#### THE CORPORATION OF THE MUNICIPALITY OF HURON SHORES

**BY-LAW #22-84**

**BEING A BY-LAW PRESCRIBING A TARIFF OF FEES FOR THE SERVICES OR USE OF PROPERTY IN THE MUNICIPALITY OF HURON SHORES.**

WHEREAS Subsection 391(1) of the *Municipal Act, 2001* as amended authorizes municipalities 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, for costs payable by it for services or activities provided or done by or on behalf of any other municipality or local board; and for the use of its property including property under its control;

AND WHERE AS Subsection 398(1) of the *Municipal Act, 2001* as amended provides for the addition of fees and charges imposed by the municipality or local board, respectively, to the tax roll for any property for which all of the owners are responsible for paying the fees and charges in the local municipality and collect them in the same manner as municipal taxes;

AND WHEREAS Subsection 23.1(1) of the *Municipal Act, 2001* as amended authorizes a municipality to delegate its powers and duties to a person subject to the restrictions set out in that Part;

AND WHEREAS Subsection 69(1) of the *Planning Act, R.S.O. 1990*, provides that the Council of a Municipality may by By-law 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;

AND WHEREAS Section 7 of the *Building Code Act, R.S.O. 1992*, as amended provides Council of a Municipality may pass By-laws requiring payment of fees and applications for and issuance of permits and prescribing the amounts thereof, providing for refunds of fees under such circumstances as are prescribed;

AND WHEREAS the Council of the Corporation of the Municipality of Huron Shores is desirous of establishing user fees and charges to recover some of the costs for services and rents provided by the Corporation;

AND WHEREAS pursuant to Section 398 of the *Municipal**Act***,** 2001 fees imposed pursuant to this by-law constitute a debt of the Owner to the Municipality and may be added to the tax roll of the Property to which the fees relate, and the Owner of which is responsible for paying the fee or charge and shall be collected in like manner as municipal taxes;

NOW THEREFORE The Council of the Corporation of the Municipality of Huron Shores hereby ENACTS AS FOLLOWS:

1. That the user fees, charges and rents as specified in Schedules “A”, “B”, “C”, “D”, “E”, “F”, “G”, “H” and “I” to this By-law be charged by the Corporation of the Municipality of Huron Shores for those service and activities provided by the Corporation, for costs payable by it for services or activities provided or done by or on behalf of another municipality or any local board; and for the use of property owned or under the control of the Corporation.
2. All fee and charges set out in this By-law 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.
3. In the event any fee or charge imposed herein remains unpaid after provision of the service or is otherwise in arrears in excess of 30 days, 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.
4. Council does hereby delegate to each Department Manager of the Corporation of the Municipality of Huron Shores, 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.
5. Any person who is required to pay a fee for the processing of an application in respect of a planning matter may pay the amount of the fee under protest and thereafter appeal to the Ontario Land Tribunal against the levying of the fee or the amount of the fee by giving written notice of appeal to the Ontario Land Tribunal within thirty days of payment of the fee.
6. The Ontario Land Tribunal shall hear an appeal made under Clause (5) and shall dismiss the appeal or direct that a refund payment be made to the appellant in such amount as the Tribunal determines.
7. The fees set out in the By-law shall be reviewed on an annual basis by each Department Manager prior to the adoption of the current budget and if there is a discrepancy in the fee prices, the fees set out herein supersede any fees listed in other By-laws.
8. All fees and charges listed in the attached Schedules to this By-law are subject to Harmonized Sale Tax (HST) where applicable unless specified otherwise.
9. That the following schedules attached hereto shall form part of this By-law:

Schedule “A” Corporate Services

Schedule “B” Parks and Recreation

Schedule “C” Public Works

Schedule “D” Animal Control

Schedule “E” Fire Services

Schedule “F” Planning and Zoning

Schedule “G” Building Services

Schedule “H” Waste Sites

Schedule “I” Cemeteries

1. That the following are hereby rescinded:

By-law #99-19;

By-law #99-36;

By-law #00-31;

Appendix “A” of By-law #15-48;

By-law #20-20;
Section 13. (1) of Schedule “A” of By-law #21-50;

Schedule “B” of By-law #22-45; and

Tag Fees, Live Traps and Animal Shelter Fees of By-law #22-76

11. That this by-law take effect on January 1, 2023.

Read a first, second and third time in open Council this 9th day of November, 2022.

