

THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 11-017

BEING A BY-LAW TO PROVIDE FOR INTERIM TAX LEVIES FOR THE YEAR 2011

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 342 (1) (b) of the *Municipal Act*, S.O. 2001, c.25, states in part that a municipality may pass by-laws providing for alternative instalments and due dates to allow taxpayers to spread the payment of taxes more evenly over the year; 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, stipulates tax payments will be applied 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 COUNCIL OF THE CORPORATION OF THE CITY OF PETERBOROUGH BY THE COUNCIL THEREOF HEREBY ENACTS AS FOLLOWS:

1. The City of Peterborough will issue a 2011 Interim Levy based on the rateable assessment for 2011 taxation purposes and the interim rates as set out on Appendix A to this by-law.
2. The said 2011 interim tax levy shall be due in two approximately equal instalments as below:
 - 2.1 One-half (1/2) thereof payable on the 31st day of March of 2011;
 - 2.2 One-half (1/2) thereof payable on the 31st day of May of 2011;
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 5th, 2011 and June 3rd, 2011 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. On application to the City of Peterborough, a taxpayer may pay taxes by a monthly pre-authorized payment plan, payable on the City's last working day of each month. In the event of the default of payment on the pre-authorized payment plan, enrolment in the plan shall be terminated and the interim tax levy shall be due and payable on the instalment dates as set out in section 2.
6. 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.
7. 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 31st 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.
8. The subsequent levy for the year 2011 to be made under the *Municipal Act 2001* shall be reduced by the amount to be raised by the levy imposed in this by-law.
9. 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 22nd day of February, 2011.

(Sgd.) Daryl Bennett, Mayor

(Sgd.) Nancy Wright-Laking, City Clerk

Appendix "A" to By-law 11-017
Interim tax rates

<u>Property Class/ Subclass & Code</u>	<u>Municipal Tax Rate</u>	<u>Education Tax Rate</u>	<u>Total Tax Rate</u>
Residential RTEP, RTES, RTFP, RTFS, RTN	0.5591045%	0.1125650%	0.6716695%
New Multi- Residential NTEP, NTES, NTFP, NTFS	0.5591045%	0.1125650%	0.6716695%
Multi- Residential MTEP, MTES, MTFP, MTFS, MTN	1.0886940%	0.1125650%	1.2012590%
Commercial CTN, DTN GTN, STN	0.9954015%	0.7851600%	1.7805615%
Commercial Excess/ Vacant Land CUN, CXN, SUN, DUN	0.6967840%	0.5496150%	1.2463990%
New Commercial XTN, YTN, ZTN	0.9954015%	0.6697250%	1.6633265%
New Commercial Excess/Vacant Land XUN, XXN, YUN, ZUN	0.6967840%	0.4675500%	1.1643340%
Industrial Taxable ITN, LTN	1.3756205%	1.1443500%	2.5199705%
Industrial Excess/ Vacant Land IUN, IXN, LUN, LXN	0.8941535%	0.7438300%	1.6379835%
New Industrial JTN, KTN	1.3756205%	0.6679250%	2.0435455%
New Industrial Excess/Vacant Land JUN, JXN, KUN, KXN	0.8941535%	0.4341550%	1.3283085%
Pipeline PTN	0.7103980%	0.6360800%	1.3464780%
Farmland & Managed Forest FTEP, FTES, TTEP	0.1397760%	0.0281400%	0.1679160%
Farmland Awaiting Development R1EP, R1ES, R1FP, R1FS	0.1956866%	0.0394000%	0.2350866%