Agenda -Council - January 28, 2009

Report - Standing Policy Committee on Finance - January 15, 2009

Item No. 1 Fees and Charges Increases for Public Works and Fire Paramedic Service
File GL-5.8.1

STANDING COMMITTEE RECOMMENDATION:

On January 21, 2009, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Finance and submits the following to Council:

1. That the fees and charges outlined in Appendices A, B, and C of the report from the Deputy CAO/Chief Financial Officer dated January 14, 2009, be approved.

2. That the necessary amendments to the Fire Prevention By-law No. 150/2004 outlined in Appendix D of the report from the Deputy CAO/Chief Financial Officer dated January 14, 2009, be enacted.

3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Agenda - Council - January 28, 2009

Report - Standing Policy Committee on Finance - January 15, 2009

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 21, 2009, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Finance and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On January 15, 2009, the Standing Policy Committee on Finance concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

RE: Fees and Charges Increases for Public Works and Fire Paramedic Service

FOR SUBMISSION TO: **Standing Policy Committee on Finance**

ORIGINAL REPORT SIGNED BY: **Chief Financial Officer**

REPORT DATE: **January 14, 2009**

RECOMMENDATION:

1. **That the fees and charges referred to in this report be approved as set out in Appendix A, B, and C.**
2. **That Council enact the necessary amendments to the Fire Prevention By-Law No. 150/2004 (attached as Appendix D).**
3. **That the proper officers of the City of Winnipeg be authorized to do all things necessary to implement the intent of the foregoing.**

Report Summary

Key Issues:

- This report includes fees and charges increases for Public Works and Fire Paramedic Service Departments that are above inflation or new which require Council approval.

- The fees proposed are based on the principle of being at or moving towards full cost recovery for the services provided resulting in above inflationary increases for 2009.

- The Province of Manitoba, Office of the Fire Commissioner (OFC), introduced the Fire Safety Inspections Regulation 73/2007 which came into effect April 24, 2007. The Fire Paramedic Service, Fire Prevention Branch will have difficulty meeting the obligations of this Regulation with its current staffing levels. Although no additional positions are being sought at this time, in the course of performing this function, it may be determined that two additional Fire Inspector positions need to be added to the existing complement. In this event, a new report will be forthcoming, recommending the creation of these two positions and recommending that their costs be covered by the proposed new inspection fees.
    - The proposed fees are based on the principle that, where regulation is justifiably imposed in order to protect the public, the cost of inspection and enforcement should be recovered from the inspection fee. The proposed inspection fees would be on a cost recovery basis.

- Building and business owners, health care facilities, schools and other organizations affected by the fees will be advised of the new requirements, by information that will be made available on-line via the department's website.

Implications of the Recommendation(s):

General Implications

( ) None

(X) For the organization overall and/or for other departments

(X) For the community and/or organizations external to the City

( ) Involves a multi-year contract

Comment(s): The fees proposed in this Report will have an impact on both the City and the public.

Policy Implications

( ) No

(X) Yes

Comment(s): Most fees proposed in this the report are based on the principle of being at or moving towards full cost recovery for the services provided resulting in above inflationary increases for 2009.

Regulatory Implications

( ) None

( ) Eliminates or reduces regulatory impact

(X) Proposes regulatory impact

Comment(s): The Provincial Regulation will require the City to conduct regular inspections of occupancies that were previously not inspected or inspected infrequently. This Report proposes the introduction of new fees to better cover the costs of the Department.

Environmental Implications

(X) No

( ) Yes

Comment(s):

Human Resources Implications

(X) No**

( ) Yes

**Comment(s): Additional staff not currently required. However, depending on the coming workload, two additional Fire Inspector positions may be required to meet the mandate of the new Provincial inspection requirements.

Financial Implications

( ) Within approved current and/or capital budget

(X) Current and/or capital budget adjustment required

Comment(s): The recommendations in this Report would result in revenue increases.
The proposed inspection fees for occupancies that fall under the Provincial Regulation will pay for two additional Fire inspector positions if proven necessary.

Report

REASON FOR THE REPORT:

Council approval is required to authorize above inflation increases to the fees and charges outlined in this report as well as introduction of new fees.

HISTORY:

In the past, departments have individually submitted reports to Council for increases to fees and charges. This has resulted in numerous reports being submitted annually usually in the fall and early winter.

On January 22, 1992 Council directed the Public Service to review fees regularly, at least once every 3 years, and that, as a general rule, fees should be increased by the rate of inflation.

