

TOWN OF BISHOP'S FALLS

**2022 Municipal Operating Budget Tax Schedule and Policy**

Adopted during Public Meeting 1464 on December 21, 2021 (R 249/2021)

Amended during Public Meeting 1469 on May 17, 2022 (R 102/2022)

Amended during Public Meeting 1475 on October 25, 2022 (R 194/2022)

1.0 **Residential Taxation Policies**

1.1 The following residential tax structure shall apply in 2022:

| <b>Tax</b>      | <b>Rate</b>                                      |
|-----------------|--|
| Property Tax    | 8.25 mills of the assessed value of the property |
| Water/Sewer Tax | \$475 flat rate for each connection              |
| Land Rental     | \$800 flat rate per property                     |
| Poll Tax        | \$250 flat rate per qualifying person            |
| Water only tax  | \$280 flat rate for each connection              |

1.2 The minimum residential property tax shall be \$500. This shall apply in cases where the property tax, imposed in accordance with section 1.1, produces a tax lower than \$500.

1.3 The minimum residential property tax prescribed in section 1.2 shall apply to all residential properties. The practice of pooling properties and applying the mill rate in all cases, regardless of the applicable minimum property tax, shall not apply.

1.0 B **Student Poll Tax Policy**

1.0 B 1 Where a person produces a letter from a recognized post-secondary institution confirming that he/she is enrolled as a full-time student in the current fiscal year, that person shall be exempt from poll tax. This policy may be applied retroactively for the previous two fiscal years provided the person produces a letter from a recognized post-secondary institution confirming that he/she was enrolled as a full-time student in each year.

1.0 C **CPP Income Excluded for Poll Taxes**

- a) For the purpose of applying poll taxation in accordance with the *Municipalities Act, 1999*, income received under the Canada Pension Plan Disability Benefit shall not be considered income.
- b) Once a person submits evidence demonstrating that he/she is receiving the Canada Pension Plan Disability Benefit, the Town shall no longer impose poll taxes on that person.

1.0 D **Common Law Poll Tax Exemption**

A person shall be exempt from poll taxes where he/she is "Living common-law" with a real property owner at the real property owner's residence in Bishop's Falls and satisfies the definition of "Living common-law" as set forth by the Canada Revenue Agency. In the form prescribed by the Town Manager/Clerk, an application must be submitted to the Town Office by the person seeking the exemption and the common-law partner. This policy shall take effect on January 1, 2022, and may be applied retroactively, when circumstances require, for fiscal years 2020 and 2019.

2.1.1 **Commercial Taxation Policies**

- 2.1 The property tax rate for commercial properties shall be 7.75 mills of the assessed value of the property.
- 2.1.B The minimum commercial property tax shall be \$500. This shall apply in cases where the property tax, imposed in accordance with section 2.1, produces a tax lower than \$500.
- 2.2 The water/sewer tax for commercial properties shall be 6.83 mills of the assessed value of the property. Notwithstanding the latter, where the water/sewer tax is less than \$500, the Town shall impose a minimum water/sewer tax on the commercial property that shall be \$500.
- 2.3 A general business tax of 1.00% shall apply to all businesses except the following:
- (a) 0.80% shall be applied to farms and resource based industries.
  - (b) 1.40% shall be applied to manufacturers.
  - (c) 1.00% shall be applied to drug stores.
  - (d) 1.00% shall be applied to funeral homes.
  - (e) 2.00% shall be applied to doctor offices.
  - (f) 1.00% shall be applied to senior/retirement homes.
  - (g) 2.00% shall be applied to franchise restaurants.
- 2.4 The minimum business tax shall be \$300. This shall apply in cases where the business tax, imposed in accordance with section 2.3, produces a tax lower than \$300.
- 2.5 Business tax shall not be adjusted save for cases where a business permanently terminates operations. In such cases, the tax imposed on the business shall be prorated and based on the number of months the business was operational in the fiscal year. A business applying for an adjustment must submit evidence substantiating the date the business permanently terminated operations in the fiscal year.

3.0 **Crown and Church Properties Water/Sewer Taxation Policies**

- 3.1 For this purpose of this section, "Crown Properties" means those properties and buildings belonging to the Crown, an Agency of the Crown, or Crown Corporations including schools and hospitals.
- 3.2 Church properties shall be exempt from the water tax.
- 3.3 The water/sewer tax for crown properties shall be 6.83 mills of the assessed value of the property. Notwithstanding the latter, where the water/sewer tax is less than \$500, the Town shall impose a minimum water/sewer tax on the crown property that shall be \$500.

