**Minutes – Council – January 30, 2025**

**Minute No. 111**
**Report – Standing Policy Committee on Community Services – January 10, 2025**

**Item No. 1 Fire Protection Service Fee Opt-in Deadline Extension**

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Community Services and adopted the following:

1. That a by-law to amend the Fire Prevention By-law No. 35/2017 be enacted in accordance with this report, a draft of which is attached hereto as Appendix A to this report.

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

**Report – Standing Policy Committee on Community Services – January 10, 2025**

DECISION MAKING HISTORY:

Moved by Councillor Santos,

That the recommendation of the Standing Policy Committee on Community Services be adopted by consent.

Carried

Councillor Orlikow was absent for the vote on the above motion.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 21, 2025, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Community Services and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On January 10, 2025, the Standing Policy Committee on Community Services concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

# ADMINISTRATIVE REPORT

**Title:** Fire Protection Service Fee Opt-in Deadline Extension

**Critical Path:** Standing Policy Committee on Community Services – Executive Policy Committee – Council

## AUTHORIZATION

| Author | Department Head | CFO | CAO |
|---|---|---|---|
| L. Gilmour | C. Schmidt | T. Graham | S. Armbruster, Interim CAO |

## EXECUTIVE SUMMARY

On October 24, 2024, Council passed amendments to the Vacant Building By-Law No. 79/2010 and the Fire Prevention By-law No. 35/2017. These amendments were intended, in part, to establish a new fee structure for vacant building fire protection service fees. These fees, which had previously been charged based on the amount of time each firefighting apparatus spent on scene, were updated to be charged on a fixed amount basis – e.g., $10,000 for the first fire, $20,000 for the second fire, etc. This new amendment also allowed for owners who were charged under the previous scheme to "opt-in" to these new fee amounts – replacing the original invoice with a new invoice based on the updated fire protection service fee schedule. The deadline to opt-in to this new fee schedule has been set for December 31, 2024.

This amendment is seeking an extension to this opt-in deadline to April 30, 2025, to allow the Department to provide updated invoices and communicate with property owners on their options.

## RECOMMENDATIONS

1. That a by-law to amend the Fire Prevention By-law No. 35/2017 be enacted in accordance with this report, a draft of which is attached hereto as Appendix A to this report.

2. That the proper officers of the City be authorized to do all things necessary to implement the intent of the forgoing.

## REASON FOR THE REPORT

The vacant building fire response service fees had been paused while the policy was reviewed. All of the vacant building fires from December 2023 to October 24, 2024, require review for eligibility and calculation of the invoice, including time each apparatus spent on scene. Property owners are provided with the invoice under the older program and the option to "opt-in" to the new invoice schedule. An extension is being requested to ensure the Department has sufficient

time to calculate the invoice amounts and allow property owners appropriate time to choose to opt-in to the new program.

## IMPLICATIONS OF THE RECOMMENDATIONS

There are no direct financial implications to the recommendations of this report. The deadline to opt-in to the new vacant building fire response fee schedule will be extended to April 30, 2025.

## HISTORY/DISCUSSION

### Background and Current Status

On October 24, 2024, Council passed amendments to the Vacant Building By-Law No. 79/2010 and the Fire Prevention By-law 35/2017 (the “By-law”). These amendments also provided a deadline for these property owners to opt-in by December 31, 2024.

The Winnipeg Fire Paramedic Service (WFPS) began issuing vacant building fire response service fees to eligible property owners in March 2023. There were 43 invoices issued up until December 2023, at which time the program was paused while the policy was reviewed.

Since the amendments passed, WFPS has been working to communicate with property owners to provide the new fee structure amounts and guidance on the options and how to opt-in. All property owners that were invoiced previous to the invoicing freeze in December 2023 have been sent letters explaining the opt-in provisions of the By-law. There have been multiple owners with questions or concerns that required individual conversations to address. Wherever possible, these owners were contacted by email and/or registered mail.

