

THE CORPORATION OF THE UNITED COUNTIES

OF STORMONT, DUNDAS AND GLENGARRY

BY-LAW NO. 5249

A BY-LAW to provide for Fees and Cost Recovery Charges.

WHEREAS Section 304 of the Municipal Act, R.S.O. 2001, as amended, provides that if a municipality uses a registered collection agency in good standing under the *Collection Agencies Act* to recover debt, including taxes, payable to the municipality, the collection agency may also recover its reasonable costs of collecting the debt but those costs shall not exceed an amount approved by the municipality;

AND WHEREAS Section 391(1) of The Municipal Act, R.S.O. 2001, as amended, 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; and
- c) for the use of its property including property under its control.

AND WHEREAS Section 391(3) of the Municipal Act, R.S.O. 2001, as amended, provides that 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 Section 398(1) of the Municipal Act, R.S.O. 2001, as amended, provides that 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 398(2) of the Municipal Act, R.S.O. 2001, as amended, provides that the treasurer of a local municipality may, and upon the request of its upper-tier municipality, if any, or of a local board whose area of jurisdiction includes any part of the municipality shall , add fees and charges imposed by the municipality, upper-tier municipality or local board, respectively, to the tax roll for the following property in the local municipality and collect them in the same manner as municipal taxes:

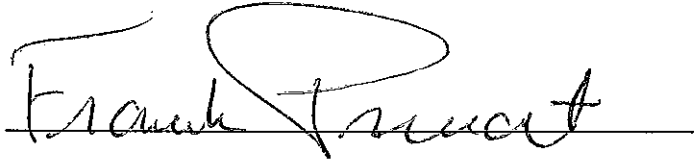
1. in the case of fees and charges for the supply of a public utility, the property to which the public utility was supplied.
2. In all other cases, any property for which all of the owners are responsible for paying the fees and charges.

NOW THEREFORE the Council of the Corporation of The United Counties of Stormont, Dundas and Glengarry enacts as follows:

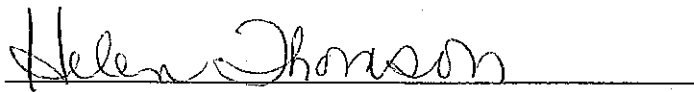
1. That the fees and charges be as in Schedule "A" attached hereto, and forming part of this By-law.
2. That By-law No. 5153, be and is hereby rescinded.
3. Fees and charges that have been imposed in accordance with this by-law that remain unpaid after the date on which they are due shall be subject to interest at a rate of 1.25% per month calculated daily.
4. Fees, charges and interest which are unpaid may be added to the tax roll of the property owned by the persons responsible for paying the fees and charges and collected in the same manner as municipal taxes.
5. The Director of Finance and Department Head have the authority to waive fees:
 - a) When a local municipality within SDG is undertaking work that requires a permit, or, the Municipality is being billed as part of a joint tender or for cost recovery purposes.
 - b) In extenuating circumstances where the charging of a fee would be considered unreasonable, impractical or not in the best interest of the Corporation.
6. No refund of any fees will be processed unless otherwise determined appropriate by Council. In no case shall a fee be refunded after a decision has been rendered on an application or a service provided.
7. All Transportation and Planning fees outlined in this by-law and its schedules shall be reviewed on an annual basis and, be changed by the Consumer Price Index (CPI) for Ontario once the CPI increase results in a fee change greater than \$5.00. Fees will be rounded to the closest \$5.00 value. The adjustment will be effective April 1st each year and be based on the annual Consumer Price Index for Ontario as at December 31st of the previous year as published by Statistics Canada.

8. Should any provision of this by-law including any provision contained in one or more of any attached schedules be determined by a court of competent jurisdiction to be invalid or void and of no force and effect, it is the stated intention of Council that such invalid provision shall be severable and the remainder of this by-law including any schedule shall continue in full force and effect.

READ and passed in Open Council, signed and sealed the 20th day of July, 2020.

A handwritten signature in cursive script, reading "Frank Prucet", written over a horizontal line.

WARDEN

A handwritten signature in cursive script, reading "Helen Johnson", written over a horizontal line.

CLERK

Schedule "A" to By-Law No. 5249

Transportation and Planning Fees

Single Move Permit	\$	70.00
Fast Track/Same Day Permit	\$	100.00
Annual Moving Permit	\$	280.00
Each Additional Combination Unit	\$	30.00
Seasonal Load Restricted Moving Permit	\$	280.00
Each Additional Combination Unit	\$	30.00
Fleet/Project/Route Restricted Moving Permit	\$	280.00
Each Additional Combination Unit	\$	30.00
Entrance Permit	\$	150.00
Road Cut Permit	\$	150.00
Plus Applicable Deposit		
Sign Permit	\$	130.00
Minor Variance (Additional)	\$	95.00
Setback Permit	\$	130.00
Minor Variance (Additional)	\$	95.00
Permit Revision (Any of the Above)	\$	25.00
Street-Side Patio Encroachment	\$	130.00
Utility Consent		
Standard		No Charge
Priority (10-Day Review)	\$	250.00
Rush (5-Day Review)	\$	450.00
Pre-Severance Review	\$	150.00
Severance Review		
Pre-severance Review completed within 6 months	\$	60.00
No Pre-Severance Review	\$	210.00
Damage to County Property		Full Cost Recovery + Processing Fee
Peer-Reviews, Professional Opinion		Full Cost Recovery + Processing Fee
Emergency Detour Route Enacted		Full Cost Recovery + Processing Fee
(Labour, Equipment, Security, Road Degradation, Standby-Costs, etc.)		

Administrative Fees

Integrity Commissioner - Closed Meeting Investigation	\$	125.00
Complaint - Integrity Commissioner	\$	125.00
Processing Fee	\$	50.00
Returned/Dishonoured Cheque	\$	50.00
Third-Party Collection Agency		Full Cost Recovery
Document Process Serving		Full Cost Recovery
Ontario Court of Justice and Superior Court of Justice Tarrif Charges		Full Cost Recovery
Any item requiring Council approval not outlined above		Full Cost Recovery

SDG Historic Jail Fees**Guided Jail Tours**

Adult (18+)	\$	10.00
Senior/Youth (12 - 17)	\$	8.00
Children (5 - 11)	\$	5.00
Children Under 5		Free
Family (2 Adults & 2 Children/Youth)	\$	25.00
Group Tours /per person (20+ People)	\$	9.00
School Groups/per Student	\$	5.00

Facility Rental

Rent Space - 5 Hours or Under	\$	125.00
Rent Space - 5 to 8 Hours	\$	150.00
Rent Space - More than 8 Hours	\$	250.00

All extended agreements will be on a case by case basis.

Additional fees will be required if staff time is required for the event.