



THE CORPORATION OF THE TOWN OF INGERSOLL

BY-LAW NO. 10 - 4552

A By-law for the adoption of 2010 estimated current and capital expenditures for the Corporation of the Town of Ingersoll and the establishment of rates of taxation and collection of taxes for all assessment classes.

WHEREAS pursuant to Section 290 of the Municipal Act, 2001, S. O. 2001, c. 25, as amended (hereinafter referred to as the "Act") Town Council is required to prepare and adopt estimates of all sums required during the year;

AND WHEREAS all property assessment rolls on which 2010 taxes are to be levied have been returned and revised pursuant to the provisions of the Assessment Act;

AND WHEREAS the estimates for the Corporation of the Town of Ingersoll share of payments in lieu of taxes have been included;

AND WHEREAS it is necessary for the Council of the Corporation of the Town of Ingersoll pursuant to Section 312 of the Act, as amended, further amended by Ontario Regulation 73/03 (Tax Matters – Special Tax Rates and Limits) and Ontario Regulation 66/04 (Special Tax Rates and Limits, 2003 and later years) to levy on the whole rate able property according to the last revised assessment roll for the Corporation of the Town of Ingersoll the 2010 tax rates set forth for various tax classes in Schedule "AA" hereto attached for the current year;

AND WHEREAS pursuant to the County of Oxford By-law 5155 - 2010, the County of Oxford passed a By-law to adopt the estimated expenditures for County purposes for the year 2010;

AND WHEREAS pursuant to the County of Oxford By-law 5164-2010, the County of Oxford passed a By-law to set and levy the 2010 rates of taxation for County purposes to Area Municipalities;

AND WHEREAS pursuant to the County of Oxford By-law 5163-2010, the County of Oxford established tax rate reductions for prescribed property subclasses;

AND WHEREAS pursuant to the County of Oxford By-law 5162-2010, the County of Oxford established tax ratios for County and local purposes for 2010;

AND WHEREAS Ontario Regulation 98/06, as amended by Ontario Regulation 118/10, made under the Education Act establishes the tax rates for school purposes for 2010 and the Education Act subsections 238(2) and 257.8(3) establishes 2010 Proportions of Enrollment;

AND WHEREAS an interim levy was made upon all real property before the adoption of the estimates for the current year in accordance with By-law No. 10 - 4529 ;

AND WHEREAS pursuant to Section 291 (1) of the Act, as amended, and in accordance with By-law No. 02-4035 the Corporation of the Town of Ingersoll gave public notice of its intention to adopt the budget at the Council meeting specified in the notice;

Now therefore the Council of the Corporation of the Town of Ingersoll enacts as follows:

- (1) That the statement of estimated operating expenditures, Schedule "A" attached, in the amount \$25,544,457 be adopted.
- (2) That the statement of estimated operating revenues, Schedule "B" attached, in the amount \$25,544,457 including taxation levy \$20,415,904 be raised in accordance with the tax rates shown on Schedule "C" and the tax levies shown on Schedule "D".
- (3) That capital expenditures amounting to \$ 6,154,794 (Appendix "A") be approved and financed from the following sources:

Government Grants/Subsidies	\$	3,263,072
Contributions from Reserves & Reserve Funds		872,040
Other Contributions		317,900
Debenture Proceeds		1,422,830
Taxation Revenue		278,952
TOTAL FINANCING:	\$	<u>6,154,794</u>

- (4) That for the purpose of the Board of Management of the Ingersoll Business Improvement Area, there be levied and collected the sum of \$60,400 on all rate able Commercial, Shopping Centre and Industrial properties within the area defined by By-law No. 87-3314. In addition to the above tax levy a fixed, special non-refundable fee of \$100 per annum will apply to all rate able Commercial, Shopping Centre and Industrial properties within the area defined by By-law No. 87-3314. For 2010, this fee amounts to \$ 13,100 and is included in the total taxation levy referred in (2) above of this By-law.
- (5) For the year 2010, the Corporation of the Town of Ingersoll shall levy upon the Residential, Multi-Residential, Commercial, Shopping Centre, Large Industrial, Industrial, Pipeline and Farmland Assessments as set out in Schedule "C" attached to this By-law.
- (6) For payments-in-lieu of taxes due to the Corporation of the Town of Ingersoll, the actual amount due to the Corporation of the Town of Ingersoll shall be based on the assessment roll and the tax rates for the year 2010.
- (7) For the railway rights of way due to the Corporation of the Town of Ingersoll, in accordance with the Regulations as established by the Minister of Finance, pursuant to Section 315 of the Act, as amended, the actual amount due to the Corporation of the Town of Ingersoll shall be based on the assessment roll and the applicable rate per acre for the year 2010.
- (8) The levy provided for on Schedule "D" attached to this By-law and applicable local improvement charges shall be reduced by the amount of the interim levy for 2010 as prescribed pursuant to By-law No. 10 - 4529.
- (9) Further to By-law No. 10 - 4529, the Director of Finance/Treasurer be authorized to issue such prescribed final tax notices for 2010 for properties solely and exclusively in the Residential/Farm, Pipeline and Farmlands

assessment classes which shall be due in two approximately equal installments on the 30th day of June, 2010 and the 30th day of September 2010 to the nearest dollar.

