrounding the "Reduced or No Fee" schedule in the current fees and charges by-law. Based on this discussion, it became apparent that the

current list of exemptions or reduced fees is not equitable for all of the Town's non-profit organizations, nor does it provide sufficient flexibility for management to respond to new requests from deserving non-profit groups.

To remedy this issue, Administration is proposing to eliminate Schedule D from the Fees & Charges By-law, and replace it with the following;

- i) Subject to availability, Non-profit Organizations are eligible for a 50% reduction in facility rental fees (excluding ice rental) when hosting an event or program which benefits the organization or their membership. The Non-profit fee reduction shall be authorized by the Director of Community and Development Services, or their designate.
- ii) Non-profit Organizations which host events which are accessible to the community at large and compliment Town programming or special events may be eligible for further fee reductions, based on the approval of the Director of Community and Development Services

As this change may have a significant impact on some of the regular users of Town facilities, Management does not recommend implementing these changes until 2023.

Management is asking Council to endorse the proposed changes to the Reduced or No Fee Schedule, in principle, and direct staff to solicit feedback for implementation in the 2023 fees and charges by-law.

FINANCIAL CONSIDERATIONS

With the exception of Building Services and Water Department revenues, any revenue generated from user fees will reduce the amount of revenue required from general taxation and therefore reduce pressure on the property tax rate.

ENVIRONMENTAL CONSIDERATIONS

None

CONSULTATIONS

All departments were consulted for input on revisions to the Town's fees and charges by laws.

Notice that this by-law being considered by Council has been given to the public pursuant to the Town's Notice Policy and the proposed amendments were available for viewing on the Town website.



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REVIEWED BY:



Ryan McLeod, CPA, CA
Director of Financial and IT Services
LINK TO STRATEGIC PLAN

Effectively manage corporate resources and maximize performance in day-to-day operations.

Link to Council 2021-2022 Priorities

- ☐ COVID-19 and the health and safety of the community
- ☒ Customer Service: Training, Technology, Staff, Review Standards/Level of service
- ☐ Housing: Affordability (lot sizes, developer incentives, second dwellings, density, etc.)
- ☐ Greenhouse: lights & dark sky, odours (site plan compliance, bylaws, other tools)
- ☐ Programming Increase: Youth and Seniors
- ☐ A development plan for Downtown Kingsville / Main Street
- ☐ Financial savings: Schools closings, Migration Hall
- ☐ Economic Development: strengthen tourism/hospitality
- ☐ COVID - economic recovery
- ☐ Communications: Strategy – Policy (social media), Website refresh and other tools, Public engagement
- ☐ Housing: Migrant Worker Housing – Inspections (Building/Fire), regulate, reduce, or increase
- ☐ Committees / Boards: Review and Report
- ☐ Policy Update: Procedural Bylaw
- ☐ Economic Development: diversify the economy, create local jobs, industrial, Cottam
- ☐ Infrastructure (non-Municipal): Union Water expansion & governance
- ☒ Infrastructure (Municipal): Asset Management Plan update, the infrastructure funding deficit

☐ No direct link to Council priorities