

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2010 – 30

Being a By-law to provide for the adoption of Tax Rates for 2010.

WHEREAS the *Municipal Act*, S.O. 2001, Chapter 25 provides that the Council of the local Municipality shall in each year prepare and adopt estimates of all sums required during the year on all rateable property in the local municipality; and

WHEREAS the *Municipal Act*, S.O. 2001, Chapter 25 provides that the Council of the local Municipality shall in each year pass a by-law levying a separate tax rate, as specified in the by-law, on the assessment in each property class in the local municipality rateable for local municipality purposes; and

WHEREAS The *Municipal Act*, S.O. 2001, Chapter 25 Sections 308(2)(5), provides that a set of tax ratios shall be established for every municipality and that the County of Simcoe By-law No. 5896 passed on March 23, 2010, established these tax ratios; and

WHEREAS the *Assessment Act*, R.S.O. 1990, Chapter A.31, as amended, establishes the classes of real property and methods of assessment, as well as provides for alterations to the Collector's Roll; and

WHEREAS the Council of the Township of Essa has reviewed the estimates required for all purposes for the year 2010 and has held a special meeting for budget discussion on February 17, 2010, as advertised to the public, pursuant to section 291 of the *Municipal Act*, S.O. 2001;

WHEREAS the *Municipal Act*, S.O. 2001, Chapter 25, Section 329, as amended, contains the rules governing the mandatory 5% (five percent) limit on CVA-related tax increases for commercial, industrial and multi-residential properties; and

WHEREAS the *Municipal Act*, S.O. 2001, Chapter 25, Section 329.1 as amended, may modify the provisions and limits set out in Section 329 and within the meaning of Section 331 (new Construction) of the Act, as established and approved by the Upper Tier to govern all Lower Tier municipalities and that the County of Simcoe By-law No. 5922 and County of Simcoe By-law No. 5923, both passed on May 25, 2010, establishes these limits; and

WHEREAS the *Municipal Act*, S.O. 2001, Chapter 25, Section 391 as amended, permits the imposition of fees or charges on persons for services provided or done by or on behalf of any other municipality; and

WHEREAS the *Municipal Act*, S.O. 2001, Chapter 25, Section 398(1) (2) as amended, permits that fees or charges constitute a debt of the person to the municipality and that such amount owing can be added to the Tax Roll and collected in same manner as municipal taxes; and

WHEREAS County of Simcoe By-law No. 5896 passed on March 23, 2010, established tax rates for County purposes for the year 2010; and

WHEREAS Section 257.12.1(b) of the *Education Act*, R.S.O. 1990, c.E.2 as amended, provides for the Minister of Finance to make regulations prescribing tax rates for school purposes, as established in Ontario Regulation 118/10;

NOW THEREFORE the Council of the Corporation of the Township of Essa enacts as follows:

1. The 2010 levy for Township purposes, excluding the Simcoe County Waste Management levy is hereby set at \$3,784,002.00
2. The 2010 estimate for Simcoe County Waste Management purposes is hereby set at \$1,090,986.00
3. The 2010 levy for Simcoe County purposes is hereby set at \$5,172,693.00
4. The 2010 levy for Education purposes is hereby set at \$5,289,962.00
5. The following tax rates expressed as a percentage are hereby adopted to be applied against the whole of the assessment for real property for municipal purposes, excluding Simcoe County waste management:

<u>TAX CLASS</u>	<u>TAX RATE</u>
Residential	0.237437%
Multi-Residential	0.365288%
Commercial - occupied	0.297288%
- vacant	0.208101%
Pipelines	0.307853%
Farm	0.059358%
Managed Forests	0.059358%
Industrial - occupied	0.365288%
- vacant	0.237437%

