



PROCEDURES

SECTION: FINANCE AND CONTROL

NO: FI – TA - 02

REFERENCE: TAXES

Date: March 17, 2008

**Next Review Date:
March 2010**

TITLE: PROPERTY TAX REBATE PROGRAM

1.0 PURPOSE

1.1 To provide a program with clear eligibility and procedural requirements that are to be followed by owners of property with buildings in the City of Dryden that have vacant portions in any of the commercial classes or industrial classes in order to qualify for a rebate of property taxes; and,

to provide clear definitions and administrative procedural requirements to be followed by municipal employees of the City of Dryden in administering the "Rebate of Property Taxes Program" and in processing applications received for rebate consideration.

1.2 This procedure is to be followed by the City of Dryden and by all owners of property within the corporate limits of the City of Dryden, when seeking a rebate of property taxes under section 364 of the Municipal Act, S.O. 2001, C. 25, and Ontario Regulation 325/01. A copy of each of the above is attached to this procedure.

2.0 DEFINITION

2.1 For the purpose of clarifying certain wording used in the Rebate of Property Taxes Program that may otherwise be open to interpretation, the following definitions will apply to this policy:

2.1.1 "Clearly Delineated"
is an obvious and visible separation of areas that can be easily measured between Used and Unused portions of a building.

2.1.2 "Eligible Charity"
is a charity that is a registered charity under the Income Tax Act (Canada) and that has a registration number issued by the Canada Customs and Revenue Agency.

2.0 DEFINITION

2.1 For the purpose of clarifying certain wording used in the Rebate of Property Taxes Program that may otherwise be open to interpretation, the following definitions will apply to this policy:
(Cont'd)

2.1.3 "Physical Barriers"
is the use of material objects to physically divide Used and Unused portions of a building into easily measurable areas.

2.1.4 "Seasonal Use"
is property that is used for a commercial or industrial activity for approximately the same period of time in each year.

2.1.5 "Storage"
is the keeping of any goods or materials within a building or structure, with the exception of fixtures or chattels that are left in a previously leased building or portion of a building by a tenant and provided such fixtures or chattels have not been moved from the location in the building where they had been used by the tenant prior to vacancy.

2.1.6 "City"
refers to the Corporation of the City of Dryden

2.1.7 "Unused"
is property not used for any purpose.

2.1.8 "Used"
is property serving a use or purpose, and for further clarification, storage, as defined in this policy, is considered as serving a use or purpose.

3.0 EVIDENTIARY REQUIREMENTS:

3.1 The following evidentiary requirements must be satisfied for an owner to be entitled to a rebate under the Rebate of Property Taxes Program:

3.1.1 Notice of Vacancy:

Any owner of vacant property that intends to make application for a rebate of property taxes during a period of vacancy must notify the City of the vacancy at the time the property becomes vacant in order to be eligible for a rebate commencing from that date. Notice of vacant property shall be given by completing a "Notice of Vacancy" form available at City Hall.

3.0 EVIDENTIARY REQUIREMENTS: (Cont'd)

3.2 For any taxation year, the commencement date of eligibility for a vacant property rebate will commence on the date of vacancy stated on a completed Notice of Vacancy form, such date not to exceed 30 days prior to the date the form is submitted.

3.2.1 Monitoring of Vacancies:

For purposes of verifying status of a property for which the City has been given a Notice of Vacancy, the City may periodically view the property to confirm vacancy continuity. All information collected through the monitoring process will be recorded on the appropriate section of the Notice of Vacancy form and will be used in determining eligibility of an application for rebate of property taxes.

4.0 EXEMPTION FOR CHARITABLE ORGANIZATIONS:

4.1 The City may provide an exemption of up to 60 days in any taxation year to an owner that permits temporary use of property for which the owner has submitted a Notice of Vacancy, when such property is used only by an Eligible Charity, and provided the owner is not receiving any monetary consideration for use of the property occupied by the Eligible Charity. In such cases, the City will exempt the owner from claiming the property as Used on an application for rebate of property taxes.

