

THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA

BY-LAW NUMBER 26-2008

BEING A BY-LAW TO PROVIDE FOR ESTABLISHING TARIFF OF FEES FOR FIRE DEPARTMENT SERVICES AND TO REPEAL BYLAW NUMBER 14-2007

WHEREAS Section 220.1 of the Municipal Act, R.S.O. 1990, c.M45, as amended by Section 10 of Schedule M of the Savings and Restructuring Act, 1996, being Bill 26, provides that the Council may by bylaw impose fees for services and activities provided or done by or on behalf of the Corporation of the Township of East Garafraxa.

AND WHEREAS it is expedient to impose fees for certain services provided by *Fire Departments servicing the Township of East Garafraxa*.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA ENACTS AS FOLLOWS:

Part 1

DEFINITIONS

1. Definitions

In this Bylaw:

1.1 Non-Resident - defined

“Non-Resident” shall mean any person who does not reside in the Township of East Garafraxa or who is not the owner or tenant of land in the Township of East Garafraxa or who is not the spouse of an owner or tenant of land in the Township of East Garafraxa.

1.2 Resident - defined

“Resident” shall mean any person who does reside in the Township of East Garafraxa or who is the owner or tenant of land in the Township of East Garafraxa or who is the spouse of an owner or tenant of land in the Township of East Garafraxa.

1.3 False Alarms - defined

“False Alarms” shall mean a fire alarm when there is no fire.

1.4 Owner - defined

“Owner” shall include a mortgagee, lessee, tenant, occupant, a person entitled to a limited estate in land, a trustee in whom land is vested, a committee of the estate of a mentally incompetent person, an executor, an administrator and a guardian.

1.5 Council - defined

“Council” means the Council of the Corporation of the Township of East Garafraxa.

1.6 Corporation - defined

“Corporation” means the Corporation of the Township of East Garafraxa.

1.7 Municipality - defined

“Municipality” means the Corporation of the Township of East Garafraxa.

Part 2

VEHICLE ACCIDENT RESPONSE FEES

- 2.1 On every occasion where the vehicles, equipment and personnel of *the Town of Erin Fire Department, the Grand Valley and District Fire Department or the Orangeville Fire Department* respond to a call or incident on a roadway in East Garafraxa Township under the jurisdiction of the Province of Ontario, and such call or incident involves a motor vehicle owned by a resident or non-resident, a fee shall be charged to the Province of Ontario. For incidents requiring the response of *the Grand Valley and District Fire Department* the fees as set forth on Schedule "A" which is attached hereto, and forms part of this by-law, shall be charged. For incidents requiring the response of *the Town of Erin Fire Department or the Town of Orangeville Fire Department*, the actual cost to the Township of East Garafraxa shall be charged.
- 2.2 On every occasion where the vehicles, equipment and personnel of *the Town of Erin Fire Department, the Grand Valley and District Fire Department or the Orangeville Fire Department* respond to a call or incident on any roadway in East Garafraxa Township under the jurisdiction of the County of Dufferin, and such call or incident involves a motor vehicle owned by a resident or non-resident, a fee shall be charged to the County of Dufferin. For incidents requiring the response of *the Grand Valley and District Fire Department* the fees as set forth on Schedule "A" which is attached hereto, and forms part of this by-law, shall be charged. For incidents requiring the response of *the Town of Erin Fire Department or the Town of Orangeville Fire Department*, the actual cost to the Township of East Garafraxa shall be charged.
- 2.3 On every occasion where the vehicles, equipment and personnel of *the Town of Erin Fire Department, the Grand Valley and District Fire Department, or the Orangeville Fire Department* respond to a call or incident on any roadway under the jurisdiction of the Township of East Garafraxa, The Province of Ontario or the County of Dufferin where such call or incident involves Consumers Gas, Ontario Hydro or Bell Canada, a fee shall be charged to the utility operator. For incidents requiring the response of *the Grand Valley and District Fire Department* the fees as set forth on Schedule "A" which is attached hereto, and forms part of this by-law, shall be charged. For incidents requiring the response of *the Town of Erin Fire Department or the Town of Orangeville Fire Department*, the actual cost to the Township of East Garafraxa shall be charged.
- 2.4 On every occasion where the vehicles, equipment and personnel of *the Town of Erin Fire Department, the Grand Valley and District Fire Department or the Orangeville Fire Department* respond to a call or incident on any roadway in East Garafraxa Township and where such call or incident involves a motor vehicle owned by a resident or non-resident, and fees have not been collected under Section 2.1 to 2.3, such resident or non-resident motor vehicle owner will be charged. For incidents requiring the response of *the Grand Valley and District Fire Department* the fees as set forth on Schedule "A" which is attached hereto, and forms part of this by-law, shall be charged. For incidents requiring the response of *the Town of Erin Fire Department or the Town of Orangeville Fire Department*, the actual cost to the Township of East Garafraxa shall be charged.
- 2.5 Fees charged under Sections 2.1 to 2.4 shall be charged by the Secretary-Treasurer of *the Grand Valley and District Fire Department*, and/or the Treasurer of the Township of East Garafraxa. Fees collected by the Secretary-Treasurer of *the Grand Valley and District Fire Department* shall be deposited in the respective fire department accounts. Fees collected by the Treasurer of the Township of East Garafraxa shall be deposited in the General Account of the Township of East Garafraxa.

