

Authority: Item 8.1, Board of Health Committee Minutes 25-005 (BOH25027)
BM: December 1, 2025. Ward: City Wide

Bill No. 003

BOARD OF HEALTH FOR THE CITY OF HAMILTON PUBLIC HEALTH UNIT

BY LAW NO. BOH 26-003

**A By-law to Establish Certain 2026 User Fees and Charges for Services,
Activities or the Use of Property provided by Board of Health**

WHEREAS the Board of Health is a local board of the City of Hamilton:

WHEREAS section 391 of the *Municipal Act, 2001* authorizes a local board of a municipality to impose fees or charges on persons,

- (a) for services or activities provided or done by or on behalf of it.
- (b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or local board; and
- (c) for the use of its property including property under its control.

WHEREAS the Board of Health wishes to establish and maintain a list of services, activities, and the use of property subject to fees or charges and the amount of each fee or charge.

WHEREAS the Board of Health has authorized the passage of a by-law for the purpose of establishing the list of 2026 user fees and charges.

NOW THEREFORE, BE IT RESOLVED, the Board of Health for the City of Hamilton Public Health Unit (hereinafter referred to as the "Board of Health") enacts as follows:

1. The user fees and charges set out in the "2026 Approved Fee" column of Schedule "A" shall be charged by the Board of Health for those services, activities or uses of property specified in column 2 of Schedule "A", entitled "Service or Activity Provided or Use of City Property".
2. The fees and charges set out in the "2026 Approved Fee" column of Schedule "A" are approved and imposed commencing January 1, 2026, or thereafter as set out in Schedule "A".
- 3.(1) The fees and charges approved and imposed under section 2 are subject to any adjustment authorized by a statute, regulation or by-law in respect of the calculation or administration of a fee or charge, such adjustment to be

effective as provided for in such statute, regulation or by-law.

- (2) The fees and charges approved and imposed under section 2 may be waived or deferred by the General Manager of Finance and Corporate Services, in accordance with relevant legislation.
- (3) Despite section 2, any fee or charge:
 - (a) authorized by a by-law that comes into effect on the same or a later date than this By-law; or
 - (b) included in a valid agreement entered into by the Board of Health and one or more other parties,

shall be the approved and imposed fee or charge for the service, activity or use of property specified.

4. Subject to section 3:
 - (a) despite any reference to a fee or charge for a service, activity or use of property set out in any other Board of Health by-law including any appendix or schedule attached to such a by-law, the fee or charge set out in the "2026 Approved Fee" column of Schedule "A" shall be the approved fee or charge for the service, activity or use of property specified; and
 - (b) the fee or charge for a service, activity or use of property set out in Schedule "A" continues in force until amended, repealed or replaced and for greater certainty, this includes continuing in force after December 31, 2026, until amended, repealed or replaced.
5. No request by any person for documentary, written or printed information relating to any land, building or structure in the City, or request for services or activities provided by the Board, or request to use the City's property or any application specified in column 2 of Schedule "A", entitled "Service or Activity Provided or Use of City Property", shall be processed unless and until the person requesting the information, services, activities, use of property or application, as the case may be, has paid the applicable fee or charge in the prescribed amount set out in the "2026 Approved Fee" column of Schedule "A".
6. The fees or charges as listed in Schedule "A" are subject to Harmonized Sales Tax (H.S.T.) where applicable.
7. Finance charges are applicable on all late payments of the fees or charges

2026 APPROVED USER FEES & CHARGES

Department: Public Health Services

Schedule "A"

Division: Healthy Environments

#	Service or Activity Provided or Use of City Property	2026 Approved Fee
Food Inspection		
1	Food Handlers Course (per person) - No Inspection	\$ 62.35
2	Food Handler Training Challenge Exam - No Inspection	\$ 13.27

#	Service or Activity Provided or Use of City Property	2026 Approved Fee
Inspection of Special Events		
1	Special Events/Festivals (per vendor/per event) - Inspection	\$ 43.10
2	Special Events Late Fee - Inspection	\$ 32.10

#	Service or Activity Provided or Use of City Property	2026 Approved Fee
Housing Inspection		
1	Migrant Farm Worker Housing	\$ 154.94
2	Residential Care Facilities - annual/per bed	\$ 79.76

HST is not included in the listed fees; it is collected at time of payment.

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#	Service or Activity Provided or Use of City Property	2026 Approved Fee
Food Safety		
1	Food Safety Fee - High Risk	\$ 253.95
2	Food Safety Fee - Medium Risk	\$ 115.51
3	Food Safety Fee - Low Risk	\$ 58.68
4	Bed and Breakfast	\$ 115.51
5	Refreshment Vehicle - Class A	\$ 115.51
6	Refreshment Vehicle - Class B	\$ 115.51
7	Refreshment Vehicle - Class C	\$ 58.68
8	Tobacco Vendors - Inspection per License	\$ 236.54
9	Electronic Cigarettes - Inspection per License	\$ 89.52
10	Personal Services Settings Fee	\$ 142.11
11	Property Status Reports (Work Orders) - No Inspection	\$ 62.35

HST is not included in the listed fees; it is collected at time of payment.

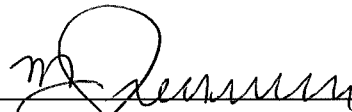
listed in Schedule "A" based on the current prime rate plus 2% adjusted quarterly.

8. All unpaid fees or charges imposed by this By-law on a person constitute a debt of the person to the Board of Health.
9. Where all or part of a fee or charge imposed by this By-law remains unpaid, such fee or charge may be added to the tax roll for the following property and collected in the same manner as municipal taxes:
 - (a) in the case of a fee or charge for the supply of a service or thing to a property, the property to which the service or thing was supplied.
 - (b) in all other cases, any property for which all of the owners are responsible for payment of the fee or charge.
10. Schedule "A" is attached to and forms a part of this By-law.
11. Should any part of this By-law, including any part of Schedule "A", be determined by a Court of competent jurisdiction to be invalid or of no force, it is the stated intention of Board that such invalid part of the By-law shall be severable and that the remainder of this By-law, including the remainder of Schedule "A", as applicable, shall continue to operate and to be in force.
12. This By-law may be referred to as the "User Fees and Charges By-law".
13. This By-law is deemed to have come into force on January 1, 2026.

PASSED this 23rd the day of February 2026.



C. Kroetsch
Chair



M. Trennum
Secretary