4.0 **Municipal Utility Tax**

- 4.1 In accordance with section 5(1) of the *Taxation of Utilities and Cable Television Companies Act*, the municipal utility tax in 2022 shall be 2.5% of gross revenue of the utility for the preceding year.

5.0 **Vacant Land Minimum Property Tax**

- 5.1 In accordance with section 114 (c) of the *Municipalities Act, 1999*, a minimum vacant property tax of \$650 shall apply in 2022.
- 5.2 The minimum vacant property tax prescribed in section 5.1 shall apply to all vacant properties. The practice of pooling property and applying the mill rate in all cases, regardless of the applicable minimum property tax, shall not apply.

5.0A **Waste Collection Fee**

5.0A.1 In accordance with section 177 of the *Municipalities Act, 1999*, a Waste Collection Fee of \$70 per real property, charged to the owner of the real property, shall apply in 2022. The Waste Collection Fee shall only apply to residential real properties.

6.0 **Discounts**

6.1 For the purpose of this schedule and policy, a senior means a person residing in the Town of Bishop’s Falls who is or will be 65 years of age or older in 2022.

6.2 Seniors shall be eligible for a 10% discount on property taxes provided all taxes and fees are paid-in-full on or before June 30, 2022.

6.3 Businesses shall be eligible for a 4% discount on business taxes provided all taxes and fees are paid-in-full on or before March 31, 2022.

6.4 Persons other than seniors and businesses shall be eligible for a 3% discount on property taxes provided all taxes and fees are paid-in-full on or before March 31, 2022.

6.5 Notwithstanding sections 6.2, 6.3, and 6.4, under no circumstances shall a discount exceed a total sum of \$50.00.

6.6 A person qualified to pay poll tax shall be eligible for a 4% discount on his/her poll tax provided the balance is paid in full on or before March 31, 2022.

6.7 Persons booking extended rentals at the Pat O’Reilly Memorial Stadium as defined in the *Recreation Rental Fees and Cancellation Policy* shall be eligible for a 5% discount on the total invoiced rental fees for the operating season provided the person’s account balance is paid in full within 30 days of receiving the final invoice for the operating season.

7.0 **Interest on Overdue Accounts**

7.1 As per section 101 (2) of the *Municipalities Act, 1999*, all taxes must be paid on or before June 30, 2022. Where taxes are outstanding as of July 1, the account shall be charged a simple interest rate of 1.25% applied at month-end.

7.2 Notwithstanding section 7.1, a senior, as defined in section 6.1, shall be exempt from interest charges provided his/her account is paid in full by December 31, 2022.

8.0 **Councillor Remuneration Schedule**

8.1 Councillor Remuneration shall be distributed as per the following schedule:

| <b>Council Position</b> | <b>Remuneration Percentage</b> |
|-------------------------|--------------------------------|
| Mayor                   | 23% of the total allocation    |
| Deputy Mayor            | 17% of the total allocation    |
| Councillor              | 12% of the total allocation    |

9.0 **Donations and Grants**

9.1 The following donations and grants are approved for 2022:

| <b>Organization/Type</b>              | <b>Max Grant/Donation</b> |
|---------------------------------------|---------------------------|
| Bishop’s Falls Heritage Society       | 500                       |
| RiverFest Committee (operations)      | 500                       |
| RiverFest Committee (concert support) | 5,000                     |
| Bishop’s Falls Public Library         | 250                       |
| Lions Club Winter Carnival            | 425                       |

|   |     |
|---|-----|
| Youth of the Year Contribution          | 200 |
| Christmas Light-up Contest              | 225 |
| Leo Burke Academy Donation              | 250 |
| Helen Tulk Elementary Donation          | 250 |
| GFW/BF Food Bank Donation               | 250 |
| Lions Club Santa Clause Parade Donation | 100 |
| Kiwanis Music Festival Donation         | 100 |
| VOCM Happy Tree                         | 150 |
| Knights of Columbus Speak-off Donation  | 50  |
| Other Charitable Causes Donations       | 500 |
| Eligible Sports Activities Donations    | 500 |

9.2 Upon receiving a request for a donation or grant, the Town Manager shall review section 9.1 and where the organization's name appears in the list, shall issue the donation or grant and record the expenditure as a Routine Payment. Notwithstanding the latter, the following grants shall be disbursed without application as per the date prescribed:

- (a) Leo Burke Academy's grant shall be issued April 1, 2022.
- (b) Helen Tulk Elementary's grant shall be issued April 1, 2022.
- (c) Bishop's Falls Public Library shall be issued February 1, 2022.

