

THE CORPORATION OF THE TOWN OF GEORGINA
IN THE
REGIONAL MUNICIPALITY OF YORK

BYLAW NUMBER 2023-0063 (FI-4)

BEING A BYLAW TO ESTABLISH FIRE AND EMERGENCY SERVICES FEES IN THE TOWN OF GEORGINA, IN THE REGIONAL MUNICIPALITY OF YORK

WHEREAS the Council of the Town of Georgina may, pursuant to the Municipal Act, 2001 and the Fire Protection and Prevention Act, 1997, both as amended, establish a Fire Department to provide firefighting and fire protection services and to participate in an emergency services program;

AND WHEREAS the Council of The Corporation of the Town of Georgina has established a fire department, being the Georgina Fire Department (also known as Georgina Fire & Rescue Services) to deliver firefighting and related emergency services;

AND WHEREAS Section 391 of the Municipal Act, 2001, as amended, authorizes a municipality to impose fees or charges for services or activities provided or done by or on behalf of the municipality;

BE IT THEREFORE ENACTED BY THE COUNCIL OF THE TOWN OF GEORGINA:

1. DEFINITIONS:

In this by-law,

- 1.1 "Council" shall mean the Council of The Corporation of the Town of Georgina;
- 1.2 "Fee" shall mean an amount charged to a person for services or activities provided or done by or on behalf of the Georgina Fire Department or the Town, and "Charge" shall have a corresponding meaning;

- 1.3 "Firefighting and/or Emergency Services" shall mean and include all services related or incidental to the prevention, control, investigation and suppression of fires and the protection of lives, property and the environment;
- 1.4 "Georgina Fire Department" (also known as Georgina Fire & Rescue Services) shall mean the fire department established by Council, being a fire department within the meaning of the *Municipal Act, 2001* and the *Fire Protection and Prevention Act, 1997*, both as amended;
- 1.5 "Motor Vehicle" has the same meaning as prescribed in the *Highway Traffic Act*, as amended;
- 1.6 "Motor Vehicle Incident" shall mean a motor vehicle, water craft, snowmobile, ATV, tractor accident/incident, fire or spill on any property in the Town or on Lake Simcoe or any body of water within the Town, at the scene of which the Georgina Fire Department has attended;
- 1.7 "Non-resident" shall mean an individual who resides outside the geographical boundaries of the Town, and shall include a person who is neither a property owner nor a tenant on property within the Town;
- 1.8 "Person" shall mean an individual human being, their heirs, estate trustees or other legal representatives, a corporation with or without share capital, an association, firm, partnership or private club, or any other entity to whom the term can apply according to law;
- 1.9 "Property" shall mean any public or private real property within the Town, including buildings, structures and erections of any nature or kind in or upon such lands, but shall exclude real property owned by the Federal or Provincial Crown;
- 1.10 "Property Owner" shall mean the registered owner of a property or any person having control over or possession of a property or any portion thereof, including, without limiting the foregoing, a property manager, mortgagee in possession, receiver and manager, trustee, or trustee in bankruptcy;
- 1.11 "Resident" shall mean any person residing as a tenant or an owner of a property in the Town;

- 1.12 "Town" shall mean The Corporation of the Town of Georgina, including the geographic area thereof, as the context may require.

2. FEES

- 2.1 Should the Georgina Fire Department be requested to complete inspections, produce reports and/or provide any of the services described in Schedule "A" attached to this by-law, the Property Owner, Resident or other Person requiring such inspections, reports and/or services shall be charged the fees stipulated in Schedule "A" attached to this by-law for such inspections, reports and/or services.

- 2.2 Should the Georgina Fire Department provide Firefighting and/or Emergency Services at a Property and determine that it is necessary to retain a private contractor, rent special equipment, or use additional materials (all of which are referred to hereinafter as "Additional Expenses") in order to (i) extinguish a fire, (ii) secure or preserve life, property or evidence, (iii) prevent a fire from spreading, (iv) assist with a rescue, (v) control and/or eliminate an emergency, and/or (vi) conduct an investigation, the Property Owner shall be charged for the Additional Expenses incurred by the Georgina Fire Department in connection therewith, as stipulated in Schedule "A" attached to this by-law.

