CITY OF HAMILTON

BY-LAW NO. 14-104

A BY-LAW TO ADOPT MUNICIPAL OPTIONS FOR TAX CAPPING FOR THE YEAR 2014

WHEREAS subsection 329 of the Municipal Act, 2001, S.O. 2001, c. 25, provides for a cap which determines the maximum taxes for which particular classes of real property are liable during the taxation year 2014;

AND WHEREAS paragraph 329.1(1)1 of the Municipal Act, 2001, S.O. 2001, c. 25, authorizes the City of Hamilton to enact a by-law to establish a percentage greater than 5% and less than or equal to 10% by which tax increases shall be limited in respect of properties in the Commercial, Industrial and Multi-Residential property tax classes;

AND WHEREAS paragraph 329.1(1)3 of the Municipal Act, 2001, S.O. 2001, c. 25, authorizes the City of Hamilton to enact a by-law to establish a dollar amount threshold greater than $0 and less than or equal to $250 by which capped properties in the Commercial, Industrial and Multi-Residential property tax classes move to their full Current Value Assessment taxes if they are at or below this dollar amount threshold of their Current Value Assessment taxes for 2014;

AND WHEREAS paragraph 329.1(1)8 of the Municipal Act, 2001, S.O. 2001, c. 25, authorizes the City of Hamilton to enact a by-law to establish a percentage greater than 0% and less than or equal to 100% by which the amount of full Current Value Assessment taxes for a property which becomes an eligible property within the meaning of subsection 331(20) of the Municipal Act, 2001, S.O. 2001, c. 25 shall be limited in respect of properties in the Commercial, Industrial and Multi-Residential property tax classes;

AND WHEREAS Ontario Regulation 73/03 authorizes the City of Hamilton to enact a by-law to exempt a property from the application of Part IX of the Municipal Act, 2001, S.O. 2001, c. 25, if taxes for the property in the previous year were equal to its full Current Value Assessment taxes for that year.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

Tax Increase - Maximum Percentage

1.   For the purpose of paragraph 329.1(1)1 of the Municipal Act, 2001, the City of Hamilton establishes the maximum assessment-related tax increase allowed on the Commercial, Industrial and Multi-Residential property tax classes as 10% for 2014 and accordingly limits properties in these classes to a maximum assessment-related tax increase of 10%.

Tax Increase – Maximum Dollar Amount

2.   For the purpose of paragraph 329.1(1)3 of the Municipal Act, 2001, the City of Hamilton establishes the maximum dollar amount threshold allowed on the Commercial, Industrial and Multi-Residential property tax classes as $250 for 2014 and accordingly properties in these classes move to their full Current Value Assessment taxes if they are at or below $250 of their Current Value Assessment taxes for 2014.

Tax Increase – New Construction / New to Class

3.   For the purpose of paragraph 329.1(1)8 of the Municipal Act, 2001, the City of Hamilton establishes the maximum taxes allowed on a Commercial, Industrial and Multi-Residential property which becomes an eligible property within the meaning of subsection 331(20) of the Municipal Act, 2001 as 100% of its full Current Value Assessment taxes for 2014.

Tax Capping Exemption

4.   For the purpose of paragraph 8.0.2 of Ontario Regulation 73/03, the City of Hamilton exempts any property in the Commercial, Industrial or Multi-Residential property tax classes which paid full Current Value Assessment taxes for 2013 from Part IX of the Municipal Act, 2001 for 2014.

General

5.   The purpose of this By-law is to clarify the respective rights and obligations of the City of Hamilton and all persons liable for tax during the fiscal year 2014.

6.   This By-law is deemed to come into force on January 1st, 2014.

PASSED this 14th day of May, 2014.

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R. Bratina   R. Caterini
Mayor   City Clerk