Over the past two years, three departments have received delegated authority to increase fees and charges by the rate of inflation:

- January 24, 2007 – Public Works Fees for 2007 and Beyond
- October 24, 2007 – Community Services Fees and Charges Policy
- March 26, 2008 – Planning, Development and Building Fees By-law No. 63/2008

On December 17, 2008, Council adopted a Fees and Charges Policy which provided the CFO with the authority to increase all City fees and charges by the rate of inflation as well as authority to set fees and charges that are administrative in nature.

DISCUSSION:

This report focuses on requesting Council authority to increase fees and charges that are typically above inflation in order to achieve or move towards cost recovery for the service provided. Rather than reports proposing increased fees arriving at Council on a piecemeal basis, attempts will be made in the future to consolidate all such proposals into a single annual report. Accordingly, this Report is a consolidation of several reports.

The following are explanation for the reason for the increase along with the current and proposed rates.

1 - Public Works Fees and Charges

The current fees for the permits, licenses, and other services referred to in this report do not currently reflect the rapid rise in costs experienced in other segments of the local economy over recent years. This increase in costs has exceeded the Consumer Price Index inflation rate by a considerable margin.

The Public Works Department has reviewed the current costs of providing the various services with a view to fully recovering the costs of delivering the service. Proposed adjustments to the fees and charges are indicated in this report.

The proposed fee increases as shown in Appendix A and B will allow the Department to fully recover the costs of providing these services. Revenue is projected to increase by approximately $400,000 in 2009 for fees and charges collected through the Customer Services and Strategic Support and Engineering divisions, and another $23,000 is expected to be collected through the Parks and Open Space division fees and charges.

The proposed Pubic Works fee increase would take effect on March 1, 2009. Thereafter, these fees will be increased automatically by the rate of inflation effective January 1 each year or as otherwise indicated.

2 - Emergency Medical Service Fees

In order to maintain the formula based cost recovery of Emergency Medical Service, the fees are proposed to increase as outlined in Appendix C.

The incremental revenue increase for 2009 is estimated at approximately $763,000. The Emergency Medical Service's 2009 fees would be effective February 1st, 2009.

The contract for Emergency Medical Services between the City of Winnipeg and the Winnipeg Regional Health Authority expires on March 31, 2009. The City of Winnipeg is currently in discussions with the Winnipeg Regional Health Authority and the Province of Manitoba to review the City's subsidy of Emergency Medical Services.

3 - Fire Prevention Fees and Charges

The Fire Prevention Branch is responsible for the administration and enforcement of numerous City of Winnipeg By-laws, the Manitoba Fire Code and documents referenced by the Fire Code. The Fire Prevention Branch consists of 16 Field Inspectors, 1 Plan Examiner, 3 Supervisors, the Director and 3 clerical staff. Field Inspectors conduct approximately 10,000 inspections per year.

Currently the Fire Prevention By-law allows the department to impose a fee for the inspection of residential care facilities, fireworks site inspections, requested inspections, after-hours inspections, and for second and subsequent re-inspections of a property to determine compliance with violation notices and Orders. There are numerous other areas in which the department currently provides a service without charging a fee. These are discussed within the body of this report.

A recent Provincial Regulation mandates municipalities to conduct fire safety inspections of certain types of occupancies on a pre-determined frequency.

New Provincial Regulation:

The Province passed a new Fire Safety Inspections Regulation that came into effect in April of 2007.

The new Regulation requires an **annual inspection** of every:

- Elderly persons' housing unit or hostel, as defined in *The Elderly and Infirm Persons' Housing Act;*
- Child Care Centre licensed under *The Community Child Care Standards Act;*
- Personal Care Home as defined in *The Health Services Insurance Act;*

- Residential Care Facility as defined in the *Manitoba Fire Code,* Manitoba Regulation 216/2006. (The Fire Prevention Branch already conducts annual inspections of these facilities for a nominal fee of $75.00).
- Hospital.

