



The Corporation of The Township of King

By-Law Number 2025-049

A By-law to Authorize Cost Recovery (Fees) with Respect to Specified Fire Department Responses and to Amend By-Law 2024-096 to Amend Fire Services Fees and Charges

Whereas pursuant to section 8 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended from time to time (the "Municipal Act"), the powers of a municipality are to be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considered appropriate and to enhance the municipality's ability to respond to municipal issues; and

Whereas pursuant to section 391 of the Municipal Act, a municipality may impose fees or charges on persons for services or activities provided or done by or on behalf of it; and

Whereas pursuant to section 398 of the Municipal Act, fees and charges imposed by a municipality on a person constitute a debt of the person to the municipality; and

Whereas Council of the Township of King deems it expedient to pass a by-law to impose fees on persons to recover the costs of fire department responses;

Now Therefore the Council of The Corporation of the Township of King enacts as follows:

1. In this By-Law:

- a. "Council" means Council of the Municipality.
- b. "Fees and Charges By-law" means (a) by-law 2024-096 which establishes fees and charges for services or activities provided by the Municipality, as may be amended from time to time, and (b) if by-law 2024-096 is repealed, any future by-law of the Municipality that establishes fees and charges for services or activities provided by the Municipality.
- c. "Fire Department" means a fire department established by the Municipality in accordance with the provisions of the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c. 4, as amended from time to time.
- d. "Fire Department Specific Response Fees" means cost recovery fees for Fire Department attendance at a Property for which the Owner has Fire Department insurance coverage, and which are set out in the Fees and Charges By-law.
- e. "Municipality" means the Corporation of the Township of King.
- f. "Owner" means the registered owner of property or 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.
- g. "Property" means any real property located within the geographical boundaries of the Municipality, and any real property to which the Fire Department is under a service agreement to provide Fire Department Response services, Automatic Aid or Mutual Aid. Real property includes

buildings, contents and structures of any nature and kind in or upon such lands to which service is provided.

2. The Municipality hereby authorizes the imposition of fees from time to time in accordance with the provisions of this By-Law.
3. The Municipality hereby amends Schedule 'A' - Community Services in By-Law 2024-096 to include the recovery of these fees as identified in Schedule 'A' to this By-Law.
4. The Owner of Property shall be responsible for the payment of Fire Department Specific Response Fees imposed by this By-Law.
5. The Municipality may use any available technology to assess applicable insurance coverage for Fire Department Specific Response Fees or utilize a third-party service provider to invoice Fire Department Specific Response Fees on behalf of the Municipality.

Fees imposed pursuant to this By-Law constitute a debt of the Owner to the Municipality.

6. Where the Owner does not have, in part or in full, insurance coverage for fire department charges for the Property, the Municipality may adjust the Fire Department Specific Response Fees to the extent of insurance coverage upon provision by the Owner of evidence, to the satisfaction of the Municipality, that no such insurance coverage exists or to demonstrate the limits of such coverage.
7. In this By-Law, words importing the singular shall include the plural where the context requires.
8. If any term or provision of this By-Law or the application thereof to any person shall to any extent be held to be invalid or unenforceable, the remainder of this By-Law or the application of such term or provision to all persons other than those to whom it was held to be invalid or unenforceable, shall not be affected thereby, it being the intention of the Council that each term and provision of this By-Law shall be separately valid and enforceable to the fullest extent permitted by law.

Read a First and Second time this 17th day of June 2025.

Read a Third time and finally passed this 17th day of June 2025.

Steve Pellegrini
Mayor

Denny Timm
Township Clerk

(Ref. Community Services – King Fire Division,
Report Number COM-KFE-2025-001, Council 06/17/25)

By signing this by-law on June 17, 2025, Mayor Pellegrini will not exercise the power to veto this by-law.

Schedule 'A' – By-law 2025-049

Fire Department Attendance:			
1. Response to the third and all subsequent false fire alarms per building on a property in a calendar year.	each	E	Items 1 – 6 inclusive. Current MTO Rates or Vehicle and Firefighter Crew Costs
2. Response to a vehicle accident which is not owned or operated by a Township of King resident or property owner. Billing is applied to all parties involved and only charged to non-residents ONLY.			
3. Response to a hazardous materials incident involving a vehicle and/or property which is owned or operated by a resident or non resident, and/or operator, and property owner (resident/ non-resident, and/or operator) shall be invoiced for apparatus and materials used including the use of outside municipal fire services or contractors.			
4. Recovery of costs through a third party related to emergency response (including damage or loss of equipment, consumables) from insurance companies. Should the insurer pay the coverage to the property owner, the property owner is liable to remit these funds to the municipality or its representative.			
5. Fees shall also be levied to include total replacement costs for any contaminated or damaged equipment or materials used in the response to any of the aforementioned emergencies.			
6. Fees imposed under this By-law shall be billed to the owner(s) of the building(s) from which the services are provided and in the case of emergency responses to vehicle incidents, to the owner of the vehicle or the vehicle owner's insurance company.			

Service or Item	Unit of Measure	HST Status (T-Taxable) (E- Exempt)	2025 Fee (Excludes HST)
<p>A Cost Recovery Fee for staff services and fire apparatus and any materials expended by the Township in carrying out the requirements of a Notice, Order, written correspondence in whole or in part, or cost incurred as necessary for King Fire and Emergency Services, its fire officers, firefighters, and/or fire inspectors to remediate or take the necessary enforcement action to obtain compliance for services including but not limited to:</p> <p>*Investigation of a legal and/or illegal Marijuana Grow-op or clandestine drug operation where the actual and/or potential fire and life safety hazard exists involving utilities (hydro, natural gas, propane, alternative fuels and services)</p> <p>*Assisting the surrounding police agencies, Office of the Fire Marshal with the investigation and inspection of a legal and/or illegal Marijuana Grow-op or clandestine drug operation with air monitoring, ventilation, forcible entry, decontamination of staff (police, fire, EMS, OFM) and for standby purposes</p> <p>*Where the need to notify/assist the Electrical Safety Authority, Hydro, Technical Standards and Safety Authority, Building Department, Bylaw Enforcement, King Township Public Works Department, animal control, or Parks Department exists to assist in mitigating/remediating an actual/potential hazard (fire, life, or property)</p>	each	E	Items 1 – 6 inclusive. Current MTO Rates or Vehicle and Firefighter Crew Costs