

The Corporation of the City of Kenora

By-law Number 100 - 2010

A By-law to Establish Amended Claw Back Rates for Certain Property Classes within The Corporation of the City of Kenora for 2010

Whereas the Corporation of the City of Kenora may limit tax decreases for a taxation year pursuant to s.330 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended by Regulations thereto (hereinafter referred to as the "Municipal Act"), in order to provide for the recovery of foregone revenue resulting from the application of s.329 of the Municipal Act; and

Whereas this by-law shall only apply to properties in a property class to which Part IX of the Municipal Act applies; and

Whereas for the purposes of this by-law the commercial classes shall be deemed to be a single property class and the industrial classes be deemed to be a single property class; and

Whereas limits to tax decreases for any class may only be established in order to recover all or part of the foregone revenue in respect of the same property class; and

Whereas the Corporation, in an attempt to minimize the adverse property tax effects of capping on taxpayers intends to claw back the maximum amount possible from the capped classes;

Whereas the Corporation has since received the levy request from the Kenora District Services Board, which represents an additional \$98,271 over the original budget amount; and

Whereas the Corporation has determined that the 2010 municipal tax rates would be amended to reflect this increase from the Kenora District Services Board;

Whereas the Corporation has amended the 2010 municipal tax rates through the passing of By-Law #99-2010; and

Whereas as a result of amending the 2010 municipal tax rates, the Corporation is also required to amend the related claw back rates for 2010 that were previously established under By-law #81-2010;

Now Therefore Be It Resolved That the Council of the Corporation of the City of Kenora hereby enacts as follows:-

1. **That** for the taxation year 2010, the tax decreases for property in:
 - a. the commercial property class shall be limited to 97.8136%
 - b. the industrial property class shall be limited to 100.0000%
2. That By-law Number 81-2010 is hereby repealed.
3. **That** this By-law shall come into force and be in effect from and after the final passing thereof.

By-law read a First and Second Time this 28th day of May 2010.

By-law read a Third and Final Time this 28th day of May 2010.

The Corporation of the City of Kenora:

.....Mayor
Leonard P. Compton

.....Deputy Clerk
Heather L. Kasprick