

**TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2021-05**

A BY-LAW TO PROVIDE FOR AN INTERIM TAX LEVY; PAYMENT OF TAXES; TO PROVIDE FOR PENALTY AND INTEREST OF 1.25% ON TAX ARREARS PER MONTH

WHEREAS Section 317(1) and (2) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that:

1. The Council of a local municipality, before the adoption of the estimates for the year under section 290 of the *Municipal Act, 2001*, may pass a by-law levying amounts on the assessment of the property in the local municipality rateable for local municipality purposes.
2. A by-law for levying amounts under subsection (1) shall be passed in the year that the amounts are to be levied or may be passed in November or December of the previous year if it provides that it does not come into force until a specified day in the following year.

AND WHEREAS sub-section 317(3) of the *Municipal Act, 2001*, contains the following additional rules:

1. The amounts levied on a property shall not exceed the prescribed percentage, or 50 percent if no percentage is prescribed, of the total amount of taxes for municipal and school purposes levied on the property for the previous year.
2. The percentage under paragraph 1 may be different for different property classes but shall be the same for all properties in a property class.
3. For the purposes of calculating the total amount of taxes for the previous year under paragraph 1, if any taxes for municipal and school purposes were levied on a property for only part of the previous year because assessment was added to the collector's roll during the year, an amount shall be added equal to the additional taxes that would have been levied on the property if the taxes for municipal and school purposes had been levied for the entire year.

AND WHEREAS sub-section 317(5) of the *Municipal Act, 2001*, contains the following additional rule:

1. The amounts may be levied on assessment added to the tax roll for the current year that was not on the assessment roll upon which the amounts are levied.

AND WHEREAS Section 342 (1)(a) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that the Council of a local municipality may pass by-laws providing for the payment of taxes in one amount or by installments and the date or dates in the year for which the taxes are imposed on which the taxes or installments are due.

AND WHEREAS Section 345(1) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that the Council of a local municipality may pass by-laws to impose late payment charges for the non-payment of taxes or any installment by the due date.

AND WHEREAS sub-sections 345(2) and (3) of the *Municipal Act, 2001*, contains the following additional rules:

1. A percentage charge, not to exceed 1 ¼ per cent of the amount of taxes due and unpaid, may be imposed as a penalty for the non-payment of taxes on the first day of default or such later date as the by-law specifies.
2. Interest charges, not to exceed 1 ¼ per cent each month of the amount of taxes due and unpaid, may be imposed for the non-payment of taxes in the manner

specified in the by-law but interest may not start to accrue before the first day of default.

AND WHEREAS Section 346(2) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that the Council of a local municipality may pass by-laws to provide for the payment of taxes by any person into a financial institution to the credit of the treasurer of the municipality and, in that case, the person making the payment shall be entitled to be issued a receipt by the institution for the amount paid.

AND WHEREAS Council deems it expedient to pass a by-law for such purposes.

NOW THEREFORE the Council of the Corporation of the Township of South Frontenac enacts as follows:

1. For all property classes, that an interim tax levy hereby be imposed and levied in the amount of 35% of the total annualized taxes for municipal and school purposes levied on the property in the previous year.
2. For the purposes of calculating the total amount of taxes for the prior year under paragraph 1, the following rules shall also apply:
 - a. Taxes for municipal and school purposes levied on a property for only part of the previous year because assessment was added to the collector's roll during the year, shall have an amount added equal to the additional taxes that would have been levied on the property if the taxes for municipal and school purposes had been levied for the entire year.
 - b. In the event that assessment has been added to the tax roll for the current year that was not on the assessment roll in the prior year, the related properties shall have an interim levy imposed and collected.
3. The said interim tax levy shall become due and payable on the 30th day of April 2021.
4. On all taxes of the interim tax levy which are in default on the first day of default, a penalty of 1.25% shall be added and thereafter a penalty of 1.25% per month (15% per annum) shall be added on the first day of each and every month in which the default continues.
5. On all other taxes in default on January 1st, 2021, interest shall be added at the rate of 1.25% per month (15% per annum) or fraction thereof.
6. Penalties and interest on all taxes of the interim tax levy in default shall become due and payable and shall be collected forthwith as if the same had originally been imposed and formed part of such unpaid interim tax levy.
7. The collector shall send a tax bill to the taxpayer's residence or place of business or to the premises in respect of which the taxes are payable unless the taxpayer directs the treasurer in writing to send the bill to another address, in which case it shall be sent to that address.
8. The taxes are payable at the following:
 - a) Township of South Frontenac municipal offices located at:
4432 George Street, Sydenham, Ontario
 - b) At any financial institution or payment processor having payment arrangements with the Township of South Frontenac.
 - c) By filing an application for voluntary pre-authorized payment for automatic debit of installment from bank account, in accordance with the Township's standard practice.

- d) By credit card through a third party processor. The link is available on the Township website www.southfrontenac.net and can be found under living here/property taxes/how to pay
 - e) By payment through Virtual Municipal office. The site can be accessed through <https://vmo.southfrontenac.net:1080/vch/>
9. The Treasurer is hereby empowered to accept partial payments from time to time on account of taxes due and shall credit such payment first on account of the interest and percentage charges, if any, added to such taxes and shall credit the remainder of such payment against that part of the taxes that has been in arrears for the greatest period of time but no such payment shall be received after a tax arrears certificate has been registered under section 378 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended.
10. This by-law shall come into force and take effect on the day of passing.

Dated at the Township of South Frontenac this 26th day of January, 2021.

Read a first and second time this 26th day of January, 2021.

Read a third time and finally passed this 26th day of January, 2021.

**THE CORPORATION OF THE
TOWNSHIP OF SOUTH FRONTENAC**



Ron Vandewal, Mayor



Angela Maddocks, Clerk