

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 1999-44**

BEING A BY-LAW TO IMPOSE USER FEES FOR  
MONITORED AUTOMATIC ALARMS (FALSE) AND  
EMERGENCY FIRE DEPARTMENT RESPONSE FOR  
MOTOR VEHICLE ACCIDENTS (NON-RESIDENT)

WHEREAS section 220.1 of the *Municipal Act*, R.S.O. 1990 c.M-45 authorizes the Council to pass by-laws imposing fees or charges for services or activities provided or done by it.

AND WHEREAS the Council deems it desirable to impose fees for false fire alarms and for emergency fire department response to vehicle fires or vehicle extrications for non-residents of the City of North Bay.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. In this by-law:
  - 1.1 "False Alarm" means an alarm signal where a fire department response, in the opinion of the North Bay Fire Chief, is not required.
  - 1.2 "Non-Resident" means a person who is not a resident of the City of North Bay.
  - 1.3 "Owner" means:
    - (a) for property, the person for the time being managing or receiving the rent of the land or premises in connection with which the word is used whether on his own account or as agent or trustee of any other person or who would so receive the rent if such land and premises were let, and shall also include a lessee or occupant of the property who, under the terms of the lease, is required to repair and maintain the property in accordance with the standards for maintenance and occupancy of property;
    - (b) for vehicles, the person registered as the owner.
  - 1.4 "Property" means the property defined by the municipal address shown by the 9-1-1 Dispatch System.
  - 1.5 "Resident" means a natural person whose name is included on the City of North Bay's Voters' List, pursuant to the *Municipal Elections Act*, as updated from time to time by the City Clerk, in the absence of evidence satisfactory to the City Solicitor to the contrary.

2. False Alarms:

Where the fire department responds to a false alarm, the following schedule of fees shall be payable to The Corporation of the City of North Bay by the owner of the property from which the alarm originated:

- (i) first false alarm - no charge
- (ii) second false alarm within a twelve (12) month period of a first false alarm - \$100.00
- (iii) third false alarm within a twelve (12) month period of a first false alarm - \$200.00
- (iv) fourth false alarm within a twelve (12) month period of a first false alarm - \$300.00
- (v) the above fee shall be payable by the owner of the premises to which the emergency response to the false alarm was made.

3. Non-Resident Vehicle Fires or Extrications:

Where the North Bay Fire Department provides an emergency response to a fire in a vehicle or to extricate a person from a vehicle, where the vehicle is owned by a non-resident, a fee of \$600.00 shall be payable by the owner of the vehicle to The Corporation of the City of North Bay.

4. The Fire Department shall continue to respond to all alarms and calls for assistance notwithstanding any previous false alarm from a property or non-payment of any fee hereunder.

5. Response on Provincial Highways:

Where the Fire Department provides an emergency response service to a vehicle which is: (1) owned by a non-resident and (2) located on a Provincial Highway, the following fees shall be payable by the owner of the vehicle to The Corporation of the City of North Bay:

- |   |          |
|---|----------|
| (i) for the first hour of response by any fire trucks:                                    | \$300.00 |
| (ii) for the each additional half-hour or part thereof<br>for response by any fire truck: | \$120.00 |

6. Any amount payable under this by-law which is not paid within 30 days of demand, shall be added to the Collector's Roll of the subject property by the Tax Collector and shall be a lien to be collected in like manner as municipal taxes.

7. This by-law comes into effect as of July 1, 1998.

READ A FIRST TIME IN OPEN COUNCIL THE 6<sup>TH</sup> DAY OF APRIL, 1999.

READ A SECOND TIME IN OPEN COUNCIL THE 6<sup>TH</sup> DAY OF APRIL, 1999.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 6<sup>TH</sup> DAY OF APRIL, 1999.

  
MAYOR

  
CITY CLERK