

BYLAW 6335

**A BYLAW OF THE CITY OF LETHBRIDGE TO
PROVIDE INCENTIVES FOR THE PREPAYMENT OF TAXES,
TO SET RATES AND IMPOSE PENALTIES ON UNPAID TAXES
AND ESTABLISH A DEFERRAL OF TAXES.**

WHEREAS pursuant to Section 339 of the Municipal Government Act, R.S.A. 2000, c. M-26, Council, by Bylaw, may provide incentives for prepayments on account of taxes in such manner and subject to such conditions as may be set out in the Bylaw.

AND WHEREAS, pursuant to Sections 344 and 345 of the Municipal Government Act, R.S.A. 2000, c. M-26, Council may impose penalties on unpaid taxes at the rates set out in the Bylaw.

AND WHEREAS, pursuant to Section 347 of the Municipal Government Act, R.S.A. 2000, c. M-26, Council may defer the collection of a tax when it considers it equitable to do so.

NOW THEREFORE, THE COUNCIL OF THE CITY OF LETHBRIDGE ENACTS AS FOLLOWS:

PART I – TITLE, PURPOSE AND DEFINITIONS

- 1 (1) This Bylaw may be cited as the “2022 Incentives for Prepayments, Penalty and Tax Deferral Bylaw”.

Purpose

- 2 (1) The purpose of this Bylaw is to establish:
- (a) Due dates for payment of taxes;
 - (b) The rates of incentive to be applied on prepayment of taxes;
 - (c) The rates of penalty to be imposed for failure to pay taxes by the due date;
 - (d) The option for the deferment of tax increases exceeding 10% of the previous year’s annualized taxes excluding taxes resulting from new construction.

Definitions

- 3 (1) In this Bylaw, unless the context otherwise requires:
- (a) “Act” means the *Municipal Government Act*, R.S.A. 2000 c. M-26;
 - (b) “City” means the corporation of the City of Lethbridge;
 - (c) “Council” means the council of the City of Lethbridge;
 - (d) “Current Year” is the year specified in Schedule A to this Bylaw;
 - (e) “Previous Year” is the years specified in Schedule A to this Bylaw;
 - (f) “Tax Arrears” means taxes that remain unpaid after December 31 of the year in which they are imposed;

- (g) "Taxes" include annual and supplementary property, business improvement area, special and local improvement taxes, and all other taxes or charges lawfully imposed pursuant to the Act or any other statute of the Province of Alberta.
 - (h) "Tax Payer" is the person liable to pay taxes as defined in Sections 331 and 373 of the Act.
- 4 (1) All taxes imposed and levied under the authority of Section 353 of the Act, shall be paid on the last business day of June of the current year and all other taxes for the current year shall be paid on or before the said date unless otherwise specifically provided for.
- 5 (1) The City Assessor as a designated officer is hereby appointed the Tax Collector for the City of Lethbridge.

PART II – INCENTIVE FOR PREPAYMENT OF TAXES

- 6 (1) Where a Taxpayer makes a prepayment towards the taxes prior to February 28 or 29 (if applicable) of the current year, an incentive shall be applied at the rate set out in Schedule A:
- (a) An incentive shall be calculated daily and paid from the date of payment in the current year until the last business day of June of the current year;
 - (b) An incentive shall not be applied on overpayments in excess of the annual taxes for the previous year;
 - (c) Upon receipt of a written request from the Taxpayer, the overpayment shall be refunded to the Taxpayer, no incentive shall be given;
 - (d) If the land and improvements are sold at any time during the period of pre-payment, all pre-payments plus incentive shall remain on the property tax account;
 - (e) This section does not apply to tax accounts enrolled in the Tax Installment Payment Plan;

PART III – INCENTIVE FOR OVER PAYMENT OF TAXES

- 7 (1) When an overpayment on a tax account exists other than an account enrolled in the Tax Installment Payment Plan, no incentive will be applied to the property tax account.

PART IV – PENALTIES ON UNPAID TAXES

- 8 (1) The Tax Collector shall on or before May 29 in the current year, prepare a Tax Roll and shall proceed to collect the taxes specified therein and shall deposit all tax monies collected with the City Treasurer.
- 9 (1) Payment of all taxes shall be made by every taxable person to the Assessment and Taxation Department in the Lethbridge City Hall locating at 910 – 4th Avenue South, Lethbridge, Alberta.
- 10 (1) Any taxes levied for the current year and remaining unpaid after the due date are subject to penalties at the rates set out in Schedule A.

- 11 (1) Any supplementary or partial year's property taxes levied during the current year are due thirty (30) days from the date of mailing of the supplementary or amended tax notice. Any amounts remaining unpaid after the due date are subject to penalties at the rates set out in Schedule A, commencing the first day of the calendar month following the due date.
- 12 (1) Additional charges levied during the current year pursuant to Sections 553, 553.1 and 553.2 of the Act, or Section 21 of the *Weed Control Act*, R.S.A. 2008, c. W-5.1 are due in accordance with the annual tax payment due dates. Any amounts remaining unpaid after the due date are subject to penalties at the rates set out in Schedule A, commencing on the first day of the calendar month following the due date.
- 13 (1) Notwithstanding sections 10, 11 and 12, the Tax Manager may, at their sole discretion, choose not to apply to the tax account a penalty in the amount of TWENTY DOLLARS (\$20.00) or less.
- 14 (1) Any taxes in the current year, deferred under the Property Tax Deferral Program are not subject to penalties. If the deferred taxes are not paid in accordance with the conditions of the Property Tax Deferral Program, the taxes levied for the current year and remaining unpaid after the due date are subject to the rates set out in Schedule A.