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 MAYOR – Georges BILODEAU

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 CAO/CLERK – Natashia ROBERTS

**BY-LAW #22-84**

**SCHEDULE “A” - CORPORATE SERVICES**

|  |  |  |  |
| --- | --- | --- | --- |
| **Service Offered** |  | **2023 Fee** | **HST** |
| Tax Certificate | 3- 5 Business Days | $50.00 per Roll | Exempt |
| Expedited Tax Certificate | Requested in less than 48 hours | $75.00 per Roll | Exempt |
| Tax Statement  |  | $10.00 per Roll | Exempt |
| Duplicate Tax Bill |  | $5.00 per bill | Exempt |
| Duplicate Tax Receipt |  | $5.00 per Roll | Exempt |
| Penalty and Interest |  | 1.25% | Exempt |
| Faxes |  | $1.00 per page; (minimum $3.00) | Included |
| Photocopies – Legal or Letter | Black | $1.00 per page | Included |
|  | Colour | $3.00 per page | Included  |
| N.S.F. charge |  | $55.00 | Exempt |
| Freedom of Information Request |  | $5.00 plus $30.00 hourly  | Exempt |
| Lottery Licence |  | 3% of prize value | Exempt |
| Commissioning of Oaths |  | $20.00 | Added |
| Financial Service Administrative fee |  | 15% of invoice or $30.00 hourly; (minimum $30.00) | Added |
| Wire Transfer fee |  | $20.00 | Exempt |
| Tax Sale Tender Package |  | $10.00 | Added |
| Integrity Commissioner Complaint filing Fee (Note 1) | Infrequent Complainant | $100.00 | Exempt |
|  | Frequent Complainant | $500.00 | Exempt |

Note 1. The fee is refundable, unless the Integrity Commissioner concludes that the complaint is frivolous, vexatious, and/or not valid.

A Frequent Complainant, is one who files more than 2 complaints in any three-year period.

**BY-LAW #22-84**

**SCHEDULE “B” - PARKS AND RECREATION**

|  |  |  |  |
| --- | --- | --- | --- |
| **Service Offered** |  | **2023 Fee** | **HST** |
| Little Rapids Hall (Ward 1) | No deposit required | $100.00 per day | Added |
| Little Rapids Gazebo (Ward 1) | No deposit required | $100.00 per day | Added |
| Little Rapids Ice Rink (Ward 1) | 24” x 32” sign | $100.00 annually | Added |
| Little Rapids Ball Diamond (Ward 1) | Day | $75.00 | Added |
| Weekend | $200.00 | Added |
| Season | $500.00 | Added |
| Sowerby Hall (Ward 2) | No deposit required | $150.00 per day | Added |
| Local Charitable Organization (Note 1) | $100.00 per day | Added |
| Sowerby 12-Sided Bard (Ward 2) | $100.00 deposit required | $300.00 per day | Added |
| Local Charitable Organization (Note 1) | $200.00 per day | Added |
| Wedding package includes 3 days Barn; 1 day Hall. $300.00 deposit required | $1,000.00 | Added |
| Iron Bridge Recreation Centre (Ward 3) | Day | $125.00 | Added |
| Weekend | $350.00 | Added |
| Week | $450,00 | Added |
| Local Charitable Organization (Note 1) | $100.00 per day | Added |
| Canteen Rental | $25.00 per day | Added |
| Full Kitchen rental | 100.00 per day | Added |
| Iron Bridge Museum | Picnic Table | $5.00 per table | Included |
| Farmers Market | $5.00 per table | Included |
| Gym Membership fee (Ward 4) | Individual | $10.00 per month | Included |
| Family | $15.00 per month | Included |

Note 1. A “Local Charitable Organization” is defined as an organization set up to fundraise primarily to provide assistance to those in need locally. In the event of a dispute as to whether or not an organization fits the definition, the final ruling will be determined by Council. Further, Recreation Committees are committees of Council and distribution of Committee fundraising is at the discretion of Council.