9.3 Grants and donations to sports and arts activities shall be issued on a first-come-first-serve basis. The maximum contribution shall not exceed \$100 for a team and \$50 for an individual. A team or individual shall not receive more than one (1) donation per year.

9.4 Grants and donations to charitable causes shall be issued on a first-come-first-serve basis. The maximum contribution shall not exceed \$50.00. A charitable cause or sponsoring organization shall not receive more than one (1) donation per year.

9.5 Sections 9.3 and 9.4 shall be administered by the Town Manager.

9.6 Upon application to the Town Manager/Clerk, the Fire Department shall receive a grant up to \$1,500 on an annual basis to host a function or functions for retiring firefighters. For the purpose of this policy, a retiring firefighter shall mean an individual who has served at least 20 years in the Bishop's Falls Fire Department and has officially retired from service.

**10.0 Fire Department Honourariums**

10.1 Honourariums for the Fire Department's Executive Officers shall be as follows in 2022:

|                   |       |
|-------------------|-------|
| Fire Chief        | \$900 |
| Deputy Fire Chief | \$700 |
| Assistant Chief   | \$700 |
| First Captain     | \$700 |
| Second Captain    | \$700 |
| First Lieutenant  | \$700 |
| Second Lieutenant | \$700 |
| Secretary         | \$700 |
| Treasurer         | \$700 |
| Training Officer  | \$700 |

10.2 Honourariums for the Fire Department's firefighters shall be \$600 in 2022. For the purpose of this section, a firefighter is defined as any recognized members of the Bishop's Falls Fire Department who does not hold an Executive Office as outlined under section 10.1.

10.3 Honourariums shall be disbursed by the Town Manager under the following guidelines:

- (1) Only those firefighters who have meet the minimum attendance level as prescribed by the Fire Department's Constitution and By-Laws shall be entitled to the honourarium.
- (2) Before a payment requisition is issued for the disbursement of the honourariums, the Town Manager shall be furnished with a list of qualifying members that has been certified by the Fire Chief. The list shall indicate the qualifying member's rank in the Department. For the purpose of this section, qualifying member means an executive officer or firefighter who has met the minimum attendance level as prescribed by the Fire Department's Constitution and By-Laws.
- (3) An individual within the Fire Department shall receive either the Executive Officer's honourarium as prescribed under section 10.1 or the firefighter honourarium as prescribed under section 10.2. An individual shall not be entitled to both honourariums.
- (4) If a surplus is present in the Fire Department's honourarium budget allocation after the qualifying members receive their annual honourariums in accordance with these policies, the Town Manager shall, at the request of the Fire Chief, divide the surplus equally among all qualifying members in that fiscal year.

10.4 Upon application in accordance with this subsection, the Town Manager/Clerk shall issue a \$75 honourarium per inspection to a qualified fire inspector, or to a group of qualified fire inspectors, with the Bishop's Falls Fire Department. In the interest of clarity, only one \$75 honourarium will be paid per inspection regardless of the number of qualified fire inspectors assigned to the inspection. The honourarium is issued per inspection and not per inspector.

For the purpose of this subsection, a qualified fire inspector is a member of the Bishop's Falls Fire Department, in good standing, who has received the necessary training to conduct an inspection in accordance with provincial legislation. To claim the honourarium under this section the qualified fire inspector, or inspectors, must submit a form to the Town Manager/Clerk with the following information:

- Date of inspection;
- name(s) of inspector(s);
- name of the premise inspected;
- summary of inspection (i.e., findings and directives); and
- number of hours devoted to the inspection.

The form must be signed by the Fire Chief who shall, by fixing his/her signature to the written request, verify the inspection was conducted.

## 11.0 **Recreation Department**

11.1 Fees for services at the Pat O'Reilly Memorial Community Centre shall be charged in accordance with the *Recreation Rental Fees and Cancellation Policy* as amended from time-to-time.