4.2 In order to obtain an exemption, an owner must advise the City of the proposed use of the property in advance of occupancy so that the City can verify charity eligibility status, after which written approval will be provided from the City to the owner.

5.0 REBATE OF PROPERTY TAXES PROGRAM PROCEDURES:

5.1 The following step by step procedure is to be followed in the administration of the Rebate of Property Taxes Program:

Note: All applicants for rebate of property taxes must first meet all requirements of Section 364 of the Municipal Act and Ontario Regulation 325/01, and any amendments thereof, in order to qualify for rebate consideration.

5.1.1 To become eligible to submit an application for property tax rebate, vacant property owners must complete and submit a "Notice of Vacancy" form to City Hall within 30 days from the date the property obtains vacancy status.

5.0 REBATE OF PROPERTY TAXES PROGRAM PROCEDURES:

- 5.1 The following step by step procedure is to be followed in the administration of the Rebate of Property Taxes Program: (Cont'd)
- 5.1.2 All Notice of Vacancy forms will be date stamped upon receipt, copied to the owner and Tax Clerk, and submitted to the Building and Planning Department for processing.
 - 5.1.3 Upon receipt, the Building and Planning Department will verify the vacancy identified on the Notice of Vacancy form and may conduct further periodic monitoring during the vacancy period.
 - 5.1.4 All information collected during the monitoring process will be recorded in the appropriate space provided on the Notice of Vacancy form.
 - 5.1.5 If the vacancy status of a property for which Notice of Vacancy has been given changes to occupied or used, the owner must notify the Building and Planning Department immediately.
 - 5.1.6 Any owner desiring an Eligible Charity exemption on a property for which a Notice of Vacancy was given, must notify the City and receive written approval in advance of occupancy by the Eligible Charity.
 - 5.1.7 Within the time frames specified in the Municipal Act, property owners that have previously submitted a Notice of Vacancy form must complete and submit an "Application for Rebate of Property Taxes" form to City Hall.
 - 5.1.8 All Application for Rebate of Property Taxes forms will be date stamped upon receipt, submitted to the Tax Clerk for processing and copied to the Building and Planning Department.
 - 5.1.9 The Building and Planning Department will review information contained on the Notice of Vacancy form with the information on the Application for Rebate of Property Taxes form and will provide the Tax Clerk with comments on the correctness of the information, or any variances between the information.
 - 5.1.10 If, upon review by the Tax Clerk and approval from the Treasurer, an application is denied or if adjustments are made to the information on an application form, such information will be included in the appropriate space provided on the Application for Property Taxes Rebate form, and the Tax Clerk will notify the applicant in writing of the denial of an application or of changes made to an application and the reasons for same.
 - 5.1.11 The Tax Clerk will review the applications and, upon approval from the Treasurer, will forward all eligible applications to the Municipal Property Assessment Corporation (MPAC) for an apportionment valuation.

5.0 REBATE OF PROPERTY TAXES PROGRAM PROCEDURES:

5.1 The following step by step procedure is to be followed in the administration of the Rebate of Property Taxes Program: (Cont'd)

5.1.12 Upon return of an application from MPAC with an apportionment valuation, the Tax Clerk will calculate the amount of taxation rebate applicable to the property.

5.1.13 The Tax Clerk will issue a rebate cheque to all qualified property owners that do not have any outstanding tax or interest arrears on the property at the time of rebate approval, unless otherwise directed by the property owner to issue a credit to the property tax account.

5.1.14 The Tax Clerk will issue a credit adjustment to the account of any property owner that qualifies for a tax rebate but that has outstanding tax or interest arrears on the property at the time of rebate approval. In such cases, the property owner will be advised in writing by the Tax Clerk of the amount of tax rebate applied to the property account.

History			
Approval Date:	March 17, 2008	Approved by:	Council By-law
Amendment Date:		Approved by:	
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