THE CORPORATION OF THE DISTRICT OF KENT

BYLAW NO.1563

"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 Council of the District of Kent, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited for all purposes as the "Property Tax Prepayment Plan Bylaw No.1563, 2017".

2. For the purpose of this or other bylaws pertaining to the Property Tax Prepayment Plan, unless the context otherwise requires, the following terms will have the meanings hereinafter assigned to them:

   a. "District" means the District of Kent.

   b. "Collector" means any person given authority by the District to collect monies for property taxes on behalf of the District.

   c. "Tax Due Date" is the date that the assessed property taxes must be paid by each year in accordance with Section 234 of the *Community Charter.*

3. Property owners may prepay their property taxes for the following year by making monthly payments, in accordance with the provisions 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 first payment,

   a) pay all their outstanding property taxes, and

   b) give the Collector a void cheque and written authorization, in the manner the Collector requires, to automatically withdraw monthly tax payments from the property owner's bank account.

5. The amount of the equal payments will be calculated by dividing the previous year's gross taxes, less the Provincial Home Owner Grant, if claimed, by nine (9). Payments will be withdrawn on the 15th of each month from September to May. The monthly payment will be recalculated every year. Minimum monthly withdrawals will be twenty dollars ($20.00).

6. If the amount of property taxes paid exceeds the amount of property taxes owed (on the parcel of real property for which the prepayment has been made), the Collector will apply the excess amount towards the property taxes for the following year, unless the property owners requests a refund in writing to the Collector.

7. A property owner may discontinue the property tax prepayment plan arrangement by providing the Collector with written notice no less than ten (10) days before the next payment is scheduled.

8. Interest will be paid on prepayment monies received by the Collector. Interest will be calculated at a rate of three percent (3%) below the prime rate of the District's principal bank. For payments made from September 1st to Dec 31st the rate established on December 31st will be used. For payments made from January 1st to May 1st, the rate established on April 30th will be used and will be calculated to June 30th. Interest will be credited to the owner's property tax account.

9. If, during the property tax prepayment year, a property owner's payment is returned by their bank more than one time, the Collector may cancel the property owner's Preauthorized Payment Plan. All returned payments are subject to a returned payment fee as set out by the District of Kent's Fees and Charges Bylaw.

10. It is the property owner's responsibility to ensure the correct information is provided to the District for the purposes of processing payments.

11. 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 the owner's responsibility to pay any remaining amounts and claim their home owner grant, if eligible, before the due date to avoid late payment fees.

12. Payments will be applied as set out in Section 244 of the *Community Charter.*

13. In the event of a sale or transfer of the property, property tax prepayments are to stay on the property tax account and the responsibility for the adjustment shall be between the vendor and purchaser. It is the responsibility of the property owner to notify the Collector, in writing no less than ten (10) days prior to the sale if they wish to withdraw from the property tax prepayment plan to ensure payments do not continue after the sale. The Collector or Chief Administrative Officer will determine if a refund is permitted under extraordinary circumstances.

14. Administrative Provisions
    a) "Advance Payment of Taxes Bylaw No. 1063, 1994" and any amendments thereto are all hereby repealed.

b) If any section, subsection, sentence, clause or phrase of this bylaw is, for any reason, held invalid by the decision of any court or competent jurisdiction, the invalid portion shall be severed and the decision that is invalid shall not affect the validity of the remainder of this bylaw.

READ A FIRST TIME this 15th day of February, 2017.

READ A SECOND TIME this 15th day of February, 2017.

READ A THIRD TIME this 15th day of February, 2017.

FINALLY PASSED AND ADOPTED the 27th day of February, 2017.

CERTIFIED CORRECT:

John Van Laerhoven, Mayor

Wallace Mah, Chief Administrative Officer

CERTIFIED A TRUE & CORRECT COPY
of "Property Tax Prepayment Plan Bylaw No. 1563, 2017" adopted on the 27th day of February, 2017.

Clair Lee, Director of Corporate Services