

THE CORPORATION OF THE
TOWN OF PELHAM
BY-LAW 3728 (2016)

Being a by-law to establish fees and charges to be collected by the Corporation of the Town of Pelham, and to amend various By-laws as indicated herein, and to repeal by-laws as noted in Item 12 herein.

WHEREAS the *Municipal Act, 2001, S.O 2001, c.25*, provides that a municipality may pass by-laws imposing fees or charges on any class of persons; and,

WHEREAS the *Planning Act, Chapter P. 13 R.S.O., 1990* as amended , provides that Council may prescribe a tariff of fees for the processing of applications made in respect of planning matters; and,

WHEREAS pursuant to the *Building Code Act, 1992, S.O 1992 c 23* as amended, Council may require the payment of fees on applications for and issuance of building permits and prescribing the amounts thereof, and,

WHEREAS pursuant to the *Line Fences Act, R.S.O., 1990 c. L. 17*, Council may fix its reasonable administrative fees to be paid to the municipality in relations to the proceedings of the Act; and,

WHEREAS the Corporation of the Town of Pelham deems it expedient to consolidate and update the fees and charges to be collected by the various departments of the Corporation of the Town of Pelham.

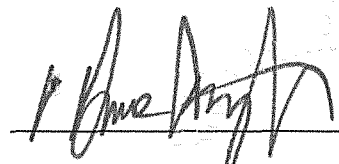
NOW THEREFORE COUNCIL OF THE CORPORATION OF THE TOWN OF PELHAM ENACTS AS FOLLOWS:

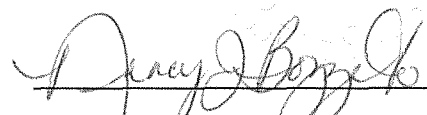
- (1) THAT Council hereby establishes the fees and charges as set out in the Schedule to this by-law for The Corporation of the Town of Pelham (Pelham). The fees and charges will be subject to Harmonized Sales Tax (HST) and Retail Sales Tax (RST), where applicable.
- (2) (a) THAT the fees and charges may be adjusted annually by the Consumer Price Core Index of the previous year.

(b) THAT in those instances where the fee is not adjusted by the Consumer Price Index composite index in one year, the cumulative adjustment for past years may be made in future years, as approved by Council.
- (3) THAT despite paragraphs 2(a) and (b), fees and charges may be adjusted, as approved by Council, to recover at a minimum, respective services, administration and capital costs, as well as costs for any other purposes in any amount permitted under applicable law.

- (4) THAT any portion of a fee or charge that remains unpaid beyond the date fixed for payment shall be recovered according to Corporate Services policies.
- (5) THAT where this by-law establishes 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) THAT in the event that by-law 3728 (2016) as amended is repealed and re-enacted or amended in its entirety, it shall be assigned the same number, due to the fact that this by-law is mentioned in several other by-laws.
- (7) THAT if a Court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of this by-law and it is hereby declared that the remainder of this by-law shall be valid and shall remain in full force and effect.
- (8) THAT the following By-laws be amended by removing Schedule "A": #3310(2012), #2686(2005), and #97-2010
- (9) THAT By-law #3186(2011) be amended by removing section 3.1.
- (10) THAT By-law #2942(2008) be amended by removing sections 7.1, 8.1, 9.1. and 10.1.
- (11) THAT By-law #3012(2008) be amended by removing Schedule "C".
- (12) THAT the following By-laws are hereby repealed:
- #2753(2006), #2742(2006), #3086(2010),
#3035(2009), #3085(2010), #3106(2008),
#3107(2010), #868(1983), #2422(2002),
#3193(2011), #3089(2010), #3091(2010),
#3309(2012), #2254(2001), #2822(2006),
#2903(2007), #3181(2011), #3548(2014), ^{not repealed}
and #3489(2014).

ENACTED, SIGNED AND SEALED THIS
18th DAY OF APRIL, 2016 A.D.


MAYOR DAVE AUGUSTYN


CLERK NANCY J. BOZZATO