

THE CORPORATION OF THE TOWN OF WASAGA BEACH

BY-LAW 2018-15

A By-law to establish fees and charges to be collected by the Corporation of the Town of Wasaga Beach

WHEREAS pursuant to section 9 of the Municipal Act, 2001, a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS pursuant to section 8. (1) of the Municipal Act, 2001, the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 391 of the *Municipal Act, 2001*, provides that a municipality may 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;

WHEREAS By-Laws imposing such fees and charges are authorized by the *Municipal Act, 2001*, and various other statutes;

AND WHEREAS Section 69(1) of the *Planning Act, R.S.O. 1990, Chapter P.13*, as amended, provides that a municipality may establish a tariff of fees for the processing of applications in respect to planning matters;

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 the Council of the Town of Wasaga Beach deems it expedient to pass such a by-law and consolidate and update the fees and charges to be collected by the various departments of the Town of Wasaga Beach;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF WASAGA BEACH HEREBY ENACTS AS FOLLOWS:

1. That Council hereby establishes the fees and charges as set out in Schedules "A" to "N", attached hereto and forming part of this By-Law, and shall be paid for the services or activities noted.

2. That the fees and charges as listed in the schedules attached hereto and forming part of this by-law will be subject to tax where applicable in addition to the fees listed in the schedules attached.
3. That this by-law shall be cited as the “Fees and Charges By-law”.
4. That the schedules attached are a consolidated list of approved fees and charges that will be reviewed annually and may be amended from time to time as approved by Council, with an amendment to the schedules attached, and further that the consolidated list of fees and charges be updated from time to time to reflect Council’s approval.
5. That where this by-law established a fee and charge for a fee that also exists in another by-law that predates the effective date of this by-law, the fee and charge in this by-law shall be the applicable fee and charge and the other by-law is hereby effectively amended.
6. Should any part of this by-law, including any part of the schedules attached be determined by a Court of competent jurisdiction to be invalid or of no force and effect, it is the stated intention of Council that such invalid part of the by-law shall be severable and that the remainder of this by-law including the remainder of the schedules attached, as applicable, shall continue to operate and to be in force and effect.
7. That By-Law 2016-177, as amended, and any other by-laws or resolutions or parts of by-laws or resolutions inconsistent with this by-law to establish fees and charges are hereby repealed.
8. That this By-Law shall come into force and effect on the final passage thereof.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 30TH DAY OF JANUARY, 2018.

THE CORPORATION OF THE TOWN OF WASAGA BEACH

Brian Smith, Mayor

Andrea Fay, Clerk