

The Corporation of The City of Burlington

City of Burlington By-Law 19-2023

A By-law to amend By-law 83-2022, being a by-law to establish and impose certain 2023 rates and fees for services, activities, or the use of property

File: 435-03 (F-24-22)

Whereas sections 8, 9 and 11 of the *Municipal Act, 2001*, authorize the City of Burlington to pass by-laws necessary or desirable for municipal purposes, and in particular paragraph 3 of subsection 11(2) authorizes by-laws respecting the financial management of the City of Burlington; and

Whereas Section 391(1) of the *Municipal Act, 2001*, as amended, authorizes the Corporation of The City of Burlington to impose fees and 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 local board; and for the use of its property including property under its control; and

Whereas on December 13, 2022, Council approved report F-24-22 and passed By-law 83-2022 adopting 2023 Rates and Fees: and

Whereas Council of the City of Burlington has deemed it necessary to amend certain rates and fees in By-law 83-2022; and

Whereas it is desirable to amend Fire Emergency Response and Fire Prevention rates;

Now Therefore the Council of the Corporation of the City of Burlington hereby enacts as follows:

1. The section entitled "Fire Emergency Response and Fire Prevention", pages 47-51 of Schedule A of By-law 83-2022, is hereby deleted and replaced in its entirety with "Fire Emergency Response and Fire Prevention" pages 47-51, attached to this by-law as Appendix A.
2. That in all other respects By-law 83-2022, as amended, be and is hereby confirmed.
3. That this by-law comes into force the day it is passed.

Enacted and passed this 18th day of April, 2023.

Mayor Marianne Meed Ward _____

City Clerk Kevin Arjoon _____

2023 SERVICE RATES AND FEES

Service: Fire Prevention
Service Lead: Karen Roche

Description of Service or Activity Provided or Use of City Property	2022 Base Rate	2023 Rate Increase	2023 Base Rate	Taxes Applicable
ADMINISTRATION				
Outstanding Work Orders and/or Violations (Property Files)	\$ 102.97	3.0%	\$ 106.06	YES
Fire Incident Report (Lawyer)	\$ 130.95	3.0%	\$ 134.88	YES
FIRE PREVENTION REQUEST INSPECTION / COMPLIANCE				
Non-Compliance Re-Inspection and Subsequent Inspections (Per Hour Rate, Per Inspector) ⁽¹⁾	\$ 82.79		\$ 83.62	YES
Fire Inspection 1 to 6 stories	\$ 438.27	0.0%	\$ 438.27	YES
Fire Inspection 7 to 15 stories	\$ 623.98	0.0%	\$ 623.98	YES
Fire Inspection 16+ stories	\$ 895.24	0.0%	\$ 895.24	YES
Occupant Load Determination / Recalculation	\$ 215.02	3.0%	\$ 221.47	YES
Fire Prevention Special Event Inspections (Per Hour Rate, Per Inspector) ⁽³⁾	\$ 82.79		\$ 83.62	YES
Fire Safety Plan - Initial Review and Approval (Annual) (Fire Code Compliance)	\$ -	0.0%	\$ -	
Fire Safety Plan - Second and Subsequent Review(s) (Per Hour Rate)	\$ 82.79		\$ 83.62	
LICENSE / COMPLIANCE INSPECTIONS				
Liquor / Cannabis License Inspection	\$ 350.76	3.0%	\$ 361.28	YES

Day Care (Private Home - max. 5 children underage of 13)	\$ 175.33	1.0%	\$ 177.08	YES
Day Care (Licensed), Foster Care and Group Homes	\$ 359.49	3.0%	\$ 370.28	YES
PROPANE - LICENCE APPLICATION REVIEW				
Existing - 5000 USWG or Less	\$ 253.75	3.0%	\$ 261.36	YES
New/Modified - 5000 USWG or Less	\$ 527.80	3.0%	\$ 543.63	YES
Existing - 5000 USWG or Greater	\$ 507.50	3.0%	\$ 522.73	YES
New/Modified - 5000 USWG or Greater	\$ 1,055.60	3.0%	\$ 1,087.27	YES
Third Party Engineer or Firm - as required (100% cost recovery + propane inspection fee)	100% Cost Recovery + Fee		100% Cost Recovery + Fee	NO
PERMITS				
Open Air Burning Permit - Rural Area - Reference: Open Air Burning Bylaw	\$ -	0.0%	\$ -	
Open Air Burning Permit - Commercial / Landscape / Prescribed Burning - Reference: Open Air Burning Bylaw	\$ 156.32	3.0%	\$ 161.01	YES
Fireworks Pyrotechnic (High - Hazard) - Licensed under Federal Explosives Act - Fire Safety Planning Permit Required - Reference: Fireworks Bylaw	\$ 336.16	3.0%	\$ 346.24	YES
COMPLAINT/CONTRAVENTION OF BYLAW / FIRE CODE				
Complaint/Contravention - Open Air Burning - Rural Area Non- Permitted - Cost Recovery - Per Fire Apparatus - Reference: Open Air Burning Bylaw	\$ 485.00		\$ 543.03	NO
Complaint/Contravention - Open Air Burning - Urban Area Not Allowed - Cost Recovery - Per Apparatus - Reference: Open Air Burning Bylaw	\$ 485.00		\$ 543.03	NO