The new Regulation also requires an inspection **once every three years** of every:

- Licensed premise as defined in *The Liquor Control Act;*
- Public or private school, as defined in *The Education Administration Act;*
- Recreation centre, arena, curling rink and community club;
- Hotel and motel;
- Restaurant located in a building that contains one or more dwelling units.
-

Impact of the Provincial Regulation:

The Fire Prevention Branch has not, at this time, initiated an inspection program to address the requirements of the new Regulation.
In order to determine the staffing impacts as a result of the new Regulation, the following observations and assumptions have been made:

- The average amount of time to conduct an inspection of occupancy is in most cases derived from information in the Branch's fire inspection reporting database (FIRS). (The information used for the purposes of this report is based on existing statistics.)
- For certain occupancy types such as hospitals or colleges and universities, there was no reliable information concerning inspection times that was data based. There may have been no prior record of inspection or inspections were conducted prior to time tracking procedures. Inspection times for these occupancies were therefore estimated based on the experience of senior personnel. It is possible that the inspection times for these occupancies have been underestimated and only actual inspections can verify the time required.
- An increase in the number of inspections conducted will create an increase in the amount of time required for enforcement action (i.e. issuing an Order or Common Offence Notice) as a result of non-compliance. It is estimated that one enforcement action occurs with every 315 inspections or approximately two enforcement actions for every Inspector every year.

The staffing impact, proposed new inspection fees, and estimated revenues (concerning the new legislation) have been summarized in the attached Appendix "C". In all cases, the estimated costs are proposed to be recovered from the inspection fees being proposed.

It is estimated that the Fire Prevention Branch will require two additional Fire Inspectors in order to meet the mandate of the legislation. This would be in addition to the 1.5 FTE salary and benefits transferred to the Consolidated By-law Enforcement Unit. However, no request for additional positions is being made at this time. Instead, the Branch will monitor the staffing impact of the new inspection requirements. If additional staff proves to be necessary, another report will be provided in which the number of additional staff,

the cost of these positions and a proposal to cover these costs through the additional revenue generated through inspection fees will be presented.

Current Inspection fees:

The following inspection fees are currently charged under the Fire Prevention By-law:

- Residential Care Facility $75 each
- Requested Inspection $80 per hour
- Second and subsequent re-inspections $75 each
- Fireworks site inspection (after-hours)
    - Less than 3 hours $200 each
    - For each additional hour $80 per hour
- Other after-hours inspections $80 per hour

This Report proposes increasing the inspection fee for a Residential Care Facility to $156. Inspections which are currently $80 per hour would increase to $90 per hour. The proposed fees more accurately reflect the department's cost in providing the service.

Review of Fire Safety Plans:

The Manitoba Fire Code requires some building owners to prepare a Fire Safety Plan. A Fire Safety Plan would include the emergency procedures to be used in case of fire, to appoint and train staff for fire safety duties, to conduct fire drills, control fire hazards and to ensure that the inspection and maintenance of fire protection equipment takes place. The Fire Prevention Branch provides building owners with a comprehensive guideline for preparing a Fire Safety Plan and also provides guidance to building owners during the preparation stages. Finalized Fire Safety Plans are submitted to the Fire Prevention Branch for review and approval. Plans are often submitted numerous times, which creates an undue burden on department staff. Currently, no fee is charged for this service.

In order to reduce the impact of providing this service, it is recommended that a fee of $100 be imposed for subsequent reviews of the plans. The initial review will continue to be provided at no cost. This policy is followed in other Canadian jurisdictions. It is estimated that this fee will (initially) be imposed approximately 50 times annually. It is also anticipated that a fee will significantly reduce the number of subsequent reviews.

License for Qualified Service Persons:

The Fire Prevention By-law requires that the inspection, testing and maintenance of fire protection and life safety equipment be conducted by a qualified service person. Currently, the By-law requires that a qualified service person must file evidence of their qualifications to the department. The department does not receive any revenue to cover the costs of administering this system. In addition, property owners have no easy way of finding out if the person's qualifications are up-to-date.

In order to ensure that service persons file evidence of their qualifications and ensure that their qualifications remain current, this Report proposes to replace the current requirement of filing evidence of qualifications with a requirement that qualified service persons obtain an annual license from the WFPS in order to inspect, test and maintain this equipment. Currently, many individuals are inspecting, testing and maintaining fire protection and life safety equipment without the necessary qualifications. This puts people and property at risk. However, the property owner hiring these individuals may be unaware of this risk; he or she may not know what qualifications are required or whether the individual has the requisite qualifications. A license issued by the WFPS provides property owners with a way of ensuring that the service persons they hire are qualified and have met the By-law requirements. The cost of administering this system would be addressed by a nominal fee of $20 for the license.

