



Corporation of the Town of Newmarket

By-law 2020-49

A By-law to amend fees and charges by-law 2019-79 being a By-law to adopt Fees And Charges For Services Or Activities Provided By The Town Of Newmarket.

Whereas The Corporation of the Town of Newmarket and The Corporation of the Town of Aurora have established a consolidated fire and emergency services department known as Central York Fire Services through By-law 2001-146 to deliver firefighting and related emergency services; and,

Whereas the Municipal Act, 2001 authorizes a municipality to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of it; and,

Therefore be it enacted by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. That Schedule G of Fees and Charges By-law 2019-79 be deleted and replaced by the attached schedule for services provided by the Central York Fire Services (Fire Services Fees); and,
2. That should any section of this by-law be declared invalid by a court of competent jurisdiction, such section shall be construed as being severed here from and the remainder of the by-law shall continue in full force and effect.

Enacted this 21st day of September, 2020.

John Taylor, Mayor

Lisa Lyons, Town Clerk

**TOWN OF NEWMARKET
2020 USER FEES
SCHEDULE G**

Department: **Fire Services**

Effective Date: **September 21, 2020**

SERVICE PROVIDED	UNIT OF MEASURE	TIMELINES	SUBJECT TO HST YES/NO	2020 FEE BEFORE TAX	2020 FEE BEFORE TAX	ADMIN FEE	HST AMOUNT	TOTAL FEE
Fire Prevention								
Apartment/Office Inspections Base Building	One to five storey premises		Y	\$367.15	\$367.15	\$ -	\$47.73	\$414.88
	Six or more storey premises		Y	\$489.55	\$489.55	\$ -	\$63.64	\$553.19
	Each additional unit		Y	\$93.72	\$93.72	\$ -	\$12.18	\$105.91
	Day Care Home Inspection		Y	\$96.35	\$99.04	\$ -	\$12.88	\$111.92
	Day Nursery Inspection		Y	\$96.35	\$99.04	\$ -	\$12.88	\$111.92
Request for Report	Faxing or Mailing Reports		Y	\$48.17	\$49.52	\$ -	\$6.44	\$55.96
Property File Search	File Search and Response		Y	\$94.36	\$97.00	\$ -	\$12.61	\$109.61
Retrofit Inspections (9.5, 9.6)			Y	\$374.86	\$374.86	\$ -	\$48.73	\$423.59
Retrofit Inspections (9.8)			Y	\$199.94	\$199.94	\$ -	\$25.99	\$225.93
Fireworks Permit Fee			N	\$108.13	\$111.16	\$ -	\$0.00	\$111.16
Extinguisher Training Using Classroom and Burn Pan	Per session up to 20 people with own extinguishers		Y	\$373.12	\$373.12	\$ -	\$48.51	\$421.62
Industrial & Commercial Inspection	Per single industrial unit		Y	\$96.35	\$99.04	\$ -	\$12.88	\$111.92
	Each additional unit		Y	\$96.35	\$99.04	\$ -	\$12.88	\$111.92
	LLBO Inspections		Y	\$128.46	\$132.06	\$ -	\$17.17	\$149.23

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SERVICE PROVIDED	UNIT OF MEASURE	TIMELINES	SUBJECT TO HST YES/NO	2020 FEE BEFORE TAX	2020 FEE BEFORE TAX	ADMIN FEE	HST AMOUNT	TOTAL FEE
Fire Protection								
Provincial Highway Accident Responses (Fire Protection Agreement)	Per hour per fire unit/flat rate		N	\$485.00	\$485.00	\$ -	\$0.00	\$485.00
Emergency Response to a motor vehicle collision (Residents and Non-Residents)	Per hour per fire unit		N	\$485.00	\$485.00	\$ 25.00	\$0.00	\$510.00
Natural Gas Leaks Response	Per hour per fire unit		N	\$0.00	\$485.00	\$ 25.00	\$0.00	\$510.00
Hydro Incidents (down hydro lines)	Per hour per fire unit		N	\$0.00	\$485.00	\$ 25.00	\$0.00	\$510.00
Drug Labs/Grow Ops/Clandestine Labs	Per hour per fire unit		N	\$0.00	\$485.00	\$ 25.00	\$0.00	\$510.00
Elevator Rescue (non-emergency)	Per hour per fire unit		N	\$0.00	\$0.00	\$ -	\$0.00	\$0.00
False Alarm (preventable cause)	Per unit/per incident		N	\$465.42	\$485.00	\$ 25.00	\$0.00	\$510.00
Hazardous Materials Response	First hour per fire unit/flat rate		N	\$485.00	\$485.00	\$ 25.00	\$0.00	\$510.00
Outdoor Burning - By-law 2009-64	Per unit/per incident		N	\$0.00	\$485.00	\$25.00	\$0.00	\$510.00
Miscellaneous								
Extrordinary Expenses	see notes							
Post Fire Investigations	Per hour per fire unit		N	\$0.00	\$485.00	\$ 25.00	\$0.00	\$510.00
Multi-purpose Smoke and Carbon Monoxide Alarm	per unit		y	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

