

THE CORPORATION OF THE CITY OF PEMBROKE

BY-LAW NUMBER 2012 – 44

A BY-LAW TO IMPOSE USER FEES FOR SERVICES PROVIDED BY THE
PEMBROKE FIRE DEPARTMENT

WHEREAS THE MUNICIPAL ACT PROVIDES THAT A MUNICIPALITY
MAY PASS BY-LAWS IMPOSING FEES OR CHARGES FOR THE PROVISION OF
SERVICES.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF
THE CITY OF PEMBROKE ENACTS AS FOLLOWS:

1. DEFINITIONS:

1. In this by-law:

Fire Fees By-law

This By-law may be referred to as “the Fire Fees By-law”.

Chief Fire Official

“Chief Fire Official” shall mean the Fire Chief of the Corporation of the City of Pembroke or designate.

Alarm Services Provider

“Alarm Services Provider” shall mean any person who installs, maintains or monitors either Fire Alarm systems or Security Alarm systems.

Building

“Building” shall mean any structure used or intended for supporting or sheltering any use of occupancy.

Property

“Property” means the property defined by the municipal address.

Property Owner

“Property Owner” means the person, firm or corporation having control over or title for a parcel of land or any portion of the building or property under consideration and includes the persons in the building or property.

Property Manager

“Property Manager” means a management company and /or a person who is responsible for the maintenance or upkeep of a building.

Person

“Person” means any individual, association, firm, partnership, corporation, agent or trustee and their heirs, executors or other legal representative of a person.

Business

“Business” means any structure or shelter used for commercial purposes.

Business Owner

“Business Owner” means a person in whose name a structure or shelter used for commercial purposes is registered.

Registered Owner

“Registered Owner” means the person in whose name a vehicle is registered pursuant to the Ontario Highway Traffic Act.

Security Alarm

“Security Alarm” means an alarm system intended to detect an unauthorized entry to a premises or to alert people to the commission of an unlawful act, or both.

Alarm Signal

“Alarm Signal” means an audible signal transmitted throughout a zone or zones throughout a building to advise occupants that a fire emergency exists.

False Alarm

“False Alarm” means an alarm signal where a fire department response, in the opinion of the Chief Fire Official, is not required.

Service Room

“Service Room” means a room in a building used to contain equipment associated with building services.

Fire Watch

“Fire Watch” means patrol and documenting of patrols of a building with compromised fire safety systems.

Stand By

“Stand By” means when the Fire Department is required to remain at a building or property while awaiting arrival of an owner, key holder, landlord or responsible person for the building or property.

Fire Scene

“Fire Scene” means the building, property or location that an emergency incident has occurred and the Fire Department has responded.

Private Contractor

“Private Contractor” is a person or company that provides a service requested by the fire department.

Water Rescue

“Water Rescue” means the actions taken by the Fire Department to mitigate an emergency while on or near the water or ice and includes the towing of vessels to safety.

Inspection

“Inspection” means the Fire Safety Inspections carried out by the members of the Pembroke Fire Department.

Retrofit Inspection

“Retrofit Inspection” means the inspections required from the Fire Department by properties to conform to Ontario Fire Code Section 9.

Motor Vehicle Accidents

“Motor Vehicle Accidents” means the motor vehicle accident responses by the Fire Department.

Record

“Record” means any form, file or report kept by the Fire Department.

Day Care

“Day Care” means any place that care is provided for children for a fee.

2. FEES FOR INSPECTIONS:

1. The Fire Department may charge fees for conducting inspections at buildings and businesses.
2. The fees provided for by this section may be charged to the Property Owner, the Business Owner, or the Person requesting the inspection.
3. The fees provided by this section shall be as set in Schedule "A" of this by-law

3. FEES FOR MOTOR VEHICLE ACCIDENTS (M.V.A.'s):

1. The Fire Department may charge fees for response to motor vehicle accidents.
2. The fees provided for by this section may be charged to the registered owner or insurance company of the registered owner or any person who benefits from the service.
3. The fees provided by this section shall be as set in Schedule "A" of this by-law.

4. FEES FOR WATER RESCUE AND/OR WATER VESSEL TOW OR ASSISTANCE:

1. The Pembroke Fire Department may charge fees providing water rescue services or towing water vessels to safety during or following a water rescue incident
2. The fees provided for by this section may be charged to the registered owner or insurance company of the registered owner or any person who benefits from the service.
3. The fees provided by this section shall be as set in Schedule "A" of this by-law

5. FEES FOR SELF CONTAINED BREATHING APPARATUS (S.C.B.A.) REFILLS:

1. The Pembroke Fire Department may charge fees for refilling S.C.B.A. bottles.
2. The fees provided for by this section may be charged to a business owner, Municipality or Fire Department requesting the service, or the person who benefits from the service.
3. The fees provided by this section shall be as set in Schedule "A" of this by-law

6. FEES FOR SEARCH OF RECORDS:

1. The Pembroke Fire Department may charge fees for search of records or files and for providing such information as requested.
2. The fees for these services will be charged to the person or business making the request.
3. The fees provided by this section shall be as set in Schedule "A" of this by-law.

