

FINANCIAL MANAGEMENT COMMITTEE

*HIS WORSHIP, THE MAYOR
AND COUNCILLORS*

SUBJECT: PROPOSED CONSOLIDATED FEES AND CHARGES BYLAW

RECOMMENDATIONS:

1. THAT Council approve the proposed fees and charges adjustments, as outlined in this report, Appendices A to E and Attachment 1.
2. THAT Council authorize the City Solicitor to bring forward a Consolidated Fees and Charges Bylaw, as outlined in Attachment 2 of this report, to impose the fees and charges together with adjustments, as set out in Appendices A-E and Attachment 1, effective 2023 January 01.
3. THAT Council authorize the City Solicitor to bring forward bylaws to amend the bylaws set out below, in accordance with Attachment 2 of this report, effective 2023 January 01:
 - Animal Control Bylaw 1991
 - Board of Variance Bylaw 1971
 - Building Bylaw 2016
 - Business Licence Bylaw 2017
 - Construction and Waste Demolition Bylaw 2022
 - Controlled Substance Property Bylaw 2021
 - Credit Card Merchant Fee Recovery Bylaw 2016
 - Development Procedures Bylaw 2022
 - Electrical Bylaw 1974
 - Emergency Radio Building Amplification Bylaw 2018
 - False Alarm Bylaw 1995
 - Fire Services Bylaw 2004
 - Freedom of Information Bylaw 1995
 - Gas Bylaw 1978
 - Liquor Licence Application Fee Bylaw 2001
 - Local Improvement Charges Bylaw 1985

To: His Worship, the Mayor and Councillors
From: Financial Management Committee
Re: Proposed Consolidated Fees and Charges
Bylaw

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- Noise or Sound Abatement Bylaw 1979
- Parking Meter and Electric Vehicle Charging Meter Bylaw 2019
- Plumbing Bylaw 2000
- Sewer Connection Bylaw 1961
- Sign Bylaw 1972
- Soil Deposit Bylaw 1971
- Soil Removal Regulation Bylaw 1961
- Street and Traffic Bylaw 1961
- Subdivision Control Bylaw 1971
- Tree Bylaw 1996
- Watercourse Bylaw 1988
- Zoning Bylaw 1965

4. THAT Council authorize the City Solicitor to bring forward bylaws to repeal the fee imposition bylaws set out below, in accordance Attachment 2 of this report, effective 2023 January 01:

- Business Licence Fees Bylaw 2017
- Engineering Fees Bylaw 2018
- Financial Administration Fees and Charges Bylaw 2013
- Planning and Building Fees Bylaw 2017
- Police Services Fees Bylaw 2011

REPORT

The Financial Management Committee, at its meeting held on 2022 July 19, received and adopted the attached report providing Council with recommendations for adjustments to certain City fees and charges and seeking authority to bring forward a Consolidated Fees and Charges Bylaw.

Copied to:	Chief Administrative Officer GM Community Safety GM Corporate Services Acting GM Engineering Acting CFO GM Land and Facilities GM Parks, Recreation & Cultural Services GM Planning & Development Fire Chief OIC Burnaby RCMP Chief Information Officer City Solicitor Chief Building Inspector Chief Licence Inspector
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Respectfully submitted,

Councillor Dhaliwal
Chair

Councillor Gu
Vice Chair

TO: CHAIR AND MEMBERS
FINANCIAL MANAGEMENT COMMITTEE

DATE: 2022 July 05

FROM: ACTING CHIEF FINANCIAL OFFICER
CITY SOLICITOR

FILE: 42000-01

SUBJECT: PROPOSED CONSOLIDATED FEES AND CHARGES BYLAW

PURPOSE: To provide Council with recommendations for adjustments to certain City fees and charges and seek authority to bring forward a Consolidated Fees and Charges Bylaw.

RECOMMENDATIONS:

1. **THAT** Council approve the proposed fees and charges adjustments, as outlined in this report, Appendices A to E and Attachment 1.
2. **THAT** Council authorize the City Solicitor to bring forward a Consolidated Fees and Charges Bylaw, as outlined in Attachment 2 of this report, to impose the fees and charges together with adjustments, as set out in Appendices A-E and Attachment 1, effective 2023 January 01.
3. **THAT** Council authorize the City Solicitor to bring forward bylaws to amend the bylaws set out below, in accordance with Attachment 2 of this report, effective 2023 January 01:
 - Animal Control Bylaw 1991
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4. **THAT** Council authorize the City Solicitor to bring forward bylaws to repeal the fee imposition bylaws set out below, in accordance Attachment 2 of this report, effective 2023 January 01:

- Business Licence Fees Bylaw 2017
- Engineering Fees Bylaw 2018
- Financial Administration Fees and Charges Bylaw 2013
- Planning and Building Fees Bylaw 2017
- Police Services Fees Bylaw 2011

REPORT

1.0 INTRODUCTION

The *Community Charter* authorizes the City to impose fees and charges for City services, the use of City property, and in exercising of the City's authority to regulate, prohibit or impose requirements. Under the *Local Government Act*, the City may impose fees and charges for Planning and Development applications, inspections and various types of permits and services. The City's fees and charges are intended to be established on a recovery basis, including the cost for staff and resources for administration, inspection, advertising, processing and related costs.

Over the years, fees and charges have been established through approximately 40 different City bylaws, with some fees more recently consolidated into fees bylaws for specific departments (i.e. Business Licence Fees Bylaw, Planning and Building Fees Bylaw, Engineering Fees Bylaw, and Parks, Recreation and Culture Fees Bylaw). As described in the report entitled "Proposed Consolidated Fees and Charges Bylaw" presented to Financial Management Committee at its 2022 April 19 Open meeting, staff propose to consolidate the City's fees and charges into one Consolidated Fees and Charges Bylaw over three phases. This first phase is to establish the consolidated bylaw and incorporate fees from 28 bylaws into this Bylaw.

