



FIRE PREVENTION AND FIRE SUPPRESSION SERVICES BY-LAW

Consolidation of By-law 73-96
Amended by By-laws 65-98, 13-2003, 128-2004 and 103-2007

Note: This consolidation is prepared for convenience only. For accurate reference, the original by-laws should be reviewed.

2007 09 10

BY-LAW 73-96
OF

THE CORPORATION OF THE CITY OF OSHAWA

being a by-law to prescribe a tariff of fees for the provision of certain fire prevention and fire suppression services.

WHEREAS Section 220.1 of the Municipal Act, R.S.O. 1990, c. M.45, as amended, provides that the Council of a Municipality may by by-law impose fees or charges for the provision of services;

NOW THEREFORE, BE IT ENACTED AND IT IS HEREBY ENACTED as a By-law of The Corporation of the City of Oshawa by the Council thereof as follows:

Section 1: Fees/Charges for Services

1.1 Imposition of Fees: Persons to whom the fire prevention or fire suppression services described in the first column of Schedule "A" of the General Fees and Charges By-law 13-2003 are dispatched, shall pay a fee determined pursuant to Schedule "A" of the General Fees and Charges By-law 13-2003.

(65-98, 13-2003, 128-2004, 103-2007)

1.2 Services in Progress: Services required to fulfil requests which have been made prior to the passage of this By-law shall not be subject to any fee. (103-2007)

Section 2: Computation of Fees

2.1 Time for Attendances: The computation of time for the purposes of determining the appropriate fee for a service requiring attendance shall commence at the time of dispatch from municipal premises and shall determine at the time of return to municipal premises.

2.2 Multiple Attendances: Where the provision of a service requires attendance on more than one occasion, a separate fee shall be paid for each attendance, calculated in accordance with section 2.1 of this By-law.

2.3 Time for Other Services: The computation of time for the purposes of determining the appropriate fee for a service which does not require attendance shall be the actual time required to provide the service.

2.4 Records: The staff of the Fire Services Branch of the Department of Community Services shall maintain records of the time spent responding to requests for services to provide support for fees calculated in accordance with this section.

Section 3: Disputes With Respect to Fees or Charges

3.1 Dispute in Writing: Should any person required to pay a fee or charge pursuant to Schedule "A" of the General Fees and Charges By-law 13-2003 disagree for any

reason with the calculation of the fee, that person shall provide to the Fire Chief a statement in writing setting out in detail his or her reasons for the disagreement.

(13-2003)

3.2 Fire Chief to Determine: Upon receipt of the statement required by Section 3.1, the Fire Chief shall review the matter and shall determine whether the fee imposed was correctly calculated. The Fire Chief shall respond to the person who provided the statement, in writing, providing reasons for his or her decision. The decision of the Fire Chief in this regard shall be final.

Section 4: Collection of Outstanding Fees

4.1 Due Date: All fees or charges imposed pursuant to Schedule "A" of the General Fees and Charges By-law 13-2003 are due and payable by the person invoiced therefor immediately upon receipt of the invoice. (13-2003)

4.2 Interest on Overdue Amounts: Unpaid fees or charges imposed pursuant to Schedule "A" of the General Fees and Charges By-law 13-2003 are subject to an interest rate of one and one-half per cent per month. (13-2003)

4.3 Outstanding Amounts: The fees or charges imposed pursuant to Schedule "A" of the General Fees and Charges By-law 13-2003 constitute a debt owed to The Corporation of the City of Oshawa. Without limiting any collection remedy otherwise available to the municipality, The Corporation of the City of Oshawa may add outstanding fees or charges, including interest on the unpaid balance pursuant to section 4.2, to the tax roll for any real property within the municipality owned by the person responsible for paying the fees and charges, and the amount may be collected in like manner as municipal taxes. (13-2003)

Section 5: Miscellaneous Provisions

5.2 Effective Date: This By-law shall come into effect on the date of its passage.

By-law read a first, second and third time and finally passed this 22nd day of July, 1996.