



Corporation of the Town of Newmarket

By-law 2022-09

A By-law to adopt Fees and Charges for Services or Activities Provided by the Town of Newmarket for the following (Fire Services).

Whereas The Corporation of the Town of Newmarket and The Corporation of the Town of Aurora have established a consolidated fire and emergency services department known as Central York Fire Services through By-law 2001-146 to deliver firefighting and related emergency services; and,

Whereas the Municipal Act, 2001 authorizes a municipality to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of it; and,

Therefore be it enacted by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. That Schedule G of By-law 2022- 09 be enacted; and,
2. That should any section of this by-law be declared invalid by a court of competent jurisdiction, such section shall be construed as being severed here from and the remainder of the by-law shall continue in full force and effect; and
3. That notwithstanding fees and charges prescribed by other legislation, By-law 2021-65 supersedes all other fees and charges previously established by the Town of Newmarket for the services identified in this by-law; and,
4. On an annual basis, the Treasurer has the delegated authority to approve the adjustment of fees and charges up to the rate of inflation.
5. For the purposes of such, the prescribed rate of inflation is defined to be the lessor of 2.5% and the target rate established by Council as part of their budget direction. The target rate will be the annual increase in the Consumer Price Index (CPI) for Toronto at the end of March, but will be subject to Council review and approval. There is one exception to this restriction; for low dollar fees that for practical reasons are best subject to increases every few years and not annually. For such items, the increase would be limited not by the prescribed rate of inflation, but by the accumulated inflation since the last rate adjustment.

Enacted this 7th day of February, 2022.

John Taylor, Mayor

Lisa Lyons, Town Clerk

**TOWN OF NEWMARKET
2022 USER FEES
SCHEDULE G**

Department: **Fire Services**

Effective Date: **January XX, 2022**

SERVICE PROVIDED	DESCRIPTION	UNIT OF MEASURE	SUBJECT TO HST YES/NO	2021 FEE BEFORE TAX	2022 FEE BEFORE TAX	ADMIN FEE	HST AMOUNT	TOTAL FEE	% INCREASE
Fire Education and Prevention									
Apartment/Office Inspections Base Building	When Fire and Emergency Services receives a request to conduct an inspection of a Apartment / Office Building or Base Building, the property owner will be charged the fees outlined in this schedule.	One to five storey premises	Y	\$367.15	\$372.66	\$ -	\$48.45	\$421.11	1.5%
		Six or more storey premises	Y	\$489.55	\$496.89	\$ -	\$64.60	\$561.49	1.5%
		Each additional unit	Y	\$93.72	\$95.13	\$ -	\$12.37	\$107.49	1.5%
		Day Care Home Inspection	Y	\$99.04	\$100.53	\$ -	\$13.07	\$113.60	1.5%
		Day Nursery Inspection	Y	\$99.04	\$100.53	\$ -	\$13.07	\$113.60	1.5%
Request for Report	When Fire and Emergency Services receives a request to fax, email or mail a report (i.e. standard incident report) the requestor will be charged the fees outlined in this schedule.	Faxing or Mailing Reports	Y	4952%	\$50.26	\$ -	\$6.53	\$56.80	1.5%
Property File Search	When Fire and Emergency Services receives a request for a file search and response. (i.e. file search and response letter to determine if a property has any noted violations) the requestor will be charged the fees outlined in this schedule.	File Search and Response	Y	\$97.00	\$98.46	\$ -	\$12.80	\$111.26	1.5%
Retrofit Inspections (9.5, 9.6)	When the Fire and Emergency Services receives a request to conduct an inspection in accordance with Part 9 of the Ontario Fire Code, the property owner will be charged the fees outlined in this schedule.		Y	\$374.86	\$380.48	\$ -	\$49.46	\$429.95	1.5%
Retrofit Inspections (9.8)	When Fire and Emergency Services receives a request to conduct an inspection in Newmarket in accordance with By-Law 2013-13 for the registration of Accessory Dwelling Units (ADU's) OR in Aurora in accordance with By-Law 5221-10 for registration of second suites, the property owner will be charged the fees outlined in this schedule.		Y	\$199.94	\$202.93	\$ -	\$26.38	\$229.32	1.5%
Fireworks Permit Fee	When Fire and Emergency services receives a request to review a Display Fireworks Permit application in Newmarket in accordance with By-law 2002-51 OR in Aurora in accordance with By-law 4736-05 the fireworks provider requesting the permit will be charged the fees outlined in this schedule.		N	\$111.16	\$112.83	\$ -	\$0.00	\$112.83	1.5%
Extinguisher Training Using Classroom and Burn Pan	When Fire and Emergency Services provides fire extinguisher training to a requestor, the following fee will be charged the fees outlined in this schedule.	Per session up to 20 people with own extinguishers	Y	\$373.12	\$378.71	\$ -	\$49.23	\$427.95	1.5%
Industrial & Commercial Inspection	When Fire and Emergency Services receives a request to conduct an inspection of a industrial or commercial unit, the property owner will be charged the fees outlined in this schedule.	Per single industrial unit	Y	\$99.04	\$100.53	\$ -	\$13.07	\$113.60	1.5%
		Each additional unit	Y	\$99.04	\$100.53	\$ -	\$13.07	\$113.60	1.5%
		LLBO Inspections	Y	\$132.06	\$134.04	\$ -	\$17.43	\$151.47	1.5%