3. GENERAL PROVISIONS

- 3.1 All fees prescribed by this by-law shall be payable to the Town.

- 3.2 The following methods of payment will be accepted for the payment of fees imposed by this by-law:

(a) Cash;

(b) Cheque payable to The Corporation of the Town of Georgina;

(c) Money Order payable to The Corporation of the Town of Georgina;

(d) Credit Card;

(e) Debit Card.

- 3.3 The Georgina Fire Department and/or the Town shall provide an invoice to each Person upon whom a fee is imposed under this by-law, at the discretion of the Fire Chief and/or his/her designate, and such person shall pay the fee within thirty days of receipt of such invoice. Such invoice may be delivered by way of email and/or ordinary mail sent to the Person's home address, or, in the case of a Property Owner, to the Property Owner's last-known address as recorded on the Town's assessment roll. In addition, a copy of such invoice may be sent to the Property Owner's insurance company.
- 3.4 Receipt of an invoice shall be deemed to have occurred:
- (a) five (5) days after mailing by ordinary mail if delivered to an address within the Town of Georgina;
 - (b) seven (7) days after mailing by ordinary mail if delivered to an address outside the Town of Georgina;
 - (c) three (3) days after sending by email.
- 3.5 Any fees that are owed to the Town and unpaid are a debt to the Town, and may, together with all interest and penalties accrued thereon, be collected by the Town in the same manner as municipal taxes.
- 3.6 All provincial and federal taxes applicable to the fees set out in Schedule "A" will be payable in addition to the said fees.

4. CONFLICTING LEGISLATION

- 4.1 Where there is any conflict between the provisions of this by-law and the provisions of the *Municipal Act, 2001* or the *Fire Protection and Prevention Act, 1997*, both as amended, or any other applicable provincial legislation, the provisions of the applicable legislation shall prevail to the extent of the conflict.

5. VALIDITY AND SEVERABILITY

- 5.1 Notwithstanding that any section, subsection, clause, paragraph or provision of this by-law or any part thereof may be declared by a court of competent jurisdiction to be invalid, unenforceable, illegal or beyond the powers of Council to enact, such section, subsection, clause, paragraph or part

thereof shall be deemed to be severable, and all other sections, subsections, clauses, paragraphs and parts of this by-law shall be deemed to be separate and independent therefrom and enacted as such. For greater certainty, such declaration shall not affect the validity or enforceability of any other provision of this by-law.

- 5.2 Whenever any reference is made in this by-law to a statute of the Legislature of the Province of Ontario, such reference shall be deemed to include all subsequent amendments to such statute and all successor legislation to such statute.

6. ENFORCEMENT

- 6.1 The provisions of this by-law shall be administered and enforced by the Georgina Fire Department and/or the Finance Department of the Town.

7. REPEAL / TRANSITIONAL PROVISION


- 7.1 By-law No. 2021-0075 (FI-4) is hereby repealed. Notwithstanding the foregoing, any fees invoiced pursuant to said By-law No. 2021-0075 (FI-4) before October 1, 2023 shall remain payable and collectable in accordance therewith.

8. FORCE AND EFFECT

- 8.1 This by-law shall come into force and effect on September 1, 2023.

READ AND ENACTED this 2ndth day of August, 2023.