## 12.0 **Application Fees**

12.1 The following application fees for permits and licences shall apply in 2022:

| <b>Permit</b>   | <b>Resident Fee</b> | <b>Commercial Fee</b> |
|---|---------------------|-----------------------|
| New Dwelling (this may include an accessory building) | \$50                | \$50                  |
| Extension   | \$50                | \$50                  |

|                    |       |       |
|--------------------|-------|-------|
| Accessory Building | \$10  | \$50  |
| General Repairs    | \$10  | \$50  |
| Advertising        | \$10  | \$50  |
| Subdivision        | \$200 | \$200 |
| Quarry             | \$100 | \$100 |

| Licence                     | Resident Fee | Commercial Fee |
|-----------------------------|--------------|----------------|
| General Business Licence    | \$50         | \$50           |
| Noise/Nuisance Licence      | \$10         | \$25           |
| Home Based Business Licence | \$50         | \$50           |

12.2 The application fees prescribed under section 12.1 shall include the issuance of a permit or licence, as the case may be, where such has been approved by the Town as per municipal regulations.

12.3 Application fees shall be paid upon receipt of the application for a permit or licence. The Town shall not process an application until the appropriate fee(s) have been paid.

13.0 **Miscellaneous Fees**

13.1 A fee of \$150.00 shall be imposed for the issuance of a tax certificate and compliance letters.

13.2 Dog and cat licence fees and associated charges shall be imposed in accordance with the *Dog and Cat Regulations, 2010* as amended from time-to-time.

13.3 A fee of \$50.00 shall be imposed for NSF cheques. A person with a history of at least one (1) NSF cheque in a fiscal year shall be denied the privilege of paying taxes and fees by personal cheque in that fiscal year.

13.4 (a) A \$25 fee shall be imposed where a person voluntarily engages the Town to disconnect or connect water services to his/her property during the operation period. For the purpose of this subsection, the operating period is defined as 8:00 am to 5:00 pm Monday through Friday. Where a person voluntarily engages the Town to disconnect or connect water services outside the operating period, a fee equal to the costs incurred by the Town, which includes, among other things, labour, payroll burden, and materials, plus \$25 shall be imposed.

(b) Notwithstanding subsection 13.4 (a), the Town shall not impose a fee where the person engages the Town to disconnect or connect water services related to emergency situations.

13.5 In accordance with section 18 of the Mobile Canteen and Vendor Regulations, 2016, the following fees are established:

|  |       |
|--|-------|
| Daily Permit (24-hour period):               | \$25  |
| Seasonal Permit (not more than four months): | \$125 |
| Annual Permit (not more than 12 months):     | \$225 |

14.0 **Caregiver Water and Sewer Tax Exemption Policy**

14.1 Where an apartment or unit is used to care for a property owner’s mother, father, mother-in-law, and/or father-in-law, and the person(s) under care is/are 65 years of age or older in 2016, the property owner is eligible to apply for a caregiver water and sewer tax exemption provided a separate water and sewer tax is being imposed on the apartment or unit.

- 14.2 To qualify for a water and sewer tax exemption the following must be satisfied:
- (a) The apartment or unit must be attached to a single dwelling and both structures must be owned by the same person.
  - (b) A water and sewer tax must be imposed on the apartment or unit by the Town in addition to the water and sewer tax imposed on the single dwelling.
  - (c) The apartment or unit must be occupied by the property owner's mother, father, mother-in-law, and/or father-in-law at the date of application.
  - (d) The mother, father, mother-in-law, and/or father-in-law must be 65 years of age or older in 2022.
  - (e) A completed application, in a former prescribed by the Town Manager, must be submitted within the period between January 1 and December 31 in the respective fiscal year. Applications received for prior years shall not be considered.
- 14.3 Where an application has been submitted in proper form and satisfies the criteria as outlined under s. 14.2, the Town Manager shall approve the application and authorize the water and sewer tax exemption.
- 14.4 Notwithstanding any provision under s. 14.1, 14.2, or 14.3, under no circumstance shall a water and sewer tax exemption exceed \$475.
- 14.5 The policy prescribed under s. 14.0 shall supersede and replace any and all policies in relation to the matter of caregiver water and/or sewer rate/tax exemptions.

