



MISSISSAUGA

THE CORPORATION OF THE CITY OF MISSISSAUGA

COLLECTION OF FINAL TAX LEVIES (2019) BY-LAW 0072-2019

WHEREAS section 3 of the *Assessment Act*, R.S.O. 1990, c. A.31, as amended (the "*Assessment Act, 1990*"), provides that all real property, with specific exceptions, is subject to assessment and taxation;

AND WHEREAS it is expedient to provide for the levy and collection of final tax levies for the year 2019 and to impose penalty and interest on all arrears of taxes pursuant to sections 323, 342, 343, 345, 346, 347, and 355 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended (the "*Municipal Act, 2001*");

AND WHEREAS By-law 0211-2009 delegates the powers and duties of the Treasurer under the *Municipal Act, 2001*, or any other Act with respect to the collection of taxes and the sale of land for tax arrears to the Director, Revenue and Materiel Management and the Manager, Revenue and Taxation.

NOW THEREFORE the Council of The Corporation of the City of Mississauga, ENACTS as follows:

1. For the purposes of this By-law, including the annexed Schedule:

"City" means The Corporation of the City of Mississauga;

"Treasurer" means the City's Commissioner of Corporate Services and Chief Financial Officer; the Director, Revenue and Materiel Management; or the Manager, Revenue and Taxation;

"Council" means the Council of the City.

2. (1) The final levy for residential, farmland, pipelines and managed forests property taxes including local improvement assessments, school rates and other rents and rates for the year 2019 shall be due and payable in three instalments on July 4, August 1 and September 5, 2019.
 - (2) Notwithstanding subsection 2(1), the final levy for real property taxes including local improvement assessments, school rates and other rents or rates for those properties subject to an agreement under the City of Mississauga Pre-Authorized Tax Payment Program shall be due and payable in three instalments on July 4, August 1 and September 5, 2019 for the due date plan, or six instalments for the monthly plan based on the taxpayer's selected withdrawal day of either the 1st, 8th, 15th or 22nd, or the next subsequent business day in the event any of the 1st, 8th, 15th or 22nd falls on a statutory holiday, civic holiday or a weekend, of the months of July, August, September, October, November and December, 2019.
3. (1) The final levy for properties with any portion of assessment in the commercial, industrial, multi-residential or new multi-residential property classes including local improvement assessments, school rates and other rents and rates for the year 2019 shall be due and payable in one instalment on August 1, 2019.

- (2) Notwithstanding subsection 3(1), the final levy for properties with any portion of assessment in the commercial, industrial, multi-residential or new multi-residential property classes including local improvement assessments, school rates and other rents or rates for those properties subject to an agreement under the City of Mississauga Pre-Authorized Tax Payment Program shall be due and payable in one instalment on August 1, 2019, for the due date plan, or five instalments for the monthly plan based on the taxpayer's selected withdrawal day of either the 1st, 8th, 15th or 22nd, or the next subsequent business day in the event any of the 1st, 8th, 15th or 22nd falls on a statutory holiday, civic holiday or a weekend, of the months of August, September, October, November and December, 2019.
4. Notwithstanding sections 2 and 3, where the total final levy taxes to be imposed on a property would be less than twenty-five (25) dollars, the amount of actual taxes payable shall be zero.
5.
 - (1) Realty taxes to be levied as a result of additions to the Tax Roll pursuant to the *Assessment Act, 1990*, shall be due and payable in three instalments provided that the first instalment shall be due not earlier than 21 days from the date of the mailing of the tax notice.
 - (2) Notwithstanding subsection 5(1), where realty taxes are levied as a result of additions to the Tax Roll pursuant to the *Assessment Act, 1990*, at such points during the year that it is impractical or otherwise not feasible for such taxes to be payable in three instalments, then these taxes shall be due and payable in one instalment provided that the instalment shall be due not earlier than 90 days from the date of the mailing of the tax notice.
6. In the event of a default of payment of any instalment of taxes or any part of any instalment, the remaining instalment or instalments shall forthwith become due and payable.
7. There shall be added to the Tax Roll all or any arrears of charges, fees, costs or other expenses as may be permitted by applicable Provincial legislation and such arrears of charges, fees, costs or other expenses shall be deemed to be taxes, collected as taxes, or collected in the same manner as municipal taxes, as may be specifically authorized by the applicable statute.
8.
 - (1) The Treasurer shall in accordance with By-law 0222-2009, as amended, add a percentage charge as a penalty for default of payment of any instalments prescribed in this By-law.
 - (2) The Treasurer shall also add a percentage charge as interest in accordance with By-law 0222-2009, as amended.
9. Except as provided by section 347(3) of the *Municipal Act, 2001*, the Treasurer is hereby authorized to accept part payment from time to time on account of any taxes due and to give a receipt for such part payment, provided that acceptance of any such part payment does not affect the collection of any percentage charge imposed and collectable under the provision of By-law 0222-2009, as amended, in respect of non-payment of any taxes or any class of taxes or of any instalment thereof.
10.
 - (1) The following institutions are hereby authorized to collect instalments of taxes to be credited to the Treasurer:
 - (a) A bank listed in Schedule I or II of the *Bank Act (Canada)*;
 - (b) A trust corporation registered under the *Loan and Trust Corporations Act*, and
 - (c) Subject to the *Credit Unions and Caisses Populaires Act, 1994*, a credit union as defined therein.

- (2) The institutions described in subsection 10(1), shall provide a receipt to the payor and the City shall credit the taxpayer's account for the amount paid effective on the date of the institution's receipt to the taxpayer.
 - (3) Taxes paid into a financial institution to the credit of the Treasurer of the City shall be accompanied by such information as may be required by the Treasurer, sufficient to identify the tax account against which the tax payment is to be applied.
 - (4) Where a payment by a payor into a financial institution to the credit of the Treasurer has been applied to the wrong tax account as a result of a clerical or typographical error, the Treasurer may, upon receipt of the written request of the financial institution or payor accompanied by such evidence as the Treasurer may require to establish the existence of said error, reverse and apply said payment to the correct tax account upon such terms and conditions, including the posting of security by the financial institution or payor, as the Treasurer may require.
11. Payments received on account of taxes shall be applied as follows:
- (1) Payment shall first be applied against penalty and interest charges owing according to the length of time the charges have been owing, with the charges imposed earlier being discharged before charges imposed later;
 - (2) Payment shall then be applied against the taxes owing (including any items referred to in Section 7 of this By-law which have been added to the Tax Roll) according to the length of time they have been owing, with the taxes (including any items referred to in Section 7 of this By-law which have been added to the Tax Roll) imposed earlier being discharged before taxes (including any items referred to in Section 7 of this By-law which have been added to the Tax Roll) imposed later.
12. (1) The Treasurer is hereby authorized to mail every tax notice or cause the same to be mailed to the address of the property shown on the Tax Roll or an alternate address as directed in writing by the person taxed.
- (2) Immediately after sending a tax bill, the Treasurer shall create a record of the date on which it was sent and this record is, in the absence of evidence to the contrary, proof that the tax bill was sent on that date.
13. If any section or portion of this By-law is found by a court of competent jurisdiction to be invalid, it is the intent of Council of The Corporation of the City of Mississauga that all remaining sections and portions of this By-law continue in force and effect.
14. This By-law shall take effect upon the coming into effect of a By-law establishing tax ratios and tax rates for the year 2019 by the Council of The Corporation of the City of Mississauga.

ENACTED and **PASSED** this 8th day of May, 2019.

Signed by: Pat Saito, Acting Mayor and Diana Rusnov, City Clerk