

The Corporation of the Town of Grand Valley By-law 2022 - 61

Being a By-law to provide for establishing a Tariff of Fees for Fire Department Services

WHEREAS Section 391(1) of the *Municipal Act, 2001* S.O. 2001 c. 25, as amended, provides that the Council may impose fees or charges for services and activities provided or done by or on behalf of the Corporation of the Town of Grand Valley;

AND WHEREAS it is expedient to impose fees for certain services provided by Fire Departments servicing the Town of Grand Valley;

NOW THEREFORE the Council of the Corporation of the Town of Grand Valley enacts as follows:

1. DEFINITIONS

- 1.1. **“Non-Resident”** shall mean any person who does not reside in the Town of Grand Valley or who is not the owner or tenant of land in the Town of Grand Valley.
- 1.2. **“Resident”** shall mean any person who does reside in the Town of Grand Valley or who is the owner or tenant of land in the Town of Grand Valley.
- 1.3. **“False Alarms”** shall mean a fire alarm where there is no fire or other emergency requiring fire department response.
- 1.4. **“Owner”** shall include a mortgagee, lessee, tenant, occupant, a person entitled to a limited estate in land, a trustee in whom land is vested, a committee of the estate of a mentally incompetent person, an executor, an administrator and a guardian.
- 1.5. **“Council”** means the Council of the Corporation of the Town of Grand Valley.
- 1.6. **“Corporation”** means the Corporation of the Town of Grand Valley.
- 1.7. **“Municipality”** means the Corporation of the Town of Grand Valley.
- 1.8. **“Highway”** means all road allowances, highways, streets and lanes located within the Town of Grand Valley.

2. VEHICLE ACCIDENT RESPONSE FEES

2.1. Provincially Owned Highways

On every occasion where the vehicles, equipment and personnel of the *Grand*

Valley and District Fire Department or the *Town of Grand Valley Public Works Department* respond to a call or incident on a highway in the Town of Grand Valley under the jurisdiction of the Province of Ontario, and such call or incident involves a motor vehicle owned by a resident or non-resident, a fee shall be charged to the Province of Ontario. For incidents requiring the response of the *Grand Valley and District Fire Department*, the fees as set forth on Schedule “A”, which is attached hereto and forms part of this by-law, shall be charged.

2.2. Utility Services

On every occasion where the vehicles, equipment and personnel of the *Grand Valley and District Fire Department* or the *Town of Grand Valley Public Works Department* respond to a call or incident on any highway under the jurisdiction of the Town of Grand Valley, the Province of Ontario or the County of Dufferin where such a call or incident involves a service utility provider, a fee shall be charged to the utility operator. For incidents requiring the response of the *Grand Valley and District Fire Department* the fees as set forth on Schedule “A”, which is attached hereto and forms part of this by-law, shall be charged.

2.3. Highways within the Town of Grand Valley

On every occasion where the vehicles, equipment and personnel of the *Grand Valley and District Fire Department* or the *Town of Grand Valley Public Works Department* respond to a call or incident on any highway in the Town of Grand Valley and where such call or incident involves a motor vehicle owned by a resident or non-resident, and fees have not been collected under Section 2.1 or 2.2, such resident or non-resident motor vehicle owner will be charged. For incidents requiring the response of the *Grand Valley and District Fire Department* the fees as set forth on Schedule “A”, which is attached hereto and forms part of this by-law, shall be charged.

2.4. County Roads

On every occasion where the vehicles, equipment and personnel of the *Grand Valley and District Fire Department* respond to a call or incident on any highway in the Town of Grand Valley under the jurisdiction of the County of Dufferin and where such call or incident involves a motor vehicle owned by a resident or non-

resident, and fees have not been collected under Sections 2.1 to 2.3, a fee shall be charged to the County of Dufferin. For incidents requiring the response of the *Grand Valley and District Fire Department*, the fees as set forth on Schedule “A”, which is attached hereto and forms part of this by-law, shall be charged.

2.5. Fees – Collected by the Fire Department

Fees charged under Sections 2.1 to 2.4 for vehicles, equipment and personnel of the *Grand Valley and District Fire Department* shall be charged by the Secretary/Treasurer of the *Grand Valley and District Fire Department*. The Secretary/Treasurer shall mail or cause to be mailed an invoice to the insurance company listed on the police report or to the vehicle owner. Fees collected by the Secretary/Treasurer of the *Grand Valley and District Fire Department* shall be deposited in the General Account of the *Grand Valley and District Fire Department*.

