

The Corporation of the Town of Essex

By-Law Number 2040

**Being a by-law to establish a schedule of
miscellaneous fees and charges to be collected
by The Corporation of the Town of Essex**

Whereas Section 391 (1) and 391 (1.1) of the Municipal Act, 2001 (as amended by Bill 130) hereinafter "Municipal Act", as amended, authorize a municipality to impose fees or charges on persons:

- a) for services or activities provided or done by or on behalf of it;
- b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or local board; and
- c) for the use of its property including property under its control.

And whereas, Section 398(1) of the Act provides that the fees and charges imposed by a municipality on a person constitute a debt of the person to the municipality;

And whereas, Section 398(2) of the Act provides that the Treasurer of a municipality may add fees and charges imposed by the municipality to the tax roll for a property in the municipality for which all of the owners are responsible for paying the fees and charges;

And Whereas Section 69 (1) of the Planning Act, R.S.O. 1990, c. P.13, provides the council of a municipality, by by-law, may establish a tariff of fees for the processing of applications made in respect of planning matters, which tariff shall be designed to meet only the anticipated cost to the municipality or to a committee of adjustment in respect of the processing of each type of application provided for in the tariff.

And Whereas Section 7 of the Building Code Act, S.O. 1992 c.23, as amended, permits the Council of a municipality to pass by-laws to require the payment on fees on applications for and on the issuance of permits and prescribing the amounts thereof;

And whereas, the Town of Essex did retain the firm of BMA Management Consulting Inc. to undertake a comprehensive review and user fee study of the miscellaneous fees and charges collected by the Town;

And whereas, the Council of the Town of Essex held a public meeting on May 17, 2021 to seek public input on the proposed miscellaneous fees and charges;

And whereas, the Town now deems it expedient to pass a By-Law to establish miscellaneous fees and charges in accordance with the fees determined through the


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comprehensive review by BMA Management Consulting Inc., and any amendments thereto.

Now therefore the Council of The Corporation of the Town of Essex hereby enacts as follows:

1. That By-Law Number 1331 is hereby repealed effective 12:01:00 a.m. July 1, 2021;
2. That the miscellaneous fees and charges for services or fees and charges for services or activities provided by the Town of Essex shall be as set forth in Schedule "A" and Schedule A.1 attached hereto;
3. That the fees and charges shall be adjusted annually, on January 1 in any given year by the Core Consumer Price Index, percentage change over one year ago as published for the third quarter of the prior year;
4. That any portion of a fee or charge that remains unpaid after the date fixed for payment, or thirty (30) days, whichever is less, shall bear interest at the rate of one and on-quarter percent (1-1/4%) per month (fifteen percent (15%) per annum) until such time as the fee or charge is paid in full;
5. That the Town of Essex may use a registered collection agency to collect any unpaid fee or charge, including interest charged pursuant to Section 4 of this By-Law and the collection agency's fees, as approved by the Town of Essex, shall be added to the unpaid amounts to become the total amount payable to the collection agency; and
6. That this By-Law shall come into force and effect on July 1, 2021 at 12:01:00 a.m.

Read a first, a second and a third time and finally passed on June 21, 2021.



Mayor



Clerk

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Schedule "A" to By-Law Number 2040

(Effective July 1, 2021, subject to applicable HST)

