

BY-LAW NO. [insert]

A by-law of the City of Ottawa to establish certain fees and charges for Ottawa Fire Services and to repeal By-law No. 2006-76, as amended.

The Council of the City of Ottawa enacts as follows:

1. In this by-law,

“adverse effect” means one or more of,

- (a) impairment of the quality of the natural environment for any use that can be made of it,
- (b) injury or damage to property or to plant or animal life,
- (c) harmful or material discomfort to any person,
- (d) an adverse effect on the health of any person,
- (e) impairment of the safety of any person,
- (f) rendering any property or plant or animal life unfit for human use,
- (g) loss of enjoyment of normal use of property, and
- (h) interference with the normal conduct of business;

“City” means the municipal corporation of the City of Ottawa or the geographic area as the context requires;

“commercial motor vehicle” means a motor vehicle used in a business;

“contaminant” means any solid, liquid, gas, odour, heat, sound, vibration, radiation or combination of any of them resulting directly or indirectly from human activities that may cause an adverse effect;

“Council” means the Council of the City of Ottawa;

“Fire Chief” means the Chief of Ottawa Fire Services of the City or authorized designates;

“person” includes a corporation and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to law;

“person responsible” means the owner or the person in occupation or having the charge, management or control of a source of contaminant.

2. Council hereby establishes the fees and charges set out on Schedule "A" to this by-law for services performed by Ottawa Fire Services in responding to emergency situations.
3. If Ottawa Fire Services responds to an emergency that involves a contaminant, the person responsible may be charged for the services provided by Ottawa Fire Services in accordance with the fees described in Schedule "A", as applicable.
4. If Ottawa Fire Services responds to an emergency involving a motor vehicle on a highway where a contaminant is present, the person responsible may be charged for the services provided by Ottawa Fire Services in accordance with the fees described in Schedule "A", as applicable.
5. If Ottawa Fire Services responds to an emergency and at the scene or property, the use of consumable materials, other than water and medical supplies, are used to suppress or extinguish a fire, preserve property, prevent a fire from spreading or otherwise control and eliminate an emergency, the expenses incurred by Ottawa Fire Services for using consumable materials may be recovered as a fee as stipulated in Schedule "A", as applicable.
6. If Ottawa Fire Services responds to an emergency and at the scene or property, the Fire Chief or his/her designate determines that it is necessary to retain a private contractor and/or rent special equipment, in order to suppress or extinguish a fire, preserve property, prevent a fire from spreading, or otherwise control and eliminate an emergency, the property owners may be charged the expenses incurred by Ottawa Fire Services for retaining a private contractor and/or renting special equipment, as applicable.
7. The fees listed in Column 2 for the services described in Column 1 of Schedule "A" to this by-law are subject to Harmonized Sales Tax (H.S.T.) where applicable.
8. The Fire Chief shall deliver an invoice to each person upon whom a fee has been imposed and the person shall pay the fee within thirty (30) days of receipt of the invoice.
9. (1) The Fire Chief may deliver the invoice either personally or by registered mail or by ordinary mail to the person's address as recorded in the City's assessment roll.

- (2) Receipt of the invoice described in subsection (1) shall be deemed to have occurred:
- (a) on the date of delivery in the case of personal delivery,
 - (b) three (3) days after mailing by registered mail if delivered to an address within the City,
 - (c) five (5) days after mailing by registered mail if delivered to an address outside of the City,
 - (d) five (5) days after mailing by ordinary mail if delivered to an address within the City, or
 - (e) seven (7) days after mailing by ordinary mail if delivered to an address outside of the City.

10. A fee imposed on a person under this by-law including any interest charges and costs of collection constitutes a debt of the person to the City.

11. A person may pay any fees and charges imposed under this by-law by cash, cheque, certified cheques or banker's draft payable to the City.

12. If the person who is charged a fee under this by-law fails to pay the fee within thirty (30) days of receipt of an invoice the person will be charged interest per the City's interest rate commencing on the thirty-first day that the fee remains unpaid.

13. If a person who is charged a fee under this by-law fails to pay the fee within ninety (90) days of receipt of an invoice, the City may add the fee, including interest, to the tax roll for any real property in the city registered in the name of the person and collect the fee, including interest, in like manner as municipal taxes.

14. Should any part of this by-law, including any part of Schedule "A", be determined by a Court of competent jurisdiction to be invalid or of no force and effect, it is the stated intention of Council that such invalid part of the by-law be severable and that the remainder of this by-law, including the remainder of Schedule "A", as applicable, shall continue to operate and to be in force and effect.

15. This by-law includes Schedule "A" annexed hereto and Schedule "A" is hereby declared to form part of this by-law.

16. By-law No. 2017-73 entitled, “A by-law of the City of Ottawa to establish certain fees and charges for Ottawa Fire Services”, is repealed.

17. This by-law shall come into force and take effect on **[insert date]**

ENACTED AND PASSED this **[insert date]**

CITY CLERK

MAYOR

Schedule "A"**OTTAWA FIRE SERVICES**

Column 1 ACTIVITY/ SERVICE	Column 2 FEE \$/ Hour
Hazmat Vehicle & techs	692.00
Initial Hazard Assessment Team (unit)	324.00
Pump and Crew	882.00
Ladder, Aerial, Platform & crew	654.00
Incident Commander & vehicle	439.00
Safety Officer & vehicle	397.00
Water Rescue & vehicle	342.00
Hose Tender	549.00
Supply Tender	324.00
Foam Tender	324.00
Heavy Rescue	654.00
Tanker	324.00
Command RV vehicle	324.00
Service vehicle	164.00
Maintenance vehicle	164.00
Hazmat Support vehicle	164.00
Rehab vehicle	164.00
Consumable materials (foam, hazmat suits, etc.)	Replacement cost of consumable materials plus administrative overhead charge
Heavy equipment rental	Rental cost of equipment plus administrative overhead charge