

<b>TO:</b>	<b>CHAIR AND MEMBERS STRATEGIC PRIORITIES AND POLICY COMMITTEE MEETING ON NOVEMBER 9, 2015</b>
<b>FROM:</b>	<b>CATHY SAUNDERS CITY CLERK</b>
<b>SUBJECT:</b>	<b>AMENDMENTS TO CONSOLIDATED FEES AND CHARGES BY-LAW</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the City Clerk, with the concurrence of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the attached proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting on November 10, 2015 for the purpose of repealing By-law No. A-48, as amended, being "A by-law to provide for Various Fees and Charges" and replacing it with a new Fees and Charges By-law that adds and adjusts certain fees and charges for services or activities provided by the City of London.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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None.

<b>BACKGROUND</b>
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Section 391(1) of the *Municipal Act, 2001*, S.O. 2001, c.25, authorizes a municipality to impose fees or 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.

Summary of 2016 Proposed Changes to Fees and Charges

Schedule 1 to the attached proposed by-law outlines the service areas' proposed 2016 fees and charges. Any proposed new fees or increases in fees are shown in bold on Schedule 1 to the proposed by-law. The key proposed fees and charges changes are summarized as follows:

**Parks and Recreation Services**

User fees for recreational services and facilities are re-assessed each year, with a number of factors being considered in order to ensure that programs, services, facilities and opportunities remain accessible, affordable and inclusive of all residents. Consideration includes operating costs, market analysis of other similar programs, capital developments and target markets. Parks and Recreation Services is recommending a variety of increases in the areas outlined below.

*Aquatics*

There are continuing challenges related to lifeguard recruitment, retention, and wages. In order to partially offset proposed changes to casual wage(s) and better reflect the services provided, it is proposed that the fee structure for aquatic programming be modified to pass on to the user, wage increases necessary to attract and retain sufficient instructor/lifeguards to meet aquatic programming needs. Wage and fee increases are recommended to be phased in over a three-year period.

The fee structure for swimming lessons and summer team services is proposed to be changed entirely to recognize and differentiate our products based on the value received and the duration of the service. Historically, swimming lessons have been charged at the same rate regardless of the length of the class or the number of classes provided. In the fall/winter/spring, swimming lessons are seven sessions in length, with class times varying from 30 to 45 minutes. In the summer months, the same variation in times exists, but lessons run for 5 to 10 sessions. Fees are being proposed to be increased by 15% in 2016, to better reflect the cumulative class time.

Drop in (pay per admission) fees are proposed to be adjusted to reflect the increased cost of life guarding, with a proposed increase of \$0.50 per admission by type of service. Pay per admission rates in aquatics have not been changed since 2010. Memberships are also proposed to be adjusted to be consistent with the related pay per admission fee. Facility rental fees are proposed to be increased 2.5% at all aquatic facilities.

#### *Arenas and Sports Fields*

To maintain 2015 service levels at our facilities, ice rental and soccer field fees are proposed to be increased by 2% to 4% to recover inflationary cost increases associated with maintenance and operation. Baseball fees are proposed to be increased by \$0.75 to \$2 per hour at most fields, with a 10% increase being proposed for use of Labatt Park. This is being proposed in an effort to better align baseball fees with those for soccer. Inter-county game fees at Labatt Park are now part of the separate licence agreement with the London Majors.

#### *Sports Services*

Adult volleyball and basketball leagues are proposed to see a 2% increase in team registration fees.

#### *Golf*

There are minor fee changes proposed to allow the City of London golf system to be competitive in the market place, while maintaining the principle of providing affordable golf opportunities for Londoners. Golf is proposed to continue to be an area that is dependent solely on user fees to sustain the program.

### **Neighbourhood, Children and Fire Services**

#### *Community Centres and Community Recreation & Leisure Programs*

Fees for community programs and community centre room/gym rental fees are proposed to be increased at an average of 2.5% for programs and services impacted by legislated increases to minimum wage and inflationary costs.

Program fees are established within the context of maintaining affordability in order to maximize inclusive participation and therefore the individual and public benefits of recreation. City of London Spectrum program fees remain at the low end of the market in London.

#### *Fire Services*

The Province has recently increased the fees it pays for Fire Services to attend highway accidents by approximately 9.7% to better reflect the actual costs incurred by Fire Services to do so. The City of London Fire Services has always used the fees established by the Province as the basis for its own fees for Fire Services to attend highway/local vehicle incidents. The provincial fee increase is reflected in the proposed City of London fees for 2016.

### **Development and Compliance Services**

#### *Zoning Compliance Letters*

An increase in the fee to obtain zoning compliance letters is being proposed from \$60 to \$100 to reflect the cost to research and prepare the letters.

### *Extensions of Draft Approval - Subdivision*

The current fee to process a request for extension of draft approval is \$1,000. The processing for requests for extensions beyond a 6-month period requires a more substantive process to be undertaken by staff. As a result it is proposed that above the \$1,000 flat fee, an additional fee based on the number of lots, blocks, etc. be applied.

### *Weekly and Monthly Reports*

An increase in the fee to obtain copies of weekly and monthly reports with respect to building activity is being proposed given that the fee has not been increased in a number of years and the cost should reflect the cost to produce the reports.

