



## THE CORPORATION OF THE TOWN OF AMHERSTBURG

### CORPORATE SERVICES

**MISSION STATEMENT:** *Committed to delivering cost-effective and efficient services for the residents of the Town of Amherstburg with a view to improve and enhance their quality of life.*

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Author's Phone: 519 736-0012 ext. 2254	Date to Council: January 9, 2023
Author's E-mail: <a href="mailto:tprince@amherstburg.ca">tprince@amherstburg.ca</a>	Resolution #: N/A

To: Mayor and Members of Town Council

Subject: 2023 User Fees By-law

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#### 1. **RECOMMENDATION:**

It is recommended that:

1. The changes in fees and charges for the 2023 User Fees By-law **BE APPROVED** as outlined in the report; and, **By-law 2023-010** being a by-law to Establish User Fees or Charges for Services, Activities or the Use of Property be taken as having been read 3 times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

#### 2. **BACKGROUND:**

The Municipal Act authorizes a municipality to impose fees and charges on persons for services or activities provided.

#### 3. **DISCUSSION:**

This report is provided to recommend changes to the Town's user fees and charges through adoption of By-law 2023-010 which is before Council for consideration. Adoption of this By-law as presented will continue fees and user rates previously adopted by Council, indexed based on the Consumer Price Index (CPI) as applicable, and approve fees and rates as recommended in this report.

All previous By-laws for user fees and charges will be repealed upon adoption of the new By-law.

Schedules A through H of By-law 2023-010 have been adjusted by the current CPI index, so that users of the related services share in the increased cost to provide those services. In some instances, it is being recommended that fees be eliminated from the Schedule, decreased, and/or add new fees not currently being captured in the Schedule. The following is further detail of these recommendations.

**Fees recommended to be eliminated:**

Service		2022 Fee	2023 Fee
<b>Schedule E – Licensing &amp; Enforcement Services</b>			
Civil Marriage Ceremony off-site mileage	Per km	CRA Rate	eliminate
<b>Schedule H – Recreation Services</b>			
Equipment Rental-Chairs	Per chair	\$1.35	Included in room rate
Equipment Rental-Tables	Per table	\$7.00	Included in room rate
Garbage Barrels	Per barrel	\$13	Eliminate
Garbage Bags	Per 100	\$34	Eliminate
Road Barriers	Per barrier	\$13	Eliminate
Pylons	Per pylon	\$19	Eliminate
Picnic Tables	Per table	\$30	Eliminate
Rim Stands	Per stand	\$24	Eliminate

*Schedule E – Licensing & Enforcement Services*

Off-site Civil Marriage Ceremonies are no longer being performed by Town staff. There are local businesses that can adequately meet these requests, which will allow the Town staff and resources to focus on other demands.

*Schedule H - Recreation*

For convenience to rental groups at the Libro, it is being recommended that the per chair and per table charge be eliminated and for the room rental fees to now include set-up and tear-down of tables and up to 50 chairs. For 51-100 chairs, there will be a set-up/tear-down flat rate added to each room rental.

Regarding the equipment supplied by Parks for Special Events and such, it is recommended that these services no longer be provided by the Town. Due to limited resources and limited quantity and quality of inventory, the Parks department will continue to promote local businesses that provide rental and set up services for barrels, road barriers, pylons etc.

## Fees adjusted to Market Rates

The following fees are recommended to either remain at 2022 rates or adjusted slightly below/beyond the CPI calculated rate:

