

Rural Municipality of West River, PEI
Fees Bylaw
Bylaw # 2021-11

BE IT ENACTED by the Council of the Rural Municipality of West River 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 Rural Municipality of West River to pass bylaws establishing and requiring the payment of fees for business licenses, development permits, 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 section 20 of the *Planning Act* RSPEI 1988 c P-8., enables municipalities to, by bylaw, impose requirements, establish fees and establish a process for the collection of fees.

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 on 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 a 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. “Councillor” means a member of Council other than the Mayor.
- 5.5. “Lien” means an encumbrance or charge on a property to secure the debt owed by the property owner to the Rural Municipality of West River.
- 5.6. “License” means a permit from the Rural Municipality of West River to own or use something or to do a particular thing.
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- 5.7. “Local improvement charge” means a fixed annual charge levied against real property for a specific period by the Rural Municipality of West River which contributes to capital costs of local improvements such as sewer and water upgrades, for example.
- 5.8. “Municipality” means the Rural Municipality of West River

6. Establishment of Fees

- 6.1. The Rural Municipality of West River hereby establishes fees to be charged for development permits, rezonings, subdivisions, inspections, parking, recreation and other matters in accordance with the Act.
- 6.2. The Rural Municipality of West River may charge fees that are higher for persons or businesses that do not reside or maintain a place of business in the municipality (clause 182(c)(ii) of the Act), where so outlined in the Schedule attached to this bylaw.
- 6.3. Council may revise fees at any time by resolution in accordance with section 135 of the Act, and shall ensure that the relevant Schedule to this bylaw is updated.
- 6.4. The fees set out in the Schedule 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 Rural Municipality of West River may also establish fees in other bylaws where those fees are specifically related to the matter addressed in that bylaw.

7. Collection of Fees

- 7.1. The Rural Municipality of West River 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 the Schedule 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 the Schedule to this bylaw.
 - 7.4. The fees listed in the Schedule to this bylaw are in addition to any costs incurred by the Rural Municipality of West River, which costs may be payable in addition to the fees set out in this bylaw.
 - 7.5. Pursuant to subsection 142(2) of the Act, the Rural Municipality of West River 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.
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8. Penalties

- 8.1. The Rural Municipality of West River, 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 of the municipality, or under the Act or another Act, to issue or renew to a person who has failed to pay charges, fees, fines or penalties established in the Schedule to this bylaw, including any interest accruing to any of them.

9. Repeal of Existing Bylaw

- 9.1. On adoption, this bylaw replaces Bonshaw Bylaw 2019-02 and New Haven-Riverdale Bylaw 2018-01

10. Effective Date

- 10.1. This Fees Bylaw, Bylaw# 2021-11, shall be effective on the date of approval and adoption below.

First Reading:

This Fees Bylaw, Bylaw# 2021-11, was read a first time at the Council meeting held on the 10th day of December, 2020.

This Fees Bylaw, Bylaw# 2021-11, was approved by a majority of Council members present at the Council meeting held on the 10th day of December, 2020.

Second Reading:

This Fees Bylaw, Bylaw# 2021-11, was read a second time at the Council meeting held on the 14th day of January, 2021.

This Fees Bylaw, Bylaw# 2021-11, was approved by a majority of Council members present at the Council meeting held on the 14th day of January, 2021.

Approval and Adoption by Council:

This Fees Bylaw, Bylaw# 2021-11, was adopted by a majority of Council members present at the Council meeting held on the 14th day of January, 2021

11. Signatures

Mayor (signature sealed)

Chief Administrative Officer (signature sealed)

This Fees Bylaw adopted by the Council of the Rural Municipality of West River on January 14, 2021 is certified to be a true copy.

Chief Administrative Officer Signature

Date



Schedule A

This Schedule forms part of the bylaw and may only be amended in accordance with Part 5 Division 2 of the Act. For complex fee structures, a separate schedule for each fee category could be used.

Type of Fee	Fee Structure	Fees Due
1. Business License	\$20.00 per license	Prior to the issuance of the license
2. Sport fields	Hourly TBD Daily TBD Season TBD	At time of booking
3. Private use of municipal park	\$30 / use Municipality may waive fees for non-profit or other similar uses.	At time of booking
4. Planning Permits	See Zoning and Development Bylaw	

