

BYLAW 09-14-249

**MUNICIPAL DISTRICT OF NORTHERN LIGHTS NO. 22
IN THE PROVINCE OF ALBERTA**

BEING A BYLAW TO ESTABLISH A PRE-AUTHORIZED TAX PAYMENT PLAN

WHEREAS Section 340 of the Municipal Government Act, R.S.A. 2000, c.M-26, allows Council to, by bylaw, permit taxes to be paid in installments.

AND WHEREAS, Council wishes to establish the terms and conditions of a pre-authorized tax payment plan that will allow taxpayers of the Municipal District of Northern Lights No. 22 to pay taxes in monthly installments.

The Council of the Municipal District of Northern Lights No. 22, duly assembled, hereby ENACTS AS FOLLOWS:

1. This Bylaw may be referred to as the "Pre-Authorized Tax Payment Plan Bylaw".
2. In this Bylaw:
 - (a) "MD" means the Municipal District of Northern Lights No. 22;
 - (b) "EFT Process" means the electronic funds transfer process which will allow money to be electronically transferred from the Taxpayer's bank account to the MD's bank account;
 - (c) "Payment" means the monthly installment to be transferred from a Taxpayer's bank account to the MD account through the EFT Process;
 - (d) "Payment Date" means the day each month upon which money will be transferred through use of the EFT Process;
 - (e) "Payment Plan" means an agreement between the MD and the Taxpayer authorizing the payment of Taxes in monthly installments through an EFT Process;
 - (f) "Property Tax Penalty Bylaw" means the bylaw, in effect as of the date a Payment Plan ceases to be in good standing, pursuant to which the MD imposes penalties on outstanding Taxes;
 - (g) "Taxes" means property taxes, school taxes, local improvement taxes and any other tax or charge that may be in place on the property tax roll of a property within the MD of Northern Lights No. 22;
 - (h) "Taxpayer" means the individual or corporation liable to pay the Taxes placed on the property tax roll of a property.
3. Taxpayers may pay Taxes in monthly installments, and no penalties shall be applied to the current year's taxes, provided the Taxpayer:
 - (a) is approved for enrollment in the Payment Plan; and;
 - (b) has arranged for payments to be made by way of an EFT Process.
4.
 - (1) A Taxpayer who wishes to enroll in the Payment Plan must submit an application to the MD for approval;
 - (2) An application for enrolment in the Payment Plan shall include:
 - (a) a completed application form signed by the Taxpayer, and;
 - (b) a void cheque or other documentation that would allow the MD to utilize the EFT Process in the operation of the Payment Plan.
5.
 - (1) The MD may refuse an application for enrolment in the Payment Plan.
 - (2) At the time the MD notifies the Taxpayer that the application for enrolment in the Payment Plan has been accepted, the MD shall also advise the Taxpayer as to the Payment date and the amount of the of the monthly installments to be transferred through the EFT Process.
6.
 - (1) The MD shall calculate the amount of the Payments for each approved Payment Plan at the time the Taxpayer's application is accepted for enrolment into the Payment Plan. The payments shall be monthly installments calculated so that the cumulative payments will pay, in full, the outstanding balance of the Taxes by the end of the calendar year.
 - (2) The MD may recalculate the Payment at any time and shall advise the Taxpayer, in writing,

of any change in the amount of the Payment to be made.

- (3) Changes in the amount of the Payment shall be effective as of the Payment Date specified in the notice of change in Payment sent by the MD to the Taxpayer.
 - (4) The Taxpayer shall notify the MD, in writing, no less than fourteen (14) days in advance of the next payment date if the taxpayer wishes to change the bank account from which the funds are to be transferred. Any notice of change in bank account received less than fourteen (14) days in advance of the payment date shall be effective on the next following payment date.
7. (1) No penalties shall be imposed with respect to the outstanding balance of the Taxes for the current year for so long as the Payment Plan of the Taxpayer remains in good standing. The Payment Plan is no longer in good standing if the EFT process fails in any two (2) months of the calendar year or if the Taxpayer fails to pay a service charge imposed by the MD.
- (2) The Taxpayer shall pay a service charge to the MD, in an amount set by the Schedule of Fees Bylaw, every time the EFT Process fails. The service charge shall be due and payable immediately upon the Taxpayer being notified by the MD that the EFT Process has failed for the payment.
 - (3) Once the Payment Plan is not in good standing, penalties shall be applied to the outstanding balance of the Taxes for the current year in accordance with the Property Tax Penalty Bylaw and the balance outstanding on the tax roll shall immediately be due and payable.
 - (4) For the purposes of this Bylaw, the EFT Process will be deemed to have failed when the Taxpayer's bank notifies the MD that a fund transfer will not be processed.
 - (5) Notwithstanding the enrolment of the Taxpayer in the Payment Plan, penalties shall be imposed on Taxes for previous years in accordance with the Property Tax Penalty Bylaw.
8. (1) The MD may cancel a Taxpayer's enrolment in the Payment Plan if the Payment Plan is no longer in good standing.
- (2) Unless enrolment in the Payment Plan is cancelled by the MD, Payments shall continue to be taken through the EFT Process unless and until the person or corporation from whose account the Payments are taken notifies the MD, in writing, that the Payment Plan should be terminated. In such case, the termination of the Payment Plan shall be effective fourteen (14) days after the MD receives the written notification.
9. The MD is authorized to further delegate any authority given to the MD under this bylaw.

Read for the FIRST time this 24th day of November, 2009.

Read for the SECOND time this 24th day of November, 2009.

Read for the THIRD and FINAL time this 24th day of November, 2009

Chief Elected Official

Chief Administrative Officer