

Town of Fort Macleod Bylaw 1780

Being a Bylaw for the Implementation of a Pre-Authorized Tax Payment Plan,

WHEREAS Section 340 of the Municipal Government Act, R.S.A. 2000, c. M-26, allows Council to, by bylaw, permit taxes to be paid by installments.

AND WHEREAS Council wishes to establish the terms and conditions of a pre-authorized tax payment plan that will allow taxpayers of the Town of Fort Macleod to pay taxes in monthly installments.

The Council of the Town of Fort Macleod, duly assembled, hereby ENACTS AS FOLLOWS:

Title

1. This Bylaw may be referred to as the "Pre-Authorized Tax Payment Plan Bylaw".

Definitions

2. In this Bylaw:
 - (a) "Town" means the municipal corporation of the Town of Fort Macleod;
 - (b) "EFT Process" means the electronic funds transfer process which will allow money to be electronically transferred from the Taxpayer's bank account to the Town's bank account;
 - (c) "Clerk" means the person designated by the CAO as the Tax/Utility Clerk, and if no one is so designated, the CAO.
 - (d) "Payment" means the monthly installment to be transferred from a Taxpayer's bank account to the Town's account through the EFT Process;
 - (e) "Payment Date" means the day each month upon which money will be transferred through use of the EFT Process;
 - (f) "Payment Plan" means an agreement between the Town and the Taxpayer authorizing the payment of Taxes in monthly installments through an EFT Process;
 - (g) "Property Tax Penalty Bylaw" means the bylaw, in effect as of the date a Payment Plan ceases to be in good standing, pursuant to which the Town imposes penalties on outstanding Taxes;
 - (h) "Taxes" means property taxes, school taxes, local improvement taxes and any other tax or charge that may be placed on the property tax roll of a property within the Town of Fort Macleod;
 - (i) "Taxpayer" means the individual or corporation liable to pay the taxes placed on the property tax roll of a property.

The Plan

3. Taxpayers may pay taxes in monthly installments, and no penalties shall be applied to the current year's taxes, provided the Taxpayer:
 - (a) is approved for enrolment in the Payment Plan; and
 - (b) has arranged for payments to be made by way of an EFT Process.

Enrolment

4.
 - (1) A Taxpayer who wishes to enroll in the Payment Plan must submit an application to the Clerk for approval.
 - (2) An application for enrolment in the Payment Plan shall include:
 - (a) a completed application form signed by the Taxpayer; and
 - (b) a void cheque or other documentation that would allow the Town to utilize the EFT Process in the operation of the Payment Plan.

Acceptance

5. (1) The Clerk may refuse an application for enrolment in the Payment Plan.
- (2) A tax roll must have either a zero or credit balance prior to enrolment.
- (3) At the time the Clerk notifies the Taxpayer that the application for enrolment in the Payment Plan has been accepted, the Clerk shall also advise the Taxpayer as to the Payment Date and the amount of the monthly installments to be transferred through the EFT Process.

Payments

6. (1) The Clerk shall calculate the amount of the Payments for each approved Payment Plan at the time the Taxpayer's application is accepted for enrolment into the Payment Plan. The Payments shall be monthly installments calculated so that the cumulative Payments will pay, in full, the outstanding balance of the taxes by the end of the calendar year.
- (2) The Clerk may recalculate the Payment at any time and shall advise the Taxpayer, in writing, of any change in the amount of the Payment to be made.
- (3) Changes in the amount of the Payment shall be effective as of the Payment Date specified in the notice of the change in Payment sent by the Clerk to the Taxpayer.
- (4) The Taxpayer shall notify the Clerk, in writing, no less than fourteen (14) days in advance of the next Payment Date, if the Taxpayer wishes to change the bank account from which the funds are to be transferred. Any notice of a change in bank account received less than fourteen (14) days in advance of the Payment Date shall be effective on the next following Payment Date.

