

# *THE CITY OF VAUGHAN*

# *BY-LAW*

## **BY-LAW NUMBER 395-2002**

### **A By-law to amend By-law Number 147-99 and By-law Number 149-99 related to Vaughan Fire and Rescue Service attendances at motor vehicle incidents and related to small fires**

WHEREAS section 220.1 of the *Municipal Act*, R.S.O.1990, c.M.45, as amended or substituted from time to time, permits a municipality to pass by-laws imposing fees and charges for services and activities provided or performed by it, for costs payable by it and for the use of its properties or properties under its control;

AND WHEREAS section 391 of the *Municipal Act, 2001*, S.O. 2001, c.25, which comes into force on January 1<sup>st</sup>, 2003, as amended from time to time, similarly permits a municipality to pass by-laws imposing fees and charges;

AND WHEREAS the Council of The Corporation of the City of Vaughan desires to consolidate a number of its existing by-laws containing one or more provisions requiring the payment of fees or charges for services or activities provided by the City, its officers or employees, or for the use of some or all of the City's properties into one by-law;

AND WHEREAS the consolidation contemplated above and effected by the City's Fees and Charges By-law which incorporates fees and charges for services and activities performed by the Vaughan Fire and Rescue Service under these by-laws, along with other fees, into Schedule "E" of the Fees and Charges By-law, and therefore requires amendments to By-laws 147-99 and 149-99;

NOW THEREFORE the Council of The Corporation of the City of Vaughan enacts as follows:

1. (1) By-law 147-99 is hereby amended by substituting the title with the following:

"A By-law governing services provided by the Vaughan Fire and Rescue for response to Emergency and Non-emergency Incidents".

(2) By-law Number 147-99 is hereby amended by substituting subsection 2(a) with the following:

"(a) If Vaughan Fire and Rescue Service attends the scene of any motor vehicle incident, including on the King's Highway, and the Vaughan Fire and Rescue Service provides firefighting and/or emergency services a fee will be charged, except as provided under subsection 2(b), regardless of established fault, in accordance with the applicable Schedule of fees attached to the City's Fees and Charges By-law, as amended from time to time."

(3) By-law Number 147-99 is further amended by substituting the words in the last line of subsection 2(c), following clause (v), with the following words:

“...The motor vehicle owner(s) or property owner(s), individually or jointly, shall be charged those expenses or costs for damages incurred, in accordance with the applicable Schedule of fees attached to the City’s Fees and Charges By-law, as amended from time to time.”

(4) By-law Number 147-99 is further amended by deleting subsection 2(g) and by deleting Schedule A attached to the By-law.

(5) By-law Number 149-99 is hereby amended by substituting the words in the last sentence of subsection 3(a) of the By-law with the following words:

“...Such permit shall be issued in a written form prescribed by the Chief Fire Official, after payment of the applicable fee for a small fire, which shall not exceed 1m in any dimension, or for a fire exceeding 1m in any dimension, in accordance with the applicable Schedule of fees attached to the City’s Fees and Charges By-law.”

2. This By-law comes into full force and effect on the 31<sup>st</sup> day of December, 2002.

READ a FIRST, SECOND and THIRD time and finally passed this 16<sup>th</sup> day of December, 2002.

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Michael Di Biase, Mayor

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J. D. Leach, City Clerk