

THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NO. 04-028

A BY-LAW TO PROVIDE FOR INTERIM TAX LEVIES FOR THE YEAR 2004

WHEREAS section 317 of the *Municipal Act*, S.O. 2001, c.25, as amended, provides that the council of a local municipality, before the adoption of estimates for the year under section 290, may pass a by-law levying amounts on the assessment of property in the local municipality rateable for local municipality purposes; and

WHEREAS the Council of the City of Peterborough deems it appropriate to provide for such interim levy on the assessment of property in this municipality;

THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF PETERBOROUGH HEREBY ENACTS AS FOLLOWS:

In this by-law the following words shall be defined as:

“Treasurer” shall mean the City Treasurer;

“Minister” shall mean the Minister of Finance;

“MPAC” shall mean the Municipal Property Assessment Corporation;

1. The amounts levied shall be as follows:

1.1. For the Residential, Pipeline, Farmland and Managed Forest property classes there shall be imposed and collected an interim levy of:

- (a) the percentage prescribed by the Minister under section 317(10)(11) of the *Municipal Act*; or,
- (b) 50%, if no percentage is prescribed, of the total taxes for municipal and school purposes levied on in the year 2003.

1.2. For the Multi-Residential, Commercial and Industrial property classes there shall be imposed and collected an interim levy of:

- (a) the percentage prescribed by the Minister under section 317(10)(11) of the *Municipal Act*; or,
- (b) 50% if no percentage is prescribed, of the total taxes for municipal and school purposes levied on in the year 2003.

2. For the purposes of calculating the total amount of taxes for the year 2003 under paragraph 1, if any taxes for municipal and school purposes were levied on a property for only part of 2003 because assessment was added to the collector’s roll during 2003, an amount shall be added equal to the additional taxes that would have been levied on the property if taxes for municipal and school purposes had been levied for the entire year.

3. The provisions of this by-law apply in the event that assessment is added for the year 2004 to the collector’s roll after the date this by-law is passed and an interim levy shall be imposed and collected.

4. The said 2004 interim tax levy shall be due in two approximately equal instalments as below:

- 4.1 One-half (1/2) thereof payable on the 31st day of March of 2004;
- 4.2 One-half (1/2) thereof payable on the 31st day of May of 2004;

5. Notwithstanding Paragraph 4, the first and second instalment due dates for the principal residence of a taxpayer whose primary source of income is a fixed monthly pension cheque, such as Canada Pension or Old Age Security, which is normally received at the end of each month, shall be extended to April 5th, 2004 and June 3rd, 2004 respectively.
6. All taxes levied under this by-law shall be payable into the hands of the office of the Treasurer, or on or before the due date only, into the Peterborough Branch of any Chartered Bank or Trust Company, to the credit of the Corporation of the City of Peterborough in accordance with the provisions of this by-law.
7. There shall be imposed on all taxes a penalty for non-payment or late payment of taxes in default of the instalment dates set out below in accordance with Section 345(2). The penalty shall be one and one-quarter percent (15%) of the amount in default on the first day of default and on the first day of each calendar month during which the default continues.
8. In addition, statutory interest at the rate of one and one-quarter (13) percent per month on any unpaid taxes shall be added from the 31st day of December in the year in which the taxes are levied, and an additional one and one-quarter (13) percent on the first day of each calendar month thereafter shall be added until such taxes are fully paid in accordance with Section 345(3) of the Municipal Act.
9. The subsequent levy for the year 2004 to be made under the *Municipal Act* shall be reduced by the amount to be raised by the levy imposed by this by-law.
10. That part payments of taxes will be accepted and shall be credited first to all penalties and interest outstanding, and then to the oldest tax arrears until the whole of the remainder of the payment has been credited against such taxes.
11. This by-law shall come into force and take effect on the day of the final passing thereof.

By-law read a first and second time this 16th day of February, 2004

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By-law read a third time and finally passed this 16th day of February, 2004

(Sgd.) Sylvia Sutherland, Mayor

(Sgd.) Nancy Wright-Laking, City Clerk