

**DISTRICT OF LANTZVILLE
BYLAW NO. 145, 2017**

A BYLAW TO ESTABLISH A PROPERTY TAX PREPAYMENT PLAN

WHEREAS it is desirable to encourage the prepayment of property taxes and implement a monthly payment system for the convenience of taxpayers;

NOW THEREFORE the Municipal Council of the District of Lantzville, in an open meeting assembled, enacts as follows:

Citation

1. This bylaw may be cited for all purposes as “District of Lantzville Property Tax Prepayment Plan Bylaw No. 145, 2017”

Definitions

2. For the purpose of this bylaw the following terms will have the meanings hereinafter assigned to them:

“**Collector**” means the municipal officer assigned responsibility as collector of taxes for the municipality.

“**District**” means the District of Lantzville.

“**Tax due date**” means the date that the assessed property taxes must be paid in full to avoid a penalty in accordance with Section 235 of the *Community Charter*.

“**Tax levy application date**” means the date that the annual tax levy is applied to property tax statements.

3. Property owners may prepay their property taxes for the following year by making monthly payments, in accordance with the provision of this bylaw.
4. Property owners wishing to pay their property taxes under the Property Tax Prepayment Plan must, no later than ten (10) days before their 1st payment day,
 - a) Pay all outstanding property taxes, and
 - b) Complete a Pre-Authorized Payment agreement, acknowledging the Pre-Authorized Payment terms and conditions, and
 - c) Provide banking information in a form acceptable to the Collector.
5. A property owner may enroll in the prepayment plan at any time during a calendar year.

6. The amount of the equal payments that will be withdrawn on the 10th day of each month except the months of June and July, from the property owner's bank account by the District, will be calculated by dividing the previous year's gross taxes, less the Provincial Home owner grant if eligible, less any credit balance on the account, by ten (10).
7. The property owner may choose a fixed monthly payment amount, provided the amount is less than the amount calculated by the formula in item 6.
8. Participants in the Property Tax Prepayment Plan will be automatically renewed each year unless the District of Lantzville receives written notification, in a manner the Collector requires.
9. A property owner may discontinue the property tax prepayment plan arrangement by providing the Collector with written notice no less than 10 days before the next payment is scheduled. Re-enrollment in the prepayment plan will not be accepted until after one tax due date has passed.
10. Interest will be paid on prepayment monies received by the Collector. Interest will be calculated at a rate of three percent (3.0%) below the principal banker to the Province.
11. Interest will be calculated each month and will be credited to the owner's property tax account. Interest on prepayments will be earned until the tax levy application date. Prepayments, including interest earned, will be applied against the tax levy on the tax levy application date, and will be displayed on the tax statement notice.
12. If the property owner's bank account does not contain sufficient funds to cover the amount of the pre-authorized withdrawal, or if the withdrawal is not honored by the financial institution for any reason, the property owner will be subject to the administration fee as established by the District's Miscellaneous Fees and Charges Bylaw. The charge will be applied to the owner's property tax account.
13. If the property owner has two (2) monthly pre-authorized withdrawals dishonored by their financial institution in one twelve-month period, the Collector may immediately disqualify the property owner from the property tax prepayment plan arrangement.
14. It is the property owner's responsibility to ensure the correct information is provided to the District for the purpose of processing payments.
15. The Collector shall indicate on the annual Property Tax notice, to all participating taxpayers, the total of all payments received plus interest earned and show the property tax amount required to be paid by the tax due date of that year. It is still the owner's responsibility to pay any remaining balance and claim the homeowner grant if eligible, before the tax due date to avoid a late penalty.
16. Property owners are required to keep their property tax account balance up to date. Payments must be applied as set out in Section 244 of the *Community Charter*. In the

event that there are delinquent or arrears property taxes on the property in question, the Collector may immediately disqualify the property owner from the property tax prepayment plan arrangement.

17. In the event of a sale or transfer of the property, property tax prepayments should stay on the property tax account and the responsibility for the adjustment shall be between the vendor and the purchaser. It is the responsibility of the property tax owner to notify the Collector in writing, no less than ten (10) days prior to the sale, that they wish to withdraw from the property tax prepayment plan to ensure prepayments do not continue after the sale.
18. A request for refund of any or all of the tax prepayment balance will only be processed if received prior to the tax levy application date. Tax prepayment balance refunds will be subject to the administration fee as established by the District's Miscellaneous Fees and Charges Bylaw.
19. If, after the tax due date, the prepayment has resulted in an overpayment of taxes, the credit balance will be applied to the next year's prepayment plan as calculated in item 6. Tax overpayment balance refunds will not be charged an administration fee if the request is received within 60-day period.
20. "District of Lantzville Prepayment of Municipal Taxes Bylaw No. 31, 2005" and any amendments thereto are hereby repealed.

READ A FIRST TIME this 24th day of April, 2017.

READ A SECOND TIME this 24th day of April, 2017.

READ A THIRD TIME this 24th day of April, 2017.

ADOPTED this 8th day of May, 2017.

ORIGINAL SIGNED

Colin Haime, Mayor

ORIGINAL SIGNED

Trudy Coates, Director of Corporate Administration