In addition, this Report proposes that the By-law impose a standard fine of $500 for inspecting, testing and maintaining fire prevention and life safety equipment without a license. (An offender would be allowed to pay a discounted fine of $300 within 14 days of being charged with this offence and would not then be taken to court.) A fine of this magnitude is needed in order to discourage unqualified individuals from engaging in these activities. In addition, a sizable fine is needed to force qualified persons to provide proof of their qualifications to the WFPS.

Installation of Smoke Alarms in Rental Properties:

Approximately roughly 12 times a year, whether in the course of an inspection or a fire crew's response to a fire alarm, the WFPS comes across situations in which the smoke alarms in rented residential premises are either non-functioning or entirely lacking. Besides being in violation of this By-law, this situation places tenants at risk, with no early warning in the case of a fire. If the building owner can easily be located, the normal procedure is to issue an order to the owner requiring immediate action to replace or repair the smoke alarm(s). However, because these situations frequently occur during evening hours or on weekends, the WFPS is often unable to locate a building owner. In situations where the owner cannot be located, it would be unreasonable to issue an order, attempt to locate and serve the owner and wait several days for compliance or an appeal of the order, all the while leaving tenants at risk. Similarly, if the owner can be located but refuses to take immediate action, it is not reasonable to allow the situation to remain unaddressed while the order and appeal process runs its course. Instead, the Fire Paramedic Service is prepared to act on the basis that this situation constitutes an emergency and requires immediate action. An extreme option is to evict tenants on a temporary basis until functioning smoke alarms are installed. However, a much more preferable course of action is to have the WFPS personnel attending the scene supply and install as many smoke alarms as necessary on the spot, with the cost billed back to the building owner.

The cost of a smoke alarm with a 10 year lithium battery is approximately $25. The costs of installation will vary; the hourly cost for a single inspector is about $90 while the

hourly cost of a full fire crew waiting while an alarm is installed is estimated at $880. Where the WFPS acts in this sort of situation to supply and install a smoke alarm, it is proposed that a flat rate fee of $100 per installation should be charged to cover the cost of a 10 year lithium smoke alarm and its installation.

New Inspection Fees:

1. When a building has been vacated due to fire, the Fire Prevention Branch conducts post fire inspections to ensure that fire protection systems are in operation prior to re-occupancy taking place. This service is currently provided at no cost to the building owner. It is recommended that a fee of $90 per hour be imposed to cover the cost of this service. There are approximately 250 of these types of inspections conducted annually.

2. Fire Inspectors often attend a building to investigate a fire safety complaint. The current policy requires the Fire Inspector to address the complaint and any other obvious and serious fire safety concerns. In most cases a complete inspection of the building is not conducted. However, where a complete inspection is warranted, the costs can be substantial. Currently, there is no fee imposed to recover these costs. This Report proposes that these costs should be paid by the property owner though an inspection fee of $90 per hour.

3. Currently fire crews are assigned to conduct basic inspections of small mercantile and business occupancies, such as strip malls. Fire crews conduct an initial inspection and, if the inspection reveals non-compliance, this is followed by a re-inspection to determine whether compliance has been achieved. In cases where compliance does not occur at this point, the matter is referred to the Fire Prevention Branch for follow up action. This would require at least two more visits to the occupancy by the Fire Inspector.

   Technically, the By-law currently provides for a re-inspection fee of $75 to be imposed on the second and subsequent re-inspections of properties. This would result in at least $150 in re-inspection fees being paid by these small business owners because of the two re-inspections done by the Fire Prevention Branch when the case is transferred from the fire crews. In order to be fairer to business owners, in the case where initial inspections and re-inspections are conducted by fire crews, it is recommended that a flat rate fee of $100 be imposed when an inspection is referred from fire crews to the Fire Prevention Branch for further action. It is estimated that the fee would be imposed approximately 300 times annually.

A summary table of proposed Fire Prevention increases as well as proposed new fees, charges and fine is found in Appendix C. The incremental revenue increase for 2009 is estimated at approximately $237,000. The Fire Prevention 2009 fees would be effective

February 1st, 2009. The amendments to the Fire Prevention By-Law No. 150/2004 are attached as Appendix D.