Phase two in late Fall of 2022 is to incorporate the three Burnaby Utility fees bylaws into the Consolidated Fees and Charges Bylaw. Phase three will involve inclusion of Parks, Recreation, Cultural Services, Golf, Solid Waste, and other applicable remaining fee bylaws. Timing and scope of phase 3 will be determined in early 2023 and is highly dependent on ongoing project activity.

The purpose of this report is to outline the proposed approach to annual fee adjustments for City fees and charges, identify 2023 fees that will not align with this general adjustment (**see Appendices A to E**), introduce the Consolidated Fees and Charges Bylaw, and identify the existing bylaws that need to be amended or repealed in implementing the first phase of the Consolidated Fees and Charges Bylaw.

Attachment #1 outlines the current 2022 and proposed 2023 rates for fees and charges that will be included in the Consolidated Fees and Charges Bylaw.

Attachment # 2 provides an outline of the Consolidated Fees and Charges Bylaw and identifies the necessary bylaw amendments and bylaws to be repealed in order to implement the transition to a Consolidated Fees and Charges Bylaw.

2.0 GENERAL ADJUSTMENT

Staff have worked with subject matter experts across each department to review the current approach used in the City for adjusting fees and charges. As a result of this work, it is proposed that there be an annual fee review of all fees and charges contained in the new bylaw, accompanied by a clear methodology for the setting of a benchmark CPI inflationary figure for use by each department.

It is proposed that Finance will set the benchmark CPI figure by which rates will be increased. Each General Manager (GM) will then decide if they will use the benchmark rate of inflation to set their annual increase, or if there are reasons why an alternative approach is required for specific fees. Where a variation from the benchmark percentage increase is suggested, each GM will set out their rationale through the report to Council outlining fee changes. The notable exceptions to use of a benchmark rate of inflation will be in the setting of Utility fees for Waterworks and Sanitary Sewer Services, and in the alignment of fees for Recreation, Golf and Cultural Services, which are required to take into consideration local market factors.

In setting the benchmark annual rate of fee adjustment, it is proposed that the City of Burnaby use the Vancouver Headline rate for CPI, based on a rolling five year average, using the last four historical full years of data and the projection for the current year. This approach is recommended as it better reflects the local regional challenges faced by the City. As of August 1 2022, it is proposed that a benchmark general adjustment rate of 2.76% be applied to establish 2023 fees and charges, except for those identified in Appendices A to E of this report. All fees have been rounded to the nearest dollar, with the exception of fees less than \$10.00 which have been rounded to the nearest \$0.05.

3.0 SPECIFIC ADJUSTMENTS

Staff have reviewed all fees and charges identified in Attachment 1 to confirm whether the general adjustment is appropriate for establishing the 2023 rates. In some cases, the 2023 rates are proposed to remain the same or be further adjusted to reflect the intent of cost recovery for these fees and charges. Appendices A to E of this report provide explanations of 2023 rates that do not reflect the general adjustment proposed in Section 3.0 of this report.

4.0 NEW BYAW AND RELATED BYLAW AMENDMENTS AND REPEALS

Upon Council approval of the proposed fees and charges adjustments, as outlined in Appendices A to E and Attachment 1, the City Solicitor will bring forward the Burnaby Consolidated Fees and Charges Bylaw and related bylaw amendments and bylaw repeals, as set out in Attachment 2, effective 2023 January 01.

5.0 RECOMMENDATIONS

It is recommended that Council approve the proposed fees and charges adjustments, as outlined in Section 3.0, Section 4.0 and the Appendices of this report, and authorize the City Solicitor to bring forward a Consolidated Fees and Charges Bylaw, effective 2023 January 01, to implement the proposed fees and adjustments, as set out in Attachment 1 of this report. Further, staff recommend that Council authorize the City Solicitor to bring forward bylaws to amend or repeal certain existing bylaws, as outlined in Attachment 2 of this report.

To: Financial Management Committee
From: Acting Chief Financial Officer and City Solicitor
Re: Proposed Consolidated Fees and Charges Bylaw
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The *Community Charter* requires that before adopting a bylaw in regards to business regulation, Council must give notice of its intention and provide an opportunity for persons who consider they are affected by the bylaw to make representations to Council. In order to ensure all interested parties are provided sufficient notification, notice of the proposed amendments to the Burnaby Business Licence Bylaw 2017, repeal of the Burnaby Business Licence Fees Bylaw 2017 and addition of the fees to the proposed Burnaby Consolidated Fees Bylaw will be advertised in the local newspaper for two consecutive editions after Council gives first, second and third readings of the proposed bylaws on 2022 August 29. The notice will provide a deadline of 12:00 pm, 2022 September 16 to make written submissions. All responses will be collected and provided to Council prior to final adoption of the bylaws.



Bob Klimek CPA CA CISA
ACTING CHIEF FINANCIAL OFFICER



May Leung
CITY SOLICITOR

RR:MK/mt

Attachments: *Appendices A-E*
 1 – Proposed Fee Adjustments
 2 – New Bylaw and Related Bylaw Amendments and Repeals

Copied to: Chief Administrative Officer
 Deputy Chief Administrative Officer
 General Manager Community Safety
 General Manager Corporate Services
 General Manager Engineering
 General Manager Land and Facilities
 General Manager Parks, Recreation and Cultural Services
 General Manager Planning and Development
 Fire Chief
 Officer-in-Charge Burnaby RCMP
 Chief Information Officer
 Chief Building Inspector
 Chief Licence Inspector
 City Clerk