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SERVICE PROVIDED	UNIT OF MEASURE	TIMELINES	SUBJECT TO HST YES/NO	2020 FEE BEFORE TAX	2020 FEE BEFORE TAX	ADMIN FEE	HST AMOUNT	TOTAL FEE
Paid Duty Truck Stand-by	First hour per fire unit/flat rate		N	\$485.00	\$485.00	\$ 25.00	\$0.00	\$510.00

TYPE OF SERVICE	Detailed Description for Fire and Emergency Services
Fire Prevention	
Apartment/Office Inspections Base Building	# When Fire and Emergency services receives a request to conduct an inspection of a Apartment / Office Building or Base Building, the property owner will be charged the fees outlined in this schedule.
Request for Report	# When Fire and Emergency Services receives a request to fax, email or mail a report (i.e. standard incident report) the requestor will be charged the fees outlined in this schedule.
Property File Search	# When Fire and Emergency Services receives a request for a file search and response. (i.e. file search and response letter to determine if a property has any noted violations) the requestor will be charged the fees outlined in this schedule.
Retrofit Inspections (9.5, 9.6)	# When the Fire and Emergency services receives a request to conduct an inspection in accordance with Part 9 of the Ontario Fire Code, the property owner will be charged the fees outlined in this schedule.
Retrofit Inspections (9.8)	# When Fire and Emergency services receives a request to conduct an inspection in Newmarket in accordance with By-law 2013-13 for the registration of Accessory Dwelling Units (ADU's) OR in Aurora in accordance with By-law 5221-10 for registration of second suites, the property owner will be charged the fees outlined in this schedule.
Fireworks Permit Fee	# When Fire and Emergency services receives a request to review a Display Fireworks Permit application in Newmarket in accordance with By-law 2002-51 OR in Aurora in accordance with By-law 4736-05 the fireworks provider requesting the permit will be charged the fees outlined in this schedule.
Extinguisher Training Using Classroom and Burn Pan	# When Fire and Emergency Services provides fire extinguisher training to a requestor, the following fee will be charged according to this schedule.
Industrial & Commercial Inspection	# When Fire and Emergency services receives a request to conduct an inspection of a industrial or commercial unit, the property owner will be charged the fees outlined in this schedule.
Fire Protection	
Provincial Highway Accident Responses (Fire Protection Agreement)	Fees and charges will be referred to the Whitchurch/Stouffville and King Fire Protection Agreements.
Emergency Response to a Motor Vehicle Collision (Residents and Non-Residents)	Refer to By-law 2019-60 and 2019-61, fees and charges will be charged according to this schedule.
Natural Gas Leaks Response	# When Fire and Emergency Services attends an incident in response to a natural gas leak, and upon conducting an investigation, CYFS determines that due diligence was not exercised the property owner and/or party responsible shall be charged the fees stipulated in this schedule.
Hydro Incidents (down hydro lines)	# When Fire and Emergency Services responds to a hydro incident (down wires), and if stand-by is required for an extended period of time (at the discretion of the Fire Chief or designate) to keep the scene safe then the local utility will be charged according to this schedule.
Drug Labs/Grow Ops/Clandestine Labs	# When Fire and Emergency Services is requested to stand-by and provide fire protection services to ensure the scene remains safe, the property owner will be charged the fees outlined in this schedule.
Elevator Rescue (non-emergency)	# When Fire and Emergency Services attends a property in response to a stalled elevator and determine the confined individual(s) does not have an urgent medical need and is not in immediate danger as a result of the elevator being inoperative, the property owner shall be charged the fee as stipulated in this schedule.
False Alarm (preventable cause)	<p>For the purpose of this schedule, a false alarm means the activation of a fire alarm or emergency system which occurs without just cause, including where there is no fire, carbon monoxide or other emergency situations.</p> <p>Fire and Emergency services shall charge a property owner the false alarm fee stipulated in this schedule if upon attending a property in response to the activation of a fire alarm or emergency system and it is determined it is was a false alarm.</p> <p>Where a false alarm is triggered as a result of work being conducted on a fire alarm or emergency system and CYFS attends to the property in response to the false alarm, the property owner shall be charged the false alarm fee stipulated in this schedule.</p> <p>The false alarm fee will not be charged for the first and second occurrence of the false alarm at a property, but will be charged for subsequent false alarm occurrence within the same calendar year.</p>
Hazardous Materials Response	<p># When Fire and Emergency Services responds to an incident or an emergency, and a hazardous material response is provided, CYFS shall charge the fees stipulated in this schedule to anyone or more of the following: the property owner, the vehicle owner insurance or directly to the vehicle owner in order to recover payment.</p> <p>In the event an emergency involves hazardous materials and at the scene or property, the use of combustible material, other than water and medical supplies, are used to suppress or extinguish a fire, preserve property, prevent a fire from spreading or otherwise control or eliminate and emergency, the expenses incurred by CYFS for using consumable materials shall be recovered as a fee.</p> <p>In the event an emergency involves hazardous materials and at the scene or property, damages or contaminations of equipment occurs, the expenses incurred by CYFS for cleaning and decontamination or replacement of equipment, as applicable, and shall be recovered as a fee.</p>
Outdoor Burning - By-law 2009-64	<p># When Fire and Emergency services proceeds/responds to an incident within the calendar year, and upon investigation fire personnel determine that the By-law 2009-64 is in contravention, a fee will be charged according to this schedule.</p> <p>1st Response - Verbal warning by fire crew Warning and educational letter to be issued.</p> <p>2nd Response - Warning and educational letter to be sent to Property owner</p> <p>3rd Response and subsequent - Within calendar year the property owner shall pay the fee as per this schedule.</p>

