

**THE CORPORATION OF THE  
TOWNSHIP OF EDWARDSBURGH CARDINAL  
BY-LAW NUMBER 2016-05**

**"BEING A BY-LAW TO IMPOSE FEES AND CHARGES FOR  
SERVICES AND ACTIVITIES PROVIDED OR DONE BY THE  
FIRE DEPARTMENT OF THE TOWNSHIP OF  
EDWARDSBURGH CARDINAL"**

**WHEREAS** the Municipal Act, 2001, as amended, authorizes a municipality to enact by-laws imposing fees or charges on any class of persons for services or activities provided or done by or on behalf of it, among other things, subject to the terms, conditions and limitations set out in the section; and

**WHEREAS**, the Council of the Corporation of the Township of Edwardsburgh Cardinal intends to impose fees or charges for services or activities provided or done by its Fire Department;

**NOW THEREFORE** the Council of the Corporation of the Township of Edwardsburgh Cardinal enacts as follows:

**1. DEFINITIONS**

In this By-law, unless the context requires otherwise;

- a) "Approved" means approved by Council;
- b) "Corporation" means the Corporation of the Township of Edwardsburgh Cardinal;
- c) "Council" means the Council of the Corporation of the Township of Edwardsburgh Cardinal;
- d) "Fire Chief" means the person appointed by Council to act as Fire Chief for the Corporation;
- e) "Fire Department" means the Corporation of the Township of Edwardsburgh Cardinal Fire & Emergency Services; and
- f) "Owner" means a person, firm or corporation who owns or has control over any portion of a property in respect of which services and activities were provided or done by the Fire Department.

**2. FEE FOR SERVICE**

- a) If the Fire Department attends at the scene of a motor vehicle accident on any property within the Township and provides firefighting or other emergency services to a non-resident driver, the non-resident driver shall be charged the fee as stipulated in Schedule A to this by-law.
- b) If the Fire Department attends at a property in response to a fire alarm and, upon conducting an investigation, the Fire Chief or his designate determines that the alarm is a nuisance false alarm, the property owner shall be charged the fee as stipulated in Schedule A to this by-law.
- c) If the Fire Department attends at a property in response to an out of control open air burn, the property owner shall be charged the fee as stipulated in Schedule A to this by-law.

- d) The owner of property to which services set out in Schedule A to this by-law were provided for or done by the Fire Department, regardless of whether requested by the owner or an agent of the owner or not, and invoiced to the owner by the Corporation shall pay the fee imposed for such service within sixty (60) days of the mailing of an invoice.
- e) If a property owner who is charged a fee under this by-law fails to pay the fee within the prescribed time, the Corporation may add the fee, including interest to the tax roll of any real property registered in the name of the owner and collect the fee, including interest, in a like manner as municipal property taxes.
- f) Where there is more than one owner, their liability for payment shall be joint and several.
- g) The fees as listed in Schedule A of this by-law will be subject to applicable taxes.

3. That every person who violates any provision of this by-law or who causes or permits a violation shall be guilty of an offence and, upon conviction therefore, shall forfeit and pay a penalty not exceeding five thousand dollars (\$5,000.00), exclusive of costs, for each offence and every penalty shall be recoverable under the Municipal Act 2001, SO 2001 as amended and the Provincial Offences Act.

4. That this By-Law shall come into force and take effect on the date of passing.

5. That by-law 2009-28 as amended by by-law 2013-09 is hereby repealed.

By-law read a first and second time in open Council this 25<sup>th</sup> day of January, 2016.

Read a third and final time, passed, signed and sealed in open Council this 25<sup>th</sup> day of January, 2016.

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Mayor

\_\_\_\_\_  
Clerk

SCHEDULE "A"  
By-Law 2016-05

1. For responding to false alarms occurring as a result of a failure to maintain a fire alarm system or emergency system:
  - a) first false alarm in any calendar year Nil
  - b) each subsequent false alarm \$150.00
2. For responding to false alarms, occurring as a result of work being performed on a fire alarm system or emergency system without notification to the Fire Department of said work:
  - a) each false alarm \$150.00
3. For responding to false alarms occurring as a result of a malicious act:
  - a) first false alarm in any consecutive three month period Nil
  - b) each subsequent false alarm \$150.00
4. For attending at the scene of a motor vehicle accident or at the scene of motor vehicle fire or other emergencies, and providing firefighting or other emergency services to a non-resident:
  - a) first hour or any part thereof; and up to \$450.00/vehicle
  - b) for each additional 1/2 hour or part thereof up to \$225.00/vehicle
5. For attending at the scene of an out of control open air burn, and providing firefighting or other emergency services:
  - a) first hour or any part thereof; and up to \$450.00/vehicle
  - b) for each additional 1/2 hour or part thereof up to \$225.00/vehicle
6. Response to hazardous materials incident and spill response
  - a) first hour or any part thereof; and up to \$450.00/vehicle
  - b) for each additional 1/2 hour or part thereof up to \$225.00/vehicle
  - c) plus any costs incurred and all clean-up and replacement of fire department equipment at actual cost.
7. Services rendered at an illegal incident involving assistance to the OPP or RCMP
  - a) first hour or any part thereof; and up to \$450.00/vehicle
  - b) for each additional 1/2 hour or part thereof up to \$225/vehicle
8. Copy of incident response report \$75.00
9. File search and compliance report \$75.00
10. Response to unapproved open air burning complaints :
  - a) Residential- per hour or part thereof \$150.00
  - b) Industrial/Commercial- per hour or part thereof \$250.00
11. Imposition of all fees is at the discretion of the Fire Chief or his designate.