15.0 **Collections and Water Disconnection Policy and Procedure**

- 15.1 Where an account is past due and the associated taxes or fees are in arrears, the Administration Department shall implement the following procedure:
- (a) Notices shall be distributed by July 30, 2022 through standard mail indicating the account is past due and taxes and/or fees are in arrears. The respective property owner(s) or person(s) shall be given two (2) weeks from the date of the notice to pay the account in full.
  - (b) Where the account remains past due and taxes and/or fees are in arrears following the notice issued as per s 15.1 (a), the Administration Department shall issue a water disconnection notice that shall be posted on the property in a conspicuous place. The respective property owner(s) or person(s) shall be provided 48 hours to pay the account in full. Water disconnection notices shall not be issued on Wednesdays, Thursdays or Fridays. Where water disconnection notices cannot be issued, the Administration Department shall issue a notice advising the respective property owner(s) or person(s) that the account will be forwarded to an external agency for collection. The property owner(s) or person(s) shall have 48 hours from the date of the notice to pay the account in full.
  - (c) Where the account remains past due and taxes and/or fees are in arrears following the water disconnection notice or the external agency notice issued as per s 15.1 (b), the Administration Department shall instruct the Public Works Department to terminate water service to the respective property or shall forward the account to the external agency for collection, as the case may be. In the case of water disconnections, the Public Works Department shall respond to such instructions immediately.
  - (d) In addition to the collection measure prescribed under s. 15.1 (c), the Administration Department, where the property is being rented, may exercise the authority

prescribed by s. 148 under the *Municipalities Act, 1999* and seize the rental fees to satisfy the outstanding taxes associated with the rented property.

- 15.2 In the event the property owner(s) or person(s) acknowledges and responds to the first notice as per s. 15.1 (a), the Administration Department may, upon application by the property owner(s) or person(s), entertain a payment arrangement for outstanding fees and taxes. Such arrangements, once negotiated, must be approved by the Town Manager and are subject to the following conditions:
- (a) The payment arrangement must be in writing and signed by the property owner(s) or person(s).
  - (b) The outstanding fees and taxes must be paid in full by the third Friday in November 2022.
  - (c) The property owner(s) or person(s) must agree to the payment arrangement as negotiated and must acknowledge that failure to comply with the arrangement will result in the disconnection of water services without notice.
  - (d) A property owner(s) or person(s) shall not be eligible for a payment arrangement if he/she/they received a water disconnection notice or an external agency notice as per s. 15.1 (c).
- 15.3 The Administration Department shall implement this policy and exercise the authorities herein prescribed under the supervision of the Town Manager.
- 15.4 The policy prescribed under s. 15.0 shall supersede and replace any and all policies and procedures in relation to the matter of collections and water disconnections.
- 15.5 Notices issued in accordance with the policy and procedure contemplated under s. 15.0 shall be sent to the property owner(s) or person(s) last known address.
- 15.6 Notwithstanding section 15.2, the Finance Standing Committee may, upon recommendation by the Town Manager, approve or reject a payment arrangement outside of the prescribed conditions.
- 16.0 **Acceptable forms of payment**
- 16.1 The Town shall accept debit, cash, and cheques as acceptable forms of payment. Notwithstanding the latter, acceptable forms for payment for the Fallsview Municipal Park shall be as established by section 8.0 (b) of the *Fallsview Municipal Park Policy*.
- 16.2 Notwithstanding subsection 16.1, the Town may accept Visa and Mastercard subject to a convenience fee of 2.97% on the total amount being paid by credit. Other credit cards may be accepted subject to a convenience fee of 3.50%.
- 17.0 **Poll Taxation**
- 17.1 Upon receiving a notice of assessment confirming a poll tax payee earned less than the basic personal exemption in the previous taxation years, the Accounts Receivable Clerk shall adjust the applicable poll tax in the current fiscal year, and the associated interest, provided the poll tax payee produces the notice of assessment before December 31, 2022. This policy may be retroactively applied to the previous two fiscal years provided the poll tax payee can produce the notices of assessment confirming the poll tax payee earned less than the basic personal exemption in the applicable taxation years.
- 17.2 Upon receiving the required documentation confirming a poll tax payee does not reside in the Town of Bishop's Falls, the Accounts Receivable Clerk shall adjust the applicable poll tax, and the associated interest, provided the poll tax payee produces the required documentation before December 31, 2022. This policy may be retroactively applied to the previous two fiscal years provided the poll tax payee can produce the required



documentation. For the purpose of this policy, the required documentation is any two of the following:

- Deed confirming real property ownership in another municipality.
- A current utility bill with the address noted.
- A current phone bill with the address noted.
- A current cable/TV/internet bill with the address noted.
- Driver's licence showing current address.
- Notice of assessment for the applicable year.
- Other documents may be submitted but are subject to review and approval by the Finance Standing Committee.

17.3 Where a poll tax invoice, sent by mail, is returned by Canada Post for a valid reason after it is first mailed, the Accounts Receivable Clerk shall, after verifying the address with the appropriate source (i.e., business), immediately adjust the poll tax and close the account. For the purpose of this policy, a valid reason is any of the following:

- (a) No such address.
- (b) Moved.
- (c) No such Post Office.