Miscellaneous	
Extraordinary Expenses	If When Fire and Emergency Services responds to a fire or other emergency at a property (including gas leaks, cut mains and clandestine drug operations) and determines, or the Fire Chief or his/her Designate determines, that it is necessary to retain a private contractor, or rent special equipment, or use consumable materials other than water and medical supplies, in order to suppress or extinguish a fire, preserve property, carry out investigations or prevent a fire from spreading or otherwise control or eliminate an emergency or damage equipment owned by CYFS, the Owner or responsible person, shall be charged those expenses, plus applicable taxes.
Post Fire Investigations	<p>In accordance with the Fire Protection and Prevention Act, all fires need to be investigated to determine origin and cause.</p> <p>Upon conducting an investigation and/or scene preservation and CYFS determines that due diligence was not exercised, the property owner and/or party responsible shall be charged the fees stipulated in this schedule.</p> <p>The Fire Chief or designate will have the delegated authority to apply at their discretion the applicable fees as set in this schedule from the outcome of the investigation.</p> <p>In accordance with the Fire Protection and Prevention Act, all fires must be investigated to determine origin and cause. The property owner will be charged the fees outlined in this schedule.</p>
Multi-purpose Smoke and Carbon Monoxide Alarm	If When Fire and Emergency Services attend the property and upon investigation it is determined that there is a faulty alarm or there is no alarm, then the requestor will be charged as stipulated in this schedule.
Paid Duty Truck Stand-by	<p>For the provision of a stand-by crew and fire apparatus, other than an emergency response, for a private company, community group, developer, industry or provincial government. Stand-by location must be within CYFS jurisdiction.</p> <p>All fire apparatus stand-by requests are subject to availability as well as pre-approved by CYFS, the requestor will be charged the fee in this schedule.</p>

Addition to Tax Role

If a property owner/party responsible who is charged a fee, under this Bylaw (Schedule A) fails to pay the fee within 90 days of the invoice date, the corporation may add the fee, including interest and administration fees to the tax role for any real property in the Towns of Aurora and Newmarket, registered in the name of the owner and collect a fee, including interest, in like manner as municipal taxes.

Delegated Authority

The Fire Chief or his designate shall have the authority to waive any fees as deemed necessary within this schedule A.