<b>Service</b>		<b>2022 Fee</b>	<b>2023 Fee</b>
<b>Schedule B – Building Services</b>			
Lawyers Letter-Legal property information requests	Per letter	\$85.00	\$85.00
Business Licence Inspection	Per inspection	\$85.00	\$85.00
Plumbing Residential: Renovations, Additions, Secondary units	Per permit	\$94.00	\$100.00 + \$13.40/fixture
Plumbing Non-residential: Internal plumbing	Per application	\$117.00	\$125.00 + \$13.40/fixture
<b>Indemnity Deposits (Refundable up to 3 years from permit issuance)</b>			
Residential	deposit	\$1000.00	\$1000.00
Non-Residential (commercial, industrial, institutional)	deposit	\$1000.00	\$1000.00
Swimming pool enclosures (in-ground pools)	deposit	\$1000.00	\$1000.00
Swimming pool enclosures (above ground pools)	deposit	\$500.00	\$500.00
Accessory structures-residential	deposit	\$500.00	\$500.00
Farm buildings	deposit	\$500.00	\$500.00
Decks and porches	deposit	\$500.00	\$500.00
<b>Schedule G – Engineering &amp; Public Works</b>			
Hydrant Valve (Hydrant Hookup Box)	Per Valve Per Day	\$142.00	\$150.00
<b>Schedule H – Recreation Services</b>			
<b>Day Camp</b>			
Daily (maximum 9 hrs/day)	Per day	\$37.00	\$37.00
Weekly	Per Week	\$163.00	\$148.00
Specialty Camp	Per Week	\$159.00	\$175.00
<b>Indoor Recreation Facilities Fees</b>			
<b>Ice Time</b>			
Prime Time Rental	Per Hour	\$217.00	\$209.00
Non-Prime Time Rental	Per Hour	\$189.00	\$118.00
Non-Prime Time Senior & School Rate	Per Hour	\$80.00	\$74.00
Local Minor Sports Assoc. Prime Time Rental	Per Hour	\$198.00	\$205.00
Local Minor Sports Assoc. Non-Prime Time Rental	Per Hour	\$173.00	\$180.00
Goalie Pad	Per Hour	\$44.00	\$46.00
<b>Indoor Soccer Field</b>			
Prime Time Rental-Full Turf (incl. Minor Sport Assoc.)	Per Hour	\$130.00	\$90.00
Non-Prime Time Rental-Full Turf (incl. Minor Sport Assoc.)	Per Hour	\$120.00	\$50.00
<b>Dry Floor Time</b>			
Arena Floor Rental Prime Time	Per Hour	\$70.00	\$90.00
Arena Floor Rental Non-Prime Time	Per Hour	\$64.00	\$50.00

<b>Baseball Diamonds</b>			
Local Minor Sports Assoc- Libro (Lit)	Per Game	\$59.00	\$62.00
Baseball Diamond Half Day (4 Hours)	Per Day	\$34.00	\$35.00
Baseball Diamond Full Day (8 Hours) Un-lit	Per Day	\$66.00	\$70.00
<b>Soccer/Football Field</b>			
Premier Turf Field (Un-lit)	Per Game	\$38.00	\$40.00
Premier Turf Field (Lit)	Per Game	\$61.00	\$65.00
Local Sports Assoc. Premier Turf Field (Un-lit)	Per Game	\$37.00	\$39.00
Local Sports Assoc. Premier Turf Field (Lit)	Per Game	\$60.00	\$62.00
Football Grass Field Half Day (4 Hours)	Per Day	\$35.00	\$35.00
Football Grass Field Full Day (8 Hours)	Per Day	\$68.00	\$70.00

As per above, Schedules B, G and H were adjusted to reflect current market values. In some instances, these rates increased using the CPI, but in other instances, it is being recommended that the above noted recreation fees either remain the same or *decrease*. The reasons for this are to keep in line with other local municipalities and also, it is an attempt to increase rental opportunities, ultimately helping to increase overall revenues.

The effects of COVID have hit the area of recreation significantly. The Libro Centre is under-utilized during weekdays or during what is referred to as 'Non-Prime' time hours. The building is open and expending resources such as staffing and utilities, with customer levels below capacity. Recreation fees have been reduced where there is intention to increase booking opportunities during times of excessive availability (i.e. weekdays 8am – 3pm).

Historically, on August 1<sup>st</sup> of each year, Amherstburg has presented their fee increases for sport field allocations. The 2023 fees presented in the chart above, are a blended rate of what historically would have been the January 1<sup>st</sup> rate and the August 1<sup>st</sup> rate. The intention is to have those fee increases effective April 1<sup>st</sup> each year, and to remain in effect until the end of March the following year. For example, a soccer field booking fee in July is different than the increased rate in August. These timelines will coincide with the respective sport seasons.

