

Rural Municipality of Morell
A Bylaw to Establish Fees for Various Municipal Services
Bylaw-2018 #04

BE IT ENACTED by the Council of the Rural Municipality of Morell 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 for 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 section the *Planning Act*, RSPEI 1988 c P-8, provides that a council must establish fees by bylaw 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 on which a fee or charge is imposed under this bylaw

4.2. These fees are set out in the Schedules 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 Municipality.

5.6. "License" means a permit from the Municipality to own or use something or to do a particular thing.

5.7. "Local improvement charge" means a fixed annual charge levied against real property for a specific period by the Municipality which contributes to capital costs of local improvements such as sewer and water upgrades, for example.

5.8. "Municipality" means the Rural Municipality of Morell.

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 will 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 Schedules attached to this bylaw.
- 6.3. Council may revise fees at any time by resolution if required, in accordance with section 135 of the Act, and shall ensure that the relevant Schedules to this bylaw is updated. The fees set out in the Schedules to this bylaw are subject to the Harmonized Sales Tax (H.S.T.) where applicable.
- 6.4. 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 matter 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 the Schedules 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 Schedules to this bylaw.
- 7.4. The fees listed in the Schedules 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 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 Schedules to this bylaw, including any interest accruing to any of them.

9. Effective Date

9.1. This Fees Bylaw, Bylaw-2018 #04 shall be effective on the date of approval and adoption below.

First Reading:

This Fees Bylaw, Bylaw -#2018-04, was read a first time at the Council meeting held on the 19th day of March, 2018.

This Fees Bylaw, Bylaw -#2018-04, was approved by a majority vote of the Council at the Council meeting held on the 19th day of March, 2018.

Second Reading:

This Fees Bylaw, Bylaw #2018-04, was read a second time at the Council meeting held on the 16th day of April, 2018.

This Fees Bylaw, Bylaw #2018-04, was approved by a majority vote of the Council at the Council meeting held on the 16th day of April, 2018.

Approval and Adoption by Council:

This Fees Bylaw, Bylaw #2018-04, was adopted by a majority vote of the Council at the Council meeting held on the 16th day of April, 2018.

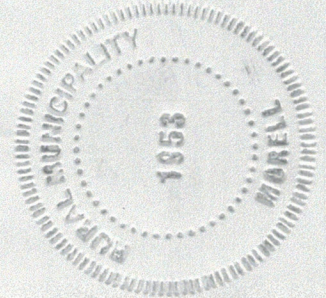
10. Signatures



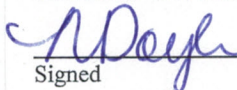
Mayor (signature sealed)



Chief Administrative Officer (signature sealed)



Filed on behalf of the Minister of Communities, Land and Environment in accordance with s.129 of the *Municipal Government Act*.

 Signed _____

May 30, 2019 Dated _____

Schedule A

This Schedule forms part of the bylaw and may only be amended in accordance with Part 5 Division 2 of the Act.

N.B. The fees contained herein are effective when the bylaw is passed.

Type of Fees (Examples below)	Fee Structure (Describe the fee structures and list any exemptions or surcharges, etc.)	Fees Due (Set out when fees must be paid)
1. Fees for <u>Rental Rossiter Park</u>	Not applicable	<u>On the date of use</u>
2.		
3.		
4.		
5.		
6.		
7.		
8.		

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