

<b>TO:</b>	<b>CHAIR AND MEMBERS FINANCE AND ADMINISTRATION COMMITTEE MEETING ON NOVEMBER 2, 2011</b>
<b>FROM:</b>	<b>MARTIN HAYWARD CITY TREASURER, CHIEF FINANCIAL OFFICER</b>
<b>SUBJECT:</b>	<b>PRE-AUTHORIZED TAX PAYMENT PLAN BY-LAW AND COLLECTION OF PROPERTY TAXES BY-LAW</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the City Treasurer, Chief Financial Officer, the following actions be taken with respect to property taxation for 2012:

- (a) A by-law be enacted to amend By-law A-5505-497 "A by-law to authorize the implementation of a pre-authorized payment plan" so that the calculation of pre-authorized payments is based on the previous year's taxes increased by the average increase in total municipal property tax rates in the residential class in the previous year, and such proposed by-law (Appendix "A") **BE INTRODUCED** at the Council meeting on November 7<sup>th</sup>, 2011; and
- (b) A by-law be enacted to amend By-law A-8 "A by-law to provide for the collection of property taxes" so that the calculation of the interim tax levy will be set at a percentage of 40% of the previous year's taxes and then increased by the average increase in total municipal property tax rates in the residential class in the previous year and such proposed by-law (Appendix "B") **BE INTRODUCED** at the Council meeting on November 7<sup>th</sup> 2011.

<b>BACKGROUND</b>
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Section 317 of the Municipal Act, 2001 permits a municipality to levy taxes prior to the completion of its annual budget and the determination of education tax rates by the Province. Sections 342 and 307 of the Act provide additional flexibility with respect to due dates and payment arrangements. In accordance with section 317, the amount that can be levied on each property prior to the adoption of the budget is limited to fifty percent of the total property taxes applicable to the property in the previous year. Interim tax levies provide the municipality with funds to operate and make remittances to school boards prior to the finalization of municipal and education tax rates for the year. Interim tax levies do not affect the determination of total final taxes for the year as any taxes not billed at interim time are included on the final tax bill.

For 2011, the City adopted the policy of adjusting the interim billing tax rate each year by the approximate amount of the average municipal tax increase in the residential property class in the previous year. This annual adjustment permits the City to bill five installments each year and ensure that the amounts of each installment are approximately equal. Each installment is roughly 20% of the total taxes for the year ( $5 \times 20\% = 100\%$ ). Two installments are billed as an interim levy in January each year (40%) and three installments are billed in May as the final tax installments for the year (60%). In 2011, the average increase in total municipal property tax rates for the residential property class was 0.0%. Using this basis of calculation the interim tax rate for 2012 would be 40.00% ( $40\% \times 1.000$ ).

It is therefore recommended that an interim levy of 40.00% of the previous year's taxes be set for the 2012 interim billing in the Property Tax Collection By-law and that the pre-authorized payments for 2012 be based on the previous year's taxes increased by 0.0% representing the average municipal tax increase that occurred in the residential class in 2011. The proposed by-law amendments would have results consistent with past practice and would ensure that the City has sufficient funds to carry on operations and make remittances to local school boards. The proposed by-law amendments should also divide the annual tax billing into five approximately equal installments for the convenience of the individual property owners.

<b>SUMMARY</b>
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It is recommended that the Pre-authorized Payment By-law be amended so that payments for 2012 are based on the taxes of the previous year increased by the average increase in total residential municipal property tax rates in the previous year (i.e. 0.0%). It is also recommended that the Property Tax Collection By-law be amended to set interim tax payments for 2012 on the same basis. This would result in an interim levy of 40.00% of previous year's taxes in 2012.

<b>PREPARED BY:</b>	<b>CONCURRED BY:</b>
<b>JIM LOGAN DIVISION MANAGER TAXATION AND REVENUE</b>	<b>MIKE TURNER DEPUTY CITY TREASURER</b>
<b>RECOMMENDED BY:</b>	
<b>MARTIN HAYWARD CITY TREASURER, CHIEF FINANCIAL OFFICER</b>	

Attach.

Appendix "A"

Bill No.

By-law No.

A by-law to amend By-law No. A.-5505-497 entitled, "A by-law to authorize the implementation of a pre-authorized tax payment plan for The Corporation of the City of London".

The Municipal Council of The Corporation of the City of London enacts as follows:

1. Schedule "A" of section 1 of By-law No. A.-5505-497 is amended by repealing paragraph 10 therein and by enacting the following new paragraph 10 in its place:

10. For 2012 the amount of the pre-authorized payment for the period January to May shall be calculated as the most recently available assessments consistent with the previous year's assessment valuations multiplied by the total tax rates applicable to the property in the previous year multiplied by 1.000 and then divided by 10 and rounded to the nearest dollar.

2. This by-law comes into force on January 1, 2012.

PASSED in Open Council on November 7, 2011.

Joseph Fontana  
Mayor

Catharine Saunders  
City Clerk

First Reading – November 7, 2011  
Second Reading – November 7, 2011  
Third Reading – November 7, 2011

Appendix "B"

Bill No.

By-law No.

A by-law to amend By-law No. A-8, the  
Property Tax Collection By-law.

WHEREAS section 317 of the Municipal Act, 2001 provides for the passing of by-laws for the levying of interim rates of taxation;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Part 1 of By-law A-8, the Property and Business Tax Collection By-law, is hereby amended by deleting section 1.8 and replacing that section with the following:

1.8 Interim Levy – Calculation

For the year 2012 the interim levy for a property shall be calculated as 40.00% of the total amount of taxes for municipal and school purposes levied on the property for the previous year.

2. This by-law comes into force on January 1, 2012

PASSED in Open Council on November 7, 2011

Joseph Fontana  
Mayor

Catharine Saunders  
City Clerk

First Reading – November 7, 2011  
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