Financial Impact Statement

Date: January 13, 2009

Project Name: Fees and Charges Increases **First Year of Program** **2009**

	2009	2010	2011	2012	2013
Capital					
Capital Expenditures Required	$ -	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	-	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
Debt - External	-	-	-	-	-
Grants (Enter Description Here)	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other - Enter Description Here	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs	$ -	$ -	$ -	$ -	$ -
Less: Incremental Revenue/Recovery	1,422,000	1,533,000	1,533,000	1,533,000	1,533,000
Net Cost/(Benefit)	$ (1,422,000)	$ (1,533,000)	$ (1,533,000)	$ (1,533,000)	$ (1,533,000)
Less: Existing Budget Amounts	-	-	-	-	-
Net Budget Adjustment Required	$ (1,422,000)	$ (1,533,000)	$ (1,533,000)	$ (1,533,000)	$ (1,533,000)

Additional Comments:

1) Breakdown of Revenues

	2009	full year
Public Works - Customer Serv/Engineering	$400,000	$415,000
Public Works - Parks	$22,000	$22,000
Fire Paramedics - Emergency Medical	$763,000	$832,000
Fire-Paramedics - Fire Prevention (net)	$237,000	$264,000
Net Budget Adjustment	$1,422,000	$1,533,000

2) This financial impact statement does not include any provision for Fire Inspectors (2 FTEs) which may be required for implementation of the new Provincial Fire Safety Inspections Regulation.

original signed by

Chief Financial Officer

IN PREPARING THIS REPORT THERE WAS:

Internal Consultation With and Concurrence By:

- Legal Services
- Public Works
- Fire-Paramedic Services

External Consultation With:
None

THIS REPORT SUBMITTED BY:

Department: Corporate Finance
Division Office of the CFO
Prepared by: Georges Chartier, City Economist
File No.

Appendix A

Proposed Fee Increases
Public Works
Customer Services & Strategic Support Division and Engineering Division

Fee	Unit	Current Fee (2008)	Proposed Fee (2009)	Amount of Increase
Administrative fee on cut permits taken after the fact	Each	$212.03	$250.00	$37.97
Crossing Permit	Each	$44.53	$60.00	$15.47
Cut Permit	Each	$81.21	$130.00	$48.79
Administrative Fee for Private Approach (conforming and non-conforming)	Each	$12.72	$25.00	$12.28
Private Approach Contractor's License – initial	Each	$72.41	$150.00	$77.59
Private Approach Contractor's License – renewal	Each	$44.53	$75.00	$30.47
Paving, Excavating and Landscaping Licenses (New)	Each	$79.52	$150.00	$70.48
Paving, Excavating and Landscaping Licenses (Renewal)	Each	$53.01	$75.00	$21.99
Traffic and Pedestrian Counts & Statistics	Hour	$53.01	$75.00	$21.99
Administration Fee for Use of Street Permits (includes Block Party, Vending Box permits)	Each	$12.72	$25.00	$12.28
Crossing Permit (Renewal/Extension)	Each	$44.53	$60.00	$15.47
Street Rental	Per Sq. Meter/Month	$7.00	$13.00	$6.00
Temporary Street Closure for Entertainment Purposes	Each	$66.90	$150.00	$83.10
Temporary Street Closure for Entertainment Purposes (Non-profit and Charitable Organizations)	Each	$66.90	$150.00	$83.10
Administration Fee for Service Application	Each	$25.00	$35.00	$10.00
Administration Fee for Services Permits	Each	$25.00	$35.00	$10.00
Administration Fee for Move Permits	Each	$12.70	$25.00	$12.30
Use of Street Permit – Type D – Annual	Each	$283.91	$500.00	$216.09

Appendix B

Proposed Fee Increases
Public Works
Parks and Open Space Division

Fee	Unit	Current Fee (2008)	Proposed Fee (2009)	Amount of Increase
Parks & Open Space Administrative Charges				
Equipment Loan	Each	$13.64	$35.00	$21.36
Administrative Fee – Park Rental	Each	$10.90	$35.00	$24.10
Remedial weed/long grass control service charges for non-compliance (hourly rate for work on private property)				
Utility Work	Hour	$65.20	$72.00	$6.80
Rotary Mowing	Hour	$65.20	$72.00	$6.80
Batwing Mowing	Hour	$84.76	$93.00	$8.24
Non-standard Boulevard Treatment Permit Fee	Each	No current fee	$35.00	N/A
Park Asset Rentals				
Bandmobile Rental				
For-Profit Organizations	Per Use	$792.08	$870.00	$77.92
Non-Profit Organizations	Per Use	$635.55	$700.00	$64.45
Garden Plots				
Unserviced	Each	$22.95	$25.00	$2.05
Serviced	Each	$34.10	$37.50	$3.40
Kildonan Park Reader Board				
Non-profit Organizations	2 weeks	No current fee	$60.00	N/A
Non-profit Organizations	1 week	No current fee	$30.00	N/A
Park Space Rental & Parking Lot rental				
Non-profit Organizations	4 hour block	$46.57	$51.00	$4.43
For profit Organizations	4 hour block	$92.59	$102.00	$9.41

