

Type of Decision									
Meeting Date	Friday, Sept. 9, 2011				Report Date	Wednesday, Sept. 7, 2011			
Decision Required	X	Yes		No	Priority	X	High		Low
Direction	x	Information Only			Type of Meeting	X	Open		Closed
REPORT TITLE									
Fees & Charges By-Law Report 09/09/11/1001									

Subject: Review and adoption of a by-law created to amend the current fees and charges by-law introducing the ability of municipalities to add unpaid fees and charges to the tax bill.

RECOMMENDATION: That this By-law be adopted.

NOW THEREFORE the Council of the Corporation of the United Townships of Head, Clara & Maria does hereby enact as follows:

1. **THAT** Schedule "A" attached to this by-law shall contain the fees for services or charges of the municipality.
2. **THAT** where fees or charges are covered by another Municipal by-law, the appropriate by-law shall be referenced in schedule "A" to this By-Law and shall have the same conditions listed herein applied to those fees and charges.
3. **THAT** all fees and charges set out in this by-law shall be payable prior to the provision of the service unless an agreement in writing is made to the contrary and approved by the Clerk and/or Council.
4. **THAT** in the event that any fee or charge imposed herein remains unpaid after provision of the service or is otherwise in arrears, such fees or charges may be added to the Tax Roll for any real property in the municipality, the owner of which is responsible for paying the fee or charge and shall be collected in the same manner as municipal taxes.
5. **THAT** Council does hereby delegate to the Clerk, the authority to administer such fees and charges and approve such forms and procedures as may be required for the efficient administration of the fees and charges.
6. **THAT** by-Law Number 2003-10 is hereby rescinded.
7. **THAT** this By-Law shall come into force and take effect immediately on the date of passing.

BACKGROUND/EXECUTIVE SUMMARY:

Certain sections of the Municipal Act have changed allowing that fees and charges of the municipality may be added to the tax roll if uncollected. This by-law strengthens our current version.

Section 398 of the Act states that (1) Fees and charges imposed by a municipality or local board on a person constitute a debt of the person to the municipality or local board, respectively. 2001, c. 25, s. 398 (1); 2006, c. 32, Sched. A, s. 170 (1).

AND Amount owing added to tax roll

(2) The treasurer of a local municipality may, and upon the request of its upper-tier municipality, if any, or of a local board whose area of jurisdiction includes any part of the municipality shall, add fees and charges imposed by the municipality, upper-tier municipality or local board, respectively, to the tax roll for the following property in the local municipality and collect them in the same manner as municipal taxes:

1. In the case of fees and charges for the supply of a public utility, the property to which the public utility was supplied.
2. In all other cases, any property for which all of the owners are responsible for paying the fees and charges. 2001, c. 25, s. 398 (2); 2006, c. 32, Sched. A, s. 170 (2).

Financial Implications/Budget Impact: Will allow the municipality to collect unpaid debts owing to the municipality.

Policy Impact: Changes current policy but is in compliance with the Municipal Act.

Other's Consulted: Ruth Morin, Treasurer; Noella Lebreton, Deputy Treasurer

Approved and Recommended by the Clerk

Melinda Reith,
Municipal Clerk

Melinda Reith