

BYLAW NO. 449-21

A BYLAW IN THE TOWN OF PONOKA, IN THE PROVINCE OF ALBERTA TO PROVIDE A TAX INSTALMENT PAYMENT PLAN.

WHEREAS, the *Municipal Government Act*, RSA 2000, c. M-26, and amendments thereto, pursuant to Section 340 authorizes a Council, by Bylaw, to provide for the payment of taxes by instalments;

AND WHEREAS, the *Municipal Government Act*, RSA 2000, c. M-26, and amendments thereto, pursuant to Section 418(4) the Municipality may enter into agreement with the taxpayer to permit tax arrears to be paid by instalments.

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

1. This Bylaw shall be cited as the “*Tax Instalment Payment Plan Bylaw*” or “*TIPP Bylaw*”.

DEFINITIONS

2. In this Bylaw;

“*Act*” means the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, as amended.

“*Council*” shall mean municipal Council for the Town of Ponoka in the Province of Alberta, as duly elected.

“*Current Taxes*” means all taxes which are imposed or levied in the current year in which they are imposed.

“*Tax*” and “*Taxes*” includes all property taxes, local improvement taxes, and all other taxes, charges, fees or amounts lawfully imposed against a property by the Town of Ponoka pursuant to the *Municipal Government Act* or any other statute of the Province of Alberta.

“*Tax Arrears*” means taxes that remain unpaid after December 31st of the year in which they are imposed.

“*Tax Agreement*” an agreement between a taxpayer and the Town of Ponoka to pay property taxes that are in arrears.

“*Tax Clerk*” means the Finance Clerk assigned to property taxes.

“*Tax Instalment Payment Plan*” or “*TIPP*” means the plan authorized by this Bylaw permitting Taxpayers to pay Taxes in monthly instalments.

“*Tax Year*” means the annual period in which Taxes are imposed, commencing with January 1st and ending with December 31st.

“*Taxpayer*” is the person liable to pay taxes.

“*TIPP*” Tax Instalment Payment Plan.

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TAX INSTALMENT PAYMENT PLAN

3. All Taxpayers of the Town of Ponoka may apply to be included in the Tax Instalment Payment Plan (TIPP) to provide for the payment of property taxes and local improvement taxes in monthly instalments from January to December in any year.
4. A TIPP authorization form must be completed by the taxpayer.
5. The TIPP shall commence on January 1st of each year provided that all property taxes, local improvements taxes, tax arrears, and penalties are paid in full on or before December 31 of the preceding year.
 - a. Payment in full is not required when a Tax Agreement is in place.
6. A taxpayer who wishes to join TIPP after January 1st of the current year will be given the following two options:
 - a. Pay the total of any missed monthly instalments, from January 1st of the current year, at the time of application; or
 - b. Equally distribute the taxes over the months remaining in the calendar year.
7. A taxpayer joining TIPP after the property tax due date will be subject to any penalties as per the current Property Tax Penalty Bylaw.
8. The monthly instalments shall be determined on the basis of a tax estimate using the previous year's total tax levy until the taxes are levied for the current year. Following the levy of the taxes for the current year, the remaining monthly installments will be recalculated to ensure the property taxes are paid in full by December 31.
9. The monthly instalment payments described in the Bylaw shall be due on the first business day of each month and shall be paid by automatic bank withdrawal from an account at a financial institution designated by the taxpayer.
10. The current Property Tax Penalty Bylaw does not apply to instalments paid in accordance with TIPP. However, the Tax Clerk may cancel the privilege of continuing in the TIPP if two payments have been dishonored and the unpaid balance of taxes, if any, become due and payable and shall be subject to the provisions of the current Property Tax Penalty Bylaw.
11. In the event a property is transferred and the previous taxpayer was enrolled in TIPP, the purchaser of the property shall either:
 - a. Assume the previous taxpayer's remaining TIPP payments; or
 - b. Pay the remaining unpaid taxes in full on or before the date of purchase.
 - c. If the purchaser fails to pay the unpaid balance of taxes, if any, shall be subject to the provisions of the current Property Tax Penalty Bylaw.

TAX AGREEMENTS

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12. The Chief Administrative Officer, or designate, is authorized to enter into a Tax Agreement at their discretion, to provide for the payment of property tax arrears in monthly instalments.
 - a. The Tax Agreement may be for a period not exceeding 3 years.
 - b. The payments must be made as part of the TIPP.
 - c. The Tax Agreement must include future annual property taxes, as well as the total balance outstanding on the Property Tax Account.
 - d. The Tax Agreement will be void if two payments have been dishonored.
 - e. All Tax Agreements will be void with the transfer of ownership of the property, the purchaser shall:
 - i. Pay the remaining unpaid taxes in full on or before the date of purchase.
 - ii. If the purchaser fails to pay the unpaid balance of taxes, shall be subject to the provisions of the current Property Tax Penalty Bylaw.
13. That Bylaw No. 395-18 be repealed upon the effective date of this bylaw.
14. That this Bylaw shall take effect upon third and final reading.

First Reading:	March 9, 2021
Second Reading:	March 9, 2021
Third & Final Reading:	March 23, 2021

TOWN OF PONOKA



MAYOR



CHIEF ADMINISTRATIVE OFFICER