



Communities,
Land and
Environment

Communautés,
Terres et
Environnement



Municipal Affairs and
Provincial Planning Division
PO Box 2000, Charlottetown
Prince Edward Island
Canada C1A 7N8

Division des affaires municipales et
de la planification provinciales
C.P. 2000, Charlottetown
Île-du-Prince-Édouard
Canada C1A 7N8

Ms. Hilary Price
Community of Victoria
P.O. Box 7
Victoria PE C0A 2G0

August 22, 2018

Dear Ms. Price,

Re: Victoria – Tax Rate Groups Bylaw (Bylaw #2018-02, adopted March 26, 2018)

I wish to acknowledge receipt of the following bylaw:

- Victoria – Tax Rate Groups Bylaw (Bylaw #2018-02, adopted March 26, 2018)

A copy of the above noted bylaw has been filed in accordance with the *Municipal Government Act*, s.129. Enclosed is the filed bylaw.

Please be advised that it is the responsibility of the municipality passing a bylaw to both ensure that the subject area covered by the bylaw is within the jurisdiction of the municipality and that the procedures for the passage of a bylaw under the *Municipal Government Act* have been complied with.

Please feel free to contact me should you have any questions regarding this matter.

Regards,

Wendy McIsaac
Sr. Policy Analyst, Municipal Affairs
(902) 569-7621
wmcisaac@gov.pe.ca

Encl.

Municipality of Victoria
Received August 27, 2018

Rural Municipality of Victoria, PEI
A Bylaw to Establish Tax Rate Groups
Bylaw #2018-02

BE IT ENACTED by the Council of the Rural Municipality of Victoria as follows:

- 1. Title**
 - 1.1 This bylaw shall be known and cited as the "Tax Rate Groups Bylaw."
- 2. Authority**
 - 2.1 Subsection 8(1) of the *Real Property Tax Act*, RSPEI 1988 © R-5, provides the authority for Council to establish tax rates.
 - 2.2 Subsection 160(1) of *Municipal Government Act* R.S.P.E.I. 1988, Cap. 12.1, enables Council to set and approve a rate or rates, by resolution, for all real property within the jurisdiction and boundaries of the municipality.
 - 2.3 Subsection 160(2) enables Council to establish, by bylaw, separate tax rate groups in the municipality for purposes of raising revenue sufficient to defray projected municipal expenditures.
- 3. Application**
 - 3.1 This bylaw applies to all real property within the boundaries of a municipality that is liable each calendar year to taxation by the municipality.
- 4. Definitions**
 - 4.1 "Act" means the *Municipal Government Act*.
 - 4.2 "Chief Administrative Officer" or "CAO" means the administrative head of a municipality as appointed by Council under subsection 86(2)© of the *Municipal Government Act*.
 - 4.3 "Council" means the Mayor and other members of the Council of the municipality.
 - 4.4 "Councillor" means a member of Council other than the Mayor.
 - 4.5 "Operating Budget" is the annual budget of Council stated in terms of Budget Classification Code, functional categories and cost accounts.
 - 4.6 "Capital Budget" is the annual budget of Council allocating money for the acquisition of maintenance of fixed assets such as land, buildings, and equipment.
 - 4.7 "Lien" means a legal right to keep possession of property until a debt owed to the Rural Municipality of Victoria is discharged.
 - 4.8 "Tax rate group" means, in accordance with section 159 of the Act, commercial or non-commercial real property in a municipality that has similar specified attributes, including but not limited to (a) access to municipal services not available in other areas of the municipality; (b) access to a higher level of municipal services than that available in other areas of the municipality; (c) geographic location in the municipality; (d) property use, or (e) property ownership.
- 5. General**
 - 5.1 Council, through this bylaw, establishes tax rate groups within the municipality and may apply different tax rates to each group to reflect the differences in services provided.
 - 5.2 The rate or rates of tax that may be approved by Council shall consist only of one commercial rate and one non-commercial rate for each tax group.
 - 5.3 Council will set tax rates within the municipality by resolution.
 - 5.4 Council may set a different tax rate where it has created a tax rate group based on property use or type in accordance with 160(2) of the Act.
- 6. Tax Groups**
 - 6.1 The Rural Municipality of Victoria establishes, under this bylaw, the following tax rate groups:
 - (1.a) Commercial
 - (1.b) Non-Commercial

7. **Establishing Group Rates**

7.1 The tax rates for each group shall be established by resolution of Council on an annual basis prior to March 31st. Tax rate groups established in this bylaw are identified in "Schedule A" of this bylaw.

8. **Notification**

8.1 Council shall notify the Provincial Tax Commissioner in writing regarding rate or rates of taxation to be set for the period of January to December prior to March 31 of the year to which rates apply.

8.2 Where the municipality is restructured, Council shall notify the Provincial Tax Commissioner of the restructuring on or before September 30 of the preceding calendar year.

8.3 Where Council has established or changed a tax rate group, Council shall notify the Provincial Tax Commissioner on or before December 31 of the preceding calendar year.

9. **Restrictions on Rate Setting**

9.1 Council shall not approve a change to a tax rate to take effect at any time except on January 1 of the year in which the new tax rate applies.

9.2 Council shall not approve a change to a tax rate to apply for a period of time less than a full calendar year.

10. **Enforcement**

10.1 The Minister of Finance collects and is responsible for enforcing the collection of taxes on behalf of the Rural Municipality of Victoria.

11. **Effective Date**

11.1 This Tax Rate Groups Bylaw, Bylaw #2018-02, shall be effective on the date of approval and adoption below:

First Reading:

This Tax Rate Groups Bylaw, Bylaw #2018-02, was read a first time at the Council meeting held on 12th day of February, 2018.

This Tax Rate Groups Bylaw, Bylaw #2018-02, was approved by a majority of Council members present at the Council meeting held on 12th day of February, 2018.

Second Reading:

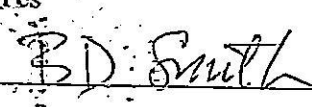
This Tax Rate Groups Bylaw, Bylaw #2018-02, was read a second time at the Council meeting held on the 26th day of March, 2018.

This Tax Rate Groups Bylaw, Bylaw #2018-02, was approved by a majority of Council members present at the Council meeting held on the 26th day of March, 2018.

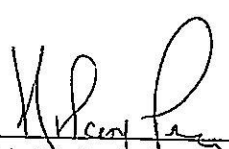
Approval and Adoption by Council:

This Tax Rate Groups Bylaw, Bylaw #2018-02, was adopted by a majority of Council members present at the Council meeting held on the 26th day of March, 2018.

12. **Signatures**

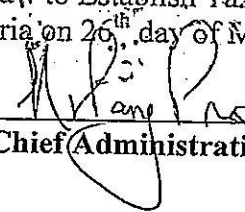


Mayor



Chief Administrative Officer

This bylaw to Establish Tax Rate Groups, Bylaw #2018-02 adopted by the Council of the Rural Municipality of Victoria on 26th day of March, 2018 is certified to be a true copy.



Chief Administrative Officer



Date