Part 3

FALSE ALARMS RESPONSE FEES

3.1 Notification Required - work on alarm system

No person shall undertake any work on any fire alarm system, without first notifying the applicable fire department.

3.2 Fees - False Alarms - Frequent

When the vehicles, equipment and personnel of *the Town of Erin Fire Department, the Grand Valley and District Fire Department, or the Orangeville Fire Department* respond to false alarms, described in Items 1 and 2 of Column 1 of Schedule "B" attached hereto, the owner of the property at which the false alarm has occurred will be charged. For incidents requiring the response of *the Grand Valley & District Fire Department* the applicable false alarm response fee set out in Items 1 and 2 of Column 2 of Schedule "B" which is attached hereto and forms part of this by-law, will be charged. For incidents requiring the response of *the Town of Erin Fire Department or the Town of Orangeville Fire Department*, the actual cost to the Township of East Garafraxa will be charged.

3.3 Fees - Payable on or before due date

The Treasurer of the Township of East Garafraxa, or the Secretary-Treasurer for *the Grand Valley and District Fire Department* shall mail or cause to be mailed no less than 60 days prior to the due date identified therein an invoice for the applicable false alarm response fee to the property owner of a property at which a false alarm occurred.

3.4 Fees - Non payment - Collected like taxes

A false alarm response fee imposed upon an owner under Sections 3.1 and 3.2 of this by-law is a lien and charge upon the property of the owner at which a false alarm occurred and if the fee or any part thereof remains unpaid after the due date, the amount unpaid may be collected by distress upon the goods and chattels of such owner, or the Township Clerk upon notice to the owner of the amount due, the person by whom it is due and the property upon which a lien is claimed, shall enter the same upon the collector's roll and the Tax Collector shall proceed to collect it in the same way as municipal taxes are collected.

3.5 Fees - Non payment - Interest penalty

The Tax Collector shall add to the amount of any false alarm response fee due and unpaid interest at the rate of 1-1/4 percent per month for each month from the month in which the payment of the false alarm response fee was due and payable until the said fee is paid.

Part 4

INSPECTION AND MISCELLANEOUS FEES

4.1 Fees shall be charged for inspections and written responses to written requests relating to outstanding orders under the fire code or any act, regulation or fire services by-law(s).

4.2 Fees for services provided under Section 4.1 shall be in accordance with Schedule "B", which is attached hereto and forms part of this by-law for *the Grand Valley & District Fire Department* and/or the actual fees charged by *the Town of Erin Fire Department or the Town of Orangeville Fire Department* to the Township of East Garafraxa.

