

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 106-98

**BEING A BY-LAW TO ALLOW
FOR DEFERRALS OF
ASSESSMENT-RELATED
RESIDENTIAL TAX INCREASES
IN 1998 FOR LOW-INCOME
SENIORS AND LOW-INCOME
PERSONS WITH DISABILITIES**

WHEREAS the *Municipal Act*, M45, R.S.O. 1990 as amended, Section 373 provides that the Council of a single-tier or an upper-tier municipality must pass a by-law to provide for residential tax deferrals for assessment related tax increases for 1998 for low-income seniors and low-income disabled-persons.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY ENACTS AS FOLLOWS:

1. In this by-law:
 - a. "Assessment-related tax increase" means a tax increase for 1998, as defined in Section 373 of the *Municipal Act*, as amended;
 - b. "Eligible amount" means the "assessment-related tax increase" of a minimum of \$150.00;
 - c. "Eligible person" means a low-income person with disabilities or a low-income senior or the spouse of such eligible person;
 - d. "Low-income person with disabilities" means a person who receives support under the provisions of the *Ontario Disability Support Program Act, 1997*, or a disability amount paid under the *Family Benefits Act*;
 - e. "Low-income senior" means a person who is 65 years of age or older and in receipt of an increment paid under the Guaranteed Income Supplement (GIS), as established under Part II of the *Old Age Security Act (Canada)*.

2. Applications may be filed by low-income seniors and low-income persons with disabilities to the Treasurer of the City of North Bay for the purpose of receiving a deferral of the eligible amount of the assessment related tax increase for 1998, such application and criteria subject to the following conditions:
 - a. The application shall be made on a form provided by the City of North Bay;
 - b. The owner or spouse of the owner must be in receipt of benefits under the Family Benefits Act or the *Ontario Disability Support Program Act, 1997* and be disabled;
 - c. The owner or the spouse of the owner or both has/have attained the age of sixty-five (65) years and is/are receiving a monthly guaranteed income supplement under Part Two of the *Old Age Security Act (Canada)*;
 - d. The owner or the spouse of the owner or both must occupy the property in respect of which the application for tax deferral is made;
 - e. The owner or the spouse of the owner or both has/have been assessed as the owner of the property since January 1, 1997.

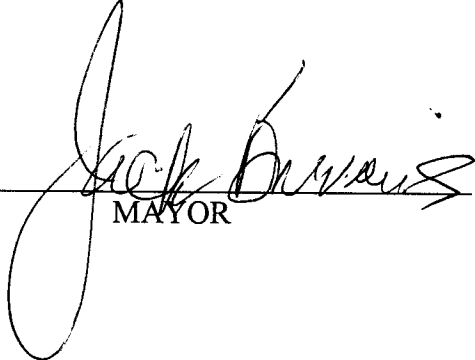
3. The Treasurer shall adjust the Collector's Roll and provide for a tax deferral in 1998 for the assessment related tax increase subject to the following conditions:
 - a. The applicant must properly complete the municipal application form which must be filed during 1998 with the Treasurer of the City of North Bay;
 - b. Evidence of benefits being received by the applicant under the *Family Benefits Act, (Canada)* is submitted with the application;
 - c. Evidence of ownership is submitted with the application;
 - d. If the property is encumbered with a mortgage or other lien or charge, a certificate of approval (on municipal forms) of the mortgagor or person holding the lien or charge is submitted with the application.

4. A deferral shall be granted for the eligible amount of an assessment related tax increase only where the balance of property tax, being the undeferred portion, is paid in full.
5. Simple interest shall be charged on the deferred portion of taxes at the rate of seven per cent (7 %) and such simple interest rate shall be adjusted annually by the Treasurer at the end of each of year so as to calculate simple interest on the deferred tax at the market rate for so long as the assessment related tax increase is deferred.
6. The amount of the assessment related tax increase which has been deferred, together with interest, shall become due and payable in full:
 - a. Upon the death of the owner or in the case of occupancy by both the owner and his/her spouse, the death of both of them, or
 - b. Upon a change in ownership of the property to someone other than the spouse of the owner.
7. This by-law shall come into force and be passed on the third and final reading hereof.

READ A FIRST TIME IN OPEN COUNCIL THIS 10TH DAY OF AUGUST, 1998.

READ A SECOND TIME IN OPEN COUNCIL THIS 10TH DAY OF AUGUST, 1998.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 10TH DAY OF AUGUST, 1998.


MAYOR


DEPUTY CITY CLERK