Complaint/Contravention - Display / Discharge of Family Fireworks - Day/Time/Location Not Permitted - Cost Recovery - Per Fire Apparatus - Reference: Fireworks Bylaw	\$ 485.00		\$ 543.03	NO
Complaint/Contravention - Display / Discharge of High Hazard Fireworks - Not Approved through valid Permit - Cost Recovery - Per Fire Apparatus - Reference: Fireworks Bylaw	\$ 485.00		\$ 543.03	NO
FALSE ALARM RESPONSE ²				
Working on System - Failure to Notify Fire Dept. - Initial & Subsequent Incident(s) - Per Apparatus	\$ 485.00		\$ 543.03	NO
Pull Station, Malfunction, Accidental, Human Error - 1 & 2. below = Per Apparatus				
1. Dispatch of fire apparatus to 1st incident - Fire Prevention Follow-up / Order	\$ -		\$ -	NO
2. Dispatch of fire apparatus to 2nd and subsequent responses to false alarms	\$ 485.00		\$ 543.03	NO

Notes:

- When applicable, some fees are subject to additional charges for cost of attending personnel (hourly or overtime rate)

- The Fire Chief (or designate) has the authority to increase, decrease or cancel a fee based on case by case circumstances. All requests for review of fees must be provided in writing to the attention of the Fire Chief

1. Re-inspection fee is applicable for each subsequent inspection due to non-compliance. Hourly rate is based on the current collective agreement remuneration.

2. Per apparatus, per address, per 12-month period (not calendar year). MTO fees are provided by the Ministry of Transportation (MTO) and are subject to in year changes, current rates will be applied.

3. Fire Prevention Inspector rate for special events is based on the current collective agreement remuneration hourly overtime rate.

Service: Fire Emergency Response
Service Lead: Karen Roche

Description of Service or Activity Provided or Use of City Property	2022 Base Rate	2023 Rate Increase	2023 Base Rate	Taxes Applicable
EMERGENCY RESPONSE(S)				
Standby Emergency Response Coverage Request (e.g., large special events) (per apparatus) (per attending personnel - overtime \$) (per hour - minimum 3 hours) ⁽¹⁾	100% Cost Recovery	0.0%	100% Cost Recovery	YES
Emergency Response - Retain Third Party Services - 100% Cost Recovery ⁽¹⁾	100% Cost Recovery	0.0%	100% Cost Recovery	NO
TECHNICAL RESPONSE(S)				
Motor Vehicle Collision (MVC) Highways/ 407 ETR - Per Apparatus - Ministry of Transportation (MTO) ⁽²⁾	\$ 485.00		\$ 543.03	NO
Motor Vehicle Collision (MVC) Municipal Street - Per Apparatus - Non-Resident ⁽²⁾	\$ 485.00		\$ 543.03	NO
Motor Vehicle Fire (MVF) - Per Apparatus - Non Resident ⁽²⁾	\$ 485.00		\$ 543.03	NO
MTO Administration (ARIS) Fee - Non-Resident - 100% Cost Recovery ⁽³⁾	100% Cost Recovery	0.0%	100% Cost Recovery	NO
Hazardous Material Spill Response -100% Cost Recovery ⁽¹⁾	100% Cost Recovery	0.0%	100% Cost Recovery	NO
Technical Rescue -High Angle, Ice/Water, Confined Space, Trench-Non-Resident - 100% Cost Recovery ⁽¹⁾	100% Cost Recovery	0.0%	100% Cost Recovery	NO
Environmental Service Calls-Fire remain on scene greater than 1 hour and/or failure of property owner or company to retain third party service or obtain utility service locate. ⁽¹⁾	100% Cost Recovery	0.0%	100% Cost Recovery	NO

NON-EMERGENCY RESPONSE(S)				
Fire Attend Special Event Request (festivals, shows, etc.) (per apparatus) (per FF overtime rate) (per hour-minimum 3 hours) ⁽¹⁾	100% Cost Recovery	0.0%	100% Cost Recovery	NO
Fire Watch / Fire System Malfunction - Fire remain on scene greater than 1 hour (per attending personnel) (per hour) (overtime rate - minimum 3 hours) ⁽¹⁾	100% Cost Recovery	0.0%	100% Cost Recovery	NO
Replacement of Emergency Response Equipment / Materials ⁽¹⁾	100% Cost Recovery	0.0%	100% Cost Recovery	NO
Smoke and/or Carbon Monoxide Detector(s) (including Installation) (100% Cost Recovery) ⁽¹⁾	100% Cost Recovery	0.0%	100% Cost Recovery	NO
Non-emergency Response -Retain Third Party Services - 100% Cost Recovery ⁽¹⁾	100% Cost Recovery	0.0%	100% Cost Recovery	NO

Notes:

- When applicable, some fees are subject to additional charges for cost of attending personnel (hourly or overtime rate)

- MTO rates are established by the Ministry of Transportation of Ontario and updated by the province, fees may be increased in year to reflect a current \$ fee provided by the MTO.

- The Fire Chief (or designate) has the authority to increase, decrease or cancel a fee based on individual review. All requests for review of fees must be provided in writing to the attention of the Fire Chief

1. Full cost recovery of apparatus, equipment, supplies used (e.g., spill absorbent), attending personnel, retention of any third-party services (such as contractor, rental of special equipment, specialized services) to determine cause, suppress or extinguish, preserve property, prevent spread, make safe or otherwise mitigate an emergency.

2. Per apparatus, per hour, per additional fees incurred (e.g., spill absorbent), total cost equally divided by all parties involved.

Shared charges billed to non-residents only. Rate established by the MTO for all fire services within the Province of Ontario. Fees subject to change as directed by MTO*.

3. Search fee charged by MTO (Ministry of Transportation) administrative search fee, fee may be changed at anytime, as directed by MTO