- (10) Further to By-law No. 10 - 4529, the Director of Finance/ Treasurer be authorized to issue such prescribed final realty tax notices in the Multi-Residential, Commercial, Shopping Centre, Large Industrial and Industrial assessment classes which shall be due on one installment only, the 30th day of September, 2010 or an alternate date to satisfy the notification requirements specified in Section 343 (1) of the Act, as amended. The amount of the 2010 final notice will include the calculated 2010 tax liabilities subjected to the capping criteria under Part IX of the Act, as amended and implementation of optional tools for the purposes of administering limits for the aforementioned property classes pursuant to the County of Oxford By-law 5165 - 2010. In addition, pursuant to the County of Oxford By-law 5166 - 2010 optional tools for the purpose of administering limits for eligible New Construction properties under Section 331 of the Municipal Act 2001 for Commercial, Industrial & Multi-Residential property classes is hereby enacted. Such calculated adjustments shall increase or decrease the amount owing of the 2010 final notice less the 2010 interim realty tax levied. The above billing will be deemed to include those properties with multiple assessment classes including any portion assessed as Residential/Farm, Pipeline and Farmlands assessment classes.
- (11) The provisions of this By-law apply in the event that assessment is added for the year 2010 after the date this By-law is passed and a final levy shall be imposed and collected with one installment date with a due date within the notification requirements specified in Section 343 (1) of the Act, as amended.
- (12) That pursuant to Section 355 (1) and (2) of the Act, as amended, the minimum sum of taxes for which any person is charged in any year for municipal, school, local improvement and other purposes upon any real property assessment in one parcel to the same owner will be deemed to be \$50.00 and shall be so entered on the Collector's Roll. The difference between the sums that would have been entered but for this section and the sum of \$50.00 shall form part of the general funds of the municipality.
- (13) That pursuant to Section 345(2) of the Act, as amended, a penalty of 1 ¼ percent shall be made on the first day of default. Such penalty charges shall be levied and collected in the same manner as if it had been originally imposed.
- (14) That pursuant to Section 345 (3) of the Act, as amended, the Director of Finance/ Treasurer shall add to the amount of taxes due and unpaid, interest at the rate of 1 ¼ percent per month at the first of each month for each month or fraction thereof until the taxes are paid. Such interest charges shall be levied and collected in the same manner as if it had been originally imposed.
- (15) The Director of Finance/Treasurer may mail, deliver or cause to deliver to the residence or place of business of such person indicated on the last revised assessment roll, a written or printed standardized notice specifying the amount of the taxes payable in accordance with Section 343 (2) of the Act, as amended and notification requirements specified in Section 343 (1) of the Act, as amended.
- (16) That payment of 2010 taxes shall be made into the office of the Director of Finance/Treasurer at 130 Oxford Street, 2nd Floor, Ingersoll Ontario or at various financial institutions or designated agents in the Town of Ingersoll as ratified by written agreement from time to time.

- (17) That in accordance with Section 347 (2) of the Act, as amended, the Director of Finance/Treasurer may accept part payment from time to time on account of any taxes due and receipt such part payment provided that acceptance of any such part payment does not affect the collection of any percentage charge imposed and collectible in respect of non-payment of any taxes or any class of taxes or of any installment thereof.
- (18) That the Director of Finance/Treasurer is not authorized to revise, reduce or cancel amounts billed and/or interest/penalty charges without the authorization of Council.
- (19) That the Director of Finance/Treasurer shall proceed to collect the amounts of this By-law together with all other sums on the Tax Roll in the same manner as set forth in this By-law.
- (20) If any section or portion of this By-law and/or Schedule is found by a Court of competent jurisdiction to be invalid, it is the intent of the Council of the Corporation of the Town of Ingersoll that all remaining sections and portions of the By-law and all Schedules continue in force and effect.
- (21) Schedules attached hereto shall be and form a part of this By-law.
- (22) That By-law No. 09 - 4470 and By-Law No. 09 - 4473 and all other By-laws inconsistent with the provisions of this By-law shall be and the same are hereby revoked.

READ a first and second time in Open Council 17th day of May, 2010.

READ a third time and passed in Open Council 17th day of May, 2010.

Paul Holbrough, Mayor

Elaine Clark, Clerk/Deputy Administrator