



## Staff Report

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<b>Report To:</b>	General Government Committee	
<b>Date of Meeting:</b>	February 18, 2020	<b>Report Number:</b> ESD-002-20
<b>Submitted By:</b>	Gord Weir, Director of Emergency Services	
<b>Reviewed By:</b>	Andrew C. Allison, CAO	<b>Resolution#:</b> GG-096-20
<b>File Number:</b>		<b>By-law Number:</b> 2020-010
<b>Report Subject:</b>	Establishing a Motor Vehicle Collision Cost Recovery Program and Amendment to Fees By-Law Schedule B	

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### Recommendations:

1. That Report ESD-002-20 be received;
2. That the Motor Vehicle Collision Cost Recovery Program for Municipal Roadways (both Municipal and Regional Roads), be approved; and
3. That the by-law to amend Schedule B of By-law 2010-142, a by-law regarding the payment of fees for information and services provided by the Municipality of Clarington, attached to Report ESD-002-20 as Attachment 1, be approved.

## Report Overview

To establish a Motor Vehicle Collision (MVC) Cost Recovery Program for Municipal Roadways (both Municipal and Regional Roads) and include the fees for this Program in Schedule B of the Fees By-law.

### 1. Background

- 1.1 The *Municipal Act, 2001* (S.391(1)a) provides that a municipality may impose fees or charges “for services or activities provided or done by or on behalf of it”. The Act also provides that the “costs included in a fee or charge may include costs incurred by the municipality related to administration, enforcement, and the establishment, acquisition and replacement of capital assets”.
- 1.2 Clarington Emergency and Fire Services (CEFS) provides a variety of services to the residents of Clarington, as well as providing emergency services for those who travel through our Municipality. The costs to provide these fire services are funded from municipal taxes.
- 1.3 CEFS currently bills the Ministry of Transportation (MTO) for emergency responses on the 400 series highways and has identified that creating a Cost Recovery Program for municipal roadways (both Municipal and Regional Roads) could also be a potential source of cost recovery.

### 2. Discussion

- 2.1 Staff have been in discussion with other municipal fire departments within Durham Region that have identified that a revenue source could be established by adopting a service fee for attending MVC’s on municipal roadways. This revenue would offset operational costs for services provided at these incidents.
- 2.2 Table 1 shows CEFS response history to MVC incidences on municipal roadways. This data has not been determined to be billable.

2.3 Table 1: Potential Billable Responses

Years	MVC Calls for Clarington on Municipal Roads	Estimated 50% Being Billable (If MVC had been in place)	Invoice “At Fault Drivers” at \$485.00 per Apparatus (two responding apparatus) (If MVC had been in place)
2018 (Jan – Dec)	321	160	\$155,200
2017 (Jan – Dec)	333	166	\$161,020
2016 (Jan-Dec)	309	154	\$149,380
Total	963	480	\$465,600
Three Year Average	321	160	\$155,200

### 3. Proposal

#### Motor Vehicle Collision Cost Recovery Program

- 3.1 Based on the data provided in Section 2, staff are proposing to implement a service fee that would be applied to MVC’s on municipal roadways (both Municipal and Regional Roads) that involve non-residents who are deemed by police to be ‘at fault’.
- 3.2 The service fee for emergency services would be issued at the Provincial remuneration rate. The current rate is \$485.00 per vehicle for the first hour or part thereof and \$242.50 per vehicle for each additional one-half hour or part thereof.

- 3.3 CEFS recommends the MVC cost recovery program be structured as follows:
- a. Invoice at fault driver, when known (non Clarington residents only)
  - b. Apply ARIS search fee to invoice (current rate of \$14 per vehicle search)
  - c. CEFS Administration shall provide the Municipality of Clarington's Finance Department with the necessary documents to complete the invoicing process for the program.
- 3.4 Staff are proposing that, within Schedule "B" Emergency Services section, of [By-law 2010-142](#) the following fees be introduced as outlined in the attached proposed By-law:

"Motor Vehicle Collisions on Municipal Roadways (both Municipal and Regional Roads) - Non Clarington Resident - per vehicle for the first hour or part thereof - Current Provincial Remuneration Rate plus Authorized Requestor Information Services fee"

"Motor Vehicle Collisions on Municipal Roadways (both Municipal and Regional Roads) – Non Clarington Resident – per vehicle for each additional one-half hour or part thereof – Current Provincial Remuneration Rate plus Authorized Requestor Information Services fee"

#### **Plate Inquiry Fee**

- 3.5 Determining non-resident 'at fault' drivers is achieved through inquiring in the MTO – Authorized Requestor Information System (ARIS). The current charge is \$14 per licence plate inquiry. To offset the cost, CEFS will add this inquiry fee to the 'at fault' driver's invoice.

#### **4. Concurrence**

This report has been reviewed by the Director of Finance/Treasurer and the Municipal Solicitor who concur with the recommendations.

## **5. Conclusion**

It is respectfully recommended that Council approve the Motor Vehicle Collision Cost Recovery Program as outlined in this report and that the proposed fee for services performed by CEFS at motor vehicle collisions on municipal roadways be adopted as outlined in Attachment 1 By-law to amend Schedule B of the Fee By-law 2010-142.

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Staff Contact: Gord Weir, Director of Emergency & Fire Services, 905-623-5126 ext. 2802 or [gweir@clarington.net](mailto:gweir@clarington.net)

Attachment:

Attachment 1 - By-law to amend Schedule B of the Fee By-law 2010-142

There are no interested parties to be notified of Council's decision.

**Corporation of the Municipality of Clarington**

**By-law 2020-**

Being a by-law to amend Schedule B of the Fee By-law 2010-142, Clarington's Fee By-law.

WHEREAS the Council of the Municipality of Clarington adopted the recommendations contained within Report ESD-002-20 to implement a Motor Vehicle Collision Cost Recovery Program for Municipal Roadways.

Now Therefore Be It Resolved that the Council of the Corporation of the Municipality of Clarington enacts as follows:

1. That the Emergency Services Section of Schedule "B" to By-law 2010-142 be amended to add the following as the third item:

"Motor Vehicle Collisions on Municipal Roadways (both Municipal and Regional Roads) - Non Clarington Resident - per vehicle for the first hour or part thereof - Current Provincial Remuneration Rate plus Authorized Requestor Information Services fee"

2. That the Emergency Services Section of Schedule "B" to By-law 2010-142 be amended to add the following as the fourth item:

"Motor Vehicle Collisions on Municipal Roadways (both Municipal and Regional Roads) - Non Clarington Resident - per vehicle for each additional one-half hour or part thereof - Current Provincial Remuneration Rate plus Authorized Requestor Information Services fee"

3. This By-law shall come into force and take effect on the date of the passing hereof.

BY-LAW passed in open session this \_\_\_\_\_, 2020.

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Adrian Foster, Mayor

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Anne Greentree, Municipal Clerk