

THE CORPORATION OF THE CITY OF KAWARTHA LAKES

OFFICE CONSOLIDATION OF BY-LAW 2003-46

Consolidated on July 12, 2011

Passed by Council on March 11, 2003.

Amendments:

1) By-law 2004-47	April 13, 2004	Section 2.00
2) By-law 2004-213	November 9, 2004	Section 2.00
3) By-law 2004-237	January 1, 2005	Section 2.01
4) By-law 2011-041	March 22, 2011	Section 2.00
5) By-law 2011-154	July 12, 2011	Section 2.00

Note: This consolidation is prepared for convenience only. For accurate reference the original by-laws should be reviewed.

THE CORPORATION OF THE CITY OF KAWARTHA LAKES

BY-LAW 2003 - 46

A BY-LAW TO PRESCRIBE A TARIFF OF FEES FOR CERTAIN SERVICES PROVIDED BY THE TREASURY & FINANCE OFFICE, THE OFFICES OF THE SOLICITOR AND CLERK, AND THE SERVICE CENTRES OF THE CITY OF KAWARTHA LAKES AND TO REPEAL BY-LAW 2002-25 AND 2002-131.

Recitals:

1. *The Municipal Act, the Planning Act, the Municipal Freedom of Information and Protection of Privacy Act*, and many other statutes provide that municipalities may charge fees for the dispensation of services to the public.
2. Council considers it expedient to establish fees for the services provided by the Treasury & Finance Office, the Offices of the Solicitor and Clerk, and the Service Centres of the City of Kawartha Lakes.
3. It is prudent to consolidate the amendments to By-law 2002-25 into one By-law.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law No. 2003-46.

Article 1:00 Definitions and Interpretation

1.01 **Definitions:** Wherever a word is used in this By-law with its first letter capitalized, the term is being used as it is defined in this Section. Where any word appears in ordinary case, its regularly applied meaning in the English language is intended.

- (a) "By-law" means this by-law, as amended from time to time.
- (b) "City" means The Corporation of the City of Kawartha Lakes.
- (c) "Council" means the elected Council of the City.

1.02 **Interpretation Rules:**

- (a) Whenever this By-law refers to a person or thing with reference to gender or the gender neutral, the intention is to read the By-law with the gender applicable in the circumstances.
- (b) References to items in the plural include the singular, as applicable.
- (c) The word “include” is not to be read as limiting the phrase or descriptions that precede it.

1.03 **Statutes:** References to laws in this By-law are printed in italic font and are meant to refer to the current laws applicable within the Province of Ontario as at the time this By-law was passed. For Provincial laws, the reference is to the relevant chapter of the R.S.O. 1990 edition, as amended from time to time, including successor legislation.

Article 2:00 Treasury & Finance Office Service Fees

- 2.01 **Returned Cheques:** Any person who submits to the City a cheque which is returned by the bank it is written on, shall, in addition to recompensing the City for the face value of the cheque, pay a fee to the City of thirty-five (\$35.00) dollars. This provision does not apply to cheques where it has been returned for one of the following reasons:
- a) Drawer deceased
 - b) Payment stopped (only if noted on the customer’s account that the municipality has advised the customer to put a stop payment on the payment).
- 2.02 **Tax Payment Certificates:** The fee for certification of the status of an account for taxes is fifty (\$50.00) dollars.
- 2.03 **Utility Payment Certificates:** The fee for certification of the status of an account for utilities is thirty-five (35.00) dollars.
- 2.04 **Tax Searches:** The fee for a search of the tax records for historic taxes billed, payments made, or other historical data, is twenty-five (\$25.00) dollars per year searched.
- 2.05 **Duplicate Receipts:** The fee for production of a duplicate of a receipt previously provided to any person is twenty (\$20.00) dollars.
- 2.06 **Administration Fee – Tax Sales:** When tax sale proceedings are commenced on any property within Kawartha Lakes, a fee of three hundred (\$300.00) dollars will be added to the Collector’s Roll to cover administrative costs associated with the tax sale process.
- 2.07 **Registered Mail:** A fee of thirty (\$30.00) dollars per Registered Letter is to be added to each account where a notice has been sent by Registered Mail.
- 2.08 **Sub searches of Property Title:** The Tax Billing and Collection Policy indicates that if there is no response from the Final Notice a sub search of the property title should be completed. For each sub search of title that is completed a fee of seventy-five (\$75.00) dollars plus costs is to be added to the property tax account.
- 2.09 **Site Visits:** The Tax Billing and Collection Policy indicates that a site visit will take place prior to the registration of a Tax Arrears Certificate if the property is not identified as vacant land. A fee of one and fifty hundred (\$150.00) dollars will be added to each property tax account subsequent to the site visit occurring.
- 2.10 **Late Payment Charges-Miscellaneous Revenues:** Accounts within the Accounts Receivable Financial System, that are not governed by a current agreement, that are 31 days or older, are subject to a late payment charge of 1% per month, not compounded.
- 2.11 **Reminder Notice Fee:** Where a reminder notice is sent to an account holder where the account has been outstanding for an extended period of time and there have been no

responses to request for payment, a fee of twenty (\$20.00) dollars per notice will be added to the account. This fee will apply to accounts that are in one year of tax arrears; the final notice sent to an accounts receivable account holder prior to the account being sent for further collection action; and for water and wastewater accounts prior to the account being disconnected from service or transferred to property taxes for collection purposes.

