

**By-law 2020-157**

**A By-law of the City of Greater Sudbury to Amend By-law 2020-26  
being a By-law to Establish Miscellaneous User Fees for  
Certain Services provided by the City of Greater Sudbury**

**Whereas** Council of the City of Greater Sudbury deems it desirable to amend By-law 2020-26 being a By-law to Establish Miscellaneous User Fees for Certain Services Provided by the City of Greater Sudbury;

**Now therefore Council of the City of Greater Sudbury hereby enacts as follows:**

**Add Subsection 1(2) – Definitions for Schedule CSD-3**

1. By-law 2020-26 as amended, being a By-Law of the City of Greater Sudbury to Establish Miscellaneous User Fees for Certain Services Provided by the City of Greater Sudbury is hereby amended by enacting the following subsection 1(3) immediately after subsection 1(2) and before section 2:

"1(3) For the purposes of Schedule "CSD-3", subsection 4(5) and subsection 5(2):

"Fire Services Specific Response Fees" means cost recovery fees for Greater Sudbury Fire Services attendance at a Property for which the Owner has fire department insurance coverage;

"Indemnification Technology®" means a trademarked program owned by a third party service which relies on Greater Sudbury Fire Services incident reporting, data collection and interpretation of property insurance policy wording to maximize billing opportunities on behalf of fire services by invoicing insurance companies for costs of Greater Sudbury Fire Services attendance with respect to insured perils;

"Owner" means the registered owner of Property of any person, firm, corporation, partnership or society and their heirs, executors, administrators or other legal representatives, including a property manager, tenant, occupant, mortgagee in possession, receiver, manager, trustee or trustee in bankruptcy, having control over or possession of the property or any portion thereof; and

"Property" means any real property located within the geographical boundaries of the City of Greater Sudbury, including any buildings, structures, contents and

erections of any nature and kind in or upon such lands to which the response services are provided.”

**Add Subsection 4(5)**

2. By-law 2020-26 as amended, being a By-Law of the City of Greater Sudbury to Establish Miscellaneous User Fees for Certain Services Provided by the City of Greater Sudbury is hereby amended by enacting the following subsection 4(5) immediately after subsection 4(4) and before section 5:

“4(5) With respect to Schedule “CSD-3”, the Owner of Property shall be responsible for the payment of Fire Services Specific Response Fees imposed by this By-law in Schedule “CSD-3”. The City may use third party services to coordinate the payment of Fire Services Specific Response Fees and apply Indemnification Technology® to assess applicable insurance coverage for the Fire Services Specific Response Fees. The Owner’s insurer may pay Fire Services Specific Response Fees charged, either directly or indirectly on behalf of the Owner. Where Fire Services Specific Response Fees are payable under this By-law but not remitted to the City, the amount may be added to the tax roll of the Property to which the Fire Services Specific Response Fees relate in accordance with subsection 8(b).”

**Replace Subsection 5(2)**

3. By-law 2020-26 as amended, being a By-Law of the City of Greater Sudbury to Establish Miscellaneous User Fees for Certain Services Provided by the City of Greater Sudbury is hereby amended by repealing subsection 5(2) and enacting the following subsection 5(2) in its place and stead:

“5(2) Notwithstanding subsection 5(1), the person or body identified in Column D on the chart on Schedule “A” is delegated the authority to delay the payment of, or reduce the amount of, or waive the requirement for the payment of a fee or charge identified in the Schedules identified in Columns A and B in Schedule “A”, where the person or body is satisfied it would be unreasonable in the circumstances to require payment in accordance with that Schedule. In the case of Schedule “CSD-3”, the Fire Services Specific Response Fees may be waived or reduced where person indicated in Column D in the chart of Schedule “A” with respect to Schedule “CSD-3” is satisfied that the Owner does not have insurance coverage, the Owner does not make a claim to their insurer where there is insurance coverage, or the Owner does not have sufficient

insurance coverage to pay the Fires Services Specific Response Fees in full or at all.  
The onus of proof shall be on the Owner.”

