

The Corporation of the City of Richmond Hill

By-Law 99-23

A By-Law to provide for a Stormwater Management Fee and to enact rules and regulations for its billing and collection

Whereas the Sections 9, 10 and 11, and Part XII of the *Municipal Act, 2001*, authorizes a municipality to impose, by By-law, a fee or charge on persons in respect of services provided or done by or on behalf of, the municipality;

And Whereas the Corporation of the City of Richmond Hill (hereafter referred to as the City) has constructed, and is operating and maintaining a stormwater management system for the benefit of residents and property owners in the City;

And Whereas Section 394.2 of the *Municipal Act, 2001*, authorizes for the imposition of a fee or charge that is based on, is in respect of or, is computed by reference to the location of the property, the physical characteristics of property, including buildings and structures on the property, or the zoning of property or other land use classification;

And Whereas Council at its meeting of November 22, 2023, adopted the recommendation of the staff report SRCFS.23.045 pertaining to the 2023 Stormwater Rate and Funding Study.

Now Therefore the Council of The Corporation of The City of Richmond Hill Enacts as Follows:

1. The By-Law 25-13, By-law 148-22 and, By-law 24-23 Section 2 and, Section 3 clause 51a. to 51f. be repealed and replaced effective April 1, 2024.
2. That a Stormwater Management Fee be levied on all property owners based on property type, rate and land area as specified in the table below, effective April 1, 2024.

Sub-Section	Property Type	Rate per 1,000 sq.ft.	Maximum land area to be charged in case of Capping
1	Residential - Single Family Detached (up to 1 acre)	\$ 10.11	
2	Residential (> 1 acre)	as per 1 and 8	43560 Square Feet as residential; 435600 Square Feet as Vacant Land; excluding area under other sub-sections.
3	Residential - Semi Detached/Link Home	\$ 11.12	
4	Residential - Row/ Town Home	\$ 14.16	
5	Commercial/Industrial	\$ 19.21	
6	Institutional	\$ 14.16	
7	Multi-Residential	\$ 17.19	
8	Vacant Land	\$ 2.02	435600 excluding area under other sub-sections.
9	Farmland	\$ 2.02	435600 excluding area under other sub-sections.
10	Golf Course - club house, parking, driveway, pro-shop	\$ 18.20	
11	Golf Course - playing area and cart paths	\$ 3.03	435600 excluding area under other sub-sections.

3. The Treasurer of the City may assign a property type and area for stormwater fee purposes, based on land use information as provided for by the Assessment Act, Municipal Property Assessment Corporation (MPAC), City's property tax and geographical information system.
4. The Treasurer of the City shall send to each property unless exempted through clause 12, with metered water consumption a water, wastewater and stormwater bill specifying the stormwater management fee, in addition to any applicable water and wastewater consumption charge and the due date of the amount payable.

5. The Treasurer of the City shall send to each property unless exempted through clause 12, not billed for metered water consumption, a separate stormwater only bill specifying the stormwater management fee and the due date of the amount payable.
6. The Treasurer of the City shall send the water, wastewater and stormwater bill or, a stormwater only bill, hereafter both of these are referred to as "Bill", to the property municipal address, unless the property owner directs the Treasurer, in writing, to send the bill to another address, in which case it shall be sent to that address. This direction will continue until revoked by the property owner in writing.
7. The Treasurer of the City shall send a bill to each party identified in accordance with sections 3 to 6 of this By-law at least 21 days before any amounts shown on the bill are due.
8. The amounts levied by this By-law shall be due and payable on the due date identified on the bill and be payable to the Treasurer of the City. Properties enrolled in for the preauthorized debit program shall have stormwater management fee levied by this By-law due and payable in the same manner as agreed to by the property owner under the provisions of the preauthorized debit agreement, for payment of the water and wastewater consumption charges for the property.
9. The collection of the Stormwater Management Fee levied by this By-law shall be made in accordance with the provisions of Water and Wastewater By-law No. 94-11 as amended.
10. The Treasurer of the City is authorized to adjust the Stormwater Management Fee and/or area on a property that is unique in relation to the property type, to the extent it is deemed appropriate.
11. Billing Inquiry:
 - a. Billing Inquiry shall be allowed under the following situations:
 - i. Incorrect stormwater fee due to the following reasons:
 - 1) Property type assigned to land parcel
 - 2) Total land area measurement if not matching MPAC
 - 3) Effective from and to date of stormwater fee
 - b. A Person filing an Inquiry may be asked to provide further information to complete review of the Inquiry.
 - c. The filing of an Inquiry does not stay the requirement for payment of a Stormwater Management Fee. Any Stormwater Management Fee billed during the course of the Inquiry will be due and payable as provision of Section 8 and 9 of this By-law.
 - d. A Stormwater Management Fee may be revised in either of the following instances:
 - i. An external adjustment arising from an update to the assessment or inquiry from a property owner, or
 - ii. An internal adjustment whereby the City may revise, modify or amend a Stormwater Management Fee. Internal adjustments include but are not limited to an error in preparation of the assessment roll, or because of a decision/change by the Municipal Property Assessment Corporation or, the Assessment Review Board or, if the City has made a billing error.
 - iii. The Stormwater Management Fee may as a result, be adjusted retroactively up to 1 year or up to the date/extent at which it is determined in the opinion of the Treasurer as appropriate, and the decision of the Treasurer shall be final and binding.

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12. Properties owned and occupied by the City of Richmond Hill and educational institutions which are exempt under Assessment Act, R.S.O. 1990, c.A.31 are the only properties that will be exempted from the Stormwater Management Fee if determined appropriate by the Treasurer.

Passed this 13th day of December 2023.

David West
Mayor

Stephen M.A. Huycke
City Clerk