

TOWN OF GIBSONS



RATES, FEES AND CHARGES BYLAW No. 1196, 2014

Adopted: February 4th, 2014

Consolidated for convenience April, 2021
to include amendments up to Bylaw No. 1196-20

This version of this bylaw is a consolidation of amendments to the original bylaw as of the date specified. This consolidation is done for the convenience of users and accurately reflects the status of the bylaw as of the specified date but must not be construed as the original bylaw and is not admissible in Court unless specifically certified by the Director of Corporate Administration for the Town of Gibsons. Persons interested in the definitive wording of this bylaw and its amendments should view the original sealed bylaws at the Town of Gibsons.

AMENDMENTS IN THIS CONSOLIDATION

NO.	BYLAW NO.	DATE	AMENDMENT
1.	1196-01	April 1, 2014	<ul style="list-style-type: none"> • Revised Schedule A • Schedules B through G added
2.	1196-02	July 29, 2014	<ul style="list-style-type: none"> • Revised Schedule B under subheading "Fees and Charges" • Revised Schedule C, User Rates – Domestic
3.	1196-03	March 17, 2015	<ul style="list-style-type: none"> • Schedule H added
4.	1196-04	March 24, 2015	<ul style="list-style-type: none"> • Revised Schedule B • Revised Schedule C
5.	1196-05	July 28, 2015	<ul style="list-style-type: none"> • Revised Section 2.5
6.	1196-06	December 1, 2015	<ul style="list-style-type: none"> • Revised Section 2.3 • Revised Schedules A, B, C, D and F
7.	1196-07	Abandoned	
8.	1196-08	March 15, 2016	<ul style="list-style-type: none"> • Revised Schedule B
9.	1196-09	December 6, 2016	<ul style="list-style-type: none"> • Revised Schedule H
10.	1196-10	March 29, 2016	<ul style="list-style-type: none"> • Revised Schedules A, B, C and G
11.	1196-11	March 21, 2017	<ul style="list-style-type: none"> • Revised Schedule B and C
12.	1196-12	October 17, 2017	<ul style="list-style-type: none"> • Revised Schedule C
13.	1196-13	March 20, 2018	<ul style="list-style-type: none"> • Revised Schedule D
14.	1196-14	March 20, 2018	<ul style="list-style-type: none"> • Revised Schedules B and C
15.	1196-15	October 2, 2018	<ul style="list-style-type: none"> • Revised Schedule H
16.	1196-16	November 20, 2018	<ul style="list-style-type: none"> • Revised Schedule B, C, D, F and H • Schedule I added
17.	1196-17	March 26, 2019	<ul style="list-style-type: none"> • Revised Schedule B, C, G, and H
18.	1196-18	March 17, 2020	<ul style="list-style-type: none"> • Revised Schedule B and C
19.	1196-19	October 6, 2020	<ul style="list-style-type: none"> • Revised Section 2.3 • Revised Schedules B and C • Schedule J added
20.	1196-20	March 16, 2021	<ul style="list-style-type: none"> • Revised Schedules B, C and D

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TOWN OF GIBSONS
BYLAW NO. 1196, 2014

A Bylaw to establish rates, fees and charges within the Town of Gibsons

WHEREAS pursuant to Section 194 of the *Community Charter* the Council may by Bylaw impose a fee against the owner or occupier of real property in respect of all or part of a municipal service and the use of municipal property.

NOW THEREFORE, the Council of the Town of Gibsons, in open meeting assembled, enacts as follows:

SECTION 1 GENERAL PROVISIONS

1.1 SHORT TITLE

This Bylaw may be cited as the "Town of Gibsons Rates, Fees and Charges Bylaw No. 1196, 2014".

1.2 PURPOSE

The purpose of this Bylaw is to establish the rates, fees and charges for municipal services.

1.3 BYLAW SCHEDULES

Attached as integral parts of the Bylaw are the following Schedules:

- Schedule A Documents Rates, Fees and Charges
- Schedule B Water Rates, Fees and Charges
- Schedule C Sanitary and Storm Sewer Rates, Fees and Charges
- Schedule D Garbage and Organics Rates, Fees and Charges
- Schedule E District Energy Rates, Fees and Charges
- Schedule F Highway and Traffic Rates, Fees and Charges
- Schedule G Building Permit Fees and Security Deposits
- Schedule H Development Application Fees and Charges
- Schedule I Sign Bylaw
- Schedule J Tree Preservation Bylaw

1.4 SEVERABILITY

The provisions of this Bylaw are severable. If any provision is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Bylaw.

SECTION 2 ESTABLISHMENT OF FEES AND CHARGES

2.1 FEES

This Bylaw establishes those rates, fees and charges listed in the schedules attached to and forming part of this bylaw.

2.2 LATE PAYMENT CHARGES

- 2.2.1 Late payment charges shall be added to all fees that remain unpaid after their due dates:
 - 2.2.1.1 A non-compounding 2% monthly interest charge, calculated daily, will be added to all amounts that remain unpaid after the due date as determined by the Director of Finance.
 - 2.2.1.2 Non-receipt of the utility bill will not be recognized as a valid excuse for failure to pay the fees when due.
 - 2.2.1.3 Postmarks will not be considered as date of payment.
- 2.2.2 Where the Town imposes a fee for work done or services provided to land or improvements, the Owner of the property or premises shall promptly pay the fee in respect of that service. If a fee is due and payable and unpaid on December 31st, it is deemed to be taxes in arrear, and may be collected in the same manner and with the same remedies as property taxes.

2.3 CHARGES FOR: DISHONOURED PAYMENT, OVERPAYMENT REFUND, OVERPAYMENT TRANSFER, PAYMENT MADE IN ERROR

- 2.3.1 Where a payment received by the Town in payment of a bill is not honoured by a Person's financial institution for any reason other than clerical error, the Town may charge the Person \$40. This charge represents a reasonable pre-estimate of the administrative costs incurred by the Town as a result of the dishonoured payment.
- 2.3.2 Where a refund of an overpayment received by the Town has been requested for any reason, the Town may charge the Person \$40. This charge represents a reasonable pre-estimate of the administrative costs incurred by the Town as a result of the overpayment.
- 2.3.3 Where a transfer of an overpayment received by the Town has been requested for any reason, the Town may charge the Person \$40. This charge represents a reasonable pre-estimate of the administrative costs incurred by the Town as a result of the overpayment transfer.
- 2.3.4 Where a refund for a payment made in error received by the Town has been requested for any reason, the Town may charge the Person \$40. This charge represents a reasonable pre-estimate of the administrative costs incurred by the Town as a result of the payment made in error.

2.4 TAXES

All fees, charges and rates in this bylaw exclude provincial and federal taxes, which must be paid as applicable.

2.5 REFUNDS

No refund will be paid on any fees or charges collected in error after two years from the date of said payment unless the Collector is satisfied that the claim for the refund results from an error in the calculation of a utility account or an error in the operation of metering equipment with the proviso that any refund over \$5,000 cannot be made without an authorizing

resolution of Council.

READ A FIRST TIME this the 7th day of January , 2014

READ A SECOND TIME this the 21st day of January , 2014

READ A THIRD TIME this the 21st day of January , 2014

ADOPTED THIS the 4th day of February , 2014

Wayne Rowe, Mayor

Selina Williams, Corporate Officer