



Rural Municipality of Brackley, PEI
A Bylaw to Establish Fees for Various Municipal Services
Bylaw # 2024-XX

BE IT ENACTED by the Council of the Rural Municipality of Brackley as follows:

1. Title

1.1. This bylaw shall be known and cited as the “Fees and Charges Bylaw”.

2. Purpose

2.1 To enable the Council of the Rural Municipality of Brackley to pass bylaws establishing and requiring the payment of fees for business licenses, inspections, parking, recreation and other matters for the purpose of raising revenues.

3. Authority

3.1. The *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1.

3.2. The *Planning Act* RSPEI 1988 c P-8.

4. Application

4.1. This bylaw enables Council of the Rural Municipality of Brackley to establish fees and charges for the provision of goods and services and applies to any person on which a fee or charge is imposed under this bylaw

4.2. These fees are set out in the Schedule “A” attached to this bylaw and form part of the bylaw.

5. Definitions

5.1. “Act” means the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1.

5.2. “Chief Administrative Officer” or “CAO” means the administrative head of the Rural Municipality of Brackley as appointed by Council.

5.3. “Council” means the Mayor and other members of the Council of the Municipality.

5.4. “Lien” means an encumbrance or charge on a property to secure the debt owed by the property owner to the City/Town/Rural Municipality of Brackley.

5.5. “License” means a permit from the Rural Municipality of Brackley to own or use something or to do a particular thing.

- 5.6. "Local improvement charge" means a fixed annual charge levied against real property for a specific period by the Rural Municipality of Brackley which contributes to capital costs of local improvements such as sewer and water upgrades, for example.
- 5.7. "Municipality" means the Rural Municipality of Brackley.

6. Establishment of Fees

- 6.1. The Municipality hereby establishes fees to be charged for Municipal services, programs and other matters, in accordance with the Act.
- 6.2. The Municipality of may charge fees that are higher for persons or businesses that do not reside or maintain a place of business in the Municipality, as outlined in the Schedule A attached to this bylaw.
- 6.3. Council may add, delete or revise fees at any time by resolution if required, and shall ensure that the fee Schedule to this bylaw is updated upon the passage of such resolution.
- 6.4. The fees set out in Schedule "A" to this bylaw are subject to the Harmonized Sales Tax (H.S.T.) where applicable.
- 6.5. In addition to the fees established in this bylaw, the Municipality may also establish fees in other bylaws where those fees are specifically related to the matter addressed in that bylaw.

7. Collection of Fees

- 7.1. The Municipality may take into revenue any charges for the operation of a service of Municipal utility under the control of Council, and any other funds the Municipality may acquire pursuant to the bylaw or any other bylaw establishing fees.
- 7.2. The fees and charges set out in Schedule "A" to this bylaw shall come into force and effect on the date of passage, unless otherwise specified.
- 7.3. All fees charged in accordance with this bylaw are owing at the time of the service, or as otherwise outlined in the Schedule to this bylaw.
- 7.4. The fees listed in Schedule "A" to this bylaw are in addition to any costs incurred by the Municipality, which costs may be payable in addition to the fees set out in this bylaw.
- 7.5. The Municipality may by resolution cancel or write off any arrears of fees, penalties or interest charges that are prescribed by bylaw or specified in a resolution that, in the opinion of Council, are no

longer collectable from the person, institution, association, group or body that is liable to pay them.

8. Penalties

8.1. The Municipality may refuse to issue or renew any license, permit or authorization that the Municipality is authorized under this bylaw, or an Act, to issue or renew to a person who has failed to pay charges, fees, fines or penalties established in the Schedule to this bylaw, including any interest accrued to those fees or charges.

9. Severability

9.1. If any provision on this bylaw is deemed to be invalid for any reason, then that provision shall be severed from this bylaw and all remaining provisions shall remain valid and in force.

10. Repeal of Existing Bylaw

10.1. On adoption, this bylaw replaces Bylaw #2018-03 Fees Bylaw.

11. Effective Date

11.1. This Fees and Charges Bylaw, Bylaw# 2024-XX, shall be effective on the date of approval and adoption below.

First Reading:

This Fees and Charges Bylaw, Bylaw# 2024-XX, was read a first time at the Council meeting held on the _____ day of _____, 2024.

This Fees Bylaw, Bylaw# 2024-XX, was approved by a majority of Council members present at the Council meeting held on the _____ day of _____, 2024.

Second Reading:

This Fees Bylaw, Bylaw# 2024-XX, was read a second time at the Council meeting held on the _____ day of _____, 2024.

This Fees Bylaw, Bylaw# 2024-XX, was approved by a majority of Council members present at the Council meeting held on the _____ day of _____, 2024.

Approval and Adoption by Council:

This Fees Bylaw, Bylaw# 2024-XX, was adopted by a majority of Council members present at the Council meeting held on the _____ day of _____, 2024.

12. Signatures

Mayor (signature sealed)

Chief Administrative Officer (signature sealed)

This Fees and Charges Bylaw adopted by the Council of the Rural Municipality of Brackley on [redacted] is certified to be a true copy.

Chief Administrative Officer Signature

Date



Schedule A

Fees and Rates

This Schedule forms part of this Bylaw and may only be amended by resolution of the Council in accordance with Part 5 Division 2 of the Act.

Fees and Rates do not Include HST

Type of Fees	Fee Structure	Fees Due
1. Planning Permits	As per Fee Schedule Attached. See Zoning and Development Bylaw	Prior to the issuance of the license planning permit
2. Rental Fees or Use of Commons	Residents are charged \$50.00 for use of facility; no residents are charges \$162.00. However, Fees can be waived at Council's discretion for non-profit or charitable organizations In addition to the rental fee, there will be a \$100.00 deposit required to be paid. Please see the Municipality's Brackley Commons Rental Policy	Prior to use of the facility.