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Fire Protection and Response									
Provincial Highway Accident Responses (Ministry of Transportation)	Fees and charges to be set by the Ministry of Transportation.	Flat rate. Per hour/per fire truck (limit of 3 fire vehicles)	N	\$488.40	\$509.89	\$ -	\$0.00	\$509.89	4.4%
Emergency Response to a motor vehicle collision (Regional and Municipal roads)	Refer to By-Law 2019-60 and 2019-61, fees and charges will be charged according to this schedule.	Flat rate. Per hour/per fire truck (limit of 3 fire vehicles)	N	\$488.40	\$509.89	\$25.00	\$0.00	\$534.89	4.4%
Natural Gas Leaks Response	When Fire and Emergency Services attends an incident in response to a natural gas leak, and upon conducting an investigation, CYFS determines that due diligence was not exercised the property owner and/or party responsible shall be charged the fees stipulated in this schedule.	Flat rate. Per hour/per fire truck	N	\$488.40	\$509.89	\$25.00	\$0.00	\$534.89	4.4%
Hydro Incidents (down hydro lines)	When Fire and Emergency Services responds to a hydro incident (down wires), and if stand-by is required for an extended period of time (at the discretion of the Fire Chief or designate) to keep the scene safe then the local utility will be charged according to this schedule.	Flat rate. Per hour/per fire truck	N	\$488.40	\$509.89	\$25.00	\$0.00	\$534.89	4.4%
Drug Labs/Grow Ops/Clandestine Labs	When Fire and Emergency Services is requested to stand-by and provide fire protection services to ensure the scene remains safe, the property owner and/or party responsible will be charged the fees outlined in this schedule.	Flat rate. Per hour/per fire truck	N	\$488.40	\$509.89	\$25.00	\$0.00	\$534.89	4.4%
Elevator Rescue (non-emergency)	When Fire and Emergency Services attends a property in response to a stalled/malfunction elevator and determines the confined individual(s) do not require medical attention, CYFS will assist in patient(s) evacuation. If CYFS is not successful in the evacuation of patient(s), CYFS will remain on scene until the arrival of a responsible elevator representative/company. The property owner shall be charged the fees as stipulated in this schedule.	Flat Rate	N	\$0.00	\$509.89	\$25.00	\$0.00	\$534.89	0.0%
False Alarm (preventable cause)	For the purpose of this schedule, a false alarm means the activation of a fire alarm or emergency system which occurs without just cause, including where there is no fire, carbon monoxide or other emergency situations. Fire and Emergency services shall charge a property owner the false alarm fee stipulated in this schedule if upon attending a property in response to the activation of a fire alarm or emergency system and it is determined it is was a false alarm. Where a false alarm is triggered as a result of work being conducted on a fire alarm or emergency system and CYFS attends to the property in response to the false alarm, the property owner shall be charged the false alarm fee stipulated in this schedule. The false alarm fee will not be charged for the first and second occurrence of the false alarm at a property, but will be charged for subsequent false alarm occurrence within the same calendar year.	Flat Rate	N	\$488.40	\$509.89	\$25.00	\$0.00	\$534.89	4.4%

