

THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER XX-2018

A by-law to levy 2019 interim taxes and establish penalty and interest rates

WHEREAS sections 317 and 345 of the Municipal Act, 2001, as amended, provides the authority for the Council of The Corporation of the City of Burlington to levy interim taxes and to charge penalty and interest rates for the default of payment; and

WHEREAS it is desirable before the adoption of the estimates for 2019, to levy on the whole of the assessment according to the last returned assessment roll.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF BURLINGTON HEREBY ENACTS AS FOLLOWS:

- 1) a) There shall be an interim levy on property within the City of Burlington which shall be calculated on the whole of the assessment for taxable property according to the last revised assessment roll, the sum produced by applying a notional tax rate (a tax rate derived from determining an amount not exceeding 50% of the 2018 approved budget when applied to the phased in assessment as delivered for 2019 taxation).

b) The Levy determined in accordance with paragraph (a) of section 1 shall be adjusted for all properties in the multi-residential, commercial and industrial property classes to equal 50% of the taxes levied in 2018, adjusted to annualize any assessment changes incurred during 2018.
- 2) The authority to adjust the interim levy of any property at the request of the property owner is delegated to the Treasurer. The Treasurer may adjust the interim levy of the property if the taxes imposed by this By-law are in excess of 50% of the taxes levied on the property in 2018, adjusted to annualize any assessment changes incurred during 2018. No adjustment made by the Treasurer shall reduce the 2019 interim levy below 50% of the 2018 adjusted tax amount. No adjustment shall be made by the Treasurer after the Final 2019 taxes for the property have been calculated.
- 3) The rates provided for in section 1 of this By-law shall be paid on the following dates:
 - a) One half of the amount hereby levied shall become due and payable on February 22, 2019; and,
 - b) The balance shall become due and payable on April 23, 2019.

- 4) Any payment required to be made to The Corporation of the City of Burlington in accordance with the dates set out in section 3 which are not paid by those dates shall become due and payable and considered to be in default for the purposes of this By-law.
- 5) Upon default of the payment of the interim levy, or part thereof, late payment charges will be imposed as follows:
 - a) Penalty of one and one quarter percent of the amount in default shall be added on the first day of default; and,
 - b) Interest charges shall be applied at the rate of one and one quarter percent on the last day of each month on the outstanding tax balance. When a penalty has been applied in a given month, interest of one and one quarter percent will be prorated from the date of default.
- 6) Taxes may be levied in accordance with the provisions of this By-law on the assessment of property that is added to the Assessment Roll after this By-law is passed.
- 7) The Treasurer is authorized and directed to serve either personally or by mail notices of the taxes levied under the By-law to the person or persons taxed at the person's residence or place of business or upon the premises in respect of which the taxes are payable by such person, or to the taxpayer's mortgage company or third party designated by the property owner.
- 8) This by-law shall come into force on January 1, 2019.

ENACTED AND PASSED this 17th day of December, 2018.

Marianne Meed Ward MAYOR

Angela Morgan CITY CLERK