

**Authority:** Item 10 , Committee of the Whole  
Report 05-001 (FCS05039)  
CM: April 11, 2005

**Bill No. 135**

## **CITY OF HAMILTON**

### **BY-LAW NO. 05-135**

#### **To Change Percentage of Tax Capping**

**WHEREAS** section 329.1 of the *Municipal Act 2001*, provides for a cap which determines the maximum taxes for which particular classes of real property are liable during the fiscal year 2005.;

**AND WHEREAS** section 329.1 of that Act further empowers the City to enact a by-law to establish a percentage if greater than 5% by which tax increases shall be limited in respect of properties in any property class.

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

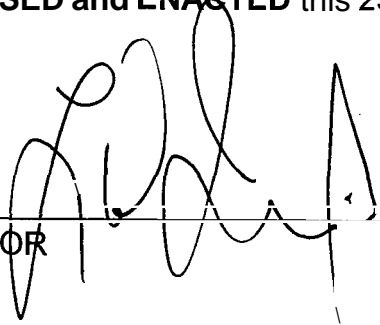
#### **1. Tax Cap Increase Percentage**


- 1.1 For the purposes of section 329 of the *Municipal Act 2001*, the City of Hamilton for 2005 chooses to increase the maximum assessment related tax increases allowed on the commercial, industrial and multi-residential tax classes to 7.5%.
- 1.2 For the purposes of section 329 of the *Municipal Act 2001*, the City of Hamilton for 2005 further chooses to move any property in the commercial, industrial or multi-residential taxes classes to full current value assessment taxes if they are within \$250 of their full current value assessment taxes.
- 1.3 Section 1.1 shall apply to all properties in the property class whose taxes for municipal and school purposes for 2005, as determined under subsection 329 (4) of the *Municipal Act*, currently pay below their current value assessment taxes for municipal and school purposes for 2005 as adjusted in accordance with the regulations in respect of changes in taxes for municipal purposes and changes in taxes for school purposes.
- 1.4 Section 1.2 shall apply to all properties in the property class whose taxes for municipal and school purposes for 2005, as determined under subsection 329 (4) of the *Municipal Act*, currently pay below or in excess of their current value assessment taxes for municipal and school purposes for 2005 as adjusted in

accordance with the regulations in respect of changes in taxes for municipal purposes and changes in taxes for school purposes.

- 1.5 The purpose of this section is to clarify the respective rights and obligations of the City and all persons liable for tax during the fiscal year 2005.
- 1.4 This section shall be deemed to have come into effect on January 1, 2005.

**PASSED and ENACTED** this 25<sup>th</sup> day of May, 2005.

  
MAYOR

  
A/CLERK