**BY-LAW #22-84**

**SCHEDULE “C” - PUBLIC WORKS**

|  |  |  |  |
| --- | --- | --- | --- |
| **Service Offered** |  | **2023 fee** | **HST** |
| Contract Snow Plowing | Equipment; operator and treated sand | $123.85 plus treated sand | Added |
| Contract Grading | Equipment and operator | $157.00 | Added |
| Plow Truck | Equipment only (Note 1) | $88.35 | Added |
| Grader | Equipment only (Note 1) | $121.50 | Added |
| Backhoe | Equipment only (Note 1) | $113.30 | Added |
| Backhoe Bucket Thumb | Equipment only (Note 1) | $4.55 | Added |
| Tag along Trailer | Equipment only (Note 1) | $9.80 | Added |
| Operator |  | $35.50 | Added |
| Supervisor |  | $54.00 | Added |
| Easement Agreement |  | 600.00 annually | Exempt |
| Culvert Installation - initial | Equipment; operator; culvert and granular material | Property owner is responsible for all costs | Added |
| Culvert Installation – repair and/or replacement (By-law #22-44) | Damage caused by Municipality | No charge |  |
| Damage caused by owner | Property owner is responsible for all costs | Added |
| Additional Entrances and/or culverts | Equipment; operator; culvert and granular material | Property owner is responsible for all costs | Added |
| Entrance Permit Fee |  | $25.00 | Exempt |
| 911 Sign - New |  | No Charge |  |
| 911 Post - New |  | No Charge |  |
| 911 Sign - Replacement |  | $45.00 | Added |
| 911 Post - Replacement |  | $25.00 | Added |
| 911 Sign and Post Installation |  | $100.00 | Added |

Note 1. Source OPSS.PROV 127 – April 2022

**BY-LAW #22-84**

**SCHEDULE “D” - ANIMAL CONTROL**

|  |  |  |  |
| --- | --- | --- | --- |
| **Service Offered** |  | **2023 fee** | **HST** |
| Dog license (Note 1) | Spayed/Neutered dog | $10.00 | Exempt |
| Non-Spayed/Non-Neutered dog | $15.00 | Exempt |
| Dog license after deadline (Note 1) | Spayed/Neutered dog | $20.00 | Exempt |
| Non-Spayed/Non-Neutered dog | $30.00 | Exempt |
| Dog license Senior/disabled (Note 1) | Spayed/Neutered dog | $5.00 | Exempt |
| Non-Spayed/Non-Neutered dog | $7.50 | Exempt |
| Dog license Senior/disabled after deadline (Note 1) | Spayed/Neutered dog | $10.00 | Exempt |
| Non-Spayed/Non-Neutered dog | $15.00 | Exempt |
| Replacement tag |  | $10.00 | Exempt |
| Kennel License (Note 1) |  | $40.00 | Exempt |
| Kennel License after deadline (Note 1) |  | $80.00 | Exempt |
| Transfer of Kennel License |  | $11.00 | Exempt |
| Live Traps | Administration fee | $20.00 | Added |
| Deposit (refunded after return) | $80.00 | Exempt |
| Animal Shelter fees | Town of Blind River 2022 rate | $45.00 per day | Added |
| Surrender fees | Dog 15 lbs. and under | $360.00 | Added |
| Dog 16 lbs. to 40 lbs. | $365.00 | Added |
| Dog 41 lbs. to 70 lbs. | $395.00 | Added |
| Dog 71 lbs. to 100 lbs. | $415.00 | Added |
| Dog over 100 lbs. | $430.00 | Added |
| Cat | $360.00 | Added |

Note 1. Deadline for purchase March 1. After the Deadline the fee doubles, except for new residents in the first year of residence.

Veterinarian documentation required for the lower rate.

Senior 65+

**BY-LAW #22-84**

**SCHEDULE “E” - FIRE SERVICES**

|  |  |  |  |
| --- | --- | --- | --- |
| **Service Offered** |  | **2023 fee** | **HST** |
| Smoke Alarm |  | $15.00 | Added |
| Combo Smoke and Carbon Monoxide Alarm |  | $30.00 | Added |
| Inspections | During Regular hours | $50.00 per hour | Exempt |
| After Regular Hours | $100.00 per hour | Exempt |
| False Alarm (in any 12 month period) | First Call | No charge | Exempt |
| Second Call | $50.00 | Exempt |
| Third Call | $100.00 | Exempt |
| Fourth and subsequent Calls | $200 per call | Exempt |
| Fire Reports |  | $25.00 | Exempt |
| File Search |  | $25.00 | Exempt |
| Fire permits |  | $10.00 | Exempt |
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**Explanations:**

**Fire Report:** As requested in writing by business professional.

**File Search:** As requested in writing by business professional; lawyers in real estate closing, etc.

**Inspections:** As requested in writing by business professional; lawyers in real estate closing, etc. In addition, written permission from property owner required. No charge for private homeowners.