Property owners that had a fire between December 2023 and October 24, 2024, are also eligible for the previous fees or to opt-in. However, these property owners have not received invoices yet as all invoices were frozen while the program was reviewed. A full review of all vacant building fires since March 2023 has occurred to ensure the Public Service captured all eligible properties, not just those from December 2023 onwards. This has identified properties eligible for a fee not previously identified and problematic properties with multiple fires that have been referred to Licensing and Bylaw Enforcement or Planning, Property and Development for future action.

All of these properties are being assessed an invoice based on the older policy that requires detailed calculation of apparatus time spent on scene. These property owners will be sent the invoice along with the option to opt-in to the new fee structure once mail service resumes. Unlike those who have already been issued invoices, there is frequently a lack of email addresses or other means of contacting these property owners.

Until the postal service resumes, there is no way to contact property owners and they will subsequently be unable to opt-in by the deadline. Calculations are ongoing, but it is anticipated that approximately 75 invoices will fall into this category. The current opt-in date for these property owners is also December 31, 2024.

All property owners with a vacant building fire eligible for a response fee after October 24, 2024, will be issued an invoice based on the new fee structure. This will occur once mail service resumes.

**Reason for Extension**

Due to the extensive work required to assess and issue invoices and the desire to ensure impacted property owners have the ability to connect with the Department on any questions regarding the invoices to make informed decisions on opting in, an extension of the December 31, 2024, deadline to April 30, 2025, is recommended. Many property owners in the group previously invoiced and provided the opt-in option are looking for clarification on the by-law changes and these are time consuming communications.

It is important to ensure all property owners have the opportunity to fully understand the changes and have any questions answered.

Additionally, the ongoing Canada Post labour action has made it challenging to issue invoices or provide courtesy notices in a timely and cost-efficient manner. Without mail service, most property owners in the group that has not yet been invoiced will not receive notice of the opt-in options prior to the December 31 deadline.

Extending this deadline will ensure these property owners have time to receive invoices and communicate their questions and decisions to the City.

**FINANCIAL IMPACT**

## Financial Impact Statement Date: Dec 09, 2024

## Project Name:

## Fire Protection Service Fee Opt-in Deadline Extension

**COMMENTS:**

There are no financial impacts arising from the recommendations in this report.

John Hall FCMA, CGMA
Financial Controller
Fire Paramedic Service

## CONSULTATION

This Report has been prepared in consultation with:

- Legal Services (as to legal issues)

## OURWINNIPEG POLICY ALIGNMENT

Good Health and Well-Being
Objective #3
Proactively identify and address threats to community safety and well-being. Promote physical and mental health by mitigating, planning for, responding to, and recovering from, emergencies, disasters and crimes.

Policy 4.8 – Building Safety. Enforce compliance with building codes and property maintenance standards, to ensure housing quality, safe building occupancy, and extended building lifecycles.

## WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Not Applicable

## WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Goal 2 – The City actively plans for and partners in affordable housing.

Objective A – The City's capacity and commitment to advancing affordable housing initiatives are increased.

Objective D – Existing affordable rental housing stock is maintained and improved.

## SUBMITTED BY

Department: Fire Paramedic Service
Division: Community Risk Reduction
Prepared by: Lisa Gilmour, Assistant Chief Community Risk Reduction
Date: December 9, 2024
File No:

Attachments:
Appendix A – Draft Fire Prevention By-law Amendment

**THE CITY OF WINNIPEG**

**BY-LAW NO. /2025**

A By-law of THE CITY OF WINNIPEG to amend the Fire Prevention By-law No. 35/2017 in order to extend the 'opt-in' deadline from December 31, 2024 to April 30, 2025.

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

**Fire Prevention By-law amended**

**1** The Fire Prevention By-law No. 35/2017 is amended by this by-law.

**Opt-in deadline extended**

**2** Section 78 is amended by deleting "*prior to January 1, 2025*" and replacing it with "*on or before April 30, 2025*".

**Coming into force**

**3** This by-law comes into force upon being given three readings by Council.

**DONE AND PASSED**, this day of , 2025.

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Mayor

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City Clerk

*Approved as to content:*

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Chief – Winnipeg Fire Paramedic Service

*Legally Reviewed and Certified as to Form:*

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For Director of Legal Services and City Solictor