

Authority: Item:1 & 2
Planning Economic Development
Report: 08-008
CM: May 14, 2008

Bill No. 109

CITY OF HAMILTON

BY-LAW NO. 08-109

A By-law to Levy a Special Charge Upon the Rateable Property in the Business Improvement Areas for the Year 2008

WHEREAS section 208 of the Municipal Act, 2001, S.O. 2001, c. 25 (the "Municipal Act") requires the City to levy a special charge upon the rateable properties in the Business Improvement Areas that are in a prescribed business property class sufficient to raise the amount required for the purposes of the Boards of Management of the Business Improvement Areas;

AND WHEREAS City of Hamilton By-law No. 08-102 establishes optional property classes for the 2008 taxation year;

AND WHEREAS City of Hamilton By-law No. 08-101 establishes tax ratios and tax reductions for the 2008 taxation year;

AND WHEREAS the City has created the twelve (12) Business Improvement Areas, as listed in Schedule "A" attached to this By-law;

AND WHEREAS the amount of money to be provided by the City to each Board of Management of the Business Improvement Areas for the 2008 taxation year is set out in Schedule "A" attached to this By-law;

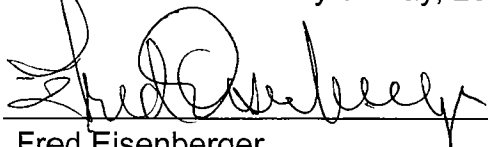
AND WHEREAS the total rateable property in the Business Improvement Areas, upon which assessment will be levied, is set out in Schedule "A" attached to this By-law and which said assessment is the basis upon which the taxes for the Business Improvement Area will be raised.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The tax rates set out in Schedule "A" attached to this By-law shall be levied upon the rateable properties as set out therein for the purposes of raising the sums of money required by the respective Boards of Management of the twelve (12) Business Improvement Areas.
2. The Tax Collector shall proceed to collect the amount to be raised by this By-law, together with all other sums on the tax roll in the manner as set forth in the Assessment Act, the Municipal Act and any other applicable Acts and the By-laws in force in this municipality.

3. All property taxes and special levies other than those levied by interim levy, shall be paid in two installments, the first due June 30, 2008 and the second due September 30, 2008.
 4. Under subsection 342(b) of the Municipal Act, which allows for alternative installment due dates to spread the payment of taxes more evenly over the year, the final tax levy and any special levies, other than those levied by interim levy, shall be as follows:
 - (i) for those on the twelve (12)-month pre-authorized automatic bank withdrawal payment plan, paid in six (6) equal installments due on the first working day of each month July to December, inclusive.
 - (ii) for those on the ten (10)-month pre-authorized automatic bank withdrawal payment plan, paid in five (5) equal installments, due on the first working day of each month July to November, inclusive.
- The payment plans set out in subsections (i) and (ii) shall be penalty free for so long as the taxpayer is in good standing with the terms of the plan agreement.
5. When payment of any instalment or any part of any instalment of taxes levied by this By-law is in default, penalties and where applicable interest, shall be imposed respectively in accordance with City of Hamilton policies.
 6. The Treasurer is authorized and directed to serve personally or to mail or cause to be mailed, notices of the taxes levied to the person or persons taxed at the address of the resident or place of business of such person.
 7. The Treasurer and Tax Collector are authorized to accept part payment from time to time on account of any taxes due, or alternatively are authorized to refuse acceptance of any such part payment.
 8. Schedule "A", attached to this By-law, forms part of this By-law.
 9. This By-law is deemed to come into force on January 1st, 2008.

PASSED this 14th day of May, 2008.



