



COST RECOVERY BYLAW 5479-2015

THIS DOCUMENT HAS BEEN REPRODUCED FOR CONVENIENCE ONLY and is a consolidation of "District of Mission Cost Recovery Bylaw 5479-2015" with the following amending bylaws:

Bylaw Number	Date Adopted	Section Amended
5889-2019 (a general fees & charges amending bylaw)	December 16, 2019	Schedule A
6070-2021 (a general fees & charges amending bylaw)	December 20, 2021	Replace Schedule A
6157-2022 (a general fees & charges amending bylaw)	December 19, 2022	Replace Schedule A
6236-2023 (a general fees & charges amending bylaw)	December 18, 2023	Schedule A

Individual copies of any of the above bylaws are available from the Corporate Administration Department of the City of Mission. For legal purposes, copies of the original bylaws should be obtained.

DISTRICT OF MISSION

COST RECOVERY BYLAW 5479-2015

A Bylaw of the District of Mission to impose fees in respect of municipal services and the exercise of regulatory authority associated with properties used for the manufacturing and/or processing of controlled substances

WHEREAS the Council may, by bylaw, pursuant to section 194 of the Community Charter impose fees payable in respect of municipal services and the exercise of regulatory authority;

AND WHEREAS Council may, by bylaw, base the fee on any factor specified in the bylaw, and in addition to the authority under section 12(1) of the Community Charter, establish different rates or levels of fees in relation to different factors;

AND WHEREAS Council may by bylaw establish terms and conditions for payment of fees, including discounts, interests and penalties;

NOW THEREFORE the Council of the District of Mission, in open meeting assembled, ENACTS AS FOLLOWS:

1. SHORT TITLE

1.1 This Bylaw may be cited for all purposes as the "Cost Recovery Bylaw No. 5479-2015.

2. SEVERABILITY

2.1 If a portion of this Bylaw is held invalid by a court or competent jurisdiction, it should be severed and the remainder of the Bylaw should remain in effect.

3. DEFINITIONS

"Building Official" means the person or persons appointed from time to time by the Council as the Director of Development Services, including any duly appointed delegates;

"Controlled Substance" means a controlled substance as defined and described in Schedules "I", "II" or "III" of the Controlled Drugs and Substances Act, R.S.C. 1996, c. 19, as amended from time to time, but does not include a controlled substance permitted under that Act;

"Controlled Substance Property" means:

- (a) a parcel of property, including any improvements on the parcel, contaminated by or that contains any amounts of chemical or biological materials used in or produced by the growing or manufacturing of a Controlled Substance; and
- (b) a building or structure which has been or is being used for the manufacturing or growing of a Controlled Substance;

"District" means the District of Mission;

"Fire Chief" means the person duly appointed as such from time to time by the Council and includes any person appointed or designated by the Fire Chief to act on his/her behalf;

"RCMP" means the Royal Canadian Mounted Police contracted with the District to provide the municipal service of policing.

4. FIRE SERVICES

- 4.1 If the Fire Chief or a person acting under the authority of the Fire Chief exercises his or her authority under Volunteer Fire Department Bylaw No. 2457-1992 in relation to a Controlled Substance Property, the District may bill and recover the costs from either or both the owner and occupier of the Controlled Substance Property in accordance with the fees and charges prescribed in Schedule "A" to this Bylaw.

5. BUILDING SERVICES

- 5.1 If the Building Inspector or a person acting under the authority of the Building Inspector exercises his or her authority under District of Mission Building Bylaw No. 3590-2003 in relation to a Controlled Substance Property, the District may bill and recover the costs from either or both the owner and occupier of the Controlled Substance Property in accordance with the fees and charges prescribed in Schedule "A" of this Bylaw.