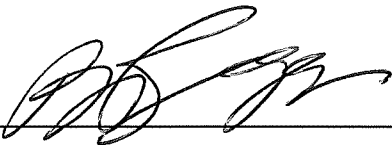
**Replace Schedule CSD-3**

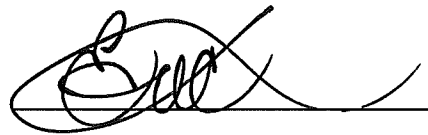
4. By-law 2020-26 as amended, being a By-Law of the City of Greater Sudbury to Establish Miscellaneous User Fees for Certain Services Provided by the City of Greater Sudbury is hereby amended by repealing Schedule “CSD-3” and enacting Schedule “A” attached hereto as Schedule “CSD-3” in its place and stead.

**Effective Date**

5. This By-law shall come into full force and effect upon passage.

**Read and Passed in Open Council** this 20<sup>th</sup> day of October, 2020

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

**Schedule "A"  
to By-law 2020-157 of the City of Greater Sudbury**

**Schedule "CSD-3"  
To By-Law 2020-\*\*\***

**Fire Services  
Emergency And Non Emergency Response**

	<u>UNIT</u>	<u>FEE</u>	<u>HST</u>	<u>TOTAL</u>
<b>Foam Use (Per Gallon Or Part Gallon)</b>				
Class "A" Or Similar Additives Are Used In Responding To A Fire	Per Gallon or Part Thereof	32.00	N/A	32.00
Class "B" Or Similar Additives Are Used In Responding To A Fire	Per Gallon or Part Thereof	590.00	N/A	590.00
<b>Response For Motor Vehicles (Per Responding Vehicle)</b>				
All vehicles receiving a service, regardless of fault, are subject to the fees listed below and shall be payable by the person/persons registered as the owners of the vehicle. Services provided may include, but are not limited to; extrication, vehicle stabilization, extinguishing fire, fluid spills, etc				
<b>Response To A Motor Vehicle Accident On A City Highway</b>				
- First Hour Or Part Thereof	Per Vehicle	Current MTO Billing Rate		Current MTO Billing Rate
- Each Additional Half Hour Or Part Thereof	Per Vehicle	Current MTO Billing Rate		Current MTO Billing Rate
<b>Response To A Motor Vehicle Accident On A Provincial Highway</b>				
- First Hour Or Part Thereof	Per Vehicle	Current MTO Billing Rate		Current MTO Billing Rate
- Each Additional Half Hour Or Part Thereof	Per Vehicle	Current MTO Billing Rate		Current MTO Billing Rate
<b>Response For Open Air Burning And Fireworks (Per Responding Vehicle)</b>				
Non-compliance with open air burning by-law and/or fireworks by-law including non-compliance with a permit issued under the by-law				
- First Hour Or Part Thereof	Per Vehicle	Current MTO Billing Rate		Current MTO Billing Rate
- Each Additional Half Hour Or Part Thereof	Per Vehicle	Current MTO Billing Rate		Current MTO Billing Rate
<b>Special Events (Per Responding Vehicle)</b>				
Non-emergency stand by for events (eg. film events, festivals, derbies)				
- First Hour Or Part Thereof Plus 100% Cost Recovery For Any Additional Crews	Per Vehicle	Current MTO Billing Rate		Current MTO Billing Rate
<b>Technical Rescue (Such As Ice/Water, Trench, High-Angle Confined Space) (Per Responding Vehicle)</b>				
	Per Vehicle	Full cost recovery		Full cost recovery
<b>Fire Services Specific Response Fee</b>				
An Owner of a Property shall pay Fire Services Specific Response Fees for any attendance by the Greater Sudbury Fire Services at a Property. The Fee shall be calculated from the time of departure of each unit from the Greater Sudbury Fire Services facilities to the time the unit is cleared for the next call-out and comprise the total of:				
(a) current Ministry of Transportation (MTO) rate for vehicle responses to accidents and fires on provincial highways in effect at the time of the attendance per unit per hour or portion thereof for each unit;	Per Vehicle	Variable	13%	Variable
(b) current hourly rate for each attending personnel per hour or portion thereof, and if the attendance requires overtime, the costs of such overtime are in addition to the rate quoted;				
(c) any other associated costs or expenses incurred by the Greater Sudbury Fire Services or the City of Greater Sudbury not included in (a) or (b); and				
(d) applicable HST on the total of (a), (b) and (c).				
<b>General</b>				
Firefighter Recruitment Application And Testing Fee	Per Applicant	221.24	28.76	250.00