Department	Description of Fee or Charge	Unit	Fee or Charge
Building	Class A & B - Assembly and Institutional:		
	Assembly & Institutional	Per square foot	\$ 1.70
	Class C - Residential:		
	All finished floors	Per square foot	\$ 1.14
	Unfinished floors	Per square foot	\$ 1.14
	Decks, porch, shed	per permit	\$ 96.00
	Accessory structures	Per square foot	\$ 0.32
	House moving	Each	\$ 600.00
	Fence	Flat Fee	\$ 64.00
	Above ground pool	Flat Fee	\$ 64.00
	Inground pool	Flat Fee	\$ 128.00
	Renovations	Per square foot	\$ 0.75
	Class D & E - Office & Mercantile:		
	Office and Mercantile	Per square foot	\$ 1.01
	Renovations/tenant improvement	Per square foot	\$ 0.56
	Class F - Industrial:		
	Industrial Office area	Per square foot	\$ 1.01
	Industrial Plant area	Per square foot	\$ 0.72
	Renovations	Per square foot	\$ 0.56
	Agricultural:		
	Pole barns	Per square foot	\$ 0.25
	Accessory Agricultural	Per square foot	\$ 0.30
	Greenhouses	Per square foot	balance
	Farm Building Renovation	Per square foot	\$ 0.25
	Plumbing:		
	New Construction	Per Unit	\$ 684.00
	Plumbing Renovations	Per Fixture	\$15, Min. of \$64
	Backwater valve	Per Unit	\$ 96.00
	Storm/Sanitary Sewer Inspection	Per Unit	\$ 96.00
	On Site Sewage Systems:		
	Sewage Septic System - Class 4 systems	Per Unit	\$ 772.00
	Tertiary System	Per Unit	\$ 850.00
	Septic Repairs - To Existing System	Per Unit	\$ 388.00
	Septic Inspections	Per Inspection	\$ 96.00
	Reviews and Assessments	Per review	\$ 96.00
	Demolitions:		
	Residential	Per square foot	\$0.32, Min. \$128
	Non - Residential	Per square foot	\$0.42, Min. \$128
	General Building Fees:		
	Lawyers letters	Per Letter	\$ 64.00
	911 signs	Per Unit	\$ 64.00
	Change of use permit	Per Hour	over 1 hr
	Tents	Per unit	\$ 96.00
	Revised Plan Review	Per review	Min. \$192 Plus \$64/hr over 3 hr
	Transfer of permit - Residential	Each	\$ 64.00
	Transfer of permit - Non-Residential	Each	\$ 128.00
	Inspection fee - incomplete not ready for inspection	Per Inspection	\$ 64.00
	Inspections for Ontario Renovate Program	Per Inspection	\$ 128.00
	Construction Started without a Permit		150% of the permit fee
	Construction Finished without a Permit		200% of the permit fee
	Solar Panel - Residential	Each	\$ 64.00
	Solar Panel - Non-Residential	Each	\$ 128.00
	Certificates:		
	Building/Zoning	Each	\$ 64.00
	Public Works	Each	\$ 64.00
	Part 8 (Septic)	Each	\$ 64.00
	Occupancy Permit	Each	\$ 64.00
	Miscellaneous Inspection Fees:		
	Miscellaneous Inspection Fees not listed above	Each	\$ 96.00
	LCBO Report & Occupant Load Calculations	Each	\$ 128.00
	Re-inspection - inspection booked, but work incomplete	Each	\$ 128.00
	Indemnity Deposits:		
	Residential/ Agriculture:		
	new, addition, demolition	Each	\$ 1,000.00
	driveway approach	Each	\$ 1,000.00
	accessory, pools, renovation	Each	\$ 500.00
	agricultural structure	Each	\$ 250.00
	mobile homes	Each	\$ 250.00
	Commercial/ Industrial:		
	new, addition, demolition	Each	\$ 1,500.00
sign, renovations	Each	\$ 500.00	
Minimum permit fee - for all projects not specifically listed above	Each	Min. \$128	
Building permit fees for all projects not specifically noted above	Each	\$12.50 per \$1,000 Construction	
Planning	Official Plan Amendment	(plus deposit to be determined at time of application)	\$ 6,400.00
	Zoning By-Law Amendment - Major (Note 1)	(plus deposit to be determined at time of application)	\$ 3,300.00
	Zoning By-Law Amendment - Minor (Note 1)	(plus deposit to be determined at time of application)	\$ 2,500.00
	Holding Removal	Each	\$ 1,200.00
	Temporary Use By-Law	Each	\$ 2,500.00
	Site Plan Control	Each	\$ 2,900.00

