

THE CORPORATION OF THE
TOWN OF PELHAM
BY-LAW NO. 1973 (1998)

Being a by-law to provide for an Interim Tax Levy before the adoption of the estimates for the year 1998.

WHEREAS Section 370 (8) and (9) of the Municipal Act, Chapter M.45, R.S.O. 1990, as amended by Bills 106, 149 and 164, provides for 1998, that the Council of a local municipality may, before the adoption of the estimates for the year, pass a by-law levying taxes on the assessment of property in the municipality rateable for local municipality purposes;

AND WHEREAS Subsection 370 (9) of the said Municipal Act provides, that taxes under subsection (8) shall be levied on the assessment according to the assessment roll, as most recently revised before the by-law is passed, for taxation in 1997 in accordance with the following:

- (1) Taxes on residential and farm assessment shall be set by levying a mill rate that does not exceed the prescribed percentage (or 50% if no percentage is prescribed) of the residential mill rate levied in 1997.
- (2) Taxes on commercial and industrial assessment shall be set by levying a mill rate that does not exceed the mill rate that would raise, on all the commercial and industrial assessment rateable for local municipality purposes in 1997, the prescribed percentage (or 50% if no percentage is prescribed) of the total taxes raised on that commercial and industrial assessments in 1997 including all business taxes levied in 1997. For the purposes of this paragraph, "commercial and industrial assessment does not include business assessment" and further for the purposes of calculating the total taxes in 1997 if any taxes were levied in 1997 for only part of the year because assessment was added to the Assessment Roll during 1997, an amount shall be added equal to the additional taxes that would have been levied if the taxes had been levied for the entire year, and
- (3) Taxes on eligible farmland, Managed Forests and Conservation Lands, shall be set by levying a mill rate that does not exceed the mill rate that would raise a sum produced by applying the prescribed percentage of the 1997 mill rate to the properties coded as "FL", "MF", or "CL" and where Regulation 523/97 specifies these percentages as 25% of the residential mill rate for properties designated as "FL", and 12.5% of the said residential rate for properties designated as "MF", and 0% of the residential mill rate for properties designated as "CL";

AND WHEREAS Subsection 370 (10) of the said Municipal Act provides that the Council of the municipality may reduce the taxes on the property to the extent that it considers appropriate where Council is of the opinion that Interim taxes on a property are excessive in relation to its estimate of the total taxes that will be levied on the property for 1998;

AND WHEREAS Subsection 370 (11) of the said Municipal Act provides that taxes may be levied under subsection (8) on a property that is rateable for local municipality purposes for 1998 even if the property was not rateable for local municipality purposes for 1997;

AND WHEREAS Subsection 370 (12) of the said Municipal Act provides that a by-law under subsection (8) may provide for the levying of taxes on the assessment of property that is added to the assessment roll after the by-law is passed;

AND WHEREAS it is now necessary to impose such levy for the lawful and ordinary purposes of the Corporation in 1998;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF PELHAM ENACTS AS FOLLOWS:

- (1) There shall be levied and collected by taxation in the Town of Pelham for the year 1998, the interim mill rates hereinafter mentioned, which are hereby imposed upon the total assessment, according to the assessment roll, as most recently revised before the by-law is passed.

Accordingly the interim mill rates for the Town of Pelham for the year 1998 shall be set at:

Residential and Farm	195.0730
Commercial and Industrial	325.4180
Farm properties designated "FL" according to the last revised roll	48.76825
Managed Forests properties designated "MF" according to the last revised roll	24.3841
Conservation Land properties designated "CL" according to the last revised roll	0

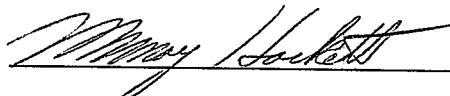
- (2) That all monies levied and collected under the Authority of this by-law shall be paid into the hands of the Treasurer and by him applied as directed by the Statutes in that behalf or as the said Council has by by-law directed or shall from time to time hereafter direct.

- (3) The said sums levied under this authority shall be interim levies, and shall be deducted from the amount of the levy to be subsequently made when the estimates for the Town of Pelham have been adopted by its Council.

- (4) The said interim tax levy shall have a date of demand February 6th, 1998 and shall become due and payable in two (2) installments as follows: 50% of the interim levy shall become due and payable on the 27th. day of February, 1998; and the balance of the interim levy shall become due and payable on the 30th. day of April, 1998 and non-payment of the amount on the dates stated in accordance with this section shall constitute default and any subsequent installments shall forthwith become payable.
- (5) Upon default being made in payment of any interim taxes, according to the manner and at time hereinbefore provided thereof, in respect of which default has occurred, a penalty of 1 1/4% per month on the first day of default and on the first day of each calendar month thereafter, shall be levied and collected as if they had been imposed originally and had formed part of such interim taxes.

READ A FIRST, SECOND AND THIRD TIME
AND FINALLY PASSED BY COUNCIL THIS
2nd. DAY OF FEBRUARY, 1998 A.D.


MAYOR


CLERK