

**TOWN OF LEGAL
BY LAW #06-2016
PROPERTY TAX INSTALMENT PAYMENT PLAN BYLAW**

A BYLAW OF THE TOWN OF LEGAL IN THE PROVINCE OF ALBERTA TO ESTABLISH A PROPERTY TAX INSTALMENT PAYMENT PLAN.

WHEREAS Section 340 of the Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26, and amendments thereto, reads as follows:

- (1) A council may by bylaw permit taxes to be paid by instalments, at the option of the taxpayer.
- (2) A person who wishes to pay taxes by instalments must make an agreement with the council authorizing that method of payment.
- (3) When an agreement under subsection (2) is made, the tax notice, or a separate notice enclosed with the tax notice, must state
 - a. the amount and due dates of the instalments to be paid in the remainder of the year, and
 - b. what happens if an instalment is not paid

AND WHEREAS Council of the Town of Legal considers it to be desirable to offer a Tax Instalment Payment Plan to its taxpayers.

NOW THEREFORE the Municipal Council of the Town of Legal in the Province of Alberta, duly assembled, hereby enacts as follows:

1. This bylaw may be referred to as the "Tax Instalment Payment Plan Bylaw".
2. Taxpayers of the Town of Legal may apply annually to enter into a Tax Instalment Payment Plan, attached as Schedule "A" or a Tax Instalment Pre-Authorized Payment Plan, attached as Schedule "B" to this bylaw, to provide for the payment of current property taxes and local improvement charges in equal instalments from January to December in any year, in accordance with the choice of one of the following payment plan options:
 - a) Equal monthly instalments, payable the fifteenth (15th) day of each month or the Town's last business banking day of each month, at the option of the applicant as per Schedule "A".
 - b) Equal monthly instalments payable by electronic banking (internet or telephone) as per Schedule "A". The monthly payment is required a minimum of once within each month. Alternate payment amounts may be submitted, however, the full monthly payment amount must be reached within the month.
 - c) Equal monthly instalments payable by pre-authorized debit, payable on the twenty-fifth (25th) of each month as per Schedule "B".
3. Payment shall be by way of depositing with the Town of Legal post-dated cheques upon application to enter into the Plan. Payments made electronically shall be monitored on a monthly basis by the Municipal Administration. Payments made by pre-authorized debit shall be automatically withdrawn by the Municipal Administration on the twenty-fifth (25th) day of each month or the next business day.
4. The Plan shall commence on January 1st of each year, provided that all taxes, local improvement charges, tax arrears and penalties are fully paid on or before December 31st of the preceding year.
 - 4.1 Taxpayers will have until January 15th of the current year to join the Tax Instalment Pre-Authorized Payment Plan if selecting Schedule "B".
 - 4.2 Taxpayers will have until February 28 of the current year to join the Tax Instalment Payment Plan if selecting Schedule "A". Applications to join the Plan will not be accepted after February 28th – tax payers would apply the following year.



5. Arrangements for instalment payments must be made with the Municipal Administration:
 - a) At any time after January 1st but prior to February 28th of the current tax year, provided instalment payments are brought current in accordance with the payment plan as per Section 4 at the time of application to enter into the Plan.
6. Before the tax notices are issued each year, the instalment amount shall be calculated on the amount determined to be the previous year's tax levy.
7. The Municipal Administration may revise the amounts of instalments payable under the Plan:
 - a) To reflect changes to the assessed value of the property;
 - b) To reflect the imposition or termination of local improvement charges; and
 - c) To provide for payment pursuant to the Plan or amounts which in the event of non-payment are deemed at law to be taxes to be recoverable as or in the same manner as taxes.
8. Where the property is subject to an increase in assessed value, prepayment instalments shall be based on an amount estimated by the Municipal Administration as the product of the previous year's mill rate applied against the new assessed value for the tax year for which payment is desired to be made.
9. The difference between the taxes levied for the current year and the total of the instalments authorized under the Plan, will be due and payable when levied, or refunded, by December 31st of the current year for taxpayers who select the Tax Instalment Payment Plan Schedule "A". Any balance remaining unpaid after December 31st of the current year is subject to penalty as indicated by Bylaw #05-2016 of the Town.
10. The difference between the taxes levied for the current year and the total of the instalments authorized under the Plan will be administered as follows for taxpayers who select the Tax Instalment Pre-Authorized Payment Plan, Schedule "B" will be administered as follows:
 - a) Monthly tax instalments for taxpayers selecting the Tax Instalment Pre-Authorized Payment Plan Schedule "B" shall have monthly tax instalments for January to June based on the preceding year's actual levy, divided by twelve (12).
 - b) Monthly tax instalments for July to December will be based on the current year's levy, minus the current year payments made, divided by six (6).
 - c) Any increase or decrease of payments shall be adjusted as of the July 25th instalment payment.
 - d) Any balance remaining unpaid after December 31st of the current year is subject to penalty as indicated by Bylaw #05-2016 of the Town.
11. The privilege of continuing on the Plan will be cancelled if two (2) instalment payments fail to be received or honored (as well as any Service Charges as per Policy 2.10) by the day named for the Authorized Payment on Schedule "A" or the Pre-Authorized Payment on Schedule "B" thereof and the Plan shall become null and void. The unpaid balance of taxes shall be subject to penalties as indicated by Bylaw #05-2016 of the Town.
12. Penalties shall not be applied to any account with a Pre-Authorized Payment Plan unless the privilege has been revoked by the Municipal Administration.
13. There is no interest or discount credited to the taxpayer for payments made in the seven (7) months for Schedule "B" or in the eight (8) months for Schedule "A" prior to August 31st, while there is no penalty applied on current taxes unless a payment is not received or honored.
14. Upon approval of an application by a taxpayer pursuant to this bylaw, the taxpayer shall pay taxes from year to year pursuant to the Plan with a yearly application under this Bylaw if selecting Schedule "A". A yearly application under this bylaw will not be required if selecting Schedule "B".



