



Staff Report

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Report To:	General Government Committee		
Date of Meeting:	March 21, 2022	Report Number:	LGS-009-22
Submitted By:	Rob Maciver, Director of Legislative Services		
Reviewed By:	Mary-Anne Dempster, CAO	Resolution#:	GG-167-22
File Number:		By-law Number:	2022-019
Report Subject:	Amendments to the Fee By-law – Finance and Clerk's		

Recommendations:

1. That Report LGS-009-22 and any related communication items, be received;
2. That the By-law attached to Report LGS-009-22, as Attachment 1 to Report LGS-009-22, amending the Fee By-law 2010-142 to primarily reinstate service fees and to waive the Commissioner of Oaths fees for name changes (as well as make some housekeeping changes), be approved with an effective date of June 1, 2022; and
3. That all interested parties listed in Report LGS-009-22 and any delegations be advised of Council's decision.

Report Overview

This report has been prepared to present recommendations to reinstate service fees charged by Financial Services that were previously removed and obtain Council's approval to amend By-law 2010-142, the Fee By-law; and to waive the Commissioner of Oaths fee for change of name forms; as well as some other housekeeping changes to the Clerk's Division fees.

1. Background

Commissioner of Oaths – Change of Name Form

- 1.1 Through recent awareness programs, education, and webinars, Staff have become aware that certain communities have an added burden when it comes to changing their name. These communities include persons impacted by the Truth and Reconciliation Committee's calls to action; 2SLGBTQI and transgender people.

Reinstate Services Fees Charged by Financial Services

- 1.2 In 2018, several service fees were removed from the [Fee By-law 2010-142](#). Fees for processing ownership changes, arrears notices, and issuing statements were removed from the Fee By-law. The estimated revenue loss at the time was \$150,000/year.
- 1.3 A change of ownership service fee was first implemented in 2010 and is commonly charged by Municipalities. A fee is added after a title change has been registered, and the update is processed by municipal staff, including adding or removing names.
- 1.4 A statement of account shows the current status of a property tax account. A statement is often requested when an owner sells the property or for mortgage or income tax purposes. A statement is a duplication of information that is already provided on the property tax bill.
- 1.5 Arrears notices for properties with three years of outstanding taxes or greater are currently mailed twice a year. These properties are eligible for tax sale registration or would become eligible on January 1 of the following year. Previously a \$25.00 service fee was added to each roll number. These notices are printed internally and are assigned to staff to monitor.
- 1.6 Arrears notices for properties with less than two years outstanding taxes are printed by a third party. A third mailing is sent for properties containing an outstanding amount in the current year. No service fees were previously added to these accounts.

2. Discussion

Change of Name Form

- 2.1 In an effort to support diversity initiatives and to remove systemic barriers, Staff are proposing that Clarington waive the fee for commissioning services on Ontario's change of name forms (currently referred to as [Form 11155E](#) for adults and [Form 11156E](#) for children).
- 2.2 In particular, through the waiving of fees for the Change of Name Form, Staff believe this will support the [Truth and Reconciliation Committee's Call to Action](#), where #17 states:

"We call upon all levels of government to enable residential school Survivors and their families to reclaim names changed by the residential school system by waiving administrative costs for a period of five years for the name-change process and the revision of official identity documents, such as birth certificates, passports, driver's licenses, health cards, status cards, and social insurance numbers."

- 2.3 Additionally, the 2SLGBTQI Community experiences an extra burden when they are going through a gender or identity change and could benefit from the waiving of the fees.
- 2.4 The following shows the total revenue, by year, for Commissioner of Oaths fees:

Year	Amount Collected	Number of Transactions
2017	\$11,300	558
2018	\$14,100	555
2019	\$12,750	508
2020	\$9,750	385
2021	\$9,900	389
Total	\$57,800	2,395

The above is for all commissioning services and reflects an increase from \$20 to \$25 in September, 2017. It also shows the decrease in 2020 and 2021 due to COVID.

- 2.5 Since we provide commissioning services for all manner of forms, we can only provide an anecdotal estimate of 5% of our transactions being for Change of Name forms. Therefore, in a non-COVID year, we would anticipate this would be an approximately \$675/year decrease in revenue.

New Ownership Letter

2.6 A survey was completed by the local municipalities in February 2022, following the Special General Government Committee meeting on January 31. The new ownership fee is consistently charged by all other municipalities in Durham Region. It is recommended to reinstate the new ownership fee at the same rate as 2017 in the amount of \$30.00. This administration fee is to cover staff time to make the necessary changes as well as the costs to send a change of ownership letter. The change of ownership letter is a notification to the new owner of taxes to be paid. This fee recovers the costs of service provided to specific taxpayers, rather than general taxation services that all taxpayers would benefit from.

Oshawa	Whitby	Ajax	Pickering	Scugog	Brock	Uxbridge
\$25.00	\$25.00	\$40.90	\$40.00	\$30.00	\$15.00	\$30.00

Statement of Account

2.7 The statement of account fee is also consistently charged by all other local municipalities. It is recommended to reinstate the statement of account fee in the amount of \$10.00/roll number.

