

THE CORPORATION OF THE CITY OF KAWARTHA LAKES

BY-LAW 2009- 043

A BY-LAW TO ESTABLISH AND REQUIRE PAYMENT OF A NEW TAX ACCOUNT ADMINISTRATION FEE AND A NEW WATER/WASTEWATER ACCOUNT ADMINISTRATION FEE

Recitals

1. The Council of the Corporation of the City of Kawartha Lakes may pass by-laws establishing and requiring the payment of fees and charges for services or activities provided or done by on behalf of the City and for the use of City property.
2. Section 391 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, and various other provisions of the Act and by various other statutes authorize imposing such fees.
3. Section 398(2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorizes a municipality to add fees and charges to the tax roll for the property and collect them in the same manner as municipal taxes.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2009-043.

Section 1.00: Definitions and Interpretation

1.01 **Definitions**: In this by-law:

- (a) **“City”, “City of Kawartha Lakes” or “Kawartha Lakes”** means The Corporation of the City of Kawartha Lakes.
- (b) **“Manager of Revenue and Taxation”** means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.
- (c) **“Council”** means the municipal council for the Corporation of the City of Kawartha Lakes.

1.02 **Interpretation Rules**:

- (a) Wherever 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 to 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 phrases or descriptions that precede it.
- (d) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.

1.03 **Statutes**: References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

1.04 **Severability**: If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: New Tax Account Administration Fee

- 2.01 A fee of \$30.00 shall be charged for services provided to set up a new tax account upon the change of ownership of properties in the city, and the fee shall be called the New Account Administration Fee.

- 2.02 The New Account Administration Fee is to be added to the tax roll upon a change of ownership and shall be collected in the same manner as municipal taxes.
- 2.03 A notice shall be mailed to the property owner advising of the fee imposed under section 2.01 and providing a minimum of 21 days from the date of the notice is issued for payment.

Section 3.00: New Water/Wastewater Account Administration Fee

- 3.01 A fee of \$37.00 shall be charged for services provided to set up a new water/wastewater account upon the change of the account responsibility in the city, and the fee shall be called the New Water/Wastewater Account Administration Fee.
- 3.02 The New Water/Wastewater Account Administration Fee is to be added to the water/wastewater account upon a change of account responsibility and shall be collected in the same manner as municipal taxes.
- 3.03 A notice shall be mailed to the account holder advising of the fee imposed under section 3.01 and providing a minimum of 21 days from the date of the notice is issued for payment.

Section 4.00: Annual Adjustment in Fee

- 4.01 The New Tax Account Administrative Fee shall be adjusted annually on January 1st of each year to reflect increases in labour, material and supplies cost.
- 4.02 The New Water/Wastewater Account Administrative Fee shall be adjusted annually on January 1st of each year to reflect increases in labour, material and supplies cost.

Article 5.00: Administration and Effective Date

- 5.01 **Administration of the By-law:** The Treasurer is responsible for the administration of this by-law.
- 5.02 **Effective Date:** This By-law shall come into force on the 1st day of April, 2009.

By-law read a first, second and third time, and finally passed, this 24th day of March, 2009.

Ric McGee, Mayor

Judy Currins, Clerk