15. A taxpayer paying taxes pursuant to the Plan may withdraw from the Plan at any time upon at least fifteen (15) days written notice to the Municipal Administration. The tax payer will be removed from the Plan and any and all outstanding taxes will become due and subject to the same penalties as those not on the Plan.
16. Should the property be sold or transferred within the year for which the Plan is applicable, it shall be the responsibility of the owner to make any alternate arrangements required.
17. In the event bank account information changes, ratepayers must notify the Municipal Administration in writing no less than fifteen (15) days before the withdrawal date.
18. A purchase of property with respect to which payment of taxes is made pursuant to the Plan may apply to continue payment of taxes pursuant to the Plan.
19. Any amounts paid to the Town as a prepayment of current year's taxes are non-refundable.

This Bylaw rescinds Bylaw #11-2009.

EFFECTIVE DATE

This Bylaw shall come into force upon third and final reading.

READ A FIRST TIME THIS 19 DAY OF December, 2016A.D.

Carol Insley
MAYOR

Robert [Signature]
CHIEF ADMINISTRATIVE OFFICER

READ A SECOND TIME THIS 19 DAY OF December, 2016A.D.

Carol Insley
MAYOR

Robert [Signature]
CHIEF ADMINISTRATIVE OFFICER

READ A THIRD AND FINAL TIME THIS 19 DAY OF December, 2016A.D.

Carol Insley
MAYOR

Robert [Signature]
CHIEF ADMINISTRATIVE OFFICER

TAX INSTALMENT PAYMENT PLAN APPLICATION

20_____

Bylaw #06-2016 - Schedule "A"

NAME: _____	TAX ROLL #: _____
MAILING ADDRESS: _____	LEGAL ADDRESS: LOT _____ BLOCK _____
CIVIC ADDRESS: _____	PLAN _____
LEGAL, ALBERTA TOG 1L0	PHONE #: _____

I/We hereby request that I/we be enrolled on the Tax Instalment Payment Plan with the Town of Legal which I understand runs from January to December of each year with the monthly payment being based on the previous year's taxes. I understand a tax adjustment will be implemented after the annual mill rate has been set, according to an increase or decrease in taxes, and will be due and payable by December 31st of the current tax year so long as my/our tax roll is in good standings with the Tax Instalment Plan. I/We acknowledge that I/we shall provide the Town of Legal \$_____ each month by the payment option selected below:

OPTION #1 - twelve (12) post-dated cheques dated the 15th of each month **or** the Town's last banking day of each month (*see attached scheduled dates*)

OR

OPTION #2 – Electronic Banking (Internet or Telephone). Monthly payment is required a minimum of once within each month. Alternate payment amounts may be submitted, however the full monthly payment amount must be reached within the month. Allow four (4) business days for processing of payment.

Under the Tax Instalment Plan, there is no interest or discount credited to the taxpayer for payments made in the eight (8) months prior to Aug 31st, while there is no penalty applied on current taxes unless a payment is not received or honoured. The privilege of continuing on the Plan may be cancelled if two (2) instalment payments fail to be received or honoured, as well as a Service Charge of \$25.00 will be applied, by the day named for the Pre-Authorized payment thereof and the Plan shall become null and void. The unpaid balance of taxes shall be subject to penalties as indicated by Bylaw #05-2016 of the Town.

I/We also understand that it is my/our obligation to make any arrangements required should the property be sold or transferred within the current tax year.

SIGNED AND WITNESSED THIS _____ DAY OF _____ 20_____.

