

THE CORPORATION OF THE TOWN OF AJAX

BY-LAW NUMBER 123-2005

To Impose Fees and Charges for Services and Activities provided or done by the Ajax Fire & Emergency Services

WHEREAS the Municipal Act, 2001, as amended, authorizes a municipality to enact By-laws imposing fees or charges on any class of persons for services or activities provided or done by or on behalf of it, among other things, subject to the terms, conditions and limitations set out in the section; and

WHEREAS, the Council of the Corporation of the Town of Ajax intends to impose fees or charges for services or activities provided or done by its Fire Department;

NOW, THEREFORE, the Council of the Corporation of the Town of Ajax enacts as follows:

1. DEFINITIONS

In this By-law, unless the context requires otherwise;

- 1.1 “Approved” means approved by Council;
- 1.2 “Corporation” means The Corporation of the Town of Ajax;
- 1.3 “Council” means the Council of the Corporation;
- 1.4 “Fire Chief” means the person appointed by Council to act as Fire Chief for the Corporation;
- 1.5 “Fire Department” means the Town of Ajax Fire & Emergency Services; and
- 1.6 “Owner” means a person, firm or corporation who owns or has control over any portion of a property in respect of which services and activities were provided or done by the Fire Department.

2. FEE FOR SERVICES

- 2.1 The Corporation shall impose the fee for services set out in Schedule “A” for services or activities, including without limitation inspections, provided or done by the Fire Department.
- 2.2 No request by any person for documentary, written or printed information relating to any land, building or structure in the Corporation or any application described in Schedule “A” will be processed unless and until the person requesting the information or submitting the application has paid the applicable fee in the prescribed amount as set out in Schedule “A” of this By-law.
- 2.3 The fees as listed in Schedule “A” of this By-law will be subject to the Goods and Services Tax (G.S.T.) and the Provincial Sales Tax (P.S.T.) where applicable.

3. PAYMENT OF FEE

- 3.1 The Owner of a property to which services set out in Schedule “A” were provided or done by the Fire Department, regardless of whether requested by the Owner or an agent of the owner or not, shall pay the fee imposed for such service under section 2 within ten (10) days and invoiced to the Owner by the Corporation within ten (10) days of the mailing of an invoice.
- 3.2 Where there is more than one Owner, their liability for payment shall be joint and several.

4. SEVERABILITY

4.1 Should any part of this By-law, including any part of Schedule "A" be determined by a Court of competent jurisdiction to be invalid or of no force and effect, it is the stated intention of Council that such invalid part of the By-law shall be severable and that the remainder of this By-law including the remainder of Schedule "A", as applicable, shall continue to operate and to be in force and effect.

5. This By-law shall come into force and take effect upon passing of the By-law.

REPEAL

By-law Number 91-2004 is hereby repealed.

READ a first and second time this
Twenty Fourth day of October, 2005.

READ a third time and passed this
Twenty Fourth day of October, 2005.

Mayor

Clerk

**AJAX FIRE & EMERGENCY SERVICES
2005- 2006 SERVICE FEE SCHEDULE
Schedule "A" TO BY-LAW 123-2005**

(Fees prescribed in this schedule are subject to the Goods and Services Tax (GST), unless noted () as exempt)*

Item #	<i>Inquiry Fees</i>	<i>Fee</i>	<i>Total (incl GST)</i>
IF101	Copy of Emergency Response Report <i>(DRPS/OPP or other fire services would not be charged)</i>	55.00	58.85
IF102	File Searches <i>(written confirmation of records) Requires authorization release from owner</i>	55.00	58.85
IF103	Request for Clearance Letter <i>(stating that occupancy is in compliance)</i>	55.00	58.85
<i>Specific Inspection Fees</i>		<i>Fee</i>	<i>Total (incl GST)</i>
SP201	Boarding/Lodging/Rooming House <i>(upon request) includes development of fill in the blank fire safety plan</i>	100.00	107.00
SP202	Educational Institutions <i>(upon request)</i> <ul style="list-style-type: none"> • Base Building • Each classroom 	100.00 2.00	107.00 2.14
SP203	Foster Care <i>(upon request) includes development of fill in the blank fire safety plan, smoke alarms/batteries as required</i>	100.00	107.00
SP204	Group Home <i>(upon request, other than annual licencing through By-Law Services)</i>	100.00	107.00
SP205	Institutional <i>(upon request) (includes hospitals, nursing homes, detention facilities, etc.)</i>	100.00	107.00
SP206	Licenced Day Care Centre <i>(upon request) includes development of fill in the blank fire safety plan</i>	100.00	107.00
SP207	Private Home Day Care <i>(upon request) includes development of fill in the blank fire safety plan</i>	100.00	107.00
SP208	Liquor Licencing Requests	100.00	107.00
SP209	Liquor Licencing Requests for Outdoor Patio <i>(if not conducted during original request, and includes full inspection)</i>	100.00	107.00
SP210A	Non-Residential Occupancies <i>(upon request) (assembly, business/personal/service, mercantile, industrial, etc.)</i> <ul style="list-style-type: none"> • 1000m2 or less • each additional 1000m2 or each additional floor • multiple tenants - each additional occupancy (i.e.: strip mall) 	100.00	107.00
SP210B		25.00	26.75
SP210C		50.00	53.50
SP211A	Open Air Burning Request <i>(permit issuance required)</i> <ul style="list-style-type: none"> • Commercial/Industrial/Residential • Extinguisher Training <i>(live fire)</i> • Farm 	50.00	50.00*
SP211B		50.00	50.00*
SP211C		N/C	N/C

