

CITY OF HAMILTON MOTION

Council: August 16, 2019

MOVED BY COUNCILLOR M. PEARSON.....

SECONDED BY COUNCILLOR.....

Amendment to By-Law 19-125, being a by-law to Set and Levy the Rates of Taxation for the Year 2019 – Correction to Education Rates

WHEREAS, the *Municipal Act*, 2001, S.O. 2001, c. 25, provides the authority for the Council of the City of Hamilton to levy on the whole rateable property according to the last returned assessment roll for the current year, the tax rates required for Municipal and Education purposes;

WHEREAS, the *Education Act* provides the tax rates for education purposes;

WHEREAS, on the 22nd day of May of 2019 the Council of the City of Hamilton enacted By-law No.19-125 to Set and Levy the Rates of Taxation for the Year 2019;

WHEREAS O. Reg. 400/98 requires the tax rates for school purposes in respect of the vacant industrial, excess commercial and excess industrial subclasses shall be reduced by 50 percent of the amount by which the tax rates for municipal purposes are reduced under section 313 of the *Municipal Act*, 2001;

WHEREAS, By-law 400/98 provided for a reduction of the tax rates for school purposes in respect of the vacant industrial, excess commercial and excess industrial subclasses in the same amount as the reduction for the tax rates for municipal purposes;

WHEREAS, the Education Rates set out in Schedule “C” of By-law No.19-125 are therefore incorrect for the following Property Classes: Commercial – Excess Land, Commercial Office Building – Excess Land, Commercial Shopping – Excess Land, Commercial (New Construction) Excess Land, Commercial Office Building (New Construction) – Excess Land, Commercial Shopping (New Construction) – Excess Land, Industrial – Excess Land, Industrial Vacant – Excess Land, Industrial Large – Excess Land, Industrial (New Construction) – Excess Land, Industrial (New Construction) – Vacant Land, and Industrial Large (New Construction) – Excess Land; and,

WHEREAS, it is necessary to amend By-law No.19-125 in order to comply with O. Reg. 400/98;

THEREFORE, BE IT RESOLVED:

That the By-law to Amend By-law 19-125, being a by-law to Set and Levy the Rates of Taxation for the Year 2019, which has been prepared in a form satisfactory to the City Solicitor (attached hereto as Appendix "A"), be enacted.