

Town of Three Rivers
A Bylaw to Establish Fees for Various Municipal Services
Bylaw #2019-09

BE IT ENACTED by the Council of the Town of Three Rivers 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 Municipality to pass bylaws establishing and requiring the payment of fees for such matters as dog licensing, planning permit fees, utility fees, hall rentals, office services 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 fees by bylaw 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 Schedule A, which shall be authorized, and may from time to time be amended, by resolution of Council.

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 Municipality.
- 5.6. “License” means a permit from the Municipality 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 Municipality which contributes to capital costs of local improvements such as sewer and water upgrades, for example.
- 5.8. “Municipality” means the Corporation of the Town of Three Rivers.

6. Establishment of Fees

- 6.1. The Municipality hereby establishes fees to be charged for dog licensing, planning permit fees, utility fees, hall rentals, office services business licenses, inspections, parking, recreation and office services and other matters, in accordance with the Act.
- 6.2. The Municipality will charge fees that are higher for persons or businesses that do not reside or maintain a place of business in the Municipality (clause 182(c)(ii) of the Act), where so outlined in Schedule A attached to this bylaw.
- 6.3. 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 A to this bylaw are updated.
- 6.4. The fees set out in Schedule A to this bylaw are subject to the Harmonized Sales Tax (H.S.T.) where applicable.
- 6.5. In addition to the fees established in this bylaw, the Municipality 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 Municipality 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 Schedule A 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 Schedule A to this bylaw.
- 7.4. The fees listed in Schedule A to this bylaw are in addition to any costs incurred by the Municipality , which costs may be payable in addition to the fees set out in this bylaw.
- 7.5. Pursuant to subsection 142(2), the Municipality 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 Municipality 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 Schedule A to this bylaw, including any interest accruing to any of them.

9. Repeal of Previous Bylaws

- 9.1. Bylaw #2018-07 of the former Town of Georgetown and Bylaw #2018-02 of the former Town of Montague are hereby repealed in their entirety.

10. Effective Date

- 10.1. This Fees Bylaw, Bylaw #2019-09, shall be effective on the date of approval and adoption below.

First Reading:

This Fees Bylaw, Bylaw #2019-09, was read a first time at the Council meeting held on the 10th day of June, 2019.

This Fees Bylaw, Bylaw #2019-09, was approved by a majority of the Council Members present at the Council meeting held on the 10th day of June, 2019.

Second Reading:

This Fees Bylaw, Bylaw #2019-09, was read a second time at the Council meeting held on the 8th day of July, 2019.

This Fees Bylaw, Bylaw #2019-09, was approved by a majority of the Council Members present at the Council meeting held on the 8th day of July, 2019.

Approval and Adoption by Council:

This Fees Bylaw, Bylaw #2019-09, was adopted by a majority of the Council Members present at the Council meeting held on the 8th day of July, 2019.

AMENDMENT NO 1

This Fees Bylaw Amendment, Bylaw #2020-03, was adopted by a majority of the Council Members present at the Council meeting held on the 13th day of July, 2020.

AMENDMENT NO 2

This Fees Bylaw Amendment, Bylaw #2020-04, was adopted by a majority of the Council Members present at the Council meeting held on the 9th day of November, 2020.

11. Signatures

Ed MacAulay

Mayor (signature sealed)

Jill Walsh

Chief Administrative Officer (signature sealed)