

**TOWN OF ARBORG**  
**BY-LAW NO. 10-2023**

**Being a By-law of the Town of Arborg to prescribe fees and charges payable to the Town of Arborg for municipal services rendered under the authority of The Municipal Act and the By-Laws of the Town of Arborg.**

**WHEREAS** in accordance with Section 232(2)(d) of *The Municipal Act* (C.C.S.M. c.M225), a municipality may, in a by-law, establish fees or other charges for services, activities or things provided or done by the municipality;

**AND WHEREAS** the Town of Arborg deems it advisable to include one by-law the fees and charges payable to the Town of Arborg for certain services rendered by officers and employees of the Town;

**AND WHEREAS** the Town of Arborg deems it necessary and expedient to keep current the schedule of fees for the services provided by the Town;

**NOW THEREFORE** the Council of the Town of Arborg, in Council duly assembled, enacts as follows:

**PART 1**

**1. CITATION**

This by-law shall be referred to as the **FEES and CHARGES BY-LAW**.

**2. CONTINUING CONSOLIDATION**

- a) The Chief Administrative Officer may cause to be prepared and printed, and kept up to date, a continuing consolidation of this by-law, and indices and appendices thereto, and may make such arrangements with respect thereto, and with respect to matters incidental thereto, as may be required.
- b) Where a continuation consolidation of this by-law is prepared, all approved revisions thereto shall bear the designation and be located as follows:
  - i. When a specific portion has been amended or replaced by an amending by-law, the designation '[AM, B/L #]' shall be inserted immediately following the affected block of text.
  - ii. When a specific portion has been repealed or deleted by an amending by-law, the designation '[REP, B/L #]' shall be inserted adjacent to the current section, subsection, paragraph or clause number in place of the removed text.
  - iii. When a new portion has been enacted herein by an amending by-law, the designation '[EN, B/L #]' shall be inserted immediately following the added block of text.
  - iv. When any of the designations referred to in paragraphs 1), 2), and 3) above are inserted within the text of this by-law, the figure '#' shall be replaced by the actual number of the respective amending by-law.
  - v. Where more than one clause, paragraph, or subsection of any particular section is affected by the same amending by-law, the designation may be placed at the end of each clause, paragraph, or subsection so affected or, at the left aligned margin of the paragraph, subsection, or section so affected, whichever is deemed to have more clarity in each particular instance.

**3. AMENDMENT OF SCHEDULES**

- a) Council of the Town of Arborg may from time to time, by resolution, amend each and every schedule attached to this by-law as necessary.
- b) The fees and charges set out in the schedules attached to this by-law shall take precedence over any other previous related by-law.

#### 4. UNPAID CHARGES

Any unpaid fees for charges owed to the Town of Arborg by any tax payer, including penalties related thereto as well as any fines imposed on the taxpayer by the court for contravention of the Municipal by-laws, may be added to taxes of the said tax payer and may be collected or enforced in the same manner as a tax as defined by The Municipal Act.

#### 5. INTERPRETATION

In all parts of this by-law, any word importing the male gender shall include the female gender and vice versa, and any word importing the singular shall include the plural, and vice versa, as applicable unless the context requires a different interpretation.

#### 6. DEFINITIONS

“**CAO**” means the Chief Administrative Officer for the Town of Arborg as designated by by-law

“**Municipality**” means the Town of Arborg

“**Council**” means Council of the Town of Arborg

“**Costs**” means any costs, charges, fees and expenses, reasonably incurred in respect of a civil, criminal, or administrative action or proceeding, including an amount paid to settle and action or satisfy a judgment.

“**Cost Recover**” means the practice of establishing and collecting user fees to cover a portion of the costs relating to the delivery of services, activities or things provided or done by the municipality, or for the use of property under the ownership, direction, management or control of the Municipality as provided for in The Municipal Act.

“**Fee**” means any fee, charge or rate established by the municipality for services, activities, or things provided or done by the municipality; or for the use of property under the ownership, direction, management or control of the Municipality, but does not include fines, penalties, taxes or licenses in lieu of taxes

“**Third party approval**” means an authorizing body approval which is required to a by-law receiving third reading and being passed, such as The Public Utilities Board or the Municipal Board

### PART 2

#### 7. FEES & CHARGES

The fees and charges payable to the Town of Arborg for services rendered by officers and employees of the Municipality shall be set out in the following schedules attached hereto and replace any other fees charged in any Municipality By-laws:

- a) Schedule “A” Administration Services
- b) Schedule “B” Business & Lottery Licenses
- c) Schedule “C” Protective Services
- d) Schedule “D” Public Works
- e) Schedule “E” Utility Services
- f) Schedule “F” Facility Rentals
- g) Schedule “G” Animal Control

#### 8. DELEGATED AUTHORITY

- a) The CAO is delegated the authority:
  - i. To establish an administrative process of Cost Recovery with the use of fees for the purposes set out in Section 8; and
  - ii. At their discretion, to waive, subsidize or approve an in-lieu contribution of a fee; and
  - iii. To set a fee for any Municipality promotional item made available for purchase.