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Department	Description of Fee or Charge	Unit	Fee or Charge
	Site Plan Amendment - Major (Note 1)	(plus deposit to be determined at time of application)	\$ 2,500.00
	Site Plan Amendment - Minor (Note 1)	(plus deposit to be determined at time of application)	\$ 2,000.00
	Plan of Subdivision and Condominium	Each	\$6,600 Plus \$10,000 Deposit
	Part Lot Control Exemption By-Law - Major (Note 1)	Each	\$ 1,700.00
	Part Lot Control Exemption By-Law - Minor (Note 1)	Each	\$ 1,300.00
	Consent to Sever	Each	\$ 1,400.00
	Complex Minor Variances (Note 1)	Each	\$ 1,200.00
	Minor Variances (Note 1)	Each	\$ 900.00
	Consent to Sever and Variance (applications submitted)	Each	\$ 2,200.00
	Change of Consent Conditions - Minor Request	Each	\$ 250.00
	Change of Consent Conditions - Major Request	Each	\$ 400.00
	Deferred Committee of Adjustment Application	Each	\$ 110.00
	Certificate of Validation	Each	\$ 120.00
	Development Agreements:		
	Plan of Subdivision and Condominium (Note 2)	Each	\$5,000 Deposit
	Site Plan Control (Note 3)	Each	\$5,000 Deposit
	All Other Developments	(plus deposit to be determined at time of application)	\$ 2,800.00
	Sign By-Law Amendment	Each	\$ 720.00
Finance	Tax Certificate or Statement per Section 352(1) of the Municipal Act (Note 4)	Each	\$ 75.00
	Payment Dishonoured or Returned as Non-Sufficient Funds	Each	\$ 35.00
	business days) per Section 352(1) of the Municipal Act, 2001	Each	\$ 150.00
	Tax Receipt/Account Information/Duplicate/Reprint (Note 4)	Per property	\$ 11.00
	Refund of Credit on Account	Each	\$ 27.00
	Misposting of Payment	Each	\$ 27.00
	Accounts Receivable - Invoices outstanding over 30 days	Per month	1.25%
	Financing Administration	Per property	\$ 110.00
	Research (for Tax, Accounting for Financial Information more than 3 years)	Per property	\$ 55.00
	Photocopy (letter, legal, 11 x 17)	Each	\$ 0.45
	Virtual City Hall Transaction Fee	Percentage of payment	2.50%
Legislative Services (Clerk)	Lottery Licences:		
	Bingo	Percentage of prizes	2% of prizes for bingo
	Raffle	Percentage of prizes	2% of prizes for raffle
	Break Open Ticket	Percentage of prizes	2% of prizes for break open ticket
	Marriage Licence	Each	\$ 150.00
	Burial Permit	Each	\$ 17.00
	Administering Oaths or Declarations - Resident	Each	\$ 14.00
	Administering Oaths or Declarations - Non-Resident	Each	\$ 28.00
Business or Other Licensing	Transient Trader or Vendor's Licence	Per unit	\$ 340.00
Geographic Information System	Standard Map Products:		
	1) 8.5 x 11 inches selected area specified by customer (colour)	Each	\$ 2.25
	2) 8.5 x 11 inches selected area specified by customer (black and white)	Each	\$ 1.25
	3) 11 x 17 inches selected area specified by customer (colour)	Each	\$ 3.75
	4) 11 x 17 inches selected area specified by customer (black and white)	Each	\$ 2.25
	5) 11 x 17 inches digital aerial photography (colour)	Each	\$ 9.50
	Standard Products - Wide Format:		
	1) Selected area or digital file (black and white) - maximum 42 inches wide	Per square foot	\$ 2.80
	2) Selected area or digital file (colour) - maximum 42 inches wide (per square foot)	Per square foot	\$ 3.75
	3) Selected area specified by customer with aerial photography - 42 inches wide	Per square foot	\$ 5.00
	Wide Format Scans:		
	Size 22 x 34 inches or 24 x 36	Per scan	\$ 5.25
	Size 34 x 44 inches or 36 x 48	Per scan	\$ 6.25
	Other:		
	Custom mapping	Per hour	\$ 70.00
	Drawing format printing	Per square foot	\$ 0.55
	Compact Disk (CD)/Digital Video Disk (DVD)	Per burn	\$ 12.00
Fire	Fire Property Certificate	Each	\$ 75.00
	Fire Property Incident Report	Per Report	\$ 75.00
	Fire Property Inspection Report (no inspection required)	Per Report	\$ 75.00
	Business Inspection requiring inspection letter	Per Letter	\$ 125.00
	LCBO Licensing Inspection	Per Inspection	\$ 125.00
	Risk & Safety Management Plans (RSMP) Licensing Inspections (Propane facility)	Per Inspection	\$ 125.00
	Follow up on inspection on all properties after 1st reinspection (2nd follow up)	Per Inspection	\$ 125.00
	3rd and subsequent re-inspection	Per Inspection	\$ 125.00

