



Bill No. 023

BY-LAW NUMBER 2023-

A By-law of The Corporation of the City of Barrie with respect to the establishment and requirement of the payment of fees for information, services, activities and use of City property and to repeal By-law 2022-013, as amended.

WHEREAS the Council of The Corporation of the City of Barrie may pass by-laws establishing and requiring the payment of fees for information, services, activities and use of City property;

AND WHEREAS Section 391 of the *Municipal Act*, 2001, S.O. 2001, c.25 as amended, provides for a municipality to pass by-laws imposing fees or charges on persons for services and activities provided or done by or on behalf of it, for cost 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 Section 69 (1) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, provides that a municipality may establish a tariff of fees for the processing of applications;

AND WHEREAS Section 7 of the *Building Code Act*, 1992, S.O. 1992, c.23 as amended, authorizes a municipal Council to pass by-laws concerning the issuance of permits and related matters requiring the payment of fees on applications for and on the issuance of permits;

AND WHEREAS as approved by motion 23-G-023 as amended, the Council of The Corporation of the City of Barrie deems it expedient to pass such by-law.

NOW THEREFORE, the Council of The Corporation of the City of Barrie hereby enacts as follows:

1. **THAT** By-law Number 2022-013 as amended, be repealed effective April 1, 2023.
2. **THAT** for the purposes of this by-law, the following definitions shall apply:
 - a) "City Departments" means departments, strategic portfolios, divisions and offices within The Corporation of the City of Barrie, including:
 - Barrie Fire and Emergency Services
 - Building Services
 - Business Performance and Environmental Sustainability
 - Chief Administrative Officer
 - Corporate Asset Management
 - Corporate Facilities
 - Development Services
 - Economic and Creative Development
 - Access Barrie
 - Finance
 - General Manager of Community and Corporate Services
 - General Manager of Infrastructure and Growth Management
 - Human Resources
 - Infrastructure
 - Information Technology
 - Internal Audit
 - Legal Services
 - Legislative and Court Services
 - Office of the Mayor
 - Operations
 - Recreation and Culture Services
 - Transit and Parking Strategy
 - b) "Full Cost Recovery" means all labour, equipment, material and any related overhead costs incurred by the Corporation; and
 - c) "City" means The Corporation of the City of Barrie.

3. **THAT** no request by any person for the services listed relating to any administrative process, land, building or structure in the City be acknowledged by the appropriate Department, unless and until the person requesting the information has paid or arranged to pay a fee where applicable in the amount prescribed as set out in Schedules A, B, C, D, E, F, G, H, I, J, K, L, M, N, O and P to this by-law.
4. **THAT** the fees as listed in columns entitled "2023 Approved Fee" of Schedules A, B, C, D, E, F, G, H, I, J, K, L, M, N, O and P to this By-law are subject to the Harmonized Sales Tax (H.S.T.) where applicable. Should the legislation change or subsequent interpretations be released that may change the applicability of these taxes, then staff will immediately undertake to apply the proper tax to the fee.
5. **THAT** the City apply fees for all materials, enforcement, services, information and documents as prescribed in Schedules A, B, C, D, E, F, G, H, I, J, K, L, M, N, O and P to this by-law.
6. **THAT** the fees listed in Schedules A, B, C, D, E, F, G, H, I, J, K, L, M, N, O and P to this by-law are in addition to any costs incurred by the Corporation of the City of Barrie, which costs may be payable in addition to the fees set out in the by-law.
7. **THAT** in the event any provision, or part thereof, of this by-law including Schedules A, B, C, D, E, F, G, H, I, J, K, L, M, N, O and P is found by a court of competent jurisdiction, to be *ultra vires*, such provision, or part thereof, shall be deemed to be severed, and the remaining portion of such provision and all provisions of this by-law including Schedules A, B, C, D, E, F, G, H, I, J, K, L, M, N, O and P shall remain in full force and effect.
8. **THAT** the fees and charges set out in the columns entitled "2023 Approved Fee" enclosed within Schedules A, B, C, D, E, F, G, H, I, J, K, L, M, N, O and P shall come into force and effect on the date of passage, unless otherwise specified.
9. **THAT** this By-law shall come into force and effect on April 1, 2023 unless specifically identified otherwise.

READ a first and second time this 8th day of March, 2023.

READ a third time and finally passed this 8th day of March, 2023.

THE CORPORATION OF THE CITY OF BARRIE

MAYOR –ALEX NUTTALL

CITY CLERK –WENDY COOKE

SCHEDULES "A" TO "P"
ATTACHED TO FEES BY-LAW 2023-