Part 5

**FAILURE TO ACQUIRE BURNING PERMIT ~
FIRE RESPONSE CHARGES**

5.1 Burning Permits

No person shall light, ignite or start, or allow or cause to be lighted, ignited or started, a fire of any kind whatsoever in the open air without first having obtained a written permit so to do from the Clerk of the Township of East Garafraxa or member of the staff of the Township of East Garafraxa.

5.2 Charges - Failure to Obtain a Burning Permit

Any person who lights, ignites or starts or allows or causes to be lighted, ignited or started, a fire of any kind whatsoever in the open air and who by his action causes the summons of a fire truck and fire brigade from *the Town of Erin Fire Department, the Grand Valley and District Fire Department, or the Town of Orangeville Fire Department*, without a valid permit, shall be responsible to the Township of East Garafraxa for expenses thereby incurred.

5.3 Charges - Payable on or before the Due Date

The Treasurer of the Township of East Garafraxa, shall mail or cause to be mailed an invoice for the applicable charges to the owner of a property at which a call occurred.

5.4 Charges - Non Payment - Collected like Taxes

All charges incurred as a result of a call under Section 5.2 of this bylaw is a lien and charge upon the property of the owner at which the call occurred and if the charge or any part thereof remains unpaid after the due date, the amount unpaid may be collected by distress upon the goods and chattels of such owner, or the Township Clerk upon notice to the owner of the amount due, the person by whom it is due and the property upon which a lien is claimed, shall enter the same upon the collector's roll and the Tax Collector shall proceed to collect it in the same way as municipal taxes are collected.

5.5 Charges - Non Payment - Interest Penalty

The Tax Collector shall add to the amount of any charge due and unpaid interest at the rate of 1 1/4 percent per month for each month from the month in which the payment of the charge was due and payable until the said charge is paid.

Part 6

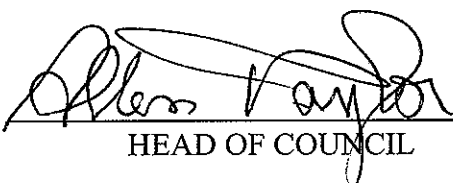
ENACTMENT

6.1 This by-law shall take effect and come into force on 1st of July, 2008.

6.2 By-law #14-2007 is hereby repealed.

BY-LAW READ A FIRST AND SECOND TIME THIS 24th DAY OF JUNE 2008.

BY-LAW READ A THIRD TIME AND PASSED THIS 24th DAY OF JUNE 2008.



HEAD OF COUNCIL



CLERK

SCHEDULE "A"

BY-LAW NUMBER 26-2008

VEHICLE INCIDENT SERVICE RESPONSE FEES

RESPONSE DURATION	SERVICE FEE
for the first hour	\$420.00 for each fire department vehicle attending.
for every additional half hour or part thereof	\$210.00 for each vehicle attending
for responding to a call where services not required	\$420.00 flat fee

SCHEDULE "B"

BY-LAW NUMBER 26-2008

FALSE ALARM RESPONSE FEES

DESCRIPTION	FEES
1. Two or more false fire alarms to the same building in any in any thirty day period.	1. \$300.00 flat fee for the second false fire alarm and for any subsequent false fire alarm in that thirty day period.
2. Four or more false fire alarms to the same building in any twelve month period.	2. \$300.00 flat fee for the fourth false fire alarm and subsequent false fire alarm in that twelve month period.

INSPECTION & MISCELLANEOUS FEES

Residential Inspections	\$ 100.00 each
Commercial Inspections	\$ 200.00 each
Industrial Inspections	\$ 200.00 each
Apartments	\$ 100.00 for building plus \$10/apartment
Requests for Fire Reports	\$ 50.00 each
Miscellaneous	\$ 50.00 each

NOTE: For inspections - resident requests are excluded ~ only pertains to insurance companies, lawyer offices, and real estate transactions.