

# THE CORPORATION OF THE CITY OF PETERBOROUGH

## BY-LAW NUMBER 05-265

### BEING A BY-LAW TO PROVIDE FOR TAX REBATES FOR REGISTERED CHARITIES

WHEREAS Section 361 of the Municipal Act, 2001 (the "Act") provides that every municipality, other than a lower-tier municipality, shall have a tax rebate program for eligible charities for the purposes of giving them relief from taxes on eligible property they occupy;

AND WHEREAS the Act prescribes certain requirements for the provision of such rebates;

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

1. In this by-law:
  - (a) "City" means the Corporation of the City of Peterborough.
  - (b) "eligible charity" means an organization as defined in subsection 248(1) of The Income Tax Act (Canada) that has a registration number issued by Revenue Canada;
  - (c) "eligible property" means property falling within the commercial class or industrial class as defined in subsection 308(1) of the Act.
2. The City shall provide a rebate to an eligible charity that pays property taxes either directly as an owner, or through lease or rental payments to property owners of eligible property, it occupies within the City, in the amount of forty percent (40%) of the taxes payable to the owner by the eligible charity for the 2005 taxation year.
3. Effective for the 2006 taxation year, the City shall provide a rebate to an eligible charity that pays property taxes either directly as an owner, or through lease or rental payments to property owners of eligible property, it occupies within the City, in the amount of one-hundred percent (100%) of the taxes payable to the owner by the eligible charity in each year not to exceed a limit of fifty-thousand (\$50,000.00) dollars .
4. An eligible charity shall make application, together with such supporting documentation, for a rebate pursuant to this by-law each year. The annual application form and application deadline dates will be established each year by the City Treasurer. Application dates shall fall between January 1 of the tax year for which the rebate will apply and no later than the last day of February of the following year.
5. An eligible charity shall make the application referenced in section (3) based on an estimate of the taxes payable by the eligible charity on the property it occupies for the taxation year and final adjustments will be made after the taxes paid by the charity can be determined, in respect of differences between the estimated rebate paid by the municipality and the rebate to which the charity is entitled.
6. Subject to receipt of a completed application under section 3 of this by-law, the City will pay one-half of the rebate within 60 days after the receipt of the application and the balance of the rebate must be paid within 120 days of the receipt of the application.

7. In the event that an eligible charity ceases to occupy an eligible property for which a rebate has been received, it shall forthwith refund to the area municipality in which the property is situated that portion of the rebate applicable to taxes payable after the date the property has been vacated.
8. After the taxes actually paid in each year by an eligible charity have been determined the City shall calculate the difference between the estimated rebate paid by the City and the rebate to which the eligible charity is entitled, and shall adjust the rebate accordingly.
9. By-law 01-115 is hereby repealed.

By-law read a first, second and third time this 5<sup>th</sup> day of December, 2005

(Sgd.) Sylvia Sutherland, Mayor

(Sgd.) Nancy Wright-Laking, City Clerk