Oshawa	Whitby	Ajax	Pickering	Scugog	Brock	Uxbridge
\$10.00	\$10.00	\$20.50	\$10.00	\$15.00	\$10.00	\$15.00

Arrears Notices

2.8 Despite the arrears notice fee not being consistently charged by all local municipalities, it is recommended the administration fee be changed from the original \$25/roll number for properties with three years outstanding taxes or greater to be \$5.00/roll number for all arrears notices issued. This is to cover the costs of printing and postage and is a lower impact to individuals than the existing process.

Oshawa	Whitby	Ajax	Pickering	Scugog	Brock	Uxbridge
\$5.00	\$0.00	\$0.00	\$5.00	\$6.00	\$0.00	\$5.00

Housekeeping of other Fees

2.9 In reviewing the changes necessary for the Commissioner of Oaths fee, Staff have identified the following housekeeping changes that are recommended to be addressed:

- Schedule “D” – Clerk’s Division Fees:
 - Change title of schedule from “Clerk’s Department” to “Legislative Services Department”
 - Delete the \$25 fee for “Certification of Documents” – in accordance with the limited authority to certify documents, we no longer provide this service.
 - Delete the \$15 fee for the “Snow Removal By-law” – this is not requested and we typically forward electronic copies of by-laws to requesters.
 - Delete the \$25 fee for the Live Birth Registration – municipalities do not perform this service any longer, it is done by the Province.
 - Delete the \$25 fee for the Live Birth Confirmation – municipalities do not perform this service any longer, it is done by the Province.

- “Schedule “F” – General Fees:
 - Delete the “11-20 pages = \$5.00 + Over 20 pages = \$10.00 fee” for hard copy staff reports – this is not requested and we typically forward electronic copies of reports to requesters.
 - Delete the “Flat rate \$10 up to 5 pages + \$1.00 per page thereafter” fee. We sometimes provide faxing services, however this needs to be discouraged as Clarington should not be responsible for any lost documents + this service is available from other retail outlets.

3. Concurrence

This report has been reviewed by the Director of Financial Services/Treasurer who concurs with the recommendations.

4. Conclusion

It is respectfully recommended that Council approve the attached amendment to the Fee By-law 2010-142 for rates and fees to come into effect on June 1, 2022. By allowing these fees to be implemented on June 1, 2022, staff will be able to communicate the finance changes through the 2022 Final Tax Brochure and through social media platforms.

Staff Contact: June Gallagher, Municipal Clerk, 905-623-3379 ext. 2102 or jgallagher@clarington.net.

Attachments:

Attachment 1 – Draft By-law to amend the Fee By-law 2010-142

Interested Parties:

The following interested parties will be notified of Council's decision:

Clarington Diversity Advisory Committee

PFLAG Canada of Durham Region

Durham Alliance Association

Pride Durham

Durham Region Aboriginal Advisory Circle

Bawaajigewin Aboriginal Circle

Metis Nation of Ontario

Tungasuvviingat Inuit

Williams Treaties First Nations

- Alderville
- Beausoleil
- Curve Lake
- Georgina Island
- Hiawatha
- Scugog Island
- Rama

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The Corporation of the Municipality of Clarington

By-law 2022-0XX

Being a By-law to amend Schedules D, E, and F of
the Fee By-law 2010-142

Whereas the Council for the Municipality of Clarington adopted the recommendations in
Report LGS-XXX-22 to make several amendments to Schedules D, E, and F;

Now therefore be it resolved that the Council of the Corporation of the Municipality of
Clarington enacts as follows:

1. That the Schedule “D” to By-law 2010-142 be amended as follows:
 - Change title of the Schedule from “Municipal Clerk’s Department” to “Legislative Services Department”
 - Delete the fee for “Certification of Documents”
 - Delete the fee for the “Snow Removal By-law”
 - Delete the fee for the Live Birth Registration
 - Delete the fee for the Live Birth Confirmation

2. That Schedule “E” to By-law 2010-142 be amended as follows:
 - Change the title of the Schedule from “Finance Department” to “Financial Services Department”
 - Add:
 - i. Ownership Change \$30.00 per roll number
 - ii. Statement of Account \$10.00 per roll number
 - iii. Arrears Notice \$5.00 per roll number

3. That Schedule “F”, General Fees, to By-law 2010-142 be amended as follows:
- Delete the “Staff Reports” fee
 - Delete the “Long Distance Fax Service” fee
 - Change the “Commissioner of Affidavits” fee to “Commissioner of Oaths”
 - Change the fee for the “Commissioner of Oaths” service to waive the fee for Ontario “Change of Name Forms”, currently referred to as Form 11155E and Form 11156E.
4. That this By-law shall come into effect on June 1, 2022.

By-Law passed in open session this XXth day of XXX, 2022.

Adrian Foster, Mayor

June Gallagher, Municipal Clerk