

CORPORATION OF THE COUNTY OF PERTH

BY-LAW 3482-2015

**BY-LAW TO REPEAL BY-LAW 3365-2013 and
BY-LAW 3408-2014**

**BEING A BY-LAW TO ESTABLISH FEES AND REQUIRE PAYMENT FOR
INFORMATION, SERVICES, ACTIVITIES, AND USE OF MUNICIPAL PROPERTY**

WHEREAS Section 391 of *Municipal Act, 2001, S.O. 2011, as amended*, provides that without limiting Section 9, 10 and 11 of the Act, those sections authorize a municipality to impose fees and charges on persons for services or activities provided or done by or on behalf of it and any other municipality or local board, and for the use of its property under its control;

AND WHEREAS Section 398 of *Municipal Act, 2001, S.O. 2001*, 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 69(1) of the *Planning Act, 1990, c. P. 13*, authorizes a Council to 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 or to the planning board in respect of the processing of each type of application provided for in the tariff;

AND WHEREAS the R.R.O. 1990, REGULATION 823 filed under the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56*, establishes the fees that shall be charged for the purposes of various sections of the said Act;

AND WHEREAS the R.R.O. 1990, REGULATION 945: COSTS filed under the *Provincial Offences Act, R.S.O. 1990, c. P.33* establishes the costs upon conviction for the purposes of subsection 60 (1) of the said Act, and establishes the costs and the maximum of the amounts under subsection 60 (2) of the said Act;

AND WHEREAS O. Reg. 94/14: FEES FOR COURT TRANSCRIPTS filed under the *Administration of Justice Act, R.S.O. 1990, c. A.6* establishes the fees for court transcripts;

AND WHEREAS O.Reg.584/06 provides regulations for imposing fees and charges by a municipality or local board;

County of Perth Fees Schedule

Effective September 1, 2015. (This document is available in alternate formats, upon request).

General fees and charges

Photocopies/Print	New Fee (inclusive of taxes)	HST
Photocopies & computer printouts (per page, any size, B&W or colour, single-sided)	\$.25	Yes
Photocopies & computer printouts (per page, any size, B&W or colour, double-sided)	\$.50	Yes
County Road Map (For Municipal partners - \$2.50)	\$5.00	Yes

County Promotional Items	New Fee (inclusive of taxes)	HST
Book – History of Perth County to 1967	\$15.00	Yes
Book – History of Perth County, 1967 to 2003	\$10.00	Yes
Set of both History books	\$20.00	Yes

Services	New Fee (inclusive of taxes)	HST
Document Searches (locating, researching or preparing documents) (Per hour)	\$50.00	Yes
Commissioning of affidavits/declarations and certifications of documents (other than POA and Planning)	\$25.00	No
Returned for N.S.F. or dishonoured payment (per item)	\$45.00	No

Clerk Division

Services	New Fee (inclusive of taxes)	HST
Packages of Council/Committee of the Whole Agendas and Minutes (if picked up)	\$75.00	Yes
Packages of Council/Committee of the Whole Agendas and Minutes (if mailed)	\$100.00	Yes

Freedom of Information Requests (MFIPPA) ¹ - Charges for requests for general or personal information	New Fee (inclusive of taxes)	HST
Application Fee	\$5.00	No
Records provided on CD-ROMs (per CD-ROM)	\$10.00	No
Search time for the record (per each 15 minutes)	\$7.50	No
Preparation of record for disclosure (per each 15 minutes)	\$7.50	No
Producing a record from a machine readable record (per each 15 minutes)	\$15.00	No
Additional costs in locating, retrieving, processing and copying the record	Actual Cost	No

¹ MFIPPA = Municipal Freedom of Information and Protection of Privacy Act & R.R.O 1990 Ontario Regulation 823

Archives Division

Admission	New Fee (inclusive of taxes)	HST
Out of County admission fee (per day)	\$5.00	Yes
Out of County Admission Fee (per year)	\$30.00	Yes

Photocopies / Print	New Fee (inclusive of taxes)	HST
Photo / Image Prints (per item)	\$15.00	Yes
Photo / Image Scans (per image, sent electronically)	\$10.00	Yes
Blank CDs	\$1.00	Yes

