

<b>TO:</b>	<b>CHAIR AND MEMBERS STRATEGIC PRIORITIES AND POLICY COMMITTEE MEETING ON OCTOBER 24, 2016</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 October 25, 2016 for the purpose of repealing By-law No. A-49, 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 2017 Proposed Changes to Fees and Charges

Schedules 1, 2 and 3 to the attached proposed by-law outline the service areas' proposed 2017, 2018 and 2019 (respectively) fees and charges. Any proposed new fees or increases in fees are shown in bold on Schedules 1, 2 and 3 to the proposed by-law. The key proposed fees and charges changes are summarized as follows:

**Engineering and Environmental Services**

*Garbage Recycling & Composting*

A new fee of \$6.00 for the purchase of Blue Boxes (maximum of two per purchase) is being proposed. It is anticipated that providing for the purchase of Blue Boxes will encourage residents to recycle and increase the amount of material being recycled.

*Garbage Collection & Disposal*

As a result of the new garbage container limit (three) a new fee for the purchase of Garbage Tags (\$1.50 per tag) is being proposed to accommodate those circumstances where residents need to exceed the container limited. Residents will continue to have the ability to dispose of extra garbage at the EnviroDepots for \$1.50 per container.

## **Parks, Recreation & Neighbourhood 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 continues to be 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 increased 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 proposed to be phased in over a three-year period.

The fee structure for swimming lessons and summer team services is proposed to be increased to recognize and differentiate our products based on value received and the duration of the service. Fees are proposed to be adjusted to better reflect the differing lesson lengths and number of classes, with an average increase of 1.5 to 16% increase.

Drop in (pay per admission) fees are proposed to be increased in 2018 by \$0.50 per admission to reflect the increased cost of providing lifeguard services. Memberships are also proposed to be increased to be consistent with the related pay per admission fee. Facility rental fees are proposed to be increased by 2.5% at all aquatic facilities for each of the next three years.

## ***Sports Services***

### *Arenas and Sports Fields*

To maintain 2016 service level standards at our facilities, ice rentals and soccer field fees are proposed to be increased by 1% to 2% to recover inflationary cost increases associated with maintenance and operations. Baseball fees are proposed to be increased by 10%-13% over time to obtain cost recovery. Fees related to Labatt Park are proposed to be increased by 10%, with the price structure being proposed to be changed to better match the operational costs. Inter-county game fees at Labatt Park are now part of the separate licence agreement with the London Majors.

### *Golf*

There are minor fee increases being 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.

*Parks and Urban Forestry*

Fees and charges as a result of the recently enacted Tree Protection By-law, have been incorporated into the attached proposed by-law.

**Planning and Development Services**

Fees and charges related to the purchase of Backflow Prevention Tester Kits are proposed to be increased by 40% to reflect the increase in costs.

**Corporate Services - Finance**

*Revenue Services*

The Revenue Division is proposing increases of 1% to 2% to requests for various tax certificates and administration fees related to taxation. The proposed fees are based on a review of similar fees currently charged by other municipalities and projected Division expenses and revenues.

*Technology Services*

Printing charges identified within Technology Services are based on actual costs billed under contract with the provider of printing services.

*Purchasing Services*

Fees and Charges related to the purchase of documents related to the tendering process are proposed to be increased. The proposed increases for 2018 reflect a biannual increase in order to recover inflationary cost increases.

**Corporate Services – Operational & Council Services**

*Municipal Election*

Fees and Charges related to the purchase of additional Ward & Poll Maps, Election Results and Street Indexes related to the Municipal Election are proposed to be increased to reflect the actual cost of printing.

*Miscellaneous Fees*

Fees and Charges related to the registration of By-laws on property titles is proposed to be increased as a result of the Province of Ontario's increase in registration fees.

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

Bill No.  
2016

By-law No. A-

A by-law to provide for Various Fees and Charges  
and to repeal By-law A-49 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-49**

### **1.1 Repeal of By-law A-49**

By-law A-49, as amended, being “A by-law to provide for Various Fees and Charges”, passed in Open Council on November 10, 2015, 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 Schedules 1, 2 and 3 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 Schedules 1, 2 and 3 of this by-law are subject to applicable taxes.

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

All fees and charges listed on Schedules 1, 2 and 3 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 Schedules 1, 2 and 3 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 Schedules 1, 2 and 3 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 Schedules 1, 2 and 3 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, 2017.

PASSED in Open Council on October 25, 2016.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 25, 2016  
Second Reading – October 25, 2016  
Third Reading – October 25, 2016