Fred Eisenberger
Mayor



Kevin C. Christenson
City Clerk

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Schedule "A"

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2008 TAX RATES AND LEVY - BUSINESS IMPROVEMENT AREAS

Table 1 - Concession Street

Property Class		Current Value Assessment	Tax Ratio	Weighted Assessment	BIA Tax Rate	BIA Levy
3a	Commercial - Residual - vacant bldg, excess land	CT/DT/ST CU/DU/SU	\$ 22,160,707 \$ -	2.0193 1.4135	44,749,116 -	0.00349353 \$ 77,419 0.00244547 \$ -
3b	Commercial - Parking Lot & Vacant Land	GT/CX	\$ 338,000	2.0193	682,523	0.00349353 \$ 1,181
4a	Industrial - Residual - vacant bldg, excess land,	IT IU	\$ - \$ -	3.3705 2.1908	- -	0.00583121 \$ - 0.00379028 \$ -
4b	Industrial - Large - vacant bldg, excess land	LT LU	\$ - \$ -	3.9523 2.5690	- -	0.00683776 \$ - 0.00444455 \$ -
Total			\$ 22,498,707		\$ 45,431,639	\$ 78,600
Approved 2008 Budget \$ 78,600 (divided by weighted assessment) = 0.00173007 tax rate at tax ratio of 1.00						

Table 2 - Westdale

Property Class		Current Value Assessment	Tax Ratio	Weighted Assessment	BIA Tax Rate	BIA Levy
3a	Commercial - Residual - vacant bldg, excess land	CT/DT/ST CU/DU/SU	\$ 14,113,375 \$ -	2.0193 1.4135	28,499,138 -	0.00850257 \$ 120,000 0.00595180 \$ -
3b	Commercial - Parking Lot & Vacant Land	GT/CX	\$ -	2.0193	-	0.00850257 \$ -
4a	Industrial - Residual - vacant bldg, excess land,	IT IU	\$ - \$ -	3.3705 2.1908	- -	0.01419201 \$ - 0.00922481 \$ -
4b	Industrial - Large - vacant bldg, excess land	LT LU	\$ - \$ -	3.9523 2.5690	- -	0.01664177 \$ - 0.01081715 \$ -
Total			\$ 14,113,375		\$ 28,499,138	\$ 120,000
Approved 2008 Budget \$ 120,000 (divided by weighted assessment) = 0.00421065 tax rate at tax ratio of 1.00						

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2008 TAX RATES AND LEVY - BUSINESS IMPROVEMENT AREAS

Table 3 - Ottawa Street

Property Class		Current Value Assessment	Tax Ratio	Weighted Assessment	BIA Tax Rate	BIA Levy
3a	Commercial - Residual - vacant bldg, excess land	CT/DT/ST CU/DU/SU	\$ 14,819,775 \$ -	2.0193 1.4135	29,925,572 -	0.00821512 \$ -
3b	Commercial - Parking Lot & Vacant Land	GT/CX	\$ 557,000	2.0193	1,124,750	0.00821512 \$ 4,576
4a	Industrial - Residual - vacant bldg, excess land,	IT IU	\$ - \$ -	3.3705 2.1908	- -	0.01371220 \$ - 0.00891293 \$ -
4b	Industrial - Large - vacant bldg, excess land	LT LU	\$ - \$ -	3.9523 2.5690	- -	0.01607914 \$ - 0.01045144 \$ -
Total			\$ 15,376,775		\$ 31,050,322	\$ 126,322
Approved 2008 Budget \$ 126,322 (divided by weighted assessment) = 0.00406830 tax rate at tax ratio of 1.00						

Table 4 - International Village

Property Class		Current Value Assessment	Tax Ratio	Weighted Assessment	BIA Tax Rate	BIA Levy
3a	Commercial - Residual - vacant bldg, excess land	CT/DT/ST CU/DU/SU	\$ 24,906,026 \$ -	2.0193 1.4135	50,292,738 -	0.00537344 \$ 133,831 0.00376141 \$ -
3b	Commercial - Parking Lot & Vacant Land	GT/CX	\$ 1,500,100	2.0193	3,029,152	0.00537344 \$ 8,061
4a	Industrial - Residual - vacant bldg, excess land,	IT IU	\$ 346,550 \$ -	3.3705 2.1908	1,168,047 -	0.00896904 \$ 3,108 0.00582988 \$ -
4b	Industrial - Large - vacant bldg, excess land	LT LU	\$ - \$ -	3.9523 2.5690	- -	0.01051724 \$ - 0.00683620 \$ -
Total			\$ 26,752,676		\$ 54,489,937	\$ 145,000
Approved 2008 Budget \$ 145,000 (divided by weighted assessment) = 0.00266104 tax rate at tax ratio of 1.00						

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2