### *Municipal Law Enforcement Training*

It is recommended that the fee applied to provide municipal law enforcement training regarding parking enforcement that is provided to individuals who are not City of London employees be increased from \$150 to \$200 to better reflect the cost to provide the service.

## **Corporate Services – Finance**

### *Revenue Division*

The Revenue Division is proposing increases to requests for various tax certificates and administration fees related to taxation. The proposed fees for 2016 are based on a review of similar fees currently charged by other municipalities and projected Division expenses and revenues for 2016.

### *Municipal Service and Financing Agreements*

The Development Charges Background Study provides for new policies and procedures related to applications for Municipal Service and Financing Agreements. The Civic Administration is proposing that an application fee and Agreement processing fee be put in place that reflects the staffing costs to process and prepare the Agreement. An application fee of \$2000 and a processing fee of \$3000 is proposed.

Municipal Service and Financing Agreements are used to provide a financing arrangement for infrastructure in advance of intended construction dates.

## **Housing, Social Services and Dearness Home**

### *Long Term Care*

The fees relating to staff escorts to medical clinic appointments (up to 3 hours) is proposed to be increased from \$90 to \$100 commencing July 1, 2016. The fee for staff escorts after 3 hours is proposed to be increased from \$30 per hour to \$34 per hour commencing July 1, 2016. The proposed increases will offset inflationary increases to salaries and benefits.

## **Engineering and Environmental Services**

### *Garbage Recycling & Composting*

The fee for the disposal of renovation materials at the EnviroDepots are proposed to be increased to reflect the rates set by the contractor, noting that the City does not receive revenue from this service.

It is proposed that the commercial tipping fees at the W12A Landfill be consolidated into fewer categories as there is no financial advantage to processing smaller volumes of garbage versus large volumes of garbage.

A new collection fee is being proposed to cover the cost of an additional multi-residential garbage or recycling collection (e.g., returning to an apartment building if material was not set out on time).

A new fee is being proposed for recycling appliances with ozone depleting substances.

*Roads*

A new fee related to pavement degradation services is proposed. This work is required to be undertaken when private contractors and City work crews undertake projects that require excavations to be made in the pavement structure of a roadway, which compromises pavement integrity and reduces the service life of the road. The purpose of the fee is to recover future costs that will be precipitated by the roadway cuts and the resulting work that is required to restore the integrity of the roadway by patching or earlier road rehabilitation. The proposed fees will reflect the condition of the roadway with a lower fee for already deteriorated roadways and higher fees for roads that are new or are in good condition.

<b>RECOMMENDED BY:</b>	<b>CONCURRED BY:</b>
<b>CATHY SAUNDERS CITY CLERK</b>	<b>MARTIN HAYWARD MANAGING DIRECTOR, CORPORATE SERVICES AND CITY TREASURER, CHIEF FINANCIAL OFFICER</b>

Bill No.  
2015

By-law No. A-

A by-law to provide for Various Fees and Charges and to repeal By-law A-48 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 section 69 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, provides that council of a municipality may by by-law, establish a tariff of fees for the processing of applications made in respect of planning matters;

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:

## **Part 1 REPEAL OF BY-LAW A-48**

### **1.1 Repeal of By-law A-48**

By-law A-48, as amended, being "A by-law to provide for Various Fees and Charges", passed in Open Council on November 25, 2014, is hereby repealed.

## **Part 2 APPROVAL OF FEES AND CHARGES**

### **2.1 Fees and charges – approval**

The fees and charges listed in the column headed "Fee" on Schedule 1 of this by-law are approved and imposed for the associated "Service/Activity" commencing on the date set out in the column headed "Effective Date".

### **2.2 Fees and charges - taxes**

All fees and charges listed on Schedule 1 of this by-law are subject to applicable taxes.

### **2.3 Fees and charges – administration and interest charges**

All fees and charges listed on Schedule 1 of this by-law may be subject to applicable administration charges and interest charges as set by The Corporation of the City of London.

## **Part 3 METHOD OF PAYMENT**

### **3.1 Fees and charges - when payable**

The fees and charges, listed on Schedule 1 of this by-law, plus all applicable taxes, are due and payable:

- (a) at the time of the transaction for which the fee or charge is imposed; or
- (b) if subsection 3.1 (a) is not applicable, upon the due date specified in any invoice issued by The Corporation of the City of London to any person or party in connection with a fee or charge listed on Schedule 1 of this by-law.

### **3.2 Fees, Charges and Penalties – how payable**

The fees and charges, listed on Schedule 1 of this by-law, can be paid by debit (where available), cash, certified cheque, credit card (where available) or by any other manner authorized by the respective City of London Service Area.

### **3.3 Collection – unpaid invoices**

Fees and charges listed on Schedule 1 of this by-law and imposed on a person or party, constitute a debt of the person or the party to The Corporation of the City of London. Where there is statutory authority to do so, the City Treasurer may add fees and charges imposed by this by-law to the tax roll for the property in the same manner as municipal taxes.

## **Part 4 ENACTMENT**

### **4.1 Effective date**

The by-law comes into force and effect on January 1, 2016.

PASSED in Open Council on November 10, 2015.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading - November 10, 2015  
Second Reading - November 10, 2015  
Third Reading – November 10, 2015