

**THE CORPORATION OF THE TOWNSHIP OF WARWICK**

**BY-LAW NO. 71 OF 2011**

**To Impose Fees and Charges for Services and Activities  
Provided or Done by the Corporation of the Township of Warwick -  
Watford Fire Department and Warwick Fire Department**

**WHEREAS** Section 2 of the *Fire Protection and Prevention Act 1997*, S.O. 1997, c.4, as amended, authorizes a municipality to establish a Fire Department to provide firefighting and fire protection services and for participating in an emergency fire services program;

**AND WHEREAS** the Corporation of the Township of Warwick has established a Fire Department being the Fire and Emergency Services Division of the Community Services Department to deliver firefighting and related emergency services together with fire protection services;

**AND WHEREAS** Section 391 of the *Municipal Act 2001*, S.O. 2001, c.25, as amended, authorizes a municipality by by-law to impose fees or charges on any class of persons for services or activities provided or done by or on behalf of the municipality and for the use of the municipality's property, including property under its control;

**NOW THEREFORE** the Council of the Corporation of the Township of Warwick enacts as follows:

**DEFINITIONS:**

In this By-law unless the context requires otherwise;

**"Approved"** means approved by Council;

**"Corporation"** means the Corporation of the Township of Warwick;

**"Council"** means the Council of the Corporation;

**"Fire Chief"** means the Fire Chief for the Corporation of the Township of Warwick – Watford Fire Department and Warwick Fire Department;

**"Fire Department"** means the Corporation of the Township of Warwick – Watford Fire Department and Warwick Fire Department;

**"Owner"** means a person, firm or corporation who owns or has control over any portion of a property in respect of which services and activities were provided or done by the Fire Department.

**FEE FOR SERVICES**

- The Corporation shall impose the fee for services set out in Schedule “A” for services or activities, including without limitation inspections, provided or done by the Fire Department.
- No request by any person for documentary, written or printed information relating to any land, building or structure in the Corporation or any application described in Schedule “A” will be processed unless and until the person requesting the information or submitting the application has paid the applicable fee in the prescribed amount as set out in Schedule “A” of this By-law.
- The fees as listed in Schedule “A” of this By-law will be subject to Harmonized Sales Tax (H.S.T.) where applicable.

#### **PAYMENT OF FEE**

- The Owner of a property to which services set out in Schedule “A” were provided or done by the Fire Department, regardless of whether requested by the Owner or an agent of the Owner or not, shall pay the fee imposed for such service under Section 2 within ten (10) days and invoiced to the Owner by the Corporation within ten (10) days of the mailing of an invoice.
- If a property Owner who is charged a fee under this by-law fails to pay the fee within the prescribed time, the Corporation may add the fee, including interest, to the tax roll for any real property registered in the name of the Owner and collect the fee, including interest, in same manner as municipal taxes.
- Where there is more than one Owner, their liability for payment shall be joint and several.

#### **SEVERABILITY**

- Should any part of this By-law, including any part of Schedule “A” 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 Schedule “A”, as applicable, shall continue to operate and to be in force and effect.

READ A FIRST AND SECOND TIME THIS 26<sup>th</sup> DAY OF OCTOBER, 2011.

READ A THIRD TIME AND FINALLY PASSED THIS 26<sup>TH</sup> DAY OF OCTOBER, 2011.

\_\_\_\_\_  
MAYOR – Todd Case

\_\_\_\_\_  
CLERK – Frances Woods