



TO:	CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON MAY 27, 2013
FROM:	CATHY SAUNDERS, CITY CLERK
SUBJECT	AMENDMENTS TO FEES AND CHARGES BY-LAW A-46 TO INCLUDE A FEE FOR COMMEMORATIVE STREETS REQUESTS AND A FEE RELATED TO PERMITS FOR APPROVED WORKS

RECOMMENDATION

That, on the recommendation of the City Clerk, the attached proposed by-law (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting on June 11, 2013 to amend By-law No. A-46, as amended, entitled "A by-law to provide for Various Fees and Charges" in order to include fees related to commemorative street requests and also permit applications for approved works, where the works do not involve road cuts, traffic management plans or disruptions within the travelled portion of the roadway.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

Item #5 – Strategic Priorities and Policy Committee – December 4, 2012 – Amendments to Consolidated Fees and Charges By-law

Item #14 - Civic Works Committee – January 21, 2013 – Commemorative Street Naming Policy

BACKGROUND

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 a fee related to the commemorative streets process; and a permit fee for approved works, where the works does not involve road cuts, traffic management plans, or disruptions within the travelled portion of the roadway.



Commemorative Street Naming Policy

At the January 29, 2013 Meeting of Municipal Council, the following resolution was passed with respect to the establishment of a Commemorative Street Naming Policy:

“That on the recommendation of the Manager, Development and Compliance Services, the following actions be take with respect to the Commemorative Street Naming Policy:

- a) the attached revised proposed by-law (Appendix “A” BE INTRODUCED at the Municipal Council meeting of January 29, 2013 to establish Council Policy 25() entitled “Commemorative Street Naming Policy”, attached as Schedule “A” to the by-law, related to the naming of streets to broaden the eligibility of names to be honoured by the introduction of a Commemorative Street Category; and,
- b) subject to approval of a) above, the City Clerk BE DIRECTED to bring forward the necessary amendments to By-law A-46, being “A by-law to provide for Various Fees and Charges” to implement a new application fee for Commemorative Streets, in the amount of \$250.00, plus applicable taxes and 100% cost recovery of the new street signs and installation thereof.”

In response to Municipal Council’s direction, the attached proposed by-law (Appendix “A”) incorporates the associated fee.

Applications submitted under the Commemorative Streets Program will be subject to review by the Municipal Addressing Advisory Group (MAAG), to ensure that the application meets the requirements of the Commemorative Street Naming Policy, as well as the extent to which the proposed Commemorative Street Name is consistent with City of London municipal addressing guidelines. Development Services staff will prepare a report to the Manager Development Services - Engineering Liaison, or their designate, on the requested Commemorative Street Name. The Manager Development Services - Engineering Liaison will make the final decision on the Commemorative Street Name as this position is identified in the Naming of Highways and Numbering of Buildings and Lots By-law as being responsible for assigning new street names in accordance with Council policy.

The fee included in the attached proposed by-law (Appendix “A”), is being proposed to cover the costs for the Civic Administration to undertake the application process, as well as produce and install the relevant signage, as noted above.

Fees for Permit of Approved Works

Permit of Approved Works (PAW) are issued through the City’s Development and Compliance Services area for works on, under, or over public property that require the occupation, use or excavation of City property. Any business/individual seeking to occupy City property for a purpose that may include: setting up cranes or other lifting devices on roads/sidewalks; diverting traffic; installing underground services; erecting scaffolding on sidewalks; placing bulk bins on any City property; and requiring access through parks etc., including activities which do not require excavation on the City road allowance, must obtain a Permit of Approved Works (PAW), prior to undertaking these works.

The PAW permit process currently requires a singular fee for all activities requiring the issuance of a permit. The current fee is \$265.00, plus H.S.T. Applicants are also required to provide proof of \$2,000,000 liability insurance and provide a security deposit that is refundable upon completion of work or restoration of damaged space that is being occupied. Some PAWs require submission and approval of a traffic control or management plan for disruption of main roads, to be approved by the City’s Transportation Division for occupancy of roadways.

The attached proposed by-law (Appendix “A”) incorporates a new permit fee of \$110.00 for approved works on public property that do not involve road cuts, traffic management plans or disruptions within the travelled portion of the roadway, plus a vehicle fee of \$10.00 per vehicle for the temporary occupation of the right-of-way for construction and/or service vehicles to undertake works on adjacent properties is being proposed.



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: "Schedule 1 Planning & Development Services Service Grouping: Development Services" by:

- (i) adding the following new fee to "Schedule 1 Planning & Development Services Service Grouping: Development Services" - Commemorative Street Naming – \$250.00 application fee, plus full cost recovery of production and installation of signage;
- (ii) adding the following new fee to "Schedule 1 Transportation Services Service Grouping: Roadways" – Permit fee for Approved Works, where the works do not involve road cuts, traffic management plans or disruptions within the travelled portion of the roadway - \$110.00 per City Works Approval Permit, plus a vehicle fee of \$10.00 per vehicle to undertake works on adjacent property.



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

PASSED in Open Council on June 11, 2013.

Joe Fontana
Mayor

Catharine Saunders
City Clerk