**Fees increased beyond the CPI Index:**

<b>Service</b>		<b>2022 Fee</b>	<b>2023 Fee</b>
<b>Schedule E – Licensing &amp; Enforcement Services</b>			
Property Standards Order	Per order	\$109.00	\$150.00
Property Standards Order Re-inspection	Per order	\$109.00	\$150.00
By-law Violation-Admin Fee-Work completed by the Town	Per Violation	\$109.00	\$150.00
Parking Violation	Per violation	\$18.00	\$25.00
<b>Schedule F – Planning Services</b>			
Official Plan Amendment-Major	Per application	\$2,603.00	\$5,355.00
Official Plan Amendment-Minor	Per application	\$2,603.00	\$2,678.00
Zoning By-law Amendment-Major	Per application	\$2,290.00	\$5,355.00
Zoning By-law Amendment-Minor	Per application	\$2,290.00	\$2,678.00

Application to the County of Essex for approval of a plan of subdivision/condo or Amendment to a draft plan or extension of DPA	Per application	\$4,164.00	\$9,135.00
Site Plan Control & Development Agreement - Major	Per application	\$2,082.00	\$4,515.00
Site Plan Control & Development Agreement - Minor	Per application	\$2,082.00	\$2,258.00
Amendment of Site Plans & Development Agreement	Per application	\$1,041.00	\$2,520.00
Part Lot Control Exemption By-law	Per application	\$1,041.00	\$2,415.00
Minor Variance or Permission to Enlarge, Extend or Alter the Use of a Legal Non-conforming Use	Per application	\$723.00	\$1,155.00
Planning Act Applications Deferral (Applicant Request)	Per application	\$122.00	\$534.00
<b>Schedule G – Engineering &amp; Public Works</b>			
Water Meter Testing for Customer	Per test	\$283.00	\$325.00
After Hours Water Shut Off/Turn ON	Per service	\$198.00	\$220.00
All new water service connections-service fee until meter is installed and passes inspection	Per Month	\$114.00	\$125.00

*Schedule E-Licensing & Enforcement Services*

There is a significant amount of resources expended for property standard orders and to investigating by-law violations. The fees presented represent a full-cost recovery model and will be assessed to the persons charged for each order or violation, as opposed to these costs being subsidized by the tax base.

The Town of Amherstburg parking violation fee was significantly below neighbouring municipalities. The average fee for general parking fines in the county is \$30.00. The Town is recommending an increase from \$18.00 to \$25.00 for 2023.

*Schedule F- Planning Services*

Amherstburg Planning Fees were significantly below other local municipality rates. The recommended planning rates bring Amherstburg in line with our neighbours. The department is also recommending in some cases, a split for major and for minor applications, as the work is significantly less for those that are considered minor.

*Schedule G – Engineering & Public Works*

Costs for these services such as overtime for example, were not fully recovered in prior years, while some expenses like shipping, have risen beyond the CPI Index.

*Schedule H - Recreation*

The Advertising rates recommended in By-law 2023-010 have been adjusted by the CPI Index. It should be noted that Administration intends to bring forward to Council, a sponsorship program to address Advertising Fees that will incorporate some or all of these fees, for Council consideration.

