



**BY-LAW NUMBER XXX-2024  
OF  
THE CORPORATION OF THE CITY OF STRATFORD**

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BEING a By-law to establish fees and charges to be collected by The Corporation of the City of Stratford in 2025 and to repeal By-law 117-2023 as amended.

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**WHEREAS** the Municipal Act, 2001, S.O. 2001, as amended, (“the Municipal Act”) provides that a municipality may pass by-laws imposing fees and charges on any class of persons;

**AND WHEREAS** section 391 of the Municipal Act provides that without limiting sections 9, 10 and 11 of the Municipal Act, those sections authorize a municipality to impose fees or charges on persons,

- a) for services or activities provided or done by or on behalf of it;
- b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board; and
- c) for the use of its property including property under its control.

**AND WHEREAS** section 398 of the Municipal Act provides that fees and charges imposed by a municipality or local board on a person constitute a debt of the person to the municipality or local board, respectively;

**AND WHEREAS** the Planning Act, R.S.O. 1990, c. P.13, s.69(1) as amended, provides that Council may prescribe a tariff of fees for the processing of applications made in respect to planning matters;

**AND WHEREAS** pursuant to the Building Code Act, 1992, S.O. 1992 c.7.1(c) as amended, Council may require the payment of fees on applications for and issuance of building permits and prescribing the amount thereof;

**AND WHEREAS** Council of The Corporation of the City of Stratford deems it expedient to consolidate and update the fees and charges to be collected by municipal departments, local boards and authorized agents of The Corporation of the City of Stratford;

**NOW THEREFORE BE IT ENACTED** by Council of The Corporation of the City of Stratford as follows:

1. That the fees and charges as set out in the Schedules attached to this By-law of The Corporation of the City of Stratford are hereby established in respect of:
  - a) the services or activities provided or done by or on behalf of the municipality as may be set forth in the Schedules;

- b) the costs payable by the municipality for services or activities provided or done by or on behalf of any other municipality or any local board as may be set forth in the Schedules;
  - c) the use of the property of the municipality, including property under the control of the municipality as may be set forth in the Schedules; or,
  - d) the other activities as may be set forth in the Schedules.
2. Each Schedule to this By-law forms part of this By-law:
- Schedule "A" Corporate-Wide Fees and Charges
  - Schedule "B" Planning Fees and Charges
  - Schedule "C" Community Services Fees and Charges
  - Schedule "D" Infrastructure Services Fees and Charges
  - Schedule "E" Fire Fees and Charges
  - Schedule "F" Social Services Fees and Charges
  - Schedule "G" Stratford Municipal Airport Fees and Charges
3. Except where a contrary intention appears in the Schedules or in any other City By-law relating thereto, the fees and charges described in the attached Schedules shall be paid by the person or persons who have requested, received or obtained a service, activity or use of property identified in any of the Schedules.
4. The fees and charges described in the attached Schedules will be subject to Harmonized Sales Tax (HST), where applicable and shall be paid in addition to any fees and charges.
5. Except where a contrary intention appears in the attached Schedules or in any other City By-law relating thereto, or in the contract under which the service, activity or use of property is provided, all fees and charges shall be paid in full at the earlier of the following times:
- a) At the time that the service, activity or use of property for which a fee or charge is payable, is received or obtained;
  - b) At the time that the service, activity or use of property for which a fee or charge is payable is requested, including sales of tickets and bookings for future activities, events and uses of property.
6. That the fees and charges shall be adjusted annually on January 1, by the Consumer Price Index (CPI), where indicated in the Schedules to this By-law. The CPI calculation is based on a 12-month average of the total CPI as calculated by the Bank of Canada from November 1st to October 31st.
7. That in those instances where the Consumer Price Index is less than zero (0), fees and charges shall not be adjusted by the CPI change for that year.
8. Despite Paragraphs 6 and 7, fees and charges may be adjusted, as approved by Council, to recover at a minimum, respective service, administration and capital costs, as well as costs for any other purpose in any amount permitted under applicable law.
9. Where any portion of a fee or charge imposed under this By-law remains unpaid beyond the time at which such Fee or Charge is due, the unpaid balance of such Fee or Charge shall bear simple interest from such due date until the first day

of the month in which payment is made at the rate of 1.25% (15% per annum) thereafter until such fee or charge is paid in full.

10. Where any portion of a Fee or Charge imposed under this By-law remains unpaid beyond the time at which such Fee or Charge is due, the Treasurer may add the unpaid balance of such Fee or Charge, together with accrued interest, to the tax roll for the following properties:
  - a) In the case of fees and charges for the supply of a public utility, the property to which the public utility was supplied; and
  - b) In all other cases, any property for which all of the owners are responsible for paying the fees and charges.
11. No request by any person, or their agent, for any information, service, activity or use of City property or facilities described in the Schedules attached to this By-law shall be acknowledged, processed or provided by the city departments unless and until the person or their agent, requesting the information, service, activity or use of City property or facility has paid or arranged to pay the fee or charge, where applicable, in the amount as set out in the Schedules to this By-law.

## **SCHEDULES**

12. Where the Schedules to this By-law reference other By-laws in relation to Fees and Charges imposed hereunder, the terms and provision of such other By-laws shall apply to the Fees and Charges imposed hereunder, provided that, where there is a discrepancy in the stated amount of any such Fee or Charge between such other By-laws and this By-law, the Fees and Charges set forth in the Schedules of this By-law shall govern and any inconsistent By-laws shall be amended accordingly.

## **SEVERABILITY**

13. Each Fee and Charge enacted pursuant to this By-law shall be treated as a separate enactment and shall not necessarily be affected by any determination of ultra vires or other invalidity or any other Fee and Charge enacted pursuant to this By-law.

## **EFFECTIVE DATE**

14. This by-law shall come into force and take effect upon the final passage thereof.

## **APPLICATION**

15. Sections 9 and 10 apply to Fees and Charges which have been enacted pursuant to Part XII of the Municipal Act. Where Fees and Charges in this By-law have been enacted upon an authority other than Part XII of the Municipal Act, sections 9 and 10 shall only apply to such Fees and Charges if and to the extent permitted by such other authority.

## **INTERPRETATION**

16. In this By-law, unless the context otherwise requires words importing the singular number shall include the plural.

17. If a Court declares any section or part of a section of this By-law invalid, it is the intention of Council that the remainder of the By-law shall continue to be in force.

**REPEAL**

18. That By-law 117-2023, and all amendments thereto, are hereby repealed upon this By-law coming into force and effect.
19. The repeal of By-law 117-2023 as amended shall not have the effect of invalidating any debt which came into existence as a result of the said By-law, and any amounts owing to the Municipality under the said By-law shall remain due and owing to the Municipality and with all the remedies for collection of same, as if the said By-law 117-2023 as amended had never been repealed.
20. All other By-laws which reference user fees and charges that are outlined in the Schedules attached to this By-law are hereby amended to refer to the respective schedule stated in this By-law.

**TITLE**

21. This By-law may be referred to as the "Fees and Charges By-law".

Read a FIRST, SECOND and THIRD time and

FINALLY PASSED this 9th day of September, 2024.

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Mayor – Martin Ritsma

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Clerk – Tatiana Dafoe