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## By-law **XX**-2025

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### **A By-law to Consolidate and Regulate Payment of Various Fees And Charges within the Corporation of The County of Northumberland and to Repeal Previous By-Laws**

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**Whereas** Section 391 of the *Municipal Act, 2001, SO 2001 c. 25* authorizes a municipality to pass by-laws imposing fees or charges on any class of persons:

- a) for services or activities provided or done by or on behalf of it;
- b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or board; and
- c) for the use of its property including property under its control; and

**Whereas** Section 398 of the *Municipal Act, 2001, SO 2001, c. 25* states that fees and charges imposed by a municipality constitute a debt to the municipality and shall at the request of an upper-tier municipality be added to the tax rolls for the properties as specified and may be collected in the manner of municipal taxes; and

**Whereas** Section 69 of the *Planning Act, RSO 1990, c. P.13* authorizes the council of a municipality, by by-law, to establish a tariff of fees for the processing of applications made in respect of planning matters, which tariff shall be designed to meet only the anticipated cost to the municipality in respect of the processing of each type of application provided for in the tariff; and

**Whereas** Subsection 7 (1)(c) of the *Building Code Act, 1992, SO 1992, c. 23* authorizes an upper-tier municipality that has entered into an agreement pursuant to subsection 3(5) of that Act to pass by-laws requiring the payment of fees and charges and prescribing the amount of the fees for the matters and in the area for which the upper-tier municipality has jurisdiction for the enforcement of that Act; and

**Whereas** the requirements set out in O.Reg 244/02 FEES AND CHARGES, under the *Municipal Act, 2001, SO 2001, c. 25* have been met; and

**Whereas** the Council of the Corporation of the County of Northumberland deems it expedient to pass a consolidated fees and charges by-law;

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**Now Therefore Be It Enacted** as a by-law of the Council of the Corporation of the County of Northumberland as follows:

1. **That** the fees and charges as set out in Schedule “A” hereto and forming part of this by-law are hereby established and adopted by the Council of the Corporation of the County of Northumberland; and
2. **That** all fees listed in the attached Schedule, where applicable, shall be subject to Harmonized Sales Tax (HST); and
3. **That** all fees and charges under this by-law or any other by-law of the County are payable upon receipt of the service or thing, upon registration for the activity, upon or before the use of the property, or upon submission of the application; and
4. **That** no request by any person for any information, service, activity or use of County property described in Schedule “A” will be processed or provided by any County official unless and until the person requesting the information, service, activity or use of the County property has paid the applicable fee or charge to the County in the prescribed amount as set out in Schedule “A”; and
5. **That** notwithstanding Section 4 of this bylaw, the payment of fees and charges for certain requests for information, service, activity or use of County property described in Schedule A may be made upon receipt of an invoice issued by the County of Northumberland, the receipt of which may post date the provision of the requested information, service, activity or use of the County property; and
6. **That** in the event that any information, service, activity or use of County property is requested by a person, and a fee or charge for such information, service, activity or use of County property has not been specifically provided for in this by-law or any other by-law, a fee or charge shall be calculated by County staff and such fee or charge shall be adopted by Council and shall be deemed to be included in Schedule “A”; and
7. **That** unless otherwise prescribed and where facilities are available, the fees and charges established by this by-law may be payable to the County of Northumberland by cash, money order, certified cheque, cheque, or debit card when due; and
8. **That** fees and charges that have been imposed in accordance with this by-law that remain unpaid after the date on which they are due shall be subject to interest at a rate of 15% per annum (1.25% per month); and
9. **That** fees and charges that have been imposed in accordance with this by-law that remain unpaid after the date on which they are due, including any interest charges, may be added by the Treasurer of the municipality to the tax roll for any property to which a service or thing was supplied, or in all other cases any property for which all

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of the owners are responsible for paying the fees and charges, and the Treasurer is hereby authorized to make a request to a local municipality for such purpose; and

10. **That** in the event that any part of this by-law, including any part of Schedule “A” 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 shall 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; and
11. **That** this by-law may be cited as the “Fees and Charges By-law”; and
12. **That** this By-law shall take effect upon final passing thereof; and
13. **That** by-law 09-2024 of the Corporation of the County of Northumberland regarding the payment of fees and charges be hereby repealed; and
14. **That** notwithstanding the repeal of by-law 09-2024 any fee or charge payable pursuant to that by-law at or prior to the time of that by-law’s repeal remains payable in accordance with that by-law as it read at the time of its repeal and any penalties imposed on outstanding fees or charges pursuant to that by-law prior to its repeal shall remain valid and shall continue to accrue in accordance with that by-law as it read at the time of its repeal.

**That** By-law **XX**-2025 be introduced and be deemed to be read a first, second and third time, be passed, signed and sealed this 19<sup>th</sup> day of February, 2025.

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**Brian Ostrander, Warden**

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**Maddison Mather, Clerk**