Services	New Fee (inclusive of taxes)	HST
Specific inquiry (dates provided) (per item)	\$5.00	Yes
Letter of Certification for Photocopied Documents (per document)	\$5.00	Yes
Custom Conservation Work (per hour, including materials)	\$50.00	Yes
General Research Fee (per hour)	\$30.00	Yes

Provincial Offences Administration Division

(These are legislated fees, and are subject to change)

Transcripts	New Fee (inclusive of taxes)	HST
Transcripts – Per page (\$50 deposit required prior to commencement of work); (Minimum fee per transcript of \$20; Additional per page \$4.30; Expedited service – within 5 days, \$6/page; within 24 hours, \$8 per page)	\$20 Minimum	No
Additional copies of same transcript (per page)	\$.55	No
Transcript – electronic version (in addition to per page charges – no charge if ordered at same time as hardcopy original)	\$20.00	No

Collection Costs	New Fee (inclusive of taxes)	HST
Collection costs on defaulted fines (of overdue amount)	Applicable %	Yes
Collection Administration Fee – Municipal (per file)	\$20.00	No
Collection Administration Fee – Provincial (per file)	\$20.00	No

Court Costs	New Fee (inclusive of taxes)	HST
Court Costs (per ticket)	\$5.00	No
Court Costs – Fail to Respond docket conviction (per ticket)	\$5.00	No
Court Costs – Part I Sentenced in Absentia (per ticket)	\$10.00	No

Court Costs	New Fee (inclusive of taxes)	HST
Court Costs – Part II Sentenced in Absentia (per ticket, \$16 when convicted on CRC / \$12.75 when SIA at trial)	\$16.00	No
Court Costs – Part III Sentenced in Absentia (per count)	\$30.00	No

Planning Division

Copies and Maps	New Fee (inclusive of taxes)	HST
County Official Plan (OP) Text (per document)	\$50.00	Yes
County OP and Member Municipality portion of Schedule A or B or C (28"x32" plotter)	\$40.00	Yes
County OP and Member Municipality portion of Schedule A or B or C (11"x17" printer)	\$10.00	Yes

GIS Mapping, Databases or Graphics – Extra charge for materials	New Fee (inclusive of taxes)	HST
Custom Photography Based Map (8.5"x11")	\$5.00	Yes
Custom Request – Labour and material charges (per hour, plus \$10.00 per linear foot) Estimates provided prior to commencement of work.	\$80.00	Yes

County Official Plan (OP) Amendment	New Fee (inclusive of taxes)	HST
County OP Amendment (Legal fees for third party appeal and costs for any required review of studies).	\$1600.00	Yes
County OP Amendment – Revision to an application that is in progress.	\$350.00	No

Plan of Subdivision / Condominium / Part Lot Control	New Fee (inclusive of taxes)	HST
Removal of part lot control: basic fee (plus \$150 per parcel created after parcel)	\$500.00	No
Request to amend conditions of draft approval	\$300.00	No
Subdivision / condominium (up to 20 lots/unit), plus legal fees for 3 rd party appeal	\$2,000.00	No
Subdivision / condominium (21-50 lots/unit), plus legal fees for 3 rd party appeal	\$4,000.00	No
Subdivision / condominium (51 or more lots/unit), plus legal fees for 3 rd party appeal	\$6,000.00	No
Amendments to an in-process application	\$300.00	No
Requests to extend draft plan approval period	\$300.00	No

Consent / Severance	New Fee (inclusive of taxes)	HST
Consent / severance validation of title (per application per lot)	\$1500.00	No
Consent / severance validation of title – amending an application or amending conditions of provisional consent plus legal and planning costs for 3 rd party appeals to OMB	\$300.00	No
Notice sign (applicable only when sign not returned following County decision)	\$100.00	No

