

District of Chilliwack

Bylaw No. 1576

A bylaw to authorize a Tax Prepayment Plan

WHEREAS Section 439 of the *Municipal Act*, being Chapter 290 of the Revised Statutes of British Columbia, 1979, 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 instalment system for the convenience of taxpayers;

NOW THEREFORE the Municipal Council of the District of Chilliwack in open meeting assembled enacts as follows:

PART 1 - CITATION

1. This bylaw may be cited as "**Tax Prepayment Plan Bylaw 1991, No. 1576**".

PART 11 - EQUAL MONTHLY INSTALMENTS

1. Any person being liable to the District of Chilliwack for property tax may apply to the Collector of the District to pay taxes on an equal monthly instalment 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 District and the Collector shall recalculate this amount annually.
2. (1) The payment of property taxes on an equal monthly instalment 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 District of monthly payments equal to the monthly payment calculated pursuant to this Bylaw and the form shall be deposited with the Collector of the District.

(2) Monthly payments are based on an estimate only and are not a warranty or guarantee of the amount of taxes which may be levied.

PART II - EQUAL MONTHLY INSTALMENTS (continued)

3. (1) Payments due under the monthly instalment basis will be processed and collected on the 15th day of each calendar month commencing in June of the year preceding the tax due date and ending in May of the year in which the taxes become due.
 - (2) Monthly instalment payments made after May 15th in one year shall be designated as a credit against the taxes to be assessed in the subsequent year.
 - (3) 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 instalment system at a rate equal to the Prime rate of the Royal Bank of Canada at that date less 5%, or a minimum of .25% and, notwithstanding the foregoing, the May 31st, June 30th, July 31st and August 31st (or tax due date if earlier) interest rates shall be deemed to be the same as that of April 30th. Such interest to be calculated and credited to the taxpayer's benefit based upon the daily balance in the taxpayer's account during the current month. (AB #2401)
4. 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.
5. (1) A participating taxpayer may give notice in writing ten days prior to the instalment date, to discontinue participation in the monthly instalment 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.
 - (2) In the event of a 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.
 - (3) The Collector may cancel the privilege of continuing in the monthly instalment system if two consecutive instalments fail to be honoured.
6. Participation in the monthly instalment system shall continue until terminated by either party in writing. The amount of deductions taken by the District may vary in subsequent years. The amount will be agreed by mutual consent of both parties in a statement mailed in May of each year to each participant showing the monthly payment suggested for the next year.

PART III - RANDOM PREPAYMENTS

1. In addition to the monthly instalment 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:
 - (1) 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;
 - (2) 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;
 - (3) 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.
 - (4) No interest shall be paid on any monies paid after May 15th for the current year's taxes.

PART IV - PRECLUSION FROM PREPAYMENT

1. 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.

"Tax Prepayment Plan Bylaw 1991, No. 1576" adopted on the 21st day of May, 1991.

Amendment Bylaw No. 2401 adopted on the 16th day of December, 1996.

"John Les"

Mayor

"E.J. Tisdale"

Clerk

"Tax Prepayment Plan Bylaw 1991, No. 1576"

Schedule "A"

District of Chilliwack #330 Young Road South Chilliwack, V2P 4P1	PRE-AUTHORIZED PAYMENT AUTHORIZATION FORM
For Office Use only	
NAME OF OWNER (Please Print) MAILING ADDRESS CITY PROVINCE POSTAL CODE DAY TELEPHONE \$	PROPERTY ADDRESS, CHILLIWACK BRCH 1 BANK 2 ACCT 3 DATE 4 DATE 5
WE HEREBY AUTHORIZE	
BRANCH ADDRESS BANK ACCOUNT NUMBER	CHEQUING <input type="checkbox"/> PERSONAL CHEQUING <input type="checkbox"/> OTHER <input type="checkbox"/>
To debit my/our account indicated above on or after the 15th day of each month for the months June to May inclusive each year. All payments are to be made to the District of Chilliwack.	
SIGNATURE OF SIGNING AUTHORITY(IES)	

FOR A JOINT ACCOUNT ALL DEPOSITORS MUST SIGN IF MORE THAN ONE SIGNATURE IS REQUIRED OR CHEQUES ISSUED AGAINST THE ACCOUNT FOR VERIFICATION PURPOSES. PLEASE ENCLOSE ONE OF YOUR CHEQUES MARKED VOID.

Your business of each payment shall be the same as if I/we had personally directed you to pay as indicated and to charge the amount specified to the account of the undersigned. This authorization may be cancelled at any time upon ten days written notice. Any delivery of this authorization to you constitutes delivery by the undersigned.