Fee	Unit	Current Fee (2008)	Proposed Fee (2009)	Amount of Increase
Park Space Rental (daily, weekly, monthly, seasonal)				
4 Hours - Non-profit Organizations	4 hour block	$46.57	$51.00	$4.43
4 Hours – For-profit Organizations	4 hour block	$92.59	$102.00	$9.41
Daily – Non-Profit Organizations	24 hours	$93.14*	$100.00	N/A
Daily – For-profit Organizations	24 hours	$185.18*	$200.00	N/A
Weekly - Non-profit Organizations	7 days	n/a*	$350.00	N/A
Weekly - For-profit Organizations	7 days	n/a*	$700.00	N/A
Monthly – Non-profit Organizations	Month	n/a*	$700.00	N/A
Monthly – For-profit Organizations	Month	n/a*	$1400.00	N/A
Seasonal – Non-profit Organizations	Season	n/a*	$1750.00	N/A
Seasonal – For-profit Organizations	Season	$301.52*	$3500.00	N/A
Picnic Shelters				
Non-profit Organizations	4 hour block	$80.07	$88.00	$7.93
For-profit Organizations	4 hour block	$126.09	$139.00	$12.91
Portable Bleachers (2 – 25 seat bleachers)				
Non-profit Organizations	Day	$326.93	$360.00	$33.07
For-profit Organizations	Day	$647.49	$710.00	$62.51
Pictures in Park	Hour	$30.41	$37.00	$6.59
Ceremonies in Park	2 hour block	$61.97	$68.00	$6.03
Rainbow Stage				
Daily Rate	Day	$874.61	$960.00	$85.39
Per 4 Hour Slot	4 hour block	$537.13	$590.00	$52.87
Athletic Grounds				
Rental Fee – Per Adult Booking	Each	$21.01	$23.00	$1.99
Casual Rental Fee	Each	No current fee	$23.00	N/A
Record Searches (e.g. outstanding weed control charges)	Each	$14.56	$35.00	$20.44

* Currently (2008) the only council approved rate is the 4 hour block fee. For the few multiple day space rental requests, the Department uses a multiple of an 8 hour daily rate of 2 x 4 hour block fee as shown. For a longer term “seasonal” rate the fee is discounted – the only seasonal rate has been for hot air balloon launches. With the increase in Fitness Camps over the past year, it was determined that a weekly, monthly and seasonal option is required to meet the requests for longer term park space rentals.

Appendix C

Proposed Fee Increase
Fire-Paramedic Service

Emergency Medical Service Rates

Proposed Emergency Medical Service Rates (Per Call)		
(in dollars)	Present Rate	Feb 1, 2009
Emergency Medical Service		
Basic Rate (not subsidized)	560	590
Regional Rate (provincial subsidized)	420	384
City Rate (city and provincial subsidized)	280	295
Interfacility Transfer Service		
Basic Rate (not subsidized)	406	472
Regional Rate (provincial subsidized)	305	307
City Rate (city and provincial subsidized)	203	236
Treatment No Transport Service - Basic Rate		
Basic Rate (not subsidized)	238	238
Regional Rate (provincial subsidized)	179	155
City Rate (city and provincial subsidized)	119	119
Treatment No Transport Service - Advanced Care		
Basic Rate (not subsidized)	426	N/A
Regional Rate (provincial subsidized)	320	N/A
City Rate (city and provincial subsidized)	213	N/A
Advanced Life Support Surcharge	150	155

Note: The surcharge for Advanced Life Support (ALS) procedures will be assessed on all Treatment No Transport Service calls that require advanced care negating the need for a separate fee for this service.

Fire Prevention Fees, Charges and Fine

Service	Unit(s)	2008	2009
Residential Care Facility	each	$75	$156
Inspection Fee	per hour	$80	$90
Review of Fire Safety Plans	each	$0	$100
Annual license fee for qualified service person	each	$0	$20
Fine for unlicensed service person (discounted to $300 for early payment)	each	$0	$500
Installation of smoke alarms in rental properties when owner cannot be located	each	n/a	$100
Fee for post-fire inspection of building	per hour	$0	$90
Full inspection of a building when a response to a complaint reveals the need for a full inspection	per hour	$0	$90
Re-inspection for non-compliance fee (operations re-inspection)	flat fee	$75	$100

Appendix D

THE CITY OF WINNIPEG

BY-LAW NO.

