

# THE CORPORATION OF THE CITY OF PETERBOROUGH

## BY-LAW NUMBER 09-011

### BEING A BY-LAW TO PROVIDE FOR INTERIM TAX LEVIES FOR THE YEAR 2009

**WHEREAS** section 290 of the *Municipal Act*, S.O. 2001, c.25, as amended, provides that a local municipality shall in each year prepare and adopt a budget including estimates of all sums required during the year for the purposes of the municipality; and

**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 interim levy amounts on the assessment of property in the local municipality rateable for local municipality purposes and sets out applicable calculation rules; and

**WHEREAS** section 317 (9) of the *Municipal Act*, S.O. 2001, c.25, as amended, provides that if the council of a municipality is of the opinion that the taxes levied on a property are too high or too low in relation to its estimate of the total taxes that will be levied on the property, the council may adjust the taxes on the property to the extent it considers appropriate; and

**WHEREAS** section 345 of the *Municipal Act*, S.O. 2001, c.25, as amended, provides that the local municipality may pass by-laws to impose late payment charges for the non-payment of taxes or any instalment by the due date; and

**WHEREAS** section 347 of the *Municipal Act*, S.O. 2001, c.25, as amended, allows for the application of tax payments firstly to the outstanding penalty and interest charges starting with the oldest charges until they are paid in full and the balance of the payment to be allocated to the outstanding taxes starting with the oldest arrears until they are paid in full; 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 CORPORATION OF THE CITY OF PETERBOROUGH BY THE COUNCIL THEREOF HEREBY ENACTS AS FOLLOWS:

1. The City of Peterborough will issue a 2009 Interim Levy based on the rateable assessment for 2009 taxation purposes and the interim rates as set out on Appendix A to this by-law.
2. The said 2009 interim tax levy shall be due in two approximately equal instalments as below:
  - 2.1 One-half (1/2) thereof payable on the 31<sup>st</sup> day of March of 2009;
  - 2.2 One-half (1/2) thereof payable on the 29<sup>th</sup> day of May of 2009;
3. Notwithstanding Paragraph 2, 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 3<sup>rd</sup>, 2009 and June 3<sup>rd</sup>, 2009 respectively.
4. 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, 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.

5. 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% annually) 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.
6. In addition, statutory interest at the rate of one and one-quarter (15% annually) percent per month on any unpaid taxes shall be added from the 31<sup>st</sup> day of December in the year in which the taxes are levied, and an additional one and one-quarter (15% annually) 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*, S.O. 2001.
7. The subsequent levy for the year 2009 to be made under the *Municipal Act 2001* shall be reduced by the amount to be raised by the levy imposed by this by-law.
8. This by-law shall come into force and take effect on the day of the final passing thereof.

By-law read a first, second and third time this 2<sup>nd</sup> day of March, 2009

(Sgd.) D. Paul Ayotte, Mayor

(Sgd.) Leigh Doughty, Deputy Clerk

Appendix "A" to By-law 09-011  
Interim tax rates

<b>Property Class/ Subclass &amp; Code</b>	<b><u>Municipal Tax Rate</u></b>	<b><u>Education Tax Rate</u></b>	<b><u>Total Tax Rate</u></b>
<b>Residential</b> RTEP, RTES, RTFP, RTFS, RTN	<b>0.5786155%</b>	<b>0.1320000%</b>	<b>0.7106155%</b>
<b>New Multi-Residential</b> NTEP, NTES, NTFP, NTFS	<b>0.5786155%</b>	<b>0.1320000%</b>	<b>0.7106155%</b>
<b>Multi-Residential</b> MTEP, MTES, MTFP, MTFS, MTN	<b>1.1718120%</b>	<b>0.1320000%</b>	<b>1.3038120%</b>
<b>Commercial</b> CTN, DTN GTN, STN	<b>1.0657520%</b>	<b>0.9763975%</b>	<b>2.0421495%</b>
<b>Commercial Excess/ Vacant Land</b> CUN, CXN, SUN, DUN	<b>0.7460265%</b>	<b>0.6834785%</b>	<b>1.4295050%</b>
<b>New Commercial</b> XTN, YTN, ZTN	<b>1.0657520%</b>	<b>0.8000000%</b>	<b>1.8657520%</b>
<b>New Commercial Excess/ Vacant Land</b> XUN, XXN, YUN, ZUN	<b>0.7460265%</b>	<b>0.5600000%</b>	<b>1.3060265%</b>
<b>Industrial Taxable</b> ITN, LTN	<b>1.5030115%</b>	<b>1.4315925%</b>	<b>2.9346040%</b>
<b>Industrial Excess/ Vacant Land</b> IUN, IXN, LUN, LXN	<b>0.9769575%</b>	<b>0.9305350%</b>	<b>1.9074925%</b>
<b>Pipeline</b> PTN	<b>0.7351890%</b>	<b>0.7155175%</b>	<b>1.4507065%</b>
<b>Farmland &amp; Managed Forest</b> FTEP, FTES, TTEP	<b>0.1446540%</b>	<b>0.0330000%</b>	<b>0.1776540%</b>