

**Authority:** Item 10, Audit and Administration  
Committee Report 09-002  
(FCS09003)  
CM: January 28, 2009

**BILL NO. 008**

**CITY OF HAMILTON**

**BY-LAW NO. 09-008**

**To Authorize AN INTERIM TAX LEVY for 2009**

**WHEREAS** the Council for the City of Hamilton deems it necessary to pass a by-law to levy on the whole of the assessment for each property class in the local municipality rateable for a local municipality purpose, a sum not to exceed that which would be produced by applying the prescribed percentage (or 50 percent if no percentage is otherwise prescribed) of the total amounts billed to each property for all purposes in the previous year on the properties that, in the current year, are in the property class as provided for in Section 317 of The Municipal Act, 2001;

**AND WHEREAS** Section 317 of The Municipal Act, also authorizes a Municipal Council, by by-law, to adjust the interim taxes on a property if the Council is of the opinion that the Interim Levy on a property is too high or too low in relation to its estimate of the total taxes which will be levied on the property in 2009;

**NOW THEREFORE** the Council for the City of Hamilton hereby enacts as follows:

1. The interim tax levies shall be levied and collected upon the whole of the rateable property categories in columns 1 and 2, shown below:

Column 1

Column 2

<b>Class</b>	<b>Class Code</b>
Residential	RT
Farmlands Awaiting Development	C1
Multi-Residential	MT
New Multi-Residential	NT
Residual Commercial	CT/DT
Residual Commercial Vacant	CU/DU
Shopping Centre	ST
Shopping Centre Vacant	SU

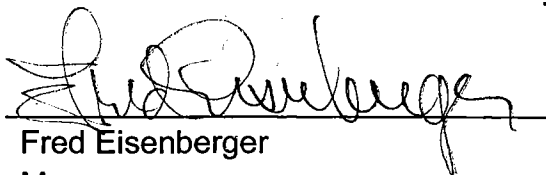
Parking and Vacant Commercial Land	CX/GT
Residual Industrial	IT
Residual Commercial Vacant Land and Unit	IU/IX
Large Industrial	LT
Large Industrial Vacant	LU
Pipeline	PT
Farmland	FT
Managed Forest	TT
Rail Right of Way	WT CN
Rail Right of Way	WT CP
Utility Right of Way	UT

2. The interim tax levy shall become due and payable in two installments as allowed under Section 342(a) of the Municipal Act, as follows:

Fifty percent of the interim levy, rounded, shall become due and payable on the 27<sup>th</sup> day of February, 2009 and the balance of the interim levy shall become due and payable on the 30th day of April, 2009 and non-payment of the amounts due on the dates stated, in accordance with this section, shall constitute default.

3. That when payment of any instalment or any part of any instalment of taxes levied by this by-law is in default, penalties and where applicable interest, shall be imposed respectively in accordance with City of Hamilton policies.
4. Section 342 (b) of the Municipal Act allows for alternative instalment due dates to spread the payment of taxes more evenly over the year. Therefore, the interim tax levy for those on a 12 month pre-authorized automatic withdrawal payment plan shall be paid in 6 equal installments due and payable the first working day of each month January to June. For those on the 10-month pre-authorized automatic withdrawal payment plan the interim levy shall be paid in 5 equal installments due and payable the first working day of each month February to June, inclusive. The pre-authorized payment plans shall be penalty free for as long as the taxpayer is in good standing with the terms of the plan agreements.
5. The interim tax levy rates shall also apply to any property added to the assessment roll after this by-law is enacted.
6. This by-law shall come into force and effect on the 1st day of January, 2009.

PASSED and ENACTED this 28<sup>th</sup> day of January, 2009 A.D.

  
Fred Eisenberger  
Mayor

  
Kevin C. Christenson  
City Clerk