Penalties and Charges

7. (1) No penalties shall be imposed with respect to the outstanding balance of the taxes for the current year for so long as the Payment Plan of the Taxpayer remains in good standing. The Payment Plan is no longer in good standing if the EFT Process fails in any two (2) months of a calendar year or if the Taxpayer fails to pay a service charge imposed by the Clerk.
- (2) The Taxpayer shall pay a service charge to the Town, in an amount set in the User Fees and Rates, every time the EFT Process fails. The service charge shall be due and payable immediately upon the Taxpayer being notified by the Clerk that the EFT Process has failed for the Payment.
- (3) Once the Payment Plan is not in good standing, penalties shall be applied to the outstanding balance of the taxes for the current year in accordance with the Property Tax Penalty Bylaw and the balance outstanding on the tax roll shall immediately be due and payable.
- (4) For the purposes of this Bylaw the EFT Process will be deemed to have failed when the Taxpayer's bank notifies the Town that a fund transfer will not be processed.
- (5) Notwithstanding the enrolment of the Taxpayer in the Payment Plan, penalties shall be imposed on Taxes for previous years in accordance with the Property Tax Penalty Bylaw.

Termination of the Payment Plan

8. (1) The Clerk may cancel a Taxpayer's enrolment in the Payment Plan if the Payment Plan is no longer in good standing.
- (2) Unless enrolment in the Payment Plan is cancelled by the Clerk, Payments shall continue to be taken through the EFT Process unless and until the person or corporation from whose account the Payments are taken notifies the Clerk, in writing, that the Payment Plan should be terminated. In such a case, the termination of the Payment Plan shall be effective fourteen (14) days after the Clerk receives the written notification.
- (3) If cancellation occurs at the request of the taxpayer, the taxpayer may not reinstate the payment plan for the same tax year.

Withdrawal

A participating tax payer may, at any time, withdraw from the installment plan by completing a cancellation form. No monies paid into the plan will be returned, refunded or transferred, but will remain on the tax roll as a prepayment of the property taxes.

Delegation

9. The Manager is authorized to further delegate any authority given to the Clerk under this Bylaw.

READ A FIRST TIME THIS 12TH DAY OF NOVEMBER 2013. A.D.


Rene Gendre, MAYOR

David Connauton, MUNICIPAL MANAGER

READ A SECOND TIME THIS 12th DAY OF NOVEMBER 2013 A.D.


Rene Gendre, MAYOR

David Connauton, MUNICIPAL MANAGER

READ A THIRD TIME AND FINALLY DECLARED PASSED BY COUNCIL THIS 12TH DAY OF NOVEMBER 2013 A.D.


Rene Gendre, MAYOR

David Connauton, MUNICIPAL MANAGER

TOWN OF FORT MACLEOD

PO Box 1420, 236-23 Street
Fort Macleod, AB T0L 0Z0
Ph: 403-553-4425 ext 223 - Fax: 553-2426
clerk2@fortmacleod.com

In accordance with the **Tax Installment Payment Plan (TIPP)** Bylaw #1780.

I/we authorize the Town of Fort Macleod to begin an automated monthly withdrawal for payment of property taxes from the bank account identified on the attached voided cheque .

These services are for (check one) Personal Business

Roll Number: _____ Street Address: _____

Name: _____

Mailing Address: _____

Telephone Number: Daytime: _____ Cell: _____

e-mail _____

The Town will give ten days written notice of any changes to the payment amount in this agreement.

PAYMENT AMOUNT

The debit will be processed to your account on the **15th day of each month** or the next business day.

CANCELLATION: You the Payor, may revoke the Authorization at any time, subject to providing notice 10 days prior to payment /withdrawal date. Payor may obtain a sample cancellation form, or further information on your right to cancel a PAD Agreement, contact your financial institution or www.cdnbpay.ca

You have certain recourse rights if any debit does not comply with this agreement. For example, you have the right to receive reimbursement for any debit that is not authorized or is not consistent with this Agreement. To obtain more **information** on your recourse rights contact your financial institution or visit www.cdnbpay.ca

Signature

Date

TOWN OF FORT MACLEOD

Pre-authorized Payment
Tax Installment Payment Plan (TIPP's)

Termination of TIPP's

I/we wish to notify the Town of Fort Macleod to terminate the monthly automated withdrawals for payment of property taxes from the previously identified bank account, noting that transactions occur on the 15th of every month.

EFFECTIVE DATE OF CANCELLATION: _____

ROLL NUMBER: _____

STREET ADDRESS : _____

NAME: _____

MAILING ADDRESS: _____

TELEPHONE NUMBER: HOME: _____

CELL: _____

DAYTIME: _____

E-MAIL: _____

SIGNATURE _____

DATE _____