**New Annual Proposed Fees starting in 2023:**

<b>Service</b>		<b>2022 Fee</b>	<b>2023 Fee</b>
<b>Schedule B – Building Services</b>			
Minimum Residential Permit Fee	Per permit	New 2023	\$1200.00
Lateral sewer connection to existing house	each	New 2023	\$158.00
<b>Schedule C – Corporate Services</b>			
<b>EV Charging Stations</b>			
Level 2 Charging	Per hour	New 2023	\$2.00
Level 3 Charging	Per minute	New 2023	\$0.50
Charging station-Unattended, Fully charged vehicle (30 min after full charge has been achieved)	Per occurrence	New 2023	\$50.00
<b>Schedule F – Planning Services</b>			
Combined Official Plan Amendment and Zoning By-law Amendment	Per application	New 2023	\$7,770.00
Combined Consent to Sever Land and Minor Variance	Per application	New 2023	\$2,310.00
Ontario Land Tribunal Appeal	Per application	New 2023	\$1,000.00
<b>Schedule G – Engineering &amp; Public Works</b>			
Roads Operator	Per hour	New 2023	Actual cost
Water Operator	Per hour	New 2023	Actual cost
Water Supervisor	Per hour	New 2023	Actual cost
Water Meter Fee w/transmitter 1.5” or greater	Per permit/Water Meter	New 2023	Actual cost with \$3500 deposit required
Curb Box Replacement	Per service	New 2023	\$650.00
Private Development Watermain Commissioning (4” or larger, less than 100m in length)	Per Project	New 2023	\$1,070.00
Private Development Watermain Commissioning (4” or larger, less than 100m in length)	Per Project	New 2023	\$1,070.00
Private Development Watermain Commissioning (4” or larger, larger than 100m in length)	Per Project	New 2023	\$1,810.00
<b>Schedule H – Recreation Services</b>			
<b>Indoor Soccer Field</b>			
Prime Time Rental- <b>Half Turf</b> (incl. Minor Sport Assoc.)	Per Hour	New 2023	\$45.00
Non-Prime Time Rental- <b>Half Turf</b> (incl. Minor Sport Assoc.)	Per Hour	New 2023	\$25.00
<b>Drop-Ins (unsupervised, unstructured, max 2.5 hours)*</b>			
Parent & Tot (ages 4 & under)	Per hour	New 2023	\$2.00
Pre-School (ages 3-5)	Per hour	New 2023	\$2.00

Youth (ages 6-14)	Per hour	New 2023	\$3.00
Teen (ages 15-17)	Per hour	New 2023	\$3.00
Adult (ages 18-59)	Per hour	New 2023	\$5.00
Senior (ages 60+)	Per hour	New 2023	\$4.00
<b>Day Camp</b>			
Late Pick-up Fee	Per occurrence	New 2023	100% Full Cost Recovery
Field Trip Fee	Per Trip	New 2023	\$18.00
<b>Community Room</b>			
Kitchen (Half Day) (4 Hours)	Per Half Day	New 2023	\$100.00*
Kitchen (Full Day) (8 Hours)	Per Full Day	New 2023	\$175.00
<b>Sport &amp; Facility Services</b>			
Electrician	Per event	New 2023	100% Full Cost Recovery
Forklift	Per event	New 2023	100% Full Cost Recovery
Set up/Tear down (Libro) 0-50 Chairs	Per event	New 2023	Included in Room Rental
Set up/Tear down (Libro) 51-100 Chairs	Per event	New 2023	\$50.00
Transient office for User Group/tournament organizers, etc	Per hour	New 2023	\$12.00
Transient office for User Group/tournament organizers, etc	Per day	New 2023	\$75.00
Staff Overtime (groups staying beyond allocated time)	Per occurrence	New 2023	100% Full Cost Recovery
Dedicated storage space	Per sq ft-annually	New 2023	\$2.60
Dedicated office space	Per sq ft-annually	New 2023	\$12.00
Extra cleaning fee (rooms)	Per cleaning	New 2023	100% Full Cost Recovery
Extra cleaning fee (dressing rooms)	Per cleaning	New 2023	\$20.00

#### *Schedule B – Building Services*

The new Minimum Residential Permit Fee is geared toward new additional dwelling units. These are typically very small buildings that the standard square foot fee does not cover the cost of inspections and work that goes into these type of dwellings.

The Lateral Sewer Connection Fee is for requests for this service to existing homes, not new builds.

#### *Schedule C – Corporate Services*

The EV Charging Services fees have been added to the User Fee Schedule as a result of the recent installation of public-use electronic vehicle charging stations. These fees will be collected electronically at the stations. Having these fees included in the User Fee Schedule ensures they will be reviewed each year.

#### *Schedule F- Planning Services*

Amherstburg Planning Fees were significantly below other local municipality rates. The recommended planning rates bring Amherstburg in line with our neighbours. The department is also recommending in some cases, a split for major and for minor applications, as the work is significantly less for those that are considered minor.

### *Schedule G-Engineering & Public Works*

In 2022, User Fees were separated, the department is proposing a return to the 2021 rate structure and thus, several fee lines have been eliminated, combined and renamed accordingly.