6. A fixed rate for Curbside Waste Collection Services, Curbside Recycling Services and Curbside Organic Collection Services provided by the County of Simcoe, referred to "County Waste Charge" of \$168.00 per calendar year for each residential unit within the boundaries of Essa Township, as per the Assessment Roll received each year from the Municipal Property Assessment Corporation, including residential units receiving County waste service on Federal and Provincial owned properties. A fixed rate "County Waste Charge" of \$168.00 per calendar year will be charged to a property owner for a unit in the business property class that receives the County waste service.
7. The following tax rates expressed as a percentage are hereby adopted to be applied against the whole of the assessment for real property for Simcoe County purposes:

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<u>TAX CLASS</u>	<u>TAX RATE</u>
Residential	0.274616%
Multi-Residential	0.422497%
Commercial - occupied	0.343847%
- vacant	0.240693%
Pipelines	0.356067%
Farm	0.068654%
Managed Forests	0.068654%
Industrial - occupied	0.422497%
- vacant	0.274623%

8. The following tax rates expressed as a percentage are hereby adopted to be applied against the whole of the assessment for real property for School purposes:

<u>TAX CLASS</u>	<u>TAX RATE</u>
Residential	0.241000%
Multi-Residential	0.241000%
Commercial - occupied	1.430000%
- vacant	1.001000%
Pipelines	1.604124%
Farm	0.060250%
Managed Forests	0.060250%
Industrial - occupied	2.370312%
- vacant	1.540703%

9. The taxes on railway rights of way (ROW) for 2010 is due to the Township in accordance with the prescribed rates as established by the Minister of Finance pursuant to section 315 of the *Municipal Act*, S.O. 2001, as amended, and the ROW taxes due shall be based on the assessment roll and the tax rates for the year.
10. The collector shall mail or cause the same to be mailed, not later than 21 days prior to the date the first instalment is due, to the residence or place of business of such person indicated on the last revised assessment roll, a written or printed notice specifying the amount of taxes payable, the date by which it is to be paid and the penalty charge imposed for late payment.
11. The date(s) for payment of taxes levied under the authority of this By-law shall be as follows:

Due date of First Final Instalment

Three banking days before the last banking day of September


Due date of Second Final Instalment

Three banking days before the last banking day of November

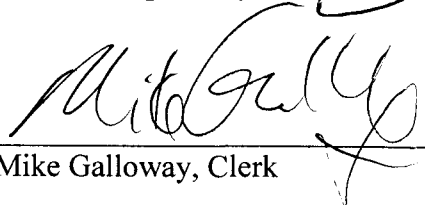
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12. That the taxes shall be payable to the Corporation on or before the due date and shall be payable at the Municipal Office, or at the Banks of Nova Scotia in Angus and Alliston, or at the Royal Bank of Canada in Cookstown, or at the Toronto-Dominion Bank in Alliston. Payments made at the above Bank branches shall be deemed to be paid to the Corporation on the date shown by the Bank Teller's stamp on the bill stub. The resident (or presenter of the bill) will be responsible to pay any applicable service charge to the financial institution accepting the payment. Electronic Fund Transfers (EFT) are available through a Pre-Authorized Payment Plan with the Township and Telephone EFT with various Financial Institutions. In addition, payment can be left after hours at the Municipal Office drop box on the lower level, side entrance.
13. That the Treasurer of the Corporation shall add to the amount of all taxes due and unpaid and levied under the authority of this By-law, a penalty charge equal to one and one-quarter (1.25%) per cent of such amount on the first day of the calendar month following the due date, and on the first day of each calendar month thereafter in which default continues. After the end of the year in which the taxes are levied and are unpaid, statutory interest of one and one-quarter (1.25%) per cent per month will apply.
14. That the Treasurer and/or designate, are hereby authorized to accept part payment from time to time on account of any such taxes that are due and to give a receipt for such part payment, provided that acceptance of any such part payment shall not affect the collection of any penalty charges imposed and collectable in respect of non-payment of the taxes or any installment thereof, and that such part-payment is applied first against the principal taxes owing.
15. That there be imposed a handling fee of \$20.00 for any returned cheques.
16. This By-law shall come into force and take effect on the date it is finally passed.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the Fifth Day of May 2010.



David Guergis, Mayor



Mike Galloway, Clerk