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Department	Description of Fee or Charge	Unit	Fee or Charge
	False Alarms (After 3 occurrences in a calendar year)	Each	Current MTO Rates
	Fire extinguisher training (up to 20 persons)	Per session	\$ 190.00
			\$190 plus Additional \$5/per person over 20
	Fire extinguisher training (over 20 persons)	Per session	
By-Law Enforcement	Clean Yard By-law Order - Town Work/Clean up/Cut	Per hour/ minimum	\$ 123.00
	Snow Clearing By-law Order - Town Work	Per hour/ minimum	\$ 123.00
	Weed Control Act Order - Town Work	Per hour/ minimum	\$ 123.00
	Property Standards Order - Town Work	Per hour/ minimum	\$ 123.00
	Application for Noise Exemption	Per hour/ minimum	\$ 123.00
	Administrative fee on additional infraction with 12 month period	Each	\$ 123.00
Water/ Wastewater	Water Shutoff Regular Hours	Each	\$ 130.00
	After Hours Water Shut Off	Each	\$ 260.00
	Frozen Meter Repair	Each	\$ 180.00
	Water Meters Missed Appointment	Each	\$ 50.00
	Wastewater Inspection	Per Inspection	\$ 130.00
Public Works	Entrance Permit	Each	\$ 200.00
Other Misc. Fees	Tile Drainage Loan Inspection	Per inspection	\$ 130.00
	Telecommunications Agreement	Each	\$ 2,522.19

Notes:

Note 1 - The determination of whether an application constitutes a Minor or Major Application will be made by the Planning Division

Note 2 - Subdivision and Condominium Agreement fee now included in the Subdivision and Condominium application

Note 3 - Site Plan Agreement fee now included in the Site Plan application fee

Note 4 - Fee will be eliminated up to two times per year for customers whose tax bills are paid by their mortgage company as per Finance and Business Services Report 2017-05.

Note 5- Indemnity Deposits paid after July 1, 2021 must have the Final inspection occur within 5 calendar years from the date of issuance. After this five year period the deposit is considered non-refundable and relinquished.

Schedule "A.1" to By-Law Number 2040

(Effective July 1, 2021, subject to applicable HST)

Department	Name of Fee or Charge	Description of Fee or Charge	Unit	Fee or Charge
Fire and Rescue Services	Non-resident Motor Vehicle Accident or Fire Attendance	Motor Vehicle Accident Response	Per hour or other if specified	As set by Ministry of Transportation
Public Works	Cost Recovery for works carried out by Maintenance and Operations	Costs for services such as engineering, construction and miscellaneous activities, damage repair, etc. Billable to third parties	Per hour or other if specified	OPSS 127 rates for equipment plus Town of Essex rates fo labour plus actual cost of material plus costs incurred for contracted services.
Public Works	Cost Recovery for roadway signage damage and/or requests	Costs for services related to repairing damage or establishing road closure or directional signage	Per hour or other if specified	OPSS 127 rates for equipment plus Town of Essex rates fo labour plus actual cost of material plus costs incurred for contracted services.
Public Works	Cost Recovery for damage to Traffic Signal Equipment or streellights	Costs for services related to repairing damage to Signal Equipment or streellights	Per hour or other if specified	OPSS 127 rates for equipment plus Town of Essex rates fo labour plus actual cost of material plus costs incurred for contracted services.

Remark: Ministry of Tranportation Collision Report Order Fee will be charged at actual, if any.