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| TO: | CHAIR AND MEMBERS CORPORATE SERVICES COMMITTEE MEETING ON SEPTEMBER 10, 2013 |
| FROM: | CATHY SAUNDERS, CITY CLERK |
| SUBJECT | AMENDMENTS TO FEES AND CHARGES BY-LAW A-46 TO AMEND FEES RELATED TO CENTENNIAL HALL, BID DOCUMENTS, TELECOMMUNICATION TOWERS PUBLIC CONSULTATION PROCESS, DISPLAY FIREWORKS INSPECTION/PERMITS AND RECORDS RESEARCH |

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| RECOMMENDATION |
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That, on the recommendation of the City Clerk, the attached proposed by-law (Appendix “A”) **BE INTRODUCED** at the Municipal Council meeting on September 17, 2013 to amend By-law No. A-46, as amended, entitled “A by-law to provide for Various Fees and Charges” as follows:

- i) amendments to fees related to Centennial Hall;
- ii) amendments to and addition of fees for obtaining documentation through the bidding process;
- iii) addition of a new public consultation process fee for new telecommunication towers;
- iv) provision of a process for the waiving of fees for display fireworks inspection/permits; and,
- v) addition of a fee for record research requests.

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| PREVIOUS REPORTS PERTINENT TO THIS MATTER |
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Item #5 – Strategic Priorities and Policy Committee – December 4, 2012 – Amendments to Consolidated Fees and Charges By-law

Item #14 – Civic Works Committee – May 27, 2013 – Amendment to Consolidated Fees and Charges By-law

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| BACKGROUND |
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Fees and Charges By-law

Section 391(1) of the *Municipal Act, 2001*, S.O. 2001, c.25, authorizes a municipality to impose fees and charges on persons,

- (a) for services or activities provided or done by or on behalf of it;
- (b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board; and
- (c) for the use of its property, including property under its control.

There are a number of City of London by-laws that authorize various fees and charges related to the services or activities provided by the City of London. The Civic Administration is continuing to move towards a consolidated fees and charges by-law in order to provide a single source of information for members of the public with respect to the City of London’s fees and charges. The attached proposed by-law (Appendix “A”), incorporates the following:

- i) amendments to fees related to Centennial Hall;
- ii) amendments to and addition of fees for obtaining documentation through the bidding process;
- iii) addition of a public consultation process fee for new telecommunication towers;
- iv) provision of a process for the waiving of fees for display fireworks inspection/permits; and,
- v) addition of a fee for record research requests.

Centennial Hall

As a result of increased costs related to utility rates and maintenance staff wages, it is proposed that the current fees for Centennial Hall be increased. It is also noted that rental fees at Centennial Hall have not been increased for the past two years.

| Service/Activity | Current Fee | Proposed Fee |
|--|---------------------------------------|--------------|
| Hall Rentals – Auditorium - Banquet Style | \$975 + chair removal | \$1,500 |
| Hall Rentals – Auditorium – Banquet Style (June, July, August) | \$900 + chair removal | \$1,000 |
| Hall Rentals – Rehearsal Stage | \$500 | \$600 |
| Banquet Hall – Monday – Friday | \$750 | \$1,000 |
| Banquet Hall – Sunday, Saturday, Holidays | \$750 | \$1,000 |
| Banquet Hall – New Year’s Eve | \$1,700 | \$2,000 |
| One-half Banquet Hall | \$400 | \$500 |
| Trade Shows | \$575/day + 7% sublet + 7% admissions | \$1,000/day |
| Lounge | \$200 | \$250 |
| Lounge – After Events | \$160 | \$200 |
| Entire Building (Convention Rate) | \$2,500 | \$3,000 |
| Entire Building (Trade Show Event) | \$2,500 + 7% sublet +7% admissions | \$3,000 |

Documentation – Bidding Process

The Civic Administration is seeking approval to increase the fees related to the provision of bid documentation. Vendors have the ability to download bid documentation from the City of London’s website at no fee. In addition, the Civic Administration is implementing an automated procurement service called “Biddingo”, commencing September 23, 2013, which will provide bidders with greater opportunity to undertake the bid process electronically. Previously, many vendors had requested hard copies of the documentation at a charge. The increase in fees is being proposed in order to cover the preparation costs and increased production costs of the documentation. As such, the Civic Administration is proposing that fees related to obtaining bid documentation be increased.

The following table summarizes the current and proposed fees.

| Service/Activity | Current Fee | Proposed Fee |
|---|--|--|
| Bid Documents (Hard Copy) – Formal Request for Quotations >\$50,000 | \$54 | \$75 |
| Bid Documents (Hard Copy) – Request for Proposals | \$27 | \$50 |
| Bid Documents (Hard Copy) – Request for Tenders | \$108 (subject to review for large engineering CAD packages) | \$150 (subject to review for large engineering CAD packages) |
| Bid Documents (Electronic) – Biddingo (ALL) | \$0.00 download from City website | \$25 + 15% Admin Fee |

Public Consultation Process Fee – Telecommunications Facilities Consultation

Municipal Council, at its meeting of July 24/25, 2012, passed the following resolution:

“That, on the recommendation of the Director of Land Use Planning and City Planner, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on July 24, 2012, to implement a Telecommunications Facilities Consultation Policy; it being noted that the regulation of these facilities, including the siting, is a Federal matter administered through Industry Canada. (2012-I11-00)”

Included in the related staff report, was the consideration of establishing a fee where the proposal for a new telecommunications facility requires public consultation. The proposed fee of \$125 is to cover the costs related to the preparation of mapping, labels and circulation lists prepared by the City. This public consultation process would supplement Industry Canada’s consultation process.