**BY-LAW #22-84**

**SCHEDULE “F” - PLANNING SERVICES**

|  |  |  |  |
| --- | --- | --- | --- |
| **Service Offered** |  | **2023 fee** | **HST** |
| Pre-consultation |  | $80.00 per hour; (minimum $240.00) | Exempt |
| Official Plan Amendment (No Amendment to Zoning By-law) |  | $2,500.00 | Exempt |
| Official Plan Amendment Accompanied by Zoning By-law |  | $3,000.00 | Exempt |
| Zoning By-law Amendment |  | $900.00 | Exempt |
| Minor Variance |  | $900.00 | Exempt |
| Planning Letter of Conformity |  | $75.00 | Exempt |
| Subdivision Plan  | Up to and including 10 lots | $3,500.00 | Exempt |
|  | 11 lots or more | $3,500.00 plus $350.00 per each additional lot PLUS costs incurred above Application fee including professional services and disbursements required to process application and verify information | Exempt |
| Condominium Plan  | Up to and including 10 units | $3,500.00 | Exempt |
| Condominium Plan | 11 units or more | $3500.00 plus $350.00 per each additional unit PLUS costs incurred above Application fee including professional services and disbursements required to process application and verify information | Exempt |
| Application for consent | One new lot | $700.00 | Exempt |
| More than one lot | $700.00 plus $350.00 per each additional lot | Exempt |
| Lot addition | $700.00 | Exempt |
| Certificate of Validation Application | One new lot | $700.00 | Exempt |
| More than one lot | $700.00 plus $350.00 per each additional lot | Exempt |
| Application to change a Condition of Provisional Consent |  | $210.00 | Exempt |
| Deeming application  |  | $400.00 | Exempt |
| Site Plan Agreement |  | $350.00 | Exempt |

Any person who is required to pay a fee for the processing of an application in respect of a planning matter may pay the amount of the fee under protest and thereafter appeal to the Ontario Land Tribunal against the levying of the fee or the amount of the fee by giving written notice of appeal to the Ontario Land Tribunal within thirty days of payment of the fee.

The Ontario Land Tribunal shall hear an appeal made under Clause (2) and shall dismiss the appeal or direct that a refund payment be made to the appellant in such amount as the Tribunal determines.
Fees are non-refundable regardless of approval or denial of application.

**BY-LAW #22-84**

**SCHEDULE “G”** - **BUILDING**

|  |  |  |  |
| --- | --- | --- | --- |
| **Service Offered** |  | **2023 fee** | **HST** |
| Building Permit – New Construction (Note 1) | Residential | $0.6125 per sq. ft. (minimum $735.00) | Exempt |
| Farm Buildings | $0.2540 per sq. ft. (minimum $635.00) | Exempt |
| Commercial, Institutional (New) | $0.7000 per sq. ft. (minimum $840.00) | Exempt |
| Industrial | $0.3040 per sq. ft. (minimum $760.00) | Exempt |
| Building Permit – Addition | Residential, Commercial | $0.5291 per sq. ft. (minimum $635.00) | Exempt |
| Farm Buildings | $0.2240 per sq. ft. (minimum $560.00) | Exempt |
| Building Permit – Renovation (if permit required) | Residential | $0.5291 per sq. ft. (minimum $635.00) | Exempt |
|  | Commercial, Institutional | $0.3040 per sq. ft. (minimum $760.00) | Exempt |
| Building Permit - Other | Accessory buildings less than 160 sq. ft. | No charge | Exempt |
| Accessory buildings greater than 160 sq. ft. | $170.00 | Exempt |
| Decks; Patios; Carports; etc. | $100.00 | Exempt |
| Demolition Permit |  | $75.00 | Exempt |
| Occupancy Permit | Temporary | $50.00 | Exempt |
| Final | $50.00 | Exempt |
| Failure to obtain permit |  | Double original fee | Exempt |

Note 1. Minimums based on following:

 Residential 1,200 sq. ft.

 Farm Buildings 2,500 sq. ft.

Commercial/Institutional 1,200 sq. ft.

Industrial 2,500 sq. ft.

