



## NOTICE OF PUBLIC MEETING, RE: FEES & CHARGES BY-LAW 2013-28

### RE: PROPOSED INCREASE TO SCHEDULE OF FEES

TAKE NOTICE THAT the Township of Essa intends to pass a By-law to amend its Fees and Charges By-law 2013-28. The proposed By-law will come before Council for its consideration at its Regular Meeting of Wednesday May 17, 2023.

A PUBLIC MEETING has been scheduled to take place on Wednesday May 3, 2023 at approximately 6:00 p.m. to allow the public an opportunity to provide comments on the proposed fees. The proposed fees are specific to the addition of administrative enforcement fees as identified in Staff Report C008-23, in addition to administrative monetary penalty fees specific to administrative speed enforcement.

WRITTEN COMMENTS regarding the proposed fees can be submitted **no later than 3:00 pm on Tuesday May 2, 2023** in one of the following methods: [email](#), in person or by mail to:

Township of Essa  
c/o Clerk  
5786 County Road 21  
Utopia, ON L0M 1T0

For further information on the proposed fee increases, please email the undersigned or phone 705-424-9770 ext. 117.

Dated this 24<sup>th</sup> day of April, 2023.

Lisa Lehr, CMO  
Clerk / Manager of Legislative Services  
[llehr@essatownship.on.ca](mailto:llehr@essatownship.on.ca)  
Phone: [705-424-9917](tel:705-424-9917) ext. 117



## TOWNSHIP OF ESSA STAFF REPORT

**STAFF REPORT NO.:** C008-23  
**DATE:** April 19, 2023  
**TO:** Committee of the Whole  
**FROM:** Lisa Lehr, Manager of Legislative Services  
**SUBJECT:** Fees and Charges By-law 2023-01 – Proposed Amendments

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### RECOMMENDATION

That Staff Report C008-23 be received, and

That Council approve the proposed amendments as recommended in this Report, and direct staff to schedule a Public Meeting to allow for public comment, prior to the passage of a By-law to amend Essa's Fees and Charges By-law.

### BACKGROUND

Section 391 of the *Municipal Act*, S.O.2001, c.25, as amended, permits municipalities to pass By-laws imposing fees or charges for:

- Services or activities provided by or carried out on behalf of it,
- Costs payable for services or activities provided by or done on behalf of it or any local board, and
- The use of its property including property under its control.

A fee or charge imposed for municipal services may include costs incurred by the municipality or local board related to:

- administration,
- enforcement, and
- the establishment, acquisition and replacement of capital assets.

### COMMENTS AND CONSIDERATIONS

Municipalities face increasing costs to deliver essential services that residents and ratepayers require daily while maintaining reasonable and affordable tax rates. Fees and charges help to recover all or a portion of the cost of delivering specific services so that ratepayers are not adversely impacted financially for the delivery of the item or service. Although full cost recovery is not always achieved, all budgeted user fee revenue is applied against the total cost for the service.

Fees and charges traditionally have been developed using a combination of actual direct costs to deliver the service, including in some instances the overhead and administrative costs, as well as market comparison with neighbouring municipalities. Township of Essa staff have historically reviewed department fees on an annual basis and presented a report to Essa Council in the fall prior to budget deliberations.

In respect of enforcement fees where municipal by-law infractions exist, s. 391(3) permits municipalities to implement administrative enforcement fees to assist with the recovery of costs associated with the enforcement of municipal by-laws where infractions exist. It is important to

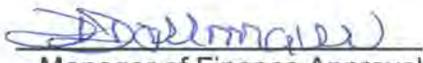
note that administrative enforcement fees are not permitted to be a penalty; such fees are required to be reasonable as the intent of the enforcement fee is to recover costs associated with enforcement of the municipal by-law where an infraction is present.

Upon conducting research in respect of the implementation of administrative enforcement fees, it was acknowledged by various municipalities that the administrative enforcement fees work effectively when applied collaboratively and in conjunction with penalties where infractions exist. The combination of administrative enforcement fee(s) together with penalties (established set fines approved by the Ministry of Attorney General, or administrative penalties established through an Administrative Monetary Penalty System) are thought to serve as a strong deterrent, of which encourages and promotes proactive compliance with municipal by-laws. Additionally, administrative enforcement fees allow the municipality to recover costs associated with enforcement of its own municipal by-laws.

At this time, Essa does not have any such administrative enforcement fees in its current Schedule of Fees. It is recommended that Council approve the implementation of such fees in an effort to obtain full cost-recovery for enforcement of its municipal by-laws where it has been validated that infractions exist. (Proposed Administrative Enforcement are outlined in Attachment No. 1 of this Report.)

## FINANCIAL IMPACT

Should the proposed amendments be passed to include Administrative Enforcement Fees, there will be increased revenue to be realized by the municipality. It is unknown at this time what the impact would be.

  
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Manager of Finance Approval

## SUMMARY/OPTIONS

Council may:

1. Take no further action.
2. **Approve the proposed amendments as recommended in this Report and authorize staff to schedule a Public Meeting to allow for public comment on proposed amendments to Essa's Fees and Charges By-law, prior to the passage of a By-law to amend Essa's Fees and Charges By-law.**
3. Some other action as deemed appropriate by Council.

## CONCLUSION

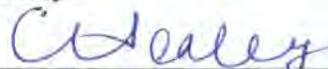
Staff recommends that Council approve Option No. 2.

Respectfully submitted:



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Lisa Lehr  
Manager of Legislative Services

Reviewed by:



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Colleen Healey-Dowdall  
Chief Administrative Officer

Attachments:

1. Proposed Amendments to Fee Schedule - Clerks Department

**TOWNSHIP OF ESSA  
FEE SCHEDULE - REQUEST FOR AMENDMENT**

<b><u>DEPARTMENT:</u></b>	<b><u>DATE:</u></b>	<b><u>NAME AND TITLE OF REQUESTOR:</u></b>	
Clerk's Department	5-Apr-23	Lisa Lehr Manager of Legislative Services	
		<b><u>SIGNATURE:</u></b>	
<b>Name of Existing Fee or Proposed New Fee:</b>	<b>Current Amount of Fee: (N/A for new fee)</b>	<b>Proposed Amount of Fee:</b>	<b><u>Detailed</u> justification or rationale for the proposed New or Amended Fee:</b>
Line Fence Dispute Application Fee	NEW	\$200.00	Per Council approval; Staff Report C001-23

**TOWNSHIP OF ESSA  
FEE SCHEDULE - REQUEST FOR AMENDMENT**

<b><u>DEPARTMENT:</u></b> Clerk's Department	<b><u>DATE:</u></b> 5-Apr-23	<b><u>NAME AND TITLE OF REQUESTOR:</u></b> Lisa Lehr Manager of Legislative Services	
		<b><u>SIGNATURE:</u></b>	
<b>Name of Existing Fee or Proposed New Fee:</b>	<b>Current Amount of Fee: (N/A for new fee)</b>	<b>Proposed Amount of Fee:</b>	<b><u>Detailed justification or rationale for the proposed New or Amended Fee:</u></b>
<b>Administrative Enforcement Fee - Canine Control</b>		<b>Applies where a dog has been declared to be dangerous and/or a muzzle order has been issued</b>	
Issuance of Dangerous Dog Declaration and/or Muzzle Order	NEW	\$200.00	fee for issuance of declaration and/or order; issued following investigation into dog bite occurrence.
Investigation Fee - Dangerous Dog	NEW	\$50.00	per subsequent visit to property; ensure compliance with dangerous dog provisions in Canine Control By-law
Investigation Fee	NEW	\$50.00	per subsequent visit to property; ensure compliance with Canine Control By-law and/or investigations relating to Dog Attacks

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Clerk's Department	5-Apr-23	Lisa Lehr Manager of Legislative Services	
		<b><u>SIGNATURE:</u></b>	
<b>Name of Existing Fee or Proposed New Fee:</b>	<b>Current Amount of Fee: (N/A for new fee)</b>	<b>Proposed Amount of Fee:</b>	<b><u>Detailed justification or rationale for the proposed New or Amended Fee:</u></b>
<b>Administrative Enforcement Fees - Sign By-law</b>		<b>Applies where signs have been posted without obtaining permit</b>	
Issuance of Order/Notice	NEW	\$75.00	fee for enforcement of municipal by-law where infraction exists
Sign Removal Fee	NEW	\$100.00	cost-recovery for removal of sign(s) up to 10
Sign Disposal Fee	NEW	Cost PLUS 50%	to be administered if it can be determined who is "owner" of unauthorized signs

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FEE SCHEDULE - REQUEST FOR AMENDMENT**

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		<b>SIGNATURE:</b>	
<b>Name of Existing Fee or Proposed New Fee:</b>	<b>Current Amount of Fee: (N/A for new fee)</b>	<b>Proposed Amount of Fee:</b>	<b>Detailed justification or rationale for the proposed New or Amended Fee:</b>
<b>Administrative Enforcement Fees - Untidy Lot</b>		<b>If inspection reveals infraction of Untidy Lot By-law</b>	
Issuance of First Order/Notice	NEW	\$100.00	fee for enforcement of Untidy Lot By-law where infraction exists; first notice/order
Issuance of Second Order/Notice	NEW	\$150.00	fee for enforcement of Untidy Lot By-law where infraction exists; second notice/order
Investigation Fee	NEW	\$50.00	per subsequent visit to the property to ensure compliance has been achieved
Clean-up Costs (works conducted by or on behalf of municipality to bring property into compliance)	NEW	Cost PLUS 25%	administrative fee; per occasion; Township's out-of-pocket expenses to clean-up property in whole or in part (contractor hired) PLUS 25%
Officer attendance if clean-up required to be conducted by municipality	NEW	MLEO rate of pay/hour	to be applied only if municipality is required to perform clean-up on property



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FEE SCHEDULE - REQUEST FOR AMENDMENT**

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		<b><u>SIGNATURE:</u></b>	
<b>Name of Existing Fee or Proposed New Fee:</b>	<b>Current Amount of Fee: (N/A for new fee)</b>	<b>Proposed Amount of Fee:</b>	<b><u>Detailed justification or rationale for the proposed New or Amended Fee:</u></b>
<b>Automated Speed Enforcement Administrative Monetary Fees</b>		<b>To be implemented with ASE infraction</b>	
Screening Non-Appearance	NEW	\$60.00	Per ASE AMP By-law
Hearing Non-Appearance	NEW	\$60.00	Per ASE AMP By-law
MTO Plate Search Fee	NEW	\$8.25	MTO fee for pulling PI attached to license plate where ASE infraction occurs
Plate Denial Fee	NEW	\$20.00	MTO fee for ASE infractions where plate denial is required
Late Payment Fee	NEW	\$20.00	to be applied where payment is late for ASE infraction