

The Corporation of the City of Port Colborne

By-law No. 7404/95/25

Being a by-law to establish fees and charges for various services and to repeal by-law 7297/119/24 and any amendments thereto

Whereas the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, provides a municipality may pass by-laws imposing fees or charges on any class or persons; and

Whereas subsection 391(1) of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended allows municipalities to adopt By-laws imposing fees or charges on any class of person for services or activities provided or done by or on behalf of it, for cost payable by it for services or activities provided or done by or on behalf of any other municipality or local board, and for the use of its property including property under its control; and

Whereas the *Building Code Act, 1992, S.O. 1992, c. 23*, as amended provides a municipality may pass by-laws imposing fees and charges; and

Whereas the *Cemeteries Act (Revised), R.S.O. 1990, c. C.4*, as amended, provides a municipality may pass by-laws imposing fees and charges; and

Whereas the *Planning Act, R.S.O. 1990, c. P.13*, as amended, provides a municipality may pass by-laws imposing tariffs, fees and charges; and

Whereas Part VI.1 – Special Powers and Duties of the Head of Council of the Municipal Act, 2001, S.O. 2001, c 25 (“the Act”) assigns certain powers and duties of the municipality formerly exercised by Council to the Head of Council (“Strong Mayor Powers”); and

Whereas the Mayor is the Head of Council for the City of Port Colborne; and

Whereas Subsection 284.16 (1) of the Act provides that the powers and duties of a municipality with respect to proposing and adopting a budget are assigned to the Head of Council; and

Whereas Subsections 284 (2) to (7) of the Act and sections 7, 8 and 9 of Ontario Regulation 530.22 – Part VI.1 to the Act set out in detail the processes to be followed by the Mayor and Council in respect of budget proposals and approvals; and

Whereas section 7 of Ontario Regulation 530/22: Part VI.1 of the Act provides, among other things:

- (a) that the Mayor shall propose a budget on or before February 1 of each budget year;
- (b) that Council, within 30 days after receiving the budget, may pass a resolution amending the proposed budget;
- (c) that, if Council does not pass a resolution amending the budget within 30 days, the proposed budget is deemed adopted by the municipality; and

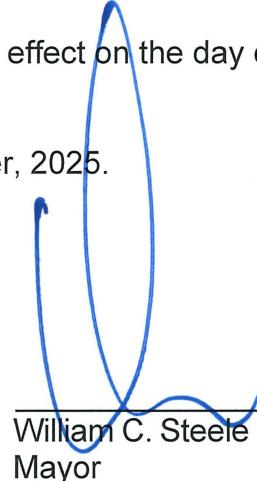
Whereas on October 6, 2025 the Mayor proposed a budget for the fees and user charges for various services in accordance with the recommendations detailed in Financial Services Department Report 2025-167; and

Whereas any fees and charges in this by-law are subject to change through future amendments, including rate changes due to, but not limited to future budget changes;

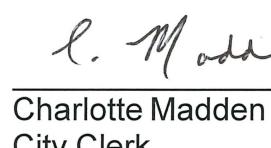
Now therefore the Mayor, acting pursuant to the assigned Strong Mayor Powers, enacts as follows:

1. That the fees and charges, outlined in Schedules "A to P" attached hereto and forming part of this by-law, be enacted.
2. If the City performs a service for a third party that is not outlined in Schedules "A to P" attached hereto, that the Chief Administrative Officer be delegated authority to set the fees and charges for the service provided the fees and charges cover the cost of the service.
3. Unless otherwise identified, that staff be delegated authority to set the price for goods purchased for resale (including insurance for activities held within City facilities). Provided that the price is higher than the cost to purchase the goods.
4. That staff be approved to waive any fee up to \$2,000 on compassionate grounds or when related to a charity or related fundraiser. This waiver shall be applied only once per event.
5. That staff be given delegated authority to set advertising and rental rates not specified in Schedules "A to P" and for sponsorships less than \$100,000.
6. That if a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of this by-law, and it is hereby declared that the remainder of this by-law shall be valid and shall remain in full force and effect.
7. That should this by-law conflict with any other by-law or resolution of Council, or any staff report approved by Council, in relation to fees and charges imposed under the *Municipal Act*, *Planning Act*, *Building Code Act* or any other act, this by-law shall take precedence, unless specifically stated to the contrary.
8. That By-law No. 7297/119/24, and any amendments thereto, are hereby repealed.
9. That the Clerk is authorized to affect any minor modifications, corrections, or omissions, solely of an administrative, numerical, grammatical, semantical, or descriptive nature to this by-law or its schedules after the passage of this by-law
10. That this by-law come into force and take effect on the day of passing.

Enacted and passed this 12th day of November, 2025.



William C. Steele
Mayor



Charlotte Madden
City Clerk