**BY-LAW #22-84**

**SCHEDULE “H” - WASTE SITES**

|  |  |  |  |
| --- | --- | --- | --- |
| **Service Offered** |  | **2023 fee** | **HST** |
| Waste Disposal (all sites) | Tires | No charge |  |
| Clean unpainted wood; brush, leaves. | No charge |  |
| Metal appliances: stove; dishwasher; washer; dryer; furnace. | No charge |  |
| Fridges; freezers, air conditioner; water cooler. **(Freon must be removed and tagged by a certified technician)** | No charge |  |
| Scrap Metal | No charge |  |
| E-Waste; computers, monitors, cell phones, printers, TV’s, stereo equipment | No Charge |  |
| One half Ton | $10.00 per cubic yard; (minimum $10.00) | Exempt |
| Single Axle Trailer | $10.00 per cubic yard; (minimum $10.00) | Exempt |
| Tandem Axle Trailer | $10.00 per cubic yard; (minimum $20.00) | Exempt |
| All other truck loads | $10.00 per cubic yard; (minimum $50.00) | Exempt |
| Access by non-residents – Ward 3 Waste site | Residents of Patten or Montgomery Townships | $150.00 annually | Exempt |
| Household Refuse from Chiblow Lake Lodge Operations only | $1,000.00annually | Exempt |
| Waste Site Key Holder | Annual Agreement | $25.00  | Exempt |
| Seasonal Agreement | $25.00 | Exempt |
| Replacement Key  | $150.00 | Added |

Volume in cubic yards = length x width x height divided by 9

## Shingles, Mixed Debris or Refuse and Contaminated Soils Only

While every effort is to be made to sort and segregate waste according to designated areas,the Municipality recognizes that in some instances, this may be impossible to achieve, creating **Exceptional Cases**.

In **Exceptional Cases,** (which could be contaminated soils or mixed building debris or refuse i.e. from building construction or destruction within Municipality), this contaminated soil or mixed debris may be accepted, at the discretion of the Waste Site superintendent or his/her designate, and upon the superintendent’s direction, refuse must be deposited in the site as directed by said superintendent or designate and is subject to the fees identified below in addition to any handling fees that may be incurred to deal with said refuse.

Commercial businesses providing disposal services for mixed debris and/or contaminated soil must contact the Waste Site superintendent or designate to determine quantities and to make arrangements for disposal.

Mixed debris or contaminated refuse will only be disposed of on days that the site is open, unless there is deemed to be an emergency situation as determined by the Ministry of Environment or the Waste Site superintendent.

If at all possible, all Disposal Fees are to be paid at the Municipal Office (either in person or by mail) prior to dumping. If prepaid, the receipt must be produced to Attendant prior to disposal of refuse to verify that the waste being deposited matches the fees paid.

If it is not possible to pre-pay, the taxpayer will receive a billing slip from the Waste Site Attendant identifying type of refuse and fee to be paid. Taxpayer may pay Attendant directly, pay by electronic funds transfer, or may pay in person at, or by mail to, the Municipal Office.

**Key Holder Fees: For Access on Days other than Hours of Operation**

Access to the site during other than regular hours may be permitted only under special circumstances approved by Council and with the signing of a Key Holder Agreement.

**Access by Non-Taxpayers – Only for Ward 3 Site During Hours of Operation**

The only refuse accepted from outside the Municipality will be for household refuse by those residing in or operating Chiblow Lake Lodge in Patten and/or Montgomery Townships as per the fee schedule and with the signing of a Usage agreement.

Said non-taxpayers will be provided with a receipt which must be presented to the Waste Site Attendant upon entering the Site.

**BY-LAW #22-84**

**SCHEDULE “I” - CEMETERIES**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Service Offered** |  | **2023 Charge** | **2023 C&M** | **2023 Total** | **HST** |
| Plot fees | Single Plot | $260.00 | $290.00 | $550.00 | Added |
| Two Place Plot | $520.00 | $580.00 | $1,100.00 | Added |
| Four Place Plot | $840.00 | $1,160.00 | $2,000.00 | Added |
| Monuments & Markers (C&M only)  | Flat less than 173 sq. in | No charge | No charge |  |
| Flat 174 sq. in. and over | $50.00 | $50.00 | Added |
| Upright 4 ft. or less in height or length (including base) |  $100.00 | $100.00 | Added |
| Upright greater than 4 ft. in height or length (including base) | $200.00 | $200.00 | Added |
| Duplicate Internment Rights Certificate |  | $30.00 | Added |
| Transfer of interment rights |  | $50.00 | Added |
| Registration fee |  | $25.00 | Exempt |
| Contract modification |  | $30.00 | Added |

**C&M –** Care and Maintenance Fund

**By-law #01-28 allows for one (1) full burial and four (4) cremations to be interred in each grave site.**

Plots consist of the following:

 Single plot = 1 grave site;

 Two place plot = 2 grave sites;

 Four place plot = 4 grave sites.

**By-laws #01-28 and #13-24 allows for one (1) upright marker per plot and must be centered on the plot. Flat markers must be placed flush with the ground. Further, the “Marker Permit” must be completed prior to all installations.**