



CITY OF NORTH BATTLEFORD
SASKATCHEWAN
BYLAW NO. 2144

**A BYLAW OF THE CITY OF NORTH BATTLEFORD IN THE
PROVINCE OF SASKATCHEWAN TO RECOVER PROTECTIVE
SERVICES COSTS**

WHEREAS Section 6 of *The Cities Act, S.S. 2002, c.C-11.1*, provides, in part, as follows:

6. The power of a city to pass bylaws is to be interpreted broadly for the purposes of:
 - (a) providing a broad authority to its Council and respecting the Council's right to govern the city in whatever manner the Council considers appropriate, within the jurisdiction provided to the Council by law;
 - (b) enhancing the Council's ability to respond to present and future issues in the city.

AND WHEREAS Section 8 of *The Cities Act, S.S. 2002, c.C-11.1*, provides, in part, as follows:

8. (1) A city has a general power to pass any bylaw for city purposes that it considers expedient in relation to the following matters respecting the city:
 - (b) the safety, health and welfare of people and the protection of people and property;
 - (d) nuisances, including property, activities or things that affect the amenity of a neighbourhood;
 - (i) Services provided by or on behalf of the city, including establishing fees for providing those services.

AND WHEREAS Section 8 of *The Cities Act, S.S. 2002, c.C-11.1*, provides, in part, as follows:

8. (2) A city has the power to make bylaws respecting the enforcement of bylaws made pursuant to this or any other Act, including any or all of the following:
 - (a) creating offences, including continuing offences;

NOW THEREFORE, the Council of The City of North Battleford enacts as follows:

1. **Short Title**

1.1 This Bylaw may be cited as the "Protective Services Cost Recovery Bylaw".

2. **Definitions**

In this bylaw:

- a. **"City"** shall mean the City of North Battleford.
 - b. **"City Manager"** shall mean the City Manager of the City of North Battleford;
 - c. **"City Clerk"** shall mean the City Clerk of the City of North Battleford;
 - d. **"Council"** shall mean the Mayor and the Council of the City of North Battleford.
 - e. **"Emergency Response Services"** shall mean:
 - The Royal Canadian Mounted Police (RCMP)
 - City of North Battleford Community Safety Officers
 - City of North Battleford Fire Department
 - City of North Battleford Bylaw Enforcement Officers
3. The cost of fire prevention, suppression and emergency response services may be charged at the discretion of the City Manager, in accordance with Schedule "A" which is attached to and forming a part of this bylaw:
- a) To the owner(s) of the of the property where the City has engaged in protective or emergency response services.
4. The discretion described in Section 3 may be exercised in consideration of the following non-exhaustive list of factors:
- a. The frequency at which the protective services are requested at the subject property;
 - b. The nature of the emergency response services required; and
 - c. The state of repair of the property.
5. Pursuant to Section 3 of this Bylaw:
- a. The cost of fire prevention, suppression and emergency response services shall be charged based on a one (1) hour minimum and in accordance with the fees specified in Schedule "A" of this Bylaw.

- b. If a payment or any fees imposed are not made within ninety (90) days after the fees have been invoiced to a property owner, any outstanding balance may be enforced by action in any court of competent jurisdiction or may be added to the municipal property taxes of any property owned by the person referenced in Section 3 of this Bylaw, at the discretion of the City Manager.
6. **Severability**
- 6.1 In the event that any portion of this Bylaw is declared *ultra vires* or otherwise unenforceable by a Court of competent jurisdiction, then such portion shall be deemed severed from the Bylaw to the extent and the remainder of this Bylaw shall continue in force and effect.
- 6.2 In the event of any conflict between the provisions of this Bylaw and those contained in any of the authorities set out above, the provisions of this Bylaw shall apply.
- 6.3 Where a provision of this Bylaw conflicts with the provision of another City Bylaw, the provision that establishes the higher standard to protect the health, safety and welfare of the general public shall prevail.
7. Without restricting any other power, duty or function granted by this Bylaw or any other legislation, the City Manager may delegate any of its rights and responsibilities described in this Bylaw, including those described at Section 3, to any member of the City Administration, including the City Clerk.
8. Any person who contravenes or fails to comply with any provision of this Bylaw may also be liable to the penalties specified in the City's General Penalty Bylaw.
9. This Bylaw shall come into force and effect on January 1, 2024.

Introduced and read a first time this 23rd day of October, 2023

Read a second time this 14th day of November, 2023.

Read a third time and passed this 11th day of December, 2023.



MAYOR



CITY CLERK

Schedule A**Protective Services Fees**

Service	Fee
Fire Response	\$1,000/hour, per truck (including personnel) plus any costs to the Fire Department or City of North Battleford for each call.
Hazardous Material Incident Response	\$1,200/hour per carrier unit plus the cost of disposables.
Rescue Response	\$1,000/hour, per truck (including personnel) plus any costs to the Fire Department or City of North Battleford for each call.
Fire Department Medical Aid	\$1,000 per cost of consumables
RCMP Response	\$120.00/hour, per officer, per unit.
Community Safety Officer Response	\$85.00/hour, per officer, per unit.