2.6. Fees – Not Collected under Section 2.4

On every occasion where the vehicles, equipment and personnel of the *Grand Valley and District Fire Department* respond to a call or incident on any highway in the Town of Grand Valley under the jurisdiction of the Town of Grand Valley and fees have not been collected under Section 2.5, an invoice containing the required information and details shall be forwarded to the Treasurer of the County of Dufferin for payment.

2.7. Fees - Not Collected by the Fire Department under Section 2.1 – 2.3

On every occasion where the vehicles, equipment and personnel of the *Grand Valley and District Fire Department* respond to a call or incident on any highway in the Town of Grand Valley under the jurisdiction of the Town of Grand Valley and where such call or incident involves a motor vehicle owned by a resident, and fees have not been collected under Section 2.5, the required information and details shall be forwarded to the Treasurer of the Town of Grand Valley for collection.

2.8. Fees – Non Payment – Interest penalty

The Treasurer shall add to the amount of any invoice due and unpaid interest at the rate of 1-1/4 percent (1.25%) per month for each month from the month in

which the payment of the fee was due and payable until the said fee is paid.

3. FALSE ALARMS RESPONSE FEES

3.1. Notification Required – work on alarm system

No person shall undertake any work on any fire alarm system, without first notifying the applicable fire department.

3.2. Fees – False Alarms – Frequent

When the vehicles, equipment and personnel of the *Grand Valley and District Fire Department* respond to false alarms, described in Column 1 of Schedule “B” attached hereto, the owner of the property at which the false alarm has occurred will be charged the applicable false alarm response fee set out in Column 2 of Schedule “B” which is attached hereto and forms part of this by-law, will be charged.

3.3. Fees – Payable on or before due date

The Secretary/Treasurer of the *Grand Valley and District Fire Department* shall mail or cause to be mailed no less than 60 days prior to the due date identified therein an invoice for the applicable false alarm response fee to the property owner of a property at which a false alarm occurred.

3.4. Fees – Not Collected by the Fire Department

On every occasion where the vehicles, equipment and personnel of the *Grand Valley and District Fire Department* respond to a false alarm and fees have not been collected under Sections 3.1 to 3.3, the required information and details shall be forwarded to the Treasurer of the Town of Grand Valley for collection.

3.5. Fees – Non payment – Collected like taxes

A false alarm response fee imposed upon an owner under Sections 3.1 and 3.2 of this by-law is a lien and charge upon the property of the owner at which a false alarm occurred and if the fee or any part thereof remains unpaid after the due date, the amount unpaid may be collected by distress upon the goods and chattels of such owner, or the Town Clerk upon notice to the owner of the amount due, the person by whom it is due and the property upon which a lien is claimed, shall enter the same upon the collector’s roll and the Tax Collector shall proceed to collect it in the same way as municipal taxes are collected.

3.6. Fees – Non Payment – Interest penalty

The Treasurer shall add to the amount of any false alarm response fee due and unpaid interest at the rate of 1-1/4 percent (1.25%) per month for each month from the month in which the payment of the false alarm response fee was due and payable until the said fee is paid.

4. INSPECTION AND MISCELLANEOUS FEES

4.1. Fees shall be charged for inspections and written responses to written requests relating to outstanding orders under the Fire Code or any act, regulation or fire services by-law(s).

4.2. Fees for services provided under Section 4.1 shall be in accordance with Schedule "C", Column 2, which is attached hereto and forms part of this by-law.

4.3. Fees charged under Sections 4.1 and 4.2 shall be charged by the Secretary/Treasurer of the *Grand Valley and District Fire Department*. Fees collected by the Secretary/Treasurer of the *Grand Valley and District Fire Department* shall be deposited in the General Account of the *Grand Valley and District Fire Department*.

4.4. Fees – Not Collected by the Fire Department

On every occasion where fees have not been collected under Sections 4.1 to 4.3, the required information and details shall be forwarded to the Treasurer of the Town of Grand Valley for collection.

4.5. Fees – Non payment – Collected like taxes

An inspection or miscellaneous fee imposed upon an owner under Sections 4.1 and 4.2 of this by-law is a lien and charge upon the property of the owner at which an inspection or miscellaneous service occurred and if the fee or any part thereof remains unpaid after the due date, the amount unpaid may be collected by distress upon the goods and chattels of such owner, or the Town Clerk upon notice to the owner of the amount due, the person by whom it is due and the property upon which a lien is claimed, shall enter the same upon the collector's roll and the Tax Collector shall proceed to collect it in the same way as municipal taxes are collected.

