

THE CORPORATION OF THE TOWN OF TECUMSEH

BY-LAW 2018-70

Being a by-law to prescribe a tariff of administrative fees and charges for the Town of Tecumseh

WHEREAS Section 391 of *The Municipal Act, 2001 S.O. 2001, c. M.25* authorizes a municipality to impose fees or charges on persons for services or activities provided or done by or on behalf of it; 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 for the use of its property including property under its control;

AND WHEREAS *The Municipal Act, 2001 S.O. 2001, c. M.25* grants a municipality the power to pass by-laws that impose specific fees for licensing, services, permits and other reasons;

AND WHEREAS Section 69 of *The Planning Act, R.S.O. 1990, c.P.13* grants a Council of a municipality, by by-law, and a planning board, by resolution, authority to establish a tariff of fees for the processing of applications made in respect of planning matters;

AND WHEREAS Section 446(1) of *The Municipal Act 2001 S.O. 2001, c. M.25* authorizes a municipality under this or any other Act or under a bylaw under this or any other Act to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense;

AND WHEREAS the Council of The Corporation of the Town of Tecumseh deems it desirable to prescribe administrative fees and charges for The Corporation of the Town of Tecumseh, not otherwise prescribed by by-law;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF TECUMSEH ENACTS AS FOLLOWS:

1. In this By-law:
 - (a) "Council" means the municipal Council of The Corporation of the Town of Tecumseh;
 - (b) "Month" means any consecutive thirty day time period;
 - (c) "Town" means The Corporation of the Town of Tecumseh;
 - (d) "Treasurer" means the Treasurer of The Corporation of the Town of Tecumseh.
2. Schedules "A" to "H" attached hereto and forming part of this By-law shall be adopted and prescribed as the administrative fees or charges for the Town.
3. Any person who makes an application to, or a request for services of, or enters into an agreement with, or obtains an approval from, the Town, in respect of the things or matters set out in this By-law, shall pay to the Treasurer the applicable administrative fees or charges set out in the Schedules "A" to "H" of this By-law unless otherwise provided for in this By-law, and such administrative fees and charges are not refundable and are payable upon the person making such application or request for services or entering into such agreement or obtaining such approval.

4. The administrative fees and charges listed in Schedules “A” to “H” attached to this By-law will be subject to applicable taxes including but not limited to Harmonized Sales Tax (HST).
5. Interest on all amounts due and unpaid shall be charged at the rate of 2.0 percent per Month.
6. Any administrative fees or charges imposed under this By-law constitute a debt of the person to the Town and may be added by the Treasurer, together with interest, to the tax roll for any real property in the municipality all of the owners of which are responsible for paying such administrative fees and charges to be collected in like manner as municipal taxes.
7. Nothing in this By-law shall be so construed as to prevent the Council from reducing or waiving any administrative fee or charge set under this By-law.
8. Should any section, subsection, clause or provision of this By-law or its Schedules “A” to “H” be declared by a court of competent jurisdiction to be invalid, the said section, subsection, clause or provision shall not affect the validity of this By-law or its Schedules “A” to “H” as a whole or any part thereof, other than the part so declared to be invalid.
9. That any by-law(s) inconsistent with this by-law are hereby repealed.
10. This by-law may be cited as the “Administrative Fees and Charges By-law”.
11. This By-law shall come into force and take effect on January 1, 2019.

READ a first, second and third time and finally passed this 11th day of December 2018.

Gary McNamara, Mayor

Laura Moy, Clerk