- 2.12 **Retrieval of Post Dated Cheques:** Where a customer requests a post dated cheque be retrieved from the City's financial system, and it has already been processed to the account, there will be a fee of thirty-five (\$35.00) added to the customer's account.
- 2.13 **Transfer of Electronic Payments:** Where a payment has to be transferred from one account to another as a result of an electronic payment error, which has occurred more than once, a fee of thirty (\$30.00) dollars will be applied to the account, for all subsequent transfers.
- 2.14 **Mortgage Company Additions:** A fee of ten (\$10.00) dollars will be charged to each mortgage company when a request for an addition to the list of accounts they are responsible for is received.
- 2.15 **Large Account Fee:** A fee of seven (\$7.00) dollars will be levied for each account sent to a company responsible for payment of a property owner's taxes, for each billing cycle.
- 2.16 **Account Adjustment Fee (Mortgage Companies):** A fee of thirty (\$30.00) dollars will be charged to the mortgage company each time an adjustment to an account is required as a result of their error, e.g. refunds or transfers between accounts.
- 2.17 **New Account Administration Fee:** A fee of thirty-two (\$32.00) dollars shall be charged for services provided to set up a new tax account upon the change of ownership of properties in the city.
- 2.18 **Annual Adjustment of Fees:** The fees and charges identified in Article 2.00 of this By-law shall be adjusted annually on January 1st of each year to reflect increases in labour, material and supplies cost.
- 2011-041, all of Section 2 - effective May 1, 2011
- 2.19 **Reprinted Invoices:** any person who requests a copy of an invoice already produced by the City of Kawartha Lakes shall pay a fee to the City of twenty-five (\$25.00) dollars. This provision does not apply to reprinted invoices in the following circumstances:
- a) An adjustment has been made to an account reflecting a revised amount owing.
 - b) Where the original invoice has been returned to the City by Canada Post and the account holder subsequently identifies they have not received the original invoice.
 - c) Where an account is subject to litigation by the City, and an invoice is reprinted to reflect any changes in the amount owing.

By-law 2011-154, effective July 12, 2011

Article 3:00 Service Centre and Solicitor/Clerk's Office Service Charges
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- 3.01 **Oaths:** The fee for administration of an oath is ten (\$10.00) dollars.
- 3.02 **Notarial Services:** At times when the City has a Notary Public on staff, the fee for notarial services is twenty-five (\$25.00) dollars.
- 3.03 **Pension Documents:** Notwithstanding Sections 2.01 and 2.02, there shall be no service fee charged for the commissioning of an oath, or for notarial services, related to pension documents.
- 3.04 **Photocopies:** Photocopies shall be made available at the fee of twenty-five (\$00.25) cents per page copied.

- 3.05 **Local Facsimiles Sent:** The fee for sending a document by facsimile transmission is one (\$1.00) dollar per page sent for local telephone numbers.
- 3.06 **Long-Distance Facsimiles Sent:** The fee for sending a document by facsimile transmission is two (\$2.00) dollars per page sent for long-distance telephone numbers.
- 3.07 **Facsimiles Received:** The fee for receipt of a document by facsimile transmission is one (\$1.00) dollar per page.

Article 4:00 Fees for Use of In-House Legal Counsel for Development Applications
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4.01 **Fees for Development Agreements:** Applicants for development agreements shall, where a decision is made to use in-house legal counsel, pay the following fees for negotiating, drafting, creating, amending, and finalizing development agreements from a legal perspective, in addition to any fees payable pursuant to By-law 2001-59:

Site Plan Agreement:	\$ 350.00
Subdivision Agreement:	\$ 500.00
Front Ending Agreement (Re: Development Charges):	\$ 500.00
Payment Arrangement Agreements (Re: Development Charges):	\$ 200.00
Bonusing Agreements (Planning Act)	\$ 200.00
Amendments to existing agreements, and finalization of all other Development Agreements:	\$ 200.00

4.02 **Fees for Ontario Municipal Board Hearings:** Where in-house counsel represents the interests of the City on behalf of an applicant in circumstances referenced in Section 12.2 of Bylaw 2001-59, the fee is three hundred (\$300.00) dollars per day or partial day of the hearing.

4.03 **Fees Exclude Expenses:** The fees in Sections 4.01 and 4.02 are exclusive of the City's out-of-pocket costs, which must also be paid by the applicant.

Article 5:00 Vital Statistics

5.01 **Fees:** All certificates, licences and/or registrations for vital issued or recorded within Kawartha Lakes shall be subject to the following fee schedule:

Marriage Licence.....	\$100.00
Birth Registration.....	\$ 10.00
Death Registration.....	\$ 15.00
Division Registrar's Statement.....	\$ 20.00

These fees are expressed per licence, certificate or registration and not per year or partial year.

Article 6:00 General Terms

6.01 **Force and Effect:** This By-law shall come into force and take effect on April 1, 2003.

6.02 **Repeal:** This By-law shall repeal By-law 2002-25 and 2002-131.

By-law read a first, second and third time, and finally passed, this 11th day of March, 2003.

Mayor

Clerk