

# TOWN OF SMITHERS

## TAX PREPAYMENT PLAN BYLAW NO. 1466

*A Bylaw to authorize a tax prepayment plan.*

---

**WHEREAS** Section 235 (3) (c) of the “*Community Charter*” provides that the Council may, by bylaw, authorize the Collector to receive money for taxes before the due date and may provide the terms for accepting and holding the money including interest on it and its rate;

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

**NOW THEREFORE** the Municipal Council of the Town of Smithers, in open meeting assembled, enacts as follows:

**1. CITATION:**

This Bylaw shall be cited for all purposes as “Tax Prepayment Plan Bylaw No. 1466”, and comes into effect on the date of adoption.

**2. EQUAL MONTHLY INSTALLMENTS:**

Any person being liable to the Town of Smithers for property tax may apply to the Collector of the Town of Smithers to pay taxes on an equal monthly installment basis in a total amount not greater than the amount estimated by the Collector to be the amount of taxes which will be owing when such amounts are next due and payable to the Town and the Collector shall recalculate this amount annually.

- 3.** a) The payment of property taxes on an equal monthly installment basis shall commence upon the execution by the taxpayer of a form substantially as set forth in Schedule “A” attached hereto and forming part of this Bylaw authorizing automatic deduction from the taxpayer’s bank account to the credit of the Town of monthly payments equal to the monthly payment calculated pursuant to this Bylaw and the form shall be deposited with the Collector of the Town.
- b) Monthly payments are based on an estimate only and are not a warranty or guarantee of the amount of taxes, which may be levied.
- 4.** a) Payments due under the monthly installment basis will be processed and collected on the 1<sup>st</sup> day of each calendar month commencing in August of the year preceding the tax due date and ending in May of the year in which the taxes are due.

# TOWN OF SMITHERS

## TAX PREPAYMENT PLAN

BYLAW NO. 1466

Page 2

---

- b) The Collector shall, on the last day of each month, credit interest on the amount paid to that day to the benefit of the taxpayer participating in the monthly installment system at a rate equal to Prime Rate less 3%, as prescribed by the Lieutenant Governor in Council under the provisions of Section 239 of the "*Community Charter*". Interest is to be calculated and credited to the taxpayer's benefit based upon the daily balance in the taxpayer's account during the current month.
5. The Collector shall indicate on each annual tax bill to any participating taxpayer, the total of all payments received plus interest earned and show the amount required to pay the balance of the taxes due on the due date of that year and such annual tax bill shall be calculated on the basis that amounts due on the tax prepayment plan shall be paid as scheduled.
6.
  - a) A participating taxpayer may give notice in writing ten days prior to the installment date, to discontinue participation in the monthly installment system but no monies paid into the plan will be returned or refunded and the Collector shall continue to pay interest as set out in the Bylaw on those monies previously paid.
  - b) In the event of sale of the property, tax prepayments are to stay on the property's account and responsibility for adjustment shall be between the vendor and purchaser.
  - c) The Collector may cancel the privilege of continuing in the monthly installment system if two installments fail to be honoured.
7. Participation in the monthly installment system shall continue until terminated, party in writing. The Town will, if requested, automatically recalculate the monthly installments to start each August. The Town will notify all participants each July as to the new monthly amounts that will start each August.

## 8. **RANDOM PREPAYMENTS**

In addition to the monthly installment system authorized herein the Collector is also authorized to accept and to hold monies to be applied at a future date in payment of taxes upon the following terms and conditions:

- a) no less an amount than \$25.00, or the total estimated unpaid taxes, at any one time shall be accepted for any one parcel of land and any improvements thereon;

# TOWN OF SMITHERS

## TAX PREPAYMENT PLAN

BYLAW NO. 1466

Page 3

---

- b) when tendering any amount under this Bylaw, the taxpayer shall, in writing, addressed to the Collector, designate the account for which such tendered amount is to be accepted and held;
- c) any amount accepted hereunder shall be held in the account for the parcel of land and any improvements designated by the taxpayer, and shall, together with interest accrued as by this Bylaw provided, be, on the day taxes are due applied on account of the payment of taxes due on such account; and
- d) no interest shall be paid on any monies paid after May 1<sup>st</sup> for the current year's taxes.

### 9. **PRECLUSION FROM PREPAYMENT**

In the event that there are taxes in arrears or delinquent chargeable on the property in question, the taxpayer will be precluded from participating in the tax prepayment plan.

READ A FIRST TIME THIS 25<sup>TH</sup> DAY OF MAY, 2004.

READ A SECOND TIME THIS 25<sup>TH</sup> DAY OF MAY, 2004.

READ A THIRD TIME THIS 25<sup>TH</sup> DAY OF MAY, 2004.

ADOPTED THIS 8<sup>TH</sup> DAY OF JUNE, 2004.

The Corporate Seal of the Town of  
Smithers was hereto affixed in the  
presence of

---

James A. Davidson  
Mayor

---

Wallace Mah  
Corporate Administrator / CAO

# **TOWN OF SMITHERS**

TAX PREPAYMENT PLAN

BYLAW NO. 1466

Page 4

---

**CERTIFIED A TRUE AND CORRECT  
COPY** of Bylaw No. 1466 cited as "Tax  
Prepayment Plan Bylaw No. 1466".

---

Wallace Mah  
Corporate Administrator (CAO)

LF/plg

n:\wordpro\bylaws\bylaws frm 1454 to current\bl 1466 tax prepayment plan.doc

8/4/04 2:58 PM