PART V – PENALTIES ON TAX ARREARS

- 15 (1) Any tax arrears are subject to penalties at the rates set out in Schedule A.
- 16 (1) Any taxes, other than current year, deferred under the Property Tax Deferral Program and remaining unpaid as of December 31 are subject to penalties at the rates set out in Schedule A.
- 17 (1) For the purposes of Sections 15 and 16, taxes remaining unpaid as of December 31 include accumulated penalties.
- 18 (1) Notwithstanding sections 15 and 16, the Tax Manager may, at their sole discretion, choose not to apply to the tax account a penalty in the amount of TWENTY DOLLARS (\$20.00) or less.
- 19 (1) Section 14 does not apply to tax accounts enrolled in the Tax Arrears Payment Plan.


PART VI – PROPERTY TAX DEFERRAL PROGRAM

- 20 (1) Provided that taxes are not otherwise in default, a Taxpayer may elect to defer payment of any current year property tax increase in excess of TEN PERCENT (10%) of their annualized previous year property taxes unless the increase in excess of 10% resulted from new building or improvements to the property.
- 21 (1) The deferred amount, calculated as the current year property taxes less the previous year's annualized property taxes, may be paid in one of two ways:

- (a) The deferred amount can be paid in full by December 1 of the current year without late payment penalties being applied. The application deadline under this option is June 30 of the current year or
- (b) The property owner may elect to pay the deferred amount in 10 equal installments from August 1, 2022 to May 1, 2023 by providing the Tax and Assessment Department with 10 preauthorized monthly installments. Provided that all installments are honored, no late payment penalties will be applied.

- 22 (1) The deadline for applying under this option outlined in 21(b) is June 30 of the current year. To be eligible for this option, Taxpayers must sign up (or already be participating) in the Tax Installment Payment Plan (TIPP) for payment of 2023 property Taxes.
- 23 (1) In the event that all the deferred taxes are not paid when due in accordance with this section, then and in that event Sections 10 and 15 will apply on any unpaid taxes.
- 24 (1) A Deferral of 2022 Property Tax Application is attached as Schedule B to this Bylaw.
- 25 (1) Bylaw 6253 and Amended Bylaw 6286 are hereby repealed.
- 26 (1) This Bylaw shall come into force and effect on the 1st day of January, 2022.

READ A FIRST TIME this 30 day of November, A.D. 2021




MAYOR

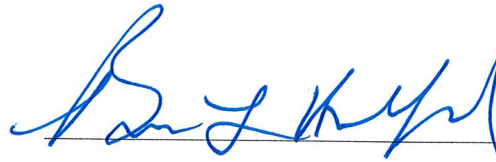


CITY CLERK

READ A SECOND TIME this 14 day of December, A.D. 2021



MAYOR




CITY CLERK

READ A THIRD TIME this 14 day of December, A.D. 2021



MAYOR



CITY CLERK

SCHEDULE A

Bylaw 6335

TAX PENALTIES AND INTEREST

Part I – Titles, Purpose and Definitions

"Current Year" means	2022
"Previous Year" means	2021 and prior years
Due Date – Annual Taxes	June 30, 2022

Part 2 – Incentive on Prepayments

Incentive on Prepayments paid prior to February 28 or 29	0.75% per annum calculated from date of payment to June 30, 2022.
--	---

Part 3 – Penalties on Unpaid Taxes

Current Taxes	July 1 – 7%
	August 1– 1%
	September 1– 1%
	October 1– 1%
	November 1– 1%
	December 1– 1%
	Total - 12%
Supplementary Taxes	August 1– 1%
	September 1– 1%
	October 1– 1%
	November 1– 1%
	December 1– 1%
Taxes Remaining Unpaid from Previous Years	12% per annum calculated daily
The Tax Manager may, at their sole discretion, choose not to apply to the tax account a penalty in the amount of TWENTY DOLLARS (\$20.00) or less.	

SCHEDULE B
BYLAW 6335
DEFERRAL OF 2022 PROPERTY TAX

DATE: _____

ROLL NUMBER: _____

PROPERTY ADDRESS: _____

CALCULATION OF AMOUNT ELIGIBLE FOR DEFERRAL	
2022 TAX	= \$ _____
Less (2021 ANNUALIZED TAX \$ _____ + 10%) = \$ _____	
DEFERRED AMOUNT of	\$ _____

OPTION "A" _____ OR OPTION "B" _____ (Choose "A" or "B")

"A" the deferred amount can be paid in full by December 1, 2022 without late penalties being applied. The deadline for applying under this option is June 30, 2022.

"B" the property owner may elect to pay the deferred amount in 10 equal installments from August 1, 2022 to May 1, 2023 by providing the Tax and Assessment Department with 10 preauthorized monthly installments. Provided that all payments are honored, no late payment penalties will be applied. The deadline for applying under this option is June 30, 2022. To be eligible for this option, taxpayers must sign up (or already be participating) in the Tax Installment Payment Plan (TIPP) for payment of 2023 property tax.

IN THE EVENT THAT ALL THE DEFERRED TAXES ARE NOT PAID WHEN DUE IN ACCORDANCE WITH THIS DEFERRAL PROGRAM, THEN AND IN THAT EVENT, SECTIONS 10 AND 15 OF BYLAW WILL APPLY ON ANY UNPAID TAXES.

TAXPAYER'S SIGNATURE: _____

TAXPAYER'S NAME: _____

(PLEASE PRINT)

- PLEASE PROVIDE A COPY TO THE TAXPAYER

The personal information collected on this form is in accordance with Section 33 of the Freedom of Information and Protection of Privacy Act. It is used for the purpose of deferral calculations and will only be disclosed to the City of Lethbridge Assessment & Taxation Department. If you have any questions, please contact the Assessment and Taxation Department at 403-320-3950.