**9. PRIVATE WORK**

- a) Private works are not a core function of the municipality and will not take precedence over public works. Private works will only be considered if private contractors or equipment are not available with the municipality to either supply the service or perform the required work. The municipality will refer requests for private works to local private operators where available.
- b) In the event the Municipality uses municipal equipment, materials and/or labour to carry out private works on private property at the request of the property owner, the Municipality, as practicable, shall seek to enter into an agreement with the property owner prior to any works being carried out on the private property. The terms and conditions within the agreement shall be established by the CAO.
- c) The method of fixing rate or charges shall be set out in Schedule "B".

**10. COLLECTION OF FEES**

- a) A fee established in this By-law, in the attached Schedules or by the delegated authority to the CAO to establish a fee for the purposes under Section 8 may be collected in the same manner as a tax may be collected or enforced under *The Municipal Act* or any other Act.
- b) In addition to the fee collection set out in Section 12.a) unpaid fees, may be collected through use of the small claims court process or a collection agency, as deemed appropriate by the CAO.
- c) Penalties on unpaid invoices shall be at a rate of 1.25% per month


**11. REPEAL**

- a) By-law No. 1-2013, A By-law of the Town of Arborg to prescribe a fee chargeable for Tax Certificates be hereby repealed.
- b) Town of Arborg Policy No. 3-2013, Municipal Private Works Policy be hereby rescinded.

**12. COMMENCEMENT OF THIS BY-LAW**

This By-law No. 9-2023 shall come into effect as of the date of receipt of third reading.

**DONE AND PASSED** by the Council of the Town of Arborg duly assembled in Arborg, Manitoba this 13<sup>th</sup> day of December A.D. 2023.

  
Peter Dueck  
Mayor

  
Cindy Stansell  
Chief Administrative Officer

Read a first time this	22 <sup>nd</sup>	day of	November	A.D.	2023
Read a second time this	13 <sup>th</sup>	day of	December	A.D.	2023
Read a third time this	13 <sup>th</sup>	day of	December	A.D.	2023

**SCHEDULE "A" - BY-LAW 10-2023  
FEES & CHARGES BY-LAW**

**FINANCE & ADMINISTRATION**

Property Tax Statement – duplicate	\$5.00
Tax Certificate	\$40.00
Property Tax Sale	Actual Costs Plus \$50 Admin Fee
Photocopies – Black & White	\$0.25 per copy
Photocopies – Colour	\$0.50 per copy
Faxes	\$2.00 per fax
Scanning	\$0.10 per page
NSF Cheques and Returned Items	\$30.00
<b>FIPPA Requests</b>	
Search & Preparation ~ First 2 hours of research	Free
Search & Preparation ~ Over first 2 hours of research	\$15.00 per half hour
Computer Programming and Data Processing ~ In House	\$10.00 per 15 minutes
Computer Programming and Data Processing ~ External	Actual Cost
Copying Records for Applicant ~ Photocopies & Computer Printouts	\$0.20 per page
Prints from Microfilm	\$0.50 per page
Any other copying method	Actual Cost
<i>*Note: Applicants requesting copies of their own personal information are not required to pay for the copies if the total copying charge is less than \$10</i>	
Delivery Fees ~ Regular Mail	No Charge
Delivery Fees ~ Courier Delivery	Actual Cost

