Agenda – Council – December 10, 2014

Report – Executive Policy Committee – November 19, 2014

Item No. 6 Amendment to The Tax Penalty By-law No. 5796/91

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On November 19, 2014, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submitted the following to Council:

1. That The Tax Penalty By-law No. 5796/91 be amended to provide for a means of calculating the date taxes are imposed rather than establishing specific days years in advance.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report – Executive Policy Committee – November 19, 2014

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On November 19, 2014, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submitted the matter to Council.

ADMINISTRATIVE REPORT

Title: **Amendment to the Tax Penalty By-law No. 5796/91**

Critical Path: **Executive Policy Committee, Council**

AUTHORIZATION

Author	Department Head	CFO	CAO
Tim Austin	Mel Chambers	Mike Ruta	M. Jack A/COO

RECOMMENDATIONS

1. That Council amend The Tax Penalty By-law No. 5796/91 to provide for a means of calculating the date taxes are imposed rather than establishing specific days years in advance (draft amending by-law attached).
2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

Only Council can enact by-laws.

The tax due dates in this By-law have expired and must be updated.

IMPLICATIONS OF THE RECOMMENDATIONS

This is a housekeeping amendment to set out tax due dates in the Tax Penalty By-law No. 5796/91.

Currently, the by-law includes specific tax due dates for a period of 10 years (i.e. 2004 to 2014). The last due date noted in the By-law is June 30, 2014.

Rather than setting another series of specific due dates, the amendment proposed in this report adopts a different approach. It provides that the due date for business taxes is the last business day of May each year and the due date for real property and personal property taxes is the last business day in June. This approach will ensure that tax due dates will be set in perpetuity without having to enact additional amendments to the by-law in the future.

The amendment proposed in this report adopts a different approach. It provides that the due date for business taxes is the last business day of May each year and the due date for real property and personal property taxes is the last business day in June. This approach will ensure that tax due dates will be set in perpetuity without having to enact additional amendments to the by-law in the future.

FINANCIAL IMPLICATIONS

There are no financial implications to this report as this is to set tax due dates.

HISTORY

The Tax Penalty By-law No. 5796/91 was originally passed by City Council on November 27, 1991 and outlines the tax due dates, the imposition and compounding of penalties, the penalty rates, exceptions, taxes paid by mail and the transfer of unpaid taxes.

On March 23, 2004 Council passed a by-law amendment to change the penalty rates as well as updating a table containing tax due dates in subsection 2(1) of the by-law with the table of dates listed below:

	Business Taxes	Property Taxes
Year	**Due On**	**Due On**
2004	May 31	June 30
2005	May 31	June 30
2006	May 31	June 30
2007	May 31	June 29
2008	May 30	June 30
2009	May 29	June 30
2010	May 31	June 30
2011	May 31	June 30
2012	May 31	June 29
2013	May 31	June 28
2014	May 30	June 30

On July 1, 2014 subsection 2(1) of the Tax Penalty By-law expired and requires updating.

FINANCIAL IMPACT

Financial Impact Statement **Date:** September 11, 2014

Project Name:

Tax Penalty By-law Amendment

COMMENTS:

There is no financial impact to the City of Winnipeg as this is a housekeeping by-law setting tax due dates in perpetuity.

Original Signed By:
Fernando Dela Cruz for Ramona Hodges
Manager of Finance (Campus)
Corporate Finance Department

CONSULTATION

In preparing this report there was consultation with:

Internal: Legal Services Department (for by-law preparation only)

External

SUBMITTED BY

Department: Assessment and Taxation
Division: Taxation and Finance
Prepared by: Tim Austin, Manager of Taxation and Finance Services
Date: September 11, 2014
File No. N/A