SP212A	Residential Occupancies (<i>upon request</i>) includes, apartment complex/condominium, hotel/motel etc.) • 1 st storey	100.00	107.00
SP212B		25.00	26.75
SP213	Sales Transaction of a Single Family Dwelling (<i>upon request and includes installation of smoke alarms/batteries as required</i>)	100.00	107.00
SP214	Two Unit Residential Retrofit (<i>upon request or complaint</i>) constructed prior to 1995 11 16	100.00	107.00
SP215	Wood Burning Appliances (<i>upon request</i>) (<i>Requires building permit for new installation. Proper inspection can not be conducted after installation. Exterior inspection only</i>)	N/C	N/C
SP216	Fill in the Blank Fire Safety Plan Development (<i>upon request, for small, commercial, mercantile only</i>)	50.00	53.50
SP217	Miscellaneous Inspections Not Otherwise Specified	100.00	107.00
SP218	Fire Access Route Applications	N/C	N/C
	Fire Safety Presentations (<i>extinguisher demonstrations, educational presentations, etc</i>)	N/C	N/C
	Inspections Initiated by Ajax Fire & Emergency Services (<i>other than accessory apartment & licencing inspections</i>)	N/C	N/C
	Residential Home Fire Safety Awareness Program (<i>residential dwellings</i>)	N/C	N/C
	Requests by Home Owner of Residential Units (<i>includes smoke alarm placements, functionality testing, evacuation plans</i>)	N/C	N/C
<i>Emergency Services</i>		<i>Fee</i>	<i>Total (incl GST)</i>
ES401A	Standby Requests (<i>by private companies, developers, industry, provincial or regional government, other than Emergency Response</i>) • Per Vehicle for the 1 st hour or part thereof	350.00	374.50
ES401B		175.00	187.25
ES402A	Emergency Response to Motor Vehicle Accidents on Ministry of Transportation Highways as per the Province of Ontario's Rates. Plus Any Additional Clean Up Costs (<i>Cost recovery through MTO</i>) • Per Vehicle per hour of part thereof	350.00	350.00*
ES402B		175.00	175.00*
ES403A	Emergency Response to Transportation of Dangerous Goods Incident Per Hour, Per Vehicle and Related Equipment Usage Cost Recovery (or full recovery) (<i>as per Transportation of Dangerous Goods Act.</i>) • Per Vehicle for the 1 st hour or part thereof	350.00	374.50
ES403B		175.00	187.25

ES404A ES404B	Emergency Response to a Hazardous Material Spill <ul style="list-style-type: none"> Per Vehicle for the 1st hour of part thereof Per Vehicle for every ½ hour or part thereafter <i>Plus any additional clean-up costs</i>	350.00 175.00	374.50 187.25
ES405	Additional Expenses <ul style="list-style-type: none"> If necessary to retain a private contractor, rent special equipment not normally carried on a fire apparatus in order to suppress or extinguish a fire, preserve property, prevent fire spread, or otherwise eliminate an emergency. 	Actual Costs	Actual Costs
<i>Preventable Fires or Alarm Services</i>		<i>Fee</i>	<i>Total (incl GST)</i>
PF501A PF501B	Emergency Response to Unapproved Open Air Burning complaints following one warning (at discretion of Fire Chief or designate) <ul style="list-style-type: none"> Residential Industrial/Commercial - per hour to extinguish or part thereof 	100.00 300.00	107.00 321.00
PF502	Fires on or beside rail lines, as a result of the Railroad leaving unattended ties burning or otherwise out of control fires, and failure to attempt to extinguish those fires that impinge on private or public properties	Actual Costs	Actual Costs
<i>The following fee structure will be implemented if the response is determined to be a preventable alarm by the fire department</i>			
PF503A PF503B	Preventable Alarms - Includes: Malicious and Nuisance Alarms (at the discretion of Fire Chief or designate). First two responses per 12 month period no fee charged. <ul style="list-style-type: none"> 3rd and subsequent malicious false alarms, for same address, per calendar year, per vehicle dispatched 3rd and subsequent nuisance false alarm, for same address, per calendar year, per vehicle dispatched. 	350.00 350.00	374.50 374.50