A By-law of THE CITY OF WINNIPEG to amend the Fire Prevention By-law No. 150/2004.

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

Fire Prevention By-law amended

1 The Fire Prevention By-law No. 150/2004 is amended by this By-law.

Emergency smoke alarm installation permitted

2 Section 28 is renumbered "28(1)" *and the following is added after it:*

Emergency smoke alarm installation

28(2) A member of the Winnipeg Fire Paramedic Service is authorized to install a functioning smoke alarm in rented residential premises to bring it into compliance with this By-law if

(a) one or more required smoke alarms in the building is missing or not-functioning; and

(b) the building owner or his or her agent:

(i) cannot be contacted by a member of the Winnipeg Fire Paramedic Service after 30 minutes of reasonable efforts to make contact; or

(ii) is unable or unwilling to have a functioning smoke alarm installed as required by this By-law within one hour of being contacted by a member of the Winnipeg Fire Paramedic Service and being directed to have a functioning smoke alarm immediately installed.

Definition of "qualified service person" replaced

3(1) The definition "Qualified service person" in s*ection 35 is repealed and the following definition is added in alphabetical order:*

Licenced service person means an individual who holds a current, valid licence issued under this By-law to test, inspect or maintain a particular fire protection/life safety installation in compliance with the Manitoba Fire Code.

3(2) The term "qualified service person" *is struck out wherever it appears and* "licenced service person" *is substituted.*

Sections 36 and 37 replaced

4 Section 36 and 37 are repealed and the following is substituted:

Inspection and testing of fire protection/life safety installations required
36 The owner of a building in which a fire protection/life safety installation listed in Schedule "D" has been installed or is required by the Manitoba Fire Code to be installed must ensure that the fire protection/life safety installation is inspected, tested and maintained by a service person who has been licenced under this By-law to inspect, test or maintain that fire protection/life safety installation.

Service person licence to be issued
37(1) Subject to this section, a designated employee must issue or renew an annual licence authorizing an individual to inspect, test and maintain one or more fire protection/life safety installations if the individual

(a) provides evidence that he or she meets or continues to meet the qualifications set out in Schedule "D" (or as otherwise established under this section) for the fire protection/life safety installation for which the licence or renewal of a licence is sought; and

(b) pays the fee set out in Schedule "A" for the licence.

Licence issued annually
37(2) A licence issued under subsection (1) expires on December 31 of the year for which it is issued.

Fee not pro-rated
37(3) The licence fee set out in Schedule "A" is payable prior to the licence being issued and is not reduced if the licence is in effect for less than a full year.

Chief may determine qualifications
37(4) Where specified in Schedule "D", the Chief may establish standards and qualifications that individuals must meet or obtain in order to be issued a licence under subsection (1).

Qualifications may be based on education or certification
37(5) The standards and qualifications referred to in subsection (4) may be based on the individual having completed training or education courses or having received a certification designation that the Chief considers sufficient evidence of that individual's competence in performing the test, inspection or maintenance required with respect to the particular fire protection/life safety installation or class thereof.

Service person licence qualifications
37(6) Notwithstanding subsection (1), where an individual does not hold the qualifications set out in Schedule "D" for a particular fire protection/life safety installation, the Chief may issue a service person licence to that individual with respect to that fire protection/life safety installation if the individual provides evidence to the satisfaction of the Chief of his or her competence to perform the tests, inspections or maintenance required by the Manitoba Fire Code with respect to that fire protection/life safety installation.

Section 39 replaced
5 Section 39 is repealed and the following is substituted:

Offence to fill out label without licence or to provide false information on label

39(1) A person commits an offence if he or she

(a) provides information on a label referred to in section 38 without holding a valid licence to test, inspect or maintain the fire protection/life safety installation to which the label applies;

(b) attaches a label referred to in section 38 to a fire protection/life safety installation that contains information provided by an unlicenced individual; or

(c) provides false information on a label.

Offence for owner of building to permit illegal label to be attached

39(2) The owner of a building commits an offence if he or she permits a label referred to in section 38 that contains false information or information that has been provided by an unlicenced individual to be attached to a fire protection/life safety installation in the building.