Margaret Quirk, Mayor


Rachel Dillabough, Town Clerk

**TOWN OF GEORGINA
 GEORGINA FIRE & RESCUE SERVICES
 SERVICE FEES BY-LAW 2023-xxxx(FI-4)
 SCHEDULE "A"**

ITEM	GOODS/SERVICES PROVIDED	UNIT OF MEASURE	RATE AT EFFECTIVE DATE OF BY-LAW (BEFORE TAX)	HST 13% (Y/N)	ADDITIONAL DESCRIPTION	ANNUAL 3% INCREASE ON JANUARY 1 ST COMMENCING IN 2025
1	Request – Incident/Fire Report	Per Report	\$132.00	Y		3%
2	Request – Investigation Report	Per Report	\$265.00	Y		3%
3	File Search – Single Occupancy	Per Request	\$132.00	Y	Request per Occupancy (Single)	3%
	File Search – Multi Units (up to 5)	Per Request	\$170.00	Y	Multi tenant units up to 5 units	3%
	File Search – Multi Units (6 or more)	Per Request	\$188.00	Y	Multi tenant units 6 or more	3%
4	Annual Open Air Burn Permit	Per Application	\$40.00	Y	Calendar Year (January to December)	3%
5	Annual Agricultural Burn Permit	Per Application	\$0.00	Y	Calendar Year (January to December)	3%
6	Fire Extinguisher Training	Per Request	\$350.00	Y	Maximum 20 participants	3%
7	Request – Fire Safety Plan Review	After initial and 2 nd Review	\$100.00	Y	After Initial and 2 nd review	3%
8	Fireworks Permit – Family	Per Application	\$0.00	Y	Currently covered under Licensing By-law	3%
9	Fireworks Permit – For Sale Inspection	Per Site/Vendor	\$0.00	Y	Currently covered under Licensing By-law	3%
10	Fireworks Permit (theatrical)	Per Application	\$80.00 per hour (minimum one hour)	Y	Currently covered under Licensing By-law	3%
11	Renewal – Refreshment Vendor License	Per Inspection	\$0.00	Y	Currently covered under Licensing By-law	3%
12	Request – Refreshment Vendor License Inspection	Per Inspection	\$0.00	Y	Currently covered under Licensing By-law	3%
13	Request – LLBO Inspection	Per Inspection	\$160.00	Y	Special Occasions, Patios and Premises Currently covered under Licensing By-law	3%

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14	Request – Trade Show and Special Function Inspection	Per Inspection	\$80.00 per hour (minimum one hour)	Y	Currently covered under Licensing By-law	3%
15	Request – Tent/Marquee Inspection	Per Application	\$80.00 per hour (minimum one hour)	Y	Greater than 9 square metres	3%
16	Request – Load Occupancy	Per Site	\$80.00 per hour (minimum one hour)	Y		3%
17	Request – Other Inspections/Document Reviews	Per Review	\$80.00 per hour (minimum two hour)	Y	Submissions for alternate solutions that require lengthy review from Fire Prevention Staff	3%
18	Request/Complaint – Accessory Apartment Inspection	After initial and 2 nd Inspection	\$240.00	Y	After initial and 2 nd inspection (\$240.00 for each additional inspection)	3%
	Request/Complaint – Multi Storey/Multi Unit Buildings Inspection (0-6 storeys)	After initial and 2 nd Inspection	\$300.00	Y	After initial and 2 nd inspection (\$240.00 for each additional inspection)	3%
19	Request/Complaint – Multi Storey/Multi Unit Buildings Inspection (7+ storeys)	After initial and 2 nd Inspection	\$600.00	Y	After initial and 2 nd inspection (\$240.00 for each additional inspection)	3%
20	Request – Board and Lodging Home Inspection	After initial and 2 nd Inspection	\$240.00	Y	After initial and 2 nd inspection (\$240.00 for each additional inspection)	3%
21	Request – For Profit Group Homes/Special Care Vulnerable Occupancies Inspection	Per Request	\$240.00	Y	Initial and 2 nd inspection (\$240.00 for each additional inspection)	3%
22	Request – Foster/Associate Family Home Inspection	Per Request	\$240.00	Y	Initial and 2 nd inspection (\$240.00 for each additional inspection)	3%
23	Request – Day Care Nursery Centre Inspection	Per Request	\$160.00	Y	Initial and 2 nd inspection (\$160.00 for each additional inspection)	3%

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24	Complaint – Inspections for: <ul style="list-style-type: none"> • Board and Lodging Homes • For Profit Group Homes/Special Care – Vulnerable Occupancy • Foster/Associate Family Homes • Day Care Nursery Centres • Day Care Home 	After initial and 2 nd Inspection	\$240.00	Y	After initial and 2 nd inspection (\$240.00 for each additional inspection)	3%
25	Request/Complaint – Commercial/Industrial Inspection	After initial and 2 nd Inspection	\$240.00	Y	After initial and 2 nd inspection (\$240.00 for each additional inspection)	3%
26	Request/Complaint – Assembly Occupancies: Churches, Public and Private Schools, etc. Inspection	After initial and 2 nd Inspection	\$240.00	Y	After initial and 2 nd inspection (\$240.00 for each additional inspection)	3%
27	Request/Complaint – Propane Storage & Handling Facility Inspection	Per Request	\$240.00	Y	Initial and 2 nd inspection (\$240.00 for each additional inspection)	3%
28	Request – Risk Safety Management Plans	Existing plan review	\$300.00	Y	Initial and 2 nd review (\$300.00 for each additional review)	3%
	Request – Risk Safety Management Plans	New/Modified plan review	\$600.00	Y	Initial and 2 nd review (\$600.00 for each additional review)	3%
	Request – Risk Safety Management Plans	Existing plan review greater than 5,000 USWG	\$2,700.00	Y	Initial and 2 nd review (\$2,700.00 for each additional review)	3%
	Request – Risk Safety Management Plans	New/Modified plan review greater than 5,000 USWG	\$3,100.00	Y	Initial and 2 nd review (\$3,100 for each additional review)	3%
29	Request/Complaint – Marijuana Grow Operation Inspection	Per Request	\$350.00	Y	Initial and 2 nd inspection (\$350.00 for each additional inspection)	3%
30	Request/Complaint – illegal Grow Operation/Lab Inspection	Per Site	MTO RATES and/or Vehicle and Staff Costs	Y	Initial and 2 nd inspection (MTO RATE for each additional inspection)	n/a

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31	Request – Short Term Rentals (STRA) and Bed & Breakfast Inspection	Per Request	\$160.00	Y	Currently covered under Licensing By-law	3%
32	Request/Complaint – Building site Plan Reviews/Professional Services	Per Request	\$80.00 per hour (minimum one hour)	Y	Currently covered under Building Application Fees	3%
33	Request/Complaint – Salvage Yard License	Per Request	\$80.00 per hour (minimum one hour)	Y	Currently covered under Licensing By-law	3%
34	Request/Complaint – Other Professional Services not listed above, i.e. film location inspections	Per Request	\$240.00	Y	Initial and 2 nd review (\$240.00 for each additional review)	3%
35	Any addition expenses incurred, i.e. cost of peer reviews	Per Request	Actual Cost Recovery	Y		3%
36	Attending a False Alarm after second and subsequent alarms within the calendar year	Per Property	MTO RATES	Y	Current Ministry of Transportation rates applied	n/a
37	Attendance of each fire apparatus needed to extinguish or control Open Air Burning	Per Property	MTO RATES	Y	Current Ministry of Transportation rates applied	n/a
38	Attendance of each fire apparatus needed for ice or water rescues/incidents	Per Incident	MTO RATES	Y	Current Ministry of Transportation rates applied	n/a
39	Attendance of each fire apparatus needed for Motor Vehicle fires/collisions	Per Incident/Non-Resident	MTO RATES	Y	Current Ministry of Transportation rates applied	n/a
40	Attendance of each fire apparatus needed for hazardous material incidents	Per Incident	MTO RATES	Y	Current Ministry of Transportation rates applied	n/a
41	Attendance for each fire apparatus needed for natural gas incidents	Human Error – Per Incident	MTO RATES	Y	Current Ministry of Transportation rates applied	n/a

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42	Attendance for each fire apparatus needed for hydro incidents (lines down)	Per Incident	MTO RATES	Y	Current Ministry of Transportation rates applied Additional charge if standby is required (more than 30 minutes) to keep scene safe	n/a
43	Paid Duty Truck Standby	Per Request	MTO RATES	Y	Current Ministry of Transportation rates applied	n/a
44	Additional Expenses incurred to retain a private contractor, rent special equipment, secure or preserve property or evidence, prevent a fire from spreading, assist with a rescue, control and/or eliminate an emergency, and/or conduct an investigation	Per Incident	Actual Cost Recovery	Y		3%
45	Fees shall also be levied to include the total replacement cost for any contaminated or damaged equipment or material used in the response to any of the aforementioned emergencies; fees imposed under this Schedule shall be billed to the Property Owner for whose Property the services are provided, and in the case of emergency responses to Motor Vehicle Incidents, to the owner of the vehicles or the vehicle owner's insurance company.	Per Incident	Actual Cost Recovery	Y		3%