4.6. Fees – Non Payment – Interest penalty

The Treasurer shall add to the amount of any false alarm response fee due and unpaid interest at the rate of 1-1/4 percent (1.25%) per month for each month from the month in which the payment of the false alarm response fee was due and payable until the said fee is paid.

5. FAILURE TO ACQUIRE BURNING PERMIT – FIRE RESPONSE CHARGES

5.1. Burning Permits

No person shall light, ignite or start, or allow or cause to be lighted, ignited or started, a fire of any kind whatsoever in the open air without first having obtained a fire permit to do so from a member of the staff of the Town of Grand Valley.

5.2. Charges - Failure to Obtain a Valid Fire Permit

Any person who lights, ignites or starts or allows or causes to be lighted, ignited or started, a fire of any kind whatsoever in the open air and who by his or her action causes the summons of the fire department, without a valid fire permit, shall be responsible to the Town of Grand Valley for expenses thereby incurred for responding Fire Department Services. Fees for services provided under Section 5.1 shall be in accordance with Schedule "A", Column 2, which is attached hereto and forms part of this by-law.

5.3. Charges - Failure to Comply with a Valid Fire Permit

Any person who lights, ignites or starts or allows or causes to be lighted, ignited or started, a fire of any kind whatsoever in the open air and who by his or her action causes the summons of the fire department, having failed to comply with a valid fire permit, shall be responsible to the Town of Grand Valley for expenses thereby incurred for responding Fire Department Services. Fees for services provided under Section 5.1 shall be in accordance with Schedule "A", Column 2, which is attached hereto and forms part of this by-law.

5.4. The Fire Department shall provide the Treasurer of the Town of Grand Valley with an incident report relating to fire responses under section 5.2 and 5.3 including any relevant details and costs incurred within 60 days of the incident having occurred.

5.5. Charges – Payable on or before the Due Date

The Treasurer of the Town of Grand Valley shall mail or cause to be mailed an

invoice for the applicable charges to the owner of a property at which a call occurred.

5.6. Charges – Non Payment – Collected like Taxes

All charges incurred as a result of a call under Section 5.2 and 5.3 of this bylaw is a lien and charge upon the property of the owner at which the call occurred and if the charge or any part thereof remains unpaid after the due date, the amount unpaid may be collected by distress upon the goods and chattels of such owner, or the Town Clerk upon notice to the owner of the amount due, the person by whom it is due and the property upon which a lien is claimed, shall enter the same upon the collector's roll and the Tax Collector shall proceed to collect it in the same way as municipal taxes are collected.

5.7. Charges – Non Payment – Interest Penalty

The Tax Collector shall add to the amount to any charge due and unpaid interest at the rate of 1-1/4 percent (1.25%) per month for each month from the month in which the payment of the charge was due and payable until the said charge is paid.

6. ENACTMENT

6.1. This by-law shall take effect and come into force on the passing thereof.

6.2. By-laws 2000-24, 2011-18, 2012-18, 2014-32 and all other by-laws relating to establishing tariff of fees for fire department services within the Town of Grand Valley are hereby repealed in their entirety.

By-law provided the necessary readings and finally passed this 27th day of September 2022.



Steve Soloman, Mayor



Meghan Townsend, CAO/Clerk-Treasurer

SCHEDULE 'A'**INCIDENT SERVICE RESPONSE FEES**

Description	Fee
For the first hour	\$650.00 per truck or current MTO rate plus any additional costs to the Municipality
For every additional half hour or part thereof	\$325.00 per truck or current MTO rate plus any additional costs to the Municipality
For responding to a call where services not required	\$650.00 per truck plus any additional costs to the Municipality

SCHEDULE 'B'**FALSE ALARM RESPONSE FEES**

Description	Fee
First False Alarm	No Charge
Second False Alarm	No Charge
Third and subsequent False Alarm per occurrence per device or at the discretion of the Fire Chief and/or designate	\$650.00

SCHEDULE 'C'**INSPECTION AND MISCELLANEOUS FEES**

Description	Fee
Residential Inspections	\$100.00/each
Commercial Inspections	\$250.00/each
Industrial Inspections	\$250.00/each
Apartments/Condominiums	\$250.00/building plus \$10/apartment
Requests for Fire Reports	\$75/each
Open Air Burn Site Permit *	\$50.00/each
Securing of Premises (<i>after a fire</i>)	\$85/hour per firefighter
Miscellaneous	\$50.00

NOTE: For inspections: resident requests for inspections not related to insurance, legal, or real estate transactions are excluded.

* For Special Circumstance Burns defined as burns 'Not in Compliance' with existing burn By-laws.