6. POLICE SERVICES

- 6.1 The District may bill and recover the costs from either or both the owner and occupier of the Controlled Substance Property in accordance with the fees and charges prescribed in Schedule "A" of this Bylaw if the RCMP carry out any of the following activities at a Controlled Substance Property:

- (a) inspection;
- (b) investigation;
- (c) dismantling, disassembly, removal, clean up, transportation, storage and disposal of equipment, substances, materials and other paraphernalia associated with the use of the property as a Controlled Substance Property;
- (d) replacement of consumables used or replacement of equipment following exposure to contaminants used at a Controlled Substance Property;
- (e) evidence collection and analysis;
- (f) securing the property; or
- (g) attending to keep the peace.

7. COLLECTION

- 7.1 The District may recover the costs billed and unpaid under sections 4, 5 and 6 in one or more of the following manners:

- (a) in accordance with section 258 of the Community Charter as property taxes; and
- (b) in accordance with section 231 of the Community Charter as a debt due and recoverable in any court of competent jurisdiction.

8. SCHEDULES

- 8.1 The Schedule to this Bylaw forms a part of this Bylaw and is enforceable in the same manner as this Bylaw.

8.2 Council authorizes that Schedule "A" may be established by resolution.

READ A FIRST TIME this 2nd day of February, 2015

READ A SECOND TIME this 2nd day of February, 2015

READ A THIRD TIME this 2nd day of February, 2015

ADOPTED this this 16th day of February, 2015

(original signed by Randy Hawes)
RANDY HAWES, MAYOR

(original signed by Glen Robertson)
GLEN ROBERTSON, CHIEF ADMINISTRATIVE
OFFICER (Interim Corporate Officer)

SCHEDULE "A"

SCHEDULE OF FEES AND CHARGES

The following hourly rates will be charged for every hour which any of the following personnel work at a Controlled Substance Property or any of the following apparatus or vehicles are used or present at a Controlled Substance Property and depending on the day of the week, and the time of day which such services are required, the hourly rate may be increased by one and a half or two times. The minimum charge will be one quarter (1/4) of the hourly rate and increase in one quarter hour increments for the remaining portions of the hour worked or the apparatus or vehicles used or present at a Controlled Substance Property.

1) Fire Department Staff	Rate (Effective January 1, 2023)
Chief	Time and Materials (includes equipment) as set out in the Inter-Agency Operational Procedures and Reimbursement Rates Manual
Deputy Chief	
Assistant Chief	
District Chief	
Captain (Suppression)	
Lieutenant	
Firefighter	
Captain (Fire Prevention)	
Inspector	
2) Fire Department Apparatus	
Engine	Time and Materials (includes equipment) as set out in the Inter-Agency Operational Procedures and Reimbursement Rates Manual
Rescue Apparatus	
Water Tenders	
Aerial Apparatus	
Special Ops Trailers	
Small Vehicles	
3) Fire Watch	
Fire Watch	Time and Materials (includes equipment) as set out in the Inter-Agency Operational Procedures and Reimbursement Rates Manual
4) City Staff	
Director of Development Services	Time and Materials
Building Inspector	
Senior Bylaw Enforcement Officer	
Bylaw Enforcement Officer	
Engineering & Public Works Manager	
Public Works Foreman	
Water/Sewer Operator	
Labourer III	
Equipment Operator IV	
5) City Vehicles	
City Cars	Time and materials based on current fleet rates
City Trucks	
City Trucks – Service	
Other District Vehicles	

Schedule "A" (cont'd)

6) RCMP Rates	
Inspector	Time and Materials (includes equipment)
Staff Sergeant	
Sergeant	
Corporal	
Private Scene Security	
Emergency Vehicle	

Administration Costs	
The hourly rates referred to above in Sections 1 through 6 of Schedule "A" will be subject to a ten percent (10%) administration charge on top of the hourly rate calculation.	
Third Party Charges	
In the event that, under Sections 4, 5, or 6 of this Bylaw, the City retains a third party such as a hazardous material or building demolition company to carry out work at a Controlled Substance Property, to dispose of materials or to use additional equipment or supplicate at a Controlled Substance Property, the following costs will be charged:	
Contract Work	Cost Plus 15%
Other Equipment and Supply Costs	Cost Plus 15%
Disposal Costs	Cost Plus 15%