7. FEES FOR FIRE WATCH OR STANDBY AT A FIRE SCENE:

1. The Pembroke Fire Department may charge fees for the wait period experienced while at a fire scene at which the Fire Department has responded. The Pembroke Fire Department may also charge fees for providing a fire watch at a property, when the service is deemed necessary at the sole discretion of the Fire Chief.
2. The fees provided for by this section may be charged to a property owner, a business owner, a landlord, the person requesting the service, or the person who benefits from the service.
3. The fees provided by this section shall be as set in Schedule "A" of this by-law

8. FIRE SCENE CAUSE DETERMINATION:

1. The Pembroke Fire Department may charge fees for any fire incident in which the Fire Cause Determination Task Force is required to investigate and compile a report regarding the cause of a fire. The Fire Cause Determination Task Force is deployed to investigate a fire scene at the Fire Chief's discretion.
2. The fees provided for by this section may be charged to a property owner, a business owner, a landlord, the person requesting the service, or the person who benefits from the service.
3. The fees provided by this section shall be as set in Schedule "A" of this by-law

9. EXTRAORDINARY COSTS:

1. Where the actual cost of providing the services set out in the Schedules to this By-law exceed the amount set out in the Schedules because providing the service took an unusually long time or required specialized equipment, apparatus or materials, or for any other reason outside of the Fire Department's control, the Pembroke Fire Department may charge a fee in addition to that set out in the Schedules.
2. The additional fee provided for in this section must reflect the additional cost of providing the service and a reasonable administrative fee.
3. The fees provided for by this section may be charged to a registered owner, a property owner, a business owner, property manager, alarm company, the person requesting the service, or the person who benefits from the service.

10. UNUSUAL CIRCUMSTANCES:

1. Where the Pembroke Fire Department performs any emergency or non-emergency service that requires equipment, apparatus, materials or labour including but not limited to the use of contractors and or contractors equipment the Pembroke Fire Department may charge a fee reflecting the additional costs to perform the service and a reasonable administrative fee.
2. The fees provided for by this section may be charged to a registered owner, property owner, business owner, property manager, the person requesting the service or the person who benefits from the service.

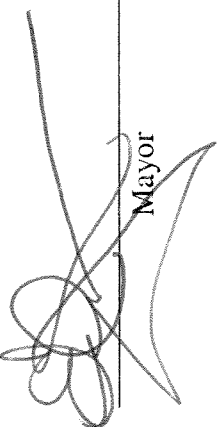
11. EFFECTIVE DATE:

THIS BY-LAW SHALL COME INTO FORCE AND TAKE EFFECT UPON THE DATE OF FINAL PASSING THEREOF.

READ A FIRST AND SECOND TIME THIS 17th DAY OF JULY, 2012.



Chief Administrative Officer

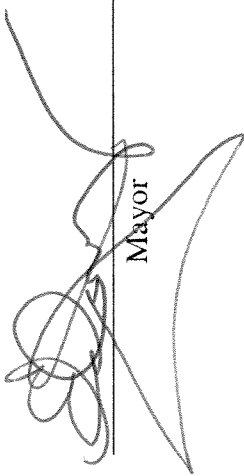


Mayor

READ A THIRD TIME AND PASSED THIS 17th DAY OF JULY, 2012.



Chief Administrative Officer



Mayor

By-law 2012-44 SCHEDULE “A”

Fees

#	Description	Fee
1	Retrofit Inspections (first and second)	n/c
2	Retrofit Inspections (third and subsequent)	\$50 per hour or part minimum \$50
3	LLBO Inspection	\$50
4	Private Day Care License	\$50
5	Business Compliance Request	\$50
6	Vehicle Accidents (MTO Rates) Invoiced when unrecoverable through MTO	\$410 per hour
7	Water Rescue – Ottawa River (MTO Rates) (towing fees for non-residents)	\$410 per hour
8	Fire Watch or Standby (deemed necessary and approved by Fire Chief)	\$50.00 per hour
9	Fire Scene Cause Determination	\$200 per hour Or part Minimum of \$200

10	Vehicle Gasoline Leak Clean-up	\$200 per hour	
11	Private Contractor Charges	Actual costs + Admin fees	
12	S.C.B.A. Refills	\$6	
13	File Search	\$50	
14	Copies of Inspections	\$50	
15	Copies of Incident Reports	\$50	
16	Fire Permits	\$20	