Subsection 55(1) and (1.1) replaced

6 Subsections 55(1) and (1.1) are repealed and the following is substituted:

Inspection fees must be paid

55(1) Subject to subsection (1.1), the inspection fees set out in Schedule "A" must be paid by the person identified in Schedule "A" as responsible for payment of the fee.

Waiver of inspection fees

55(1.1) The Chief may waive an inspection fee set out in Schedule "A" in respect of a property owned or leased by the City of Winnipeg.

Subsection 55(4) and (5) added

7 The following is added after subsection 55(3):

Regular office hours defined

55(4) For the purposes of Schedule "A", "regular office hours" means 8:00 a.m. to 4:30 p.m. Monday to Friday except holidays recognized in the current collective agreement between the City of Winnipeg and the United Fire Fighters of Winnipeg.

Smoke alarm installation fee

55(5) Where a smoke alarm is installed pursuant to subsection 28(2), the fee set out in Schedule "A" for the installation of each smoke alarm in the building is payable by the owner of the building.

Section 60.1 amended

8(1) The heading above section 60.1 is struck out and **"Minimum penalty for contravention of By-law"** *is substituted.*

8(2) Section 60.1 is renumbered as subsection 60.1(1).

8(3) The following is added after clause 60.1(1)(b):

(b.1) subsection 39(2) of this By-law, by permitting a label referred to in section 38 that contains false information or information that has been provided by an unlicenced individual to be attached to a fire protection/life safety installation in the building.

8(4) The following is added after subsection 60.1(1):

Penalty for unlicenced service person filling out label
60.1(2) An individual who contravenes subsection 39(1) is guilty of an offence and is liable upon summary conviction to a fine of $500.00.

Discounted fine for early payment
60.1(3) Notwithstanding subsection (2), an individual who contravenes clauses 39(1) may pay a discounted fine of $300.00 plus mandatory court costs as provided by *The Summary Convictions Act* within 14 days following the date the offence notice alleging the contravention was issued and thereafter will not be prosecuted for the contravention.

Schedule "A" amended
9(1) Schedule "A" is amended by striking out:

INSPECTION FEES

Residential Care Facility	$75.00
Other requested inspections (per hour or part thereof)	$80.00
Second and subsequent re-inspections to check on compliance with violation notice or order	$75.00
Fireworks site inspection outside of regular Fire Prevention office hours	
• less than 3 hours inspection time	$200.00
• for each additional hour or part thereof	$80.00
Other after-hours inspection	
• for each hour or part thereof	$80.00

and substituting:

INSPECTION FEES

<u>Requested or mandatory inspections</u>

Residential care facilities (flat fee) (payable by operator of residential care facility)	$156.00
Other requested or mandatory inspections (per hour or part thereof) (payable by person who requested inspection or owner of building)	$90.00

After-hours inspections
(payable by person who requested inspection)

Fireworks site inspection outside of regular Fire Prevention office hours

- less than 3 hours inspection time $200.00
- for each additional hour or part thereof $90.00

Other after-hours inspection

- for each hour or part thereof $90.00

Follow-up inspections to determine compliance
(payable by person responsible for compliance)

Second and subsequent re-inspections to check on compliance with violation notice or order (for each inspection) $75.00

Third and subsequent re-inspections to check on compliance with violation notice or order when fire crews have done initial inspections (flat fee) $100.00

Post-fire inspections
(payable by owner of building)

Post-fire inspection to ensure required fire protection systems are in place prior to re-occupancy of a building

- for each hour or part thereof $90.00

Other inspections
(payable by owner of building)

Building inspections prompted by complaint

- for each hour or part thereof $90.00

Fire safety plan reviews
(payable by owner of building)

Second and subsequent review of Fire Safety Plan required by Manitoba Fire Code

- per review $100.00

9(2) The following is added prior to **MISCELLANEOUS FEES"** *in Schedule "A":*

LICENCE FEES

Annual licence fee for qualified service person (section 37) $20.00

9(3) The following is added at the end of Schedule "A":

Emergency installation of smoke alarm pursuant to subsection 28(2)	$100.00

DONE AND PASSED, this day of , 2009.

_____
Mayor

_____
City Clerk

Approved as to content:

_____
Fire Paramedic Chief

Approved as to form:

_____
For Acting City Solicitor/Manager of
Legal Services