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Hazardous Materials Response	<p>When Fire and Emergency Services responds to an incident or an emergency, and a hazardous material response is provided, CYFS shall charge the fees stipulated in this schedule to anyone or more of the following: the property owner, the vehicle owner insurance or directly to the vehicle owner in order to recover payment.</p> <p>In the event an emergency involves hazardous materials and at the scene or property, the use of combustible material, other than water and medical supplies, are used to suppress or extinguish a fire, preserve property, prevent a fire from spreading or otherwise control or eliminate and emergency, the expenses incurred by CYFS for using consumable materials shall be recovered as a fee.</p> <p>In the event an emergency involves hazardous materials and at the scene or property, damages or contaminations of equipment occurs, the expenses incurred by CYFS for cleaning and decontamination or replacement of equipment, as applicable, and shall be recovered as a fee.</p>	Flat rate. Per hour/per fire truck	N	\$485.00	\$509.89	\$25.00	\$0.00	\$534.89	5.1%

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Outdoor Burning - By-law 2009-64	When Fire and Emergency services proceeds/responds to an incident within the calendar year, and upon investigation fire personnel determine that the By-law 2009-64 is in contravention, a fee will be charged according to this schedule. 1st Response - Verbal warning by fire crew Warning and educational letter to be issued. 2nd Response and subsequent - Within calendar year the property owner shall pay the fee as per this schedule.	Flat Rate	N	\$485.00	\$509.89	\$25.00	\$0.00	\$534.89	5.1%
Miscellaneous									
Extraordinary Expenses	When Fire and Emergency Services responds to a fire or other emergency at a property (including gas leaks, cut mains and clandestine drug operations) and determines, or the Fire Chief or his/her Designate determines, that it is necessary to retain a private contractor, or rent special equipment, or use consumable materials other than water and medical supplies, in order to suppress or extinguish a fire, preserve property, carry out investigations or prevent a fire from spreading or otherwise control or eliminate an emergency or damage equipment owned by CYFS, the Owner or responsible person, shall be charged those expenses, plus applicable taxes.								
Post Fire Investigations	In accordance with the Fire Protection and Prevention Act, all fires need to be investigated to determine origin and cause. Upon conducting an investigation and/or scene preservation and CYFS determines that due diligence was not exercised, the property owner and/or party responsible shall be charged the fees stipulated in this schedule. The Fire Chief or designate will have the delegated authority to apply at their discretion the applicable fees as set in this schedule from the outcome of the investigation.	Flat rate. Per hour/per fire truck	N	\$488.40	\$509.89	\$25.00	\$0.00	\$534.89	4.4%
Multi-purpose Smoke and Carbon Monoxide Alarms	When Fire and Emergency Services determine upon investigation that a property is not in compliance with the Ontario Fire Code, then CYFS will provide a combination smoke/carbon monoxide alarm to bring the property temporarily up to compliance until further investigation by the Fire Prevention Division. The alarm provided will be a 10 Year Sealed Battery Slim Design Photoelectric Smoke & CO Alarm (First Alert).	Per unit	Y	\$0.00	\$23.57	\$ -	\$3.06	\$26.63	0.0%
Paid Duty Truck Stand-by	For the provision of a stand-by crew and fire apparatus, other than an emergency response, for a private company, community group, developer, industry or provincial government. Stand-by location must be within CYFS jurisdiction. All fire apparatus stand-by requests are subject to availability as well as pre-approved by CYFS, the requestor will be charged the fee in this schedule.	Flat Rate	N	\$488.40	\$509.89	\$ -	\$0.00	\$509.89	4.4%