Ontario Municipal Board (OMB) Hearings	New Fee (inclusive of taxes)	HST
Attend OMB of behalf of applicant to defend Official Plan or Zoning By-Law Amendment, Temporary-Use By-Law, Plan of Subdivision, Condominium Plan, Site Plan Control Approval, and Committee of Adjustment – half-day, per person.	\$500.00	Yes
Attend OMB of behalf of applicant to defend Official Plan or Zoning By-Law Amendment, Temporary-Use By-Law, Plan of Subdivision, Condominium Plan, Site Plan Control Approval, and Committee of Adjustment – full-day, per person.	1000.00	Yes

Roads Division

Permits	New Fee (inclusive of taxes)	HST
Entrance application fee / entrance fee - residential	\$100.00	Yes
Entrance application fee/ entrance fee – commercial / industrial	\$200.00	Yes
Encroachment permit on County highway fee (includes 1.5 hours of staff time; additional hours will be charged out at \$65 / hour, plus expenses (legal, survey)	\$100.00	Yes
Travel Permit, single trip, for oversized load	\$20.00	Yes
Travel Permit, annual, for oversized load (for the initial vehicle in a fleet, with a \$20.00 fee for each additional vehicle)	\$200.00	Yes
Work Permit on Municipal right of way (other than utilities)	\$100.00	Yes
Sign Permit (Permanent only. Temporary not included).	\$50.00	Yes

Other Fees	New Fee (inclusive of taxes)	HST
Tender package	\$40.00	Yes
Construction Plans / Drawings (Printed)	\$15.00	Yes
Detailed traffic count	\$110.00	Yes
Temporary street closure (labour and materials)		Yes

Paramedic Services Division

Reports and Requests	New Fee (inclusive of taxes)	HST
Ambulance Call Report (ACR)	\$60.00	Yes
Incident Reports	\$30.00	Yes
Ambulance Vehicle Log	\$30.00	Yes
Paramedic / Staff Interviews (insurance / Legal request), per hour.	\$125.00	Yes

AND WHEREAS on May 23, 2013 the Council of the Corporation of the County of Perth adopted By-law 3365-2013 being a By-law to establish fees and charges under various Acts and Regulation;

AND WHEREAS on April 3, 2014 the Council of the Corporation of the County of Perth adopted By-law 3408-2014 being a By-law to amend By-law 3365-2013 by removing Schedule "A" adopted on May 23, 2013 and replacing it with a new Schedule "A";

AND WHEREAS the Council of the Corporation of the County of Perth is desirous and deems it expedient to repeal said By-law 3365-2013 and By-law 3408-2014;

NOW THEREFORE the Council of the Corporation of the County of Perth enacts as follows:

1. The fees and charges for information, service, activity, use of property provided by the Corporation of the County of Perth, are hereby set out in Schedule "A" of this By-law;
2. No request by any person, or their agent, for any information, service, activity or use of property described in Schedule "A" will be processed or provided by the County unless and until the person or their agent, requesting the information, service, activity or use of property has paid the applicable fee in the prescribed amount as set out in Schedule "A" or this By-law;
3. The fees as listed in Schedule "A" of this By-law are subject to the Harmonized Sales Tax (H.S.T.) where applicable. Should the legislation change or subsequent interpretations be released that may change the applicability of these taxes, then County of Perth staff will immediately undertake to apply the proper tax to the fee;
4. All fees may be subject to the applicable administrative charges and interest charges as set by the Corporation of the County of Perth;
5. Any fees as listed in Schedule "A" of this By-law governed by legislation will be automatically updated on the respective schedule as per the requisite legislative amendment;
6. This By-law shall be known as the "Fees and Charges By-law";
7. Schedule "A" shall be deemed as forming part of this By-law;

8. Should any part of this By-law, including Schedule "A", be determined by a Court of competent jurisdiction to be invalid or of no force and effect, it is the stated intention of the Council of the County of Perth that such invalid part of the By-law shall be severable and that the remainder of this By-law including the remainder of Schedule "A", as applicable, shall continue to operate and to be in force and effect;
9. That By-law 3365-2013 and By-law 3408-2014 are hereby repealed;
10. That this By-law comes into force and effect as of September 1, 2015.

Read a first and second time this 3rd day of September, 2015.

Read a third time and finally passed this 3rd day of September, 2015.

Original signed by

Robert Wilhelm, Warden

Original signed by

Jill Bellchamber-Glazier, Clerk