WITNESS

SIGNATURE OF APPLICANT

CO-APPLICANT

<i>For Office Use Only:</i>	
<input type="checkbox"/> Cheques (12) received	Plan activated _____
<input type="checkbox"/> Electronic Banking - plan activated	Initials _____

**TAX INSTALLMENT PERSONAL PRE-AUTHORIZED PAYMENT PLAN
APPLICATION 20_____**

Bylaw #06-2016 - Schedule "B"



NAME: _____	TAX ROLL #: _____
MAILING ADDRESS: _____	LEGAL ADDRESS: LOT _____ BLOCK _____
CIVIC ADDRESS: _____	PLAN _____
LEGAL, ALBERTA TOG 1L0	PHONE #: _____

BANK ACCOUNT INFORMATION
Please have financial institution complete the following information or attach a VOID cheque:

DEPOSIT ACCOUNT NUMBER: _____	TRANSIT #: _____
BANK #: _____	
Financial Institution: _____	TELLER INITIAL: <input type="text"/>
Address: _____	

1. I/We hereby authorize the Town of Legal to debit the bank account identified above for the monthly tax installment on the twenty-fifth (25th) day of every month or the next business day, beginning in January, for all property taxes including any local improvements levies payable. The **monthly tax payment is \$_____** which may be increased or decreased on July 25th to the amount shown on the annual Property Assessment and Taxation Notice issued by the Town of Legal.
2. I/We hereby understand that should a payment be returned for any reason, the payment plus applicable service charges must be replaced within fourteen (14) days of the payment being returned. The privilege of continuing on the Plan may be cancelled if two (2) installment payments fail to be received or honoured, as well as a Service Charge of \$25.00 will be applied, by the day named for the Pre-Authorized payment thereof and the Plan shall become null and void. The unpaid balance of taxes shall be subject to penalties as indicated by Bylaw #05-2016 of the Town.
3. In the event I/we change my/our bank account, I/we must notify the Municipal Administration in writing no less than fifteen (15) days before the withdrawal date.
4. Should the property be sold, it is my/our responsibility to notify the Municipal Administration immediately and fill out the appropriate form to stop/cancel the automatic withdrawal.
5. Nothing in this Pre-Authorized Payment Plan form shall be interpreted to relieve the owner/applicant from the obligation to pay any taxes, including penalties, owing to the Town of Legal in the manner or on the date(s) for payment established by the Town of Legal.
6. I/We have certain recourse rights if any debit does not comply with this agreement. For example, I/we have the right to receive reimbursement for any pre-authorized payments that is not authorized or is not consistent with this Pre-Authorized Payment Plan agreement. To obtain for information on my/our recourse rights, I may contact my financial institution or visit www.cdnpay.ca.
7. I/We hereby understand that I/we may revoke our authorization at any time by completing a Pre-Authorized Payment Plan Cancellation form and returning it to the Town of Legal no later than ten (10) business days prior to the next withdrawal/due date. Cancellation forms are available by request at the Town of Legal Office. A sample cancellation form is available at www.cdnpay.ca or by request at most financial institutions.
8. I/We warrant and guarantee that all persons whose signatures are required to sign on this account have signed this agreement below.





AUTHORIZATION:

NAME OF APPLICANT *(Please Print)*

NAME OF CO-APPLICANT *(Please Print)*

SIGNATURE OF APPLICANT

SIGNATURE OF CO-APPLICANT

DATE

DATE

When the form is completed, please mail or fax a copy to:

Town of Legal
Box 390
Legal, Alberta T0G 1L0
PHONE: 780-961-3773
FAX: 780-961-4133

The information collected on this document will be used for the purposes allowed under the authority of the Municipal Government Act. The information on this form is collected under the authority of Section 33 (c) of the Freedom of Information and Protection of Privacy Act (FOIP) and is used solely for purposes relating to the Town of Legal.

CANCELLATION OF TAX INSTALLMENT PERSONAL PRE-AUTHORIZED PAYMENT PLAN

Bylaw #06-2016 - Schedule "C"



NAME: _____	TAX ROLL #: _____
MAILING ADDRESS: _____	LEGAL ADDRESS: LOT _____ BLOCK _____
CIVIC ADDRESS: _____	PLAN _____
LEGAL, ALBERTA T0G 1L0	PHONE #: _____

I/We hereby give notice to the Town of Legal that I/we wish to withdraw from the Tax Installment Pre-Authorized Payment Plan on the date of _____ for the Tax Roll # _____.

I/We are aware that this cancellation form must be received fifteen (15) days prior to the next withdrawal/due date.

I/We warrant and guarantee that all persons whose signatures are required to sign on this account have signed this agreement in the space provided below.

I/We understand that all outstanding amounts now become due and payable and subject to penalties in accordance with Bylaw #05-2016.

Nothing in this cancellation form shall be interpreted to relieve the owner/applicant from the obligation to pay outstanding balances, including penalties, owing to the Town of Legal in the manner or the date(s) established by the bylaws.

This form must be completed by the owner(s) whose name appears on the tax roll.

Signature of Applicant

Date

Signature of Co-Applicant

Date

The information on this form is collected under the authority of Section 33 (c) of the Freedom of Information and Protection of Privacy Act (FOIP) and is used solely for purposes relating to the Town of Legal.