Display Fireworks Inspection/Permit Fees

Municipal Council, at its meeting of June 26/27, 2012, passed the following resolution:

“That, on the recommendation of the Fire Chief, the following actions be taken with respect to the Fees and Charges By-law as it relates to Firework Displays:

- a) the ~~attached~~ proposed by-law (Appendix A) BE INTRODUCED at the June 26, 2012 Municipal Council meeting, to amend the Fees and Charges By-law A-42 to provide for the waiving or reduction of fees for Fire Work Display inspection/permit where Council, by resolution, has agreed to the waiving or reduction; and,
- b) the permit fees for the Canada Day Firework Display held by the West Park Baptist Church and the Optimist Club of Summerside BE WAIVED for 2012. (2012-G05-00)”

The provisions set out in the amending by-law were inadvertently not carried through to By-law A-46, the Fees and Charges By-law, passed by Council on December 11, 2012. As a result, the Civic Administration recommends that the following previously-approved provisions be placed in By-law A-46:

Schedule 1, Protective Services Service Grouping: Fire Services, be amended by adding the following words: “unless the fee is waived or reduced by Council resolution” after the phrase “Display Fireworks inspection/permit”; and,

Schedule 1, Protective Services, Service Grouping: Fire Services, be amended by deleting the words “(Part 4)” after the words “Open Air Burn Permit”, and inserting the words “(Part 3)”.

The Fire Chief supports the waiving of fees for specific Display Fireworks events, more specifically those commemorating statutory holidays, as these events are open to the to the public, benefit the community and are held by not-for-profit organizations.

Fee for Records Research Requests- City Clerk’s Office

The documentation staff of the City Clerk’s Office regularly receives requests from the public, lawyers and others to conduct a search of our records to obtain current or archived information. These searches are time consuming. It is therefore recommended that a fee of \$7.50 per each 15 minutes taken to undertake the research, be charged.

Summary

The attached proposed by-law (Appendix “A”) incorporates the following amendments to By-law No. A-46, as amended, entitled “A by-law to provide for Various Fees and Charges” as follows:

- i) amendments to fees related to Centennial Hall
- ii) amendment to and add fees for obtaining documentation through the bidding process;
- iii) addition of a public consultation process fee for new telecommunication towers;
- iv) provision of a process for the waiving of fees for display fireworks inspection/permits; and,
- v) addition of a fee for record research requests.

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| PREPARED AND RECOMMENDED BY: |
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| CATHY SAUNDERS CITY CLERK |

Appendix “A”

Appendix “A”

2013

By-law No. A-

A by-law to amend By-law A-46, being a by-law to provide for Various Fees and Charges.

WHEREAS subsection 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS section 10(1) of the *Municipal Act, 2001* provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS section 10(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting: in paragraph 7, Services and things that the municipality is authorized to provide under subsection (1);

AND WHEREAS section 391(1) of the *Municipal Act, 2001* provides that a municipality may impose fees or charges on persons:

- (a) for services and activities provided or done by or on behalf of it;
- (b) for costs payable by it for services and activities provided or done by or on behalf of any other municipality or any local board; and
- (c) for the use of its property including property under its control;

AND WHEREAS it is deemed expedient to pass this by-law;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. By-law A-46 entitled “A By-law to provide for Various Fees and Charges” be amended as follows:

- (i) by changing the following fees contained on “Schedule 1 Culture Services Service Grouping: Culture Services” as follows:

| Service/Activity | Fee |
|--|-------------|
| Hall Rentals – Auditorium - Banquet Style | \$1,500 |
| Hall Rentals – Auditorium – Banquet Style (June, July, August) | \$1,000 |
| Hall Rentals – Rehearsal Stage | \$600 |
| Banquet Hall – Monday – Friday | \$1,000 |
| Banquet Hall – Sunday, Saturday, Holidays | \$1,000 |
| Banquet Hall – New Year’s Eve | \$2,000 |
| One-half Banquet Hall | \$500 |
| Trade Shows | \$1,000/day |
| Lounge | \$250 |
| Lounge – After Events | \$200 |
| Entire Building (Convention Rate) | \$3,000 |
| Entire Building (Trade Show Event) | \$3,000 |

- (ii) by adding the following new fee to “Schedule 1 Corporate, Operational & Council Services Service Grouping: Corporate Services”, under the heading “Purchasing” – Bid documents – downloaded from Biddingo.com - \$25 + 15% Administration Fee;
- (iii) by amending the following fees contained on “Schedule 1 Corporate, Operational & Council Service Grouping: Corporate Services”, under the heading “Purchasing”, as follows:

| Service/Activity | Fee |
|---|--|
| Tender documents (Hard Copy) | \$150 (subject to review for large engineering CAD packages) |
| Quotation documents over \$50,000 (Hard Copy) | \$75 |
| Proposal documents (Hard Copy) | \$50 |

- (iv) by adding the following new fee to “Schedule 1 Planning & Development Services Service Grouping: Development Services” – Telecommunications public consultation process fee – \$125.00;
- (v) by amending “Schedule 1 Protective Services Service Grouping: Fire Services” by adding the following words after the words “Display Fireworks inspection/permit: “unless the fee is waived or reduced by Council resolution”;
- (vi) by amending “Schedule 1 Protective Services Service Grouping: Fire Services” by deleting after the words “Open Air Burn Permit” the phrase “(Part 4)” and by replacing it with the phase “(Part 3)”;
- (vii) by adding the following new fee to “Schedule 1 Corporate, Operating & Council Services Service Grouping: Corporate Planning & Administration” - Records Research Request - \$7.50 per 15 minutes of research time.

2. This by-law comes into force on the day it is passed.

PASSED in Open Council on September 17, 2013.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading - September 17, 2013
Second Reading - September 17, 2013
Third Reading – September 17, 2013