

Rural Municipality of Miltonvale Park
Bylaw to Establish Fees for Various Municipal Services
Bylaw # 2017-01

BE IT ENACTED by the Council of the Rural Municipality of Miltonvale Park as follows:

1. Title

1.1. This bylaw shall be known and cited as the "Fees Bylaw".

2. Purpose

2.1 To enable the Council of the Municipality to pass bylaws establishing and requiring the payment of fees, such as business licenses, inspections, parking, recreation and other matters, for the purpose of raising revenues.

3. Authority

3.1. Subclause 162(1)(a)(i) of the *Municipal Government Act*, R.S.P.E.I. 1988, Cap. M-12.1., and the *Planning Act*, R.S.P.E.I. 1988, Cap. P-8, provides that Council may, by bylaw, impose requirements for, establish fees for, and establish a process for the collection of fees in accordance with the Act.

4. Application

4.1. This bylaw enables the authority for council to establish fees and charges for the provision of goods and services and applies to any person upon which a fee or charge is imposed under this bylaw

4.2. These fees are set out in Schedule "A" attached to this bylaw and form part of the bylaw.

5. Definitions

5.1. "Act" means the *Municipal Government Act*.

5.2. "Chief Administrative Officer" or "CAO" means the administrative head of the Municipality as appointed by Council under subsection 86(2)(c) of the *Municipal Government Act*.

5.3. "Council" means the Mayor and other members of the Council of the municipality.

5.4. "resolution" means a resolution duly made by Council in accordance with the Act during a regular meeting or a special meeting of Council.

5.5. "Municipality" means the Rural Municipality of Miltonvale Park.

6. Establishment of Fees

- 6.1. The Municipality hereby establishes fees to be charged for business licenses, inspections, parking, recreation and other matters, in accordance with the Act.
- 6.2. The Municipality shall charge fees that are higher for persons or businesses that do not reside or maintain a place of business in the Municipality, where so outlined in Schedule "A" attached to this bylaw.
- 6.3. By resolution, Council may revise fees at any time in accordance with section 135 of the Act and shall ensure that Schedule "A" to this bylaw is updated accordingly.
- 6.4. The fees set out in Schedule "A" to this bylaw are subject to the Harmonized Sales Tax (H.S.T.) where applicable.
- 6.5. In addition to the fees established in this bylaw, the Municipality may also establish fees in other bylaws where those fees are specifically related to the matters addressed in that bylaw.

7. Collection of Fees

- 7.1. The Municipality may take into revenue, deposits and investments, any charges for the operation of a service or municipal utility under the control of Council and any other funds the Municipality may acquire pursuant to this bylaw or any other bylaw establishing fees, in accordance with section 162 of the Act.
- 7.2. The fees and charges set out in Schedule "A" to this bylaw shall come into force and effect on the date of passage, unless otherwise specified.
- 7.3. All fees charged in accordance with this bylaw are owing at the time of the service, or as otherwise outlined in Schedule "A" to this bylaw.
- 7.4. The fees listed in Schedule "A" to this bylaw are in addition to any costs incurred by the Municipality, which costs may be payable in addition to the fees set out in this bylaw.
- 7.5. Pursuant to subsection 142(2), the Municipality may by resolution cancel or write off any arrears of fees, penalties or interest charges that are prescribed by bylaw or specified in a resolution that, in the opinion of Council, are no longer collectable from the person, institution, association, group or body that is liable to pay them.

8. Penalties

- 8.1. The Municipality may, in accordance with subsection 162(3) of the Act, refuse to issue or renew any license or authorization that the Municipality is authorized under this bylaw, or under the Act or another enactment, to issue or renew to a person who has failed to pay charges, fees, fines or penalties established in Schedule "A" to this bylaw, including any interest accruing to any of them.

9. Effective Date

- 9.1. This Fees Bylaw, Bylaw# 2017-01, shall be effective on the date of approval and adoption below.

First Reading:

This Fees Bylaw, Bylaw# 2017-01, was read a first time at the Council meeting held on the 20th day of December, 2017.

This Fees Bylaw, Bylaw# 2017-01, was approved by a majority of Council members present at the Council meeting held on the 20th day of December, 2017.

Second Reading:

This Fees Bylaw, Bylaw# 2017-01, was read a second time at the Council meeting held on the 17th day of January, 2018.

This Fees Bylaw, Bylaw# 2017-01, was approved by a majority of Council members present at the Council meeting held on the 17th day of January, 2018.

Approval and Adoption by Council:

This Fees Bylaw, Bylaw #2017-01 , was adopted by a majority of Council members present at the Council meeting held on the 17th day of January, 2018.

10. Signatures

Mayor (signature sealed)

Chief Administrative Officer (signature sealed)

This Fees Bylaw adopted by the Council of the Rural Municipality of Miltonvale Park on January 17, 2018 is certified to be a true copy.

Chief Administrative Officer Signature

Date

	<p>The CAO, in consultation with the Mayor and/or Finance Chair, may reduce these fees at their discretion.</p> <p>Drop- in use of the recreational facilities is free.</p> <p>5. Use of the Park Shelter outside of Recreation Program Hours</p> <p>For Residents – Residents of the Municipality are permitted use of the Park Shelter, for \$25/day. The rental fee for a youth group with ties to the community, or any group based in the community will be \$25.</p> <p>A damage deposit of \$100 cash, cheque or email transfer is required. In the event the actual cost for damage or clean up exceeds \$100, the user shall be responsible to reimburse the Municipality for the actual costs incurred.</p> <p>For Non-Residents – Non-residents may use the Park Shelter for a fee of \$100. Damage deposit is \$200. Actual costs will be charged if damage occurs or if clean up is required.</p> <p>The Rural Municipality of Miltonvale Park may waive or reduce fees for non-profit or other similar uses, at the discretion of the CAO, in consultation with the Mayor and/or Finance Chair.</p>	<p>A damage deposit of \$200 may be required at time of booking. Rental fee is due and payable upon receipt and no later than 21 days of the date of the invoice.</p>
<p>Recreation/Seniors/Community Programming</p>	<p>Fees for activities for recreation/seniors/ community programming may range between \$1-\$50 and will be determined on a case-by-case basis and advertised/promoted for each activity.</p> <p>The Municipality may charge fees that are higher for persons or businesses that do not reside or maintain a place of business in the Municipality.</p>	<p>At time of use.</p>
<p>Permits and Approvals</p>	<p>See the Zoning and Development Bylaw.</p>	