**SCHEDULE "B" - BY-LAW 10-2023  
FEES & CHARGES BY-LAW**

**BUSINESS & LOTTERY LICENSES**

<b>Licenses</b>	
Lottery License ~ up to \$3,000 in prizes <i>*Note: No license required for prizes less than \$100</i>	1% of Prize Value
Business License - Resident - Non-Resident	\$50.00 per annum \$75.00 per annum
Outdoor Mobile Food Vending Unit - Resident - Non-Resident	\$150.00 per annum \$325.00 per annum
Transient Trader - Seasonal (90 days) - Annual	\$100.00 \$200.00
Short-Term Rental Accommodation - Resident Owner - Non-Resident Owner/Tenant Operated	\$50.00 per annum \$100.00 per annum
<b>Business License Violations – Fines</b>	
<b><i>Failure To Obtain:</i></b>	
Business License within 12 months - Resident - Non-Resident	\$100.00 \$150.00
Outdoor Mobile Food Vending Unit License - Resident - Non-Resident	\$300.00 per instance \$650.00 per instance
Transient Trader License within 12 months - Seasonal (90 days) - Annual	\$200.00 \$400.00
Short-Term Rental Accommodation within 12 months - Resident Owner - Non-Resident Owner/Tenant Operated	\$100.00 \$200.00
<b><i>All Other Violations:</i></b>	
First Offence	\$ 75.00
Second Offence	\$150.00
Each Additional Offence	\$300.00

**SCHEDULE "C" - BY-LAW 10-2023  
FEES & CHARGES BY-LAW**

**PROTECTIVE SERVICES**

<b><i>Arborg-Bifrost Fire &amp; Emergency Services – Within 12-Month Period</i></b>	
<b>False Alarms</b>	
First Offence – Written Notice Only	N/C
Second Offence	\$ 500.00
Third Offence	\$ 750.00
Each Additional Offence	\$1,000.00
<b>Other Charges</b>	
Burn Permit	N/C
Outdoor Fires ~ Any Violation	Expense Recovery
Any Violations	\$500.00 per offence
<b><i>RCMP – Within 12-Month Period</i></b>	
<b>False Alarms</b>	
First Offence – Written Notice Only	N/C
Second Offence	\$ 250.00
Third & Fourth Offence	\$ 500.00
Each Additional Offence	\$ 750.00

**SCHEDULE "D" - BY-LAW 10-2023  
FEES & CHARGES BY-LAW**

**PUBLIC WORKS**

Driveway Application Fee	\$40.00
Locates	\$40.00 per hour
Barricades ~ Delivery	N/C
Barricades ~ Set Up & Take Down	\$20.00
Culverts	Actual Cost \$40.00 Admin Fee
<b>Private Works (includes operator)</b>	
2006 Caterpillar Wheel Excavator 318C	\$200.00 per hour
2007 Caterpillar Loader 924G	\$150.00 per hour
2023 Trackless MT7 Tractor – Grass Cutting or Snow Clearing	\$115.00 per hour
2012 John Deere Motor Grader 772G	\$250.00 per hour
1995 Ford F800 Truck with Deck and 2009 Western Street Sander (3.3 cu yd)	\$115.00 per hour
2000 Ford F350 Dump Truck – Single Axle	\$90.00 per hour
2010 Hot Water Steamer (16 hp; 590 L)	\$90.00 per hour
1980 Elgin Street Sweeper Series "S"	\$90.00 per hour
Labour Only	\$30.00 per hour

**SCHEDULE "E" - BY-LAW 10-2023  
FEES & CHARGES BY-LAW**

**UTILITY SERVICES**

<b>WATER &amp; SEWER (as per By-law 4-2015)</b>	
Bulk Water (Treated or Non-Treated) <500 gallons	\$10.00
Bulk Water (Treated or Non-Treated) per 1,000 gallons	\$20.00
Utility Connection – Interior Shut Off Valve	\$32.00
Utility Connection – Disconnection/Reconnection Fee <i>*Excludes Repairs or Maintenance Work</i>	\$50.00
Utility Connection – Reconnection Due to Non-Payment	\$50.00
Water Meters and Parts	Actual Costs \$40.00 Admin Fee
<b>Lagoon Gate Fees</b>	
Lagoon Gate – Key Deposit	\$10.00
Lagoon Gate – Key Replacement ~ First Offence	\$200.00
Lagoon Gate – Key Replacement ~ Additional Offences	\$500.00



**SCHEDULE "F" - BY-LAW 10-2023  
FEES & CHARGES BY-LAW**

**FACILITY RENTALS**

<b>Town Office Board Room Rental</b>	
Half Day or Less	\$ 50.00
Full Day	\$100.00
Equipment Use (i.e. Television, Owl)	\$ 10.00
Pot of Coffee	\$ 5.00
<b>Training Centre – East Building</b>	
Daily	\$ 50.00
Monthly	\$ 1,350.00
Annually	\$16,200.00
<b>Training Centre – West Building – Per Level</b>	
Daily	\$ 50.00
Monthly	\$ 1,500.00
Annually	\$18,000.00