

THE CORPORATION OF THE CITY OF ELLIOT LAKE

BY-LAW NO. 22-111

Being a by-law to provide for interim tax levy for the year 2023.

WHEREAS section 317 of the *Municipal Act*, 2001 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 Corporation of the City of Elliot Lake deems it appropriate to provide for such interim levy on the assessment of property in this municipality;

NOW THEREFORE, the Council of The Corporation of the City of Elliot Lake **ENACTS AS FOLLOWS:**

1. **THAT** in this by-law the following words shall be defined as:

“Act” shall mean the *Municipal Act*, 2001 S.O. 2001, C.25, as amended

“MPAC” shall mean the Municipal Property Assessment Corporation;

“Assessment Roll” shall mean the Assessment Roll as returned by MPAC in accordance with the provisions of the Assessment Act, R.S.O. 1990, c. A31;

“Year-End Assessment” shall mean the assessment of land for the preceding taxation year as shown on the assessment roll returned for the preceding taxation year, including adjustments made for any changes in value, classification or liability for taxes in comparison to the assessment as originally returned for the preceding year;

“Treasurer” means the treasurer of the municipality or a person delegated by the Treasurer’s powers and duties under s.286(5) of the *Act*;

2. **THAT** interim amounts shall be levied on all property assessed for taxation and rateable for local municipal purposes in accordance with the 2022 Assessment Roll as revised at year end;

3. **THAT** the amounts to be levied on each property shall be 50% of the total taxes for municipal and school purposes levied on the property for the 2022 taxation year;

4. **THAT** for the purposes of calculating the total amount of taxes for 2022 under paragraph 3, the following adjustments shall be made where applicable:

- a) If assessment was added to the roll during that year, the total amount of taxes will be adjusted as if the addition applied for the entire year; and/or
- b) If assessment was removed from the roll during that year, the total amount of taxes will be adjusted as if the reduction had applied for the entire year.

Adjustments made under clauses 4 a) or b) shall be based on the Assessment contained on the Assessment Roll Returned for 2022 taxation, as revised at 2022 year end;

- 5. **THAT** the interim tax levy to be billed and imposed under this by-law shall be paid in two installments due on the following dates:
 - a) 50% thereof on the first Thursday of April, 2023, and
 - b) 50% thereof on the first Thursday of June, 2023;
- 6. **THAT** all taxes levied under this by-law shall be payable into the hands of the Treasurer in accordance with the provisions of this by-law;
- 7. **THAT** the final levy for the 2022 taxation year shall be reduced by the amounts raised by the levy imposed by this by-law;
- 8. **THAT** there shall be imposed on all taxes a penalty for non-payment or late payment of taxes in default on the installment dates set out above in accordance with Section 345(2) of the *Municipal Act, 2001*. The penalty shall be one and one-quarter percent (1.25%) of the amount in default on the first day of default being the day immediately after the due dates referred to above;
- 9. **THAT** there shall be levied an interest charge pursuant to Section 345(3) of the *Municipal Act, 2001* of one and one quarter percent (1.25%) calculated on the first day of the next calendar month after default or non-payment of each installment levied pursuant to this by-law and a further one and one quarter percent (1.25%) shall be levied on the unpaid installment on the first day of each calendar month thereafter for so long as the installment remains unpaid;
- 10. **THAT** the Treasurer may mail or cause to be mailed to the address of the residence or place of business of each person taxed under this by-law, a notice specifying the amount of taxes payable;
- 11. **THAT** the notice to be mailed under this by-law shall contain the particulars provided for in this by-law and the information required to be entered on the tax bill under Section 343 of the *Act*;
- 12. **THAT** the Treasurer shall be authorized to accept part payment from time to time on account of any taxes due, and to give a receipt of such part payment, provided that acceptance of any such part payment shall not affect the collection of any charge imposed and collectable under this by-law in respect of non-payment or late payment of any taxes or any installment of taxes;

13. **THAT** nothing in this by-law shall prevent the Treasurer from proceeding at any time with the collection of any tax, or any part thereof, in accordance with the provisions of the statutes and by-laws governing the collection of taxes;
14. **THAT** the Treasurer is hereby directed and authorized to undertake any required action necessary to collect the taxes levied herein;
15. **AND THAT** this by-law comes into force on the day it is passed.

PASSED this 28th day of November, 2022.

MAYOR
C. PATRIE

CITY CLERK
N. BRAY