### *Schedule H-Recreation*

There are several new fees added to the Recreation schedule based on customer demand and/or requests, as well as a need to ensure transparency when requiring an approved fee for a service provided.

For example, the department regularly receives calls inquiring about renting only a portion of the indoor soccer turf, rather than the entire area. Recreation is introducing these new fees for Prime Time as well as a reduced rate for Non-Prime Time. Again, this is an attempt to increase rentals and revenue opportunities.

Drop-In Fees: Recreation offers drop-in programs which are unstructured, unsupervised activities scheduled at specific times, for specific age groups. These drop-in fees have now been defined in Schedule H by age.

Regarding the new fees for day camps, there is a proposed late pick up fee to cover additional staffing costs that are incurred when children are not picked up on time after day camp has concluded. In addition, there is a new Field Trip Fee of \$18 to help mitigate transportation costs for off-site excursions to other local facilities such as Colasanti's Tropical Garden, a movie theatre, etc.

There is also a recommended change to the fees for Libro's kitchen rental. Rental groups have advised that they do not always wish to have the kitchen as part of their rental and would like the option to exclude it from the Community Room rental fee. In previous years, there was also a rental fee of \$22/hour. To simplify bookings for users, this fee has been separated out and there is now an opportunity for a group to rent the kitchen *per event i.e. a 4-hour or 8-hour event* and only if required. The new fee was increased to \$100 for a 4-hour event, or \$175 for an 8-hour event. These rates more adequately cover the maintenance cost for use of the industrial appliances, electricity usage, etc.

Also being recommended to Schedule H are Sport and Facility Service Fees. Although these are new fees for Amherstburg, they are common in other municipalities and are a way to recover lost revenues. There are several rooms, services and staff resources that are provided to customers and/or special event groups that are not being charged accordingly. Where a higher level of service is being requested or expected, these rates are reflected in the Sport and Facility Service Fees Section.

## **4. RISK ANALYSIS:**

User fees are required to be reviewed on an annual basis. A failure to do so may result in a significant time period lapsing before fees are adjusted to meet appropriate levels. This may result in lost opportunities for the Town to recover costs and as a result may place additional pressure on the general tax levy.



**5. FINANCIAL MATTERS:**

User fees and charges for taxation funded service areas are designed to mitigate the costs associated with providing services to individuals. Fees are recommended with consideration to recovering direct program costs, such as program supplies, but generally do not cover the full cost of the service. Further, in some areas fees have been constrained to achieve market comparability (e.g. recreation and arena fees).

Fee revenue is included in annual budget requests and offsets the cost of programs and services that must otherwise be recovered through taxation. Where 2023 revenue budgets require adjusting, budget issue papers will be included for consideration in the Proposed 2023 Operating Budget.

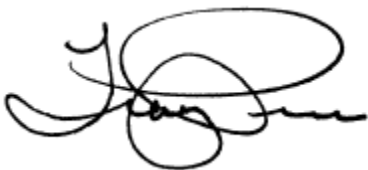
Water and Wastewater operations are not taxation funded, but are to be 'self-funding' through water and wastewater user rates. The user rates set for these services are established to provide sustainable funding of both current and long-term costs for operations and capital infrastructure. The water and Wastewater Rate Review Study is on track to be presented to Council before end of first quarter 2023. This study is considering the existing assets and future infrastructure costs to determine a rate model to support the fee of these costs. The water and wastewater fees will be further updated at that time and brought forward to Council for approval.

**6. CONSULTATIONS:**

SMT and Management staff

**7. CONCLUSION:**

Approval of the User Fee By-law will allow the Town of Amherstburg to charge users for services at a comparable rate to that of other municipality's user fees within the Essex County Region.



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Tracy Prince  
**Director of Corporate Services/Chief Financial Officer**

## Report Approval Details

Document Title:	FINAL 2023 User Fee By-Law-Report.docx
Attachments:	- By-law 2023-010 FINAL.pdf
Final Approval Date:	Dec 19, 2022

This report and all of its attachments were approved and signed as outlined below:



Valerie Critchley



Kevin Fox