

Town of Montague, PEI
A Bylaw to Establish Fees for Various Municipal Services
Bylaw # 2018-02

BE IT ENACTED by the Council of the Town of Montague as follows:

1. Title

- 1.1. This bylaw shall be known and cited as the “Fees Bylaw”.

2. Purpose

- 2.1 To enable the Council of the Town of Montague to pass bylaws establishing and requiring the payment of fees for business licenses, inspections, parking, recreation and other matters for the purpose of raising revenues.

3. Authority

- 3.1. Subclause 162(1)(a)(i) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1., and section the *Planning Act*, RSPEI 1988 c P-8, provides that a council must establish a procedural bylaw to regulate its proceedings in accordance with the Act.

4. Application

- 4.1. This bylaw enables the authority for council to establish fees and charges for the provision of goods and services and applies to any person on which a fee or charge is imposed under this bylaw
- 4.2. These fees are set out in the Schedule attached to this bylaw and form part of the bylaw.

5. Definitions

- 5.1. “Act” means the *Municipal Government Act*.
- 5.2. “Chief Administrative Officer” or “CAO” means the administrative head of a municipality as appointed by Council under subsection 86(2)(c) of the *Municipal Government Act*.
- 5.3. “Council” means the Mayor and other members of the Council of the municipality.
- 5.4. “Councillor” means a member of Council other than the Mayor.
- 5.5. “Lien” means an encumbrance or charge on a property to secure the debt owed by the property owner to the Town of Montague.
- 5.6. “License” means a permit from the Town of Montague to own or use something or to do a particular thing.

- 5.7. "Local improvement charge" means a fixed annual charge levied against real property for a specific period by the Town of Montague which contributes to capital costs of local improvements such as sewer and water upgrades, for example.

6. Establishment of Fees

- 6.1. The Town of Montague hereby establishes fees to be charged for dog licensing, planning permit fees, utility fees, and office services, in accordance with the Act.
- 6.2. Council may revise fees at any time by resolution if required, in accordance with section 135 of the Act, and shall ensure that the relevant Schedule to this bylaw is updated.
- 6.3. The fees set out in the Schedule to this bylaw are subject to the Harmonized Sales Tax (H.S.T.) where applicable.
- 6.4. In addition to the fees established in this bylaw, the Town of Montague may also establish fees in other bylaws where those fees are specifically related to the matter addressed in that bylaw.

7. Collection of Fees

- 7.1. The Town of Montague may take into revenue deposits and investments, any charges for the operation of a service or municipal utility under the control of Council and any other funds the municipality may acquire pursuant to this bylaw or any other bylaw establishing fees, in accordance with section 162 of the Act.
- 7.2. The fees and charges set out in the Schedule to this bylaw shall come into force and effect on the date of passage, unless otherwise specified.
- 7.3. All fees charged in accordance with this bylaw are owing at the time of the service, or as otherwise outlined in the Schedule to this bylaw.
- 7.4. The fees listed in the Schedules to this bylaw are in addition to any costs incurred by the Town of Montague, which costs may be payable in addition to the fees set out in this bylaw.
- 7.5. Pursuant to subsection 142(2), the Town of Montague may by resolution cancel or write off any arrears of fees, penalties or interest charges that are prescribed by bylaw or specified in a resolution that, in the opinion of Council, are no longer collectable from the person, institution, association, group or body that is liable to pay them.

8. Penalties

- 8.1. The Town of Montague may, in accordance with subsection 162(3) of the Act, refuse to issue or renew any license or authorization that the municipality is authorized under this bylaw of the municipality, or under the Act or another Act, to issue or renew to a person who has failed to pay charges, fees, fines or penalties established in the Schedule to this bylaw, including any interest accruing to any of them.

9. Effective Date

9.1. This Fees Bylaw, Bylaw# 2018-02, shall be effective on the date of approval and adoption below.

First Reading:

This Fees Bylaw, Bylaw# 2018-02, was read a first time at the Council meeting held on the 12th day of March, 2018.

This Fees Bylaw, Bylaw# 2018-02, was approved by a majority of Council members present at the Council meeting held on the 12th day of March, 2018.

Second Reading:

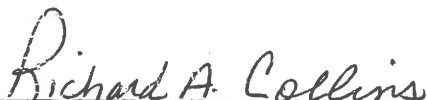
This Fees Bylaw, Bylaw# 2018-02, was read a second time at the Council meeting held on the 9th day of April, 2018.

This Fees Bylaw, Bylaw# 2018-02, was approved by a majority of Council members present at the Council meeting held on the 9th day of April, 2018.


Approval and Adoption by Council:

This Fees Bylaw, Bylaw# 2018-02, was adopted by a majority of Council members present at the Council meeting held on the 9th day of April, 2018.

10. Signatures

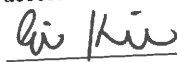


Mayor (signature sealed)

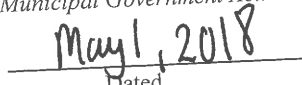


Chief Administrative Officer (signature sealed)

Filed on behalf of the Minister of Communities, Land and Environment in accordance with s.129 of the *Municipal Government Act*.



Signed



Dated

Schedule A

This Schedule forms part of the bylaw and may only be amended in accordance with Part 5 Division 2 of the Act. For complex fee structures, a separate schedule for each fee category could be used.

Type of Fees	Fee Structure	Fees Due
1. Dog Licensing Fees	\$10 per year for dogs spayed or neutered or a one-time fee of \$25 \$20 per year for dogs not fixed	Yearly on April 1
11. Planning Permit Fees	As per fees structure in Zoning Bylaw 2016-02	As per fees structure in Zoning Bylaw 2016-02
12. Utility Fees	See IRAC tariff for Montague Sewer and Water Treatment and Collection Corporation	
13. Office Services	B&W copies - \$0.25/copy Colour copies - \$1.00/copy Fax - \$1.00/page	Before service

Town of Montague

Resolutions

It was moved by Councillor MacFarlane, seconded by Councillor Griffin, that

“This Fees Bylaw, Bylaw# 2018-02, was read a first time at the Council meeting held on the 12th day of March, 2018.”

Motion Carried Unanimously

It was moved by Councillor Griffin, seconded by Councillor MacFarlane, that

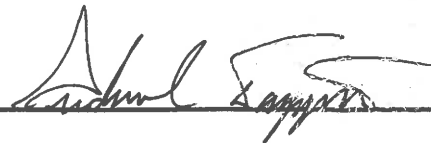
“This Fees Bylaw, Bylaw# 2018-02, was approved by a majority of Council members present at the Council meeting held on the 12th day of March, 2018.”

Motion Carried Unanimously

I hereby certify the above to be true copies of resolutions duly passed by the Town Council for the Town of Montague at a meeting held on the 12th day of March, 2018.



Richard A. Collins
Mayor



Andrew Daggett
Chief Administrative Officer

Town of Montague

Resolutions

It was moved by Councillor Spin, seconded by Councillor Johnston, that

“This Fees Bylaw, Bylaw# 2018-02, was read a second time at the Council meeting held on the 9th day of April, 2018.”

Motion Carried Unanimously

It was moved by Councillor Griffin, seconded by Councillor MacFarlane, that

“This Fees Bylaw, Bylaw# 2018-02, was approved by a majority of Council members present at the Council meeting held on the 9th day of April, 2018.”

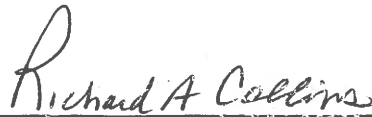
Motion Carried Unanimously

It was moved by Councillor Johnston, seconded by Councillor Spin, that

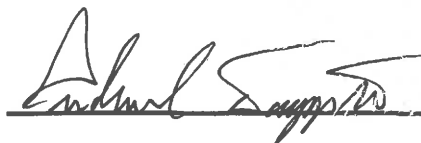
“This Fees Bylaw, Bylaw# 2018-02, was adopted by a majority of Council members present at the Council meeting held on the 9th day of April, 2018.”

Motion Carried Unanimously

**I hereby certify the above to be true copies
of resolutions duly passed by the Town
Council for the Town of Montague at a
meeting held on the 9th day of April, 2018.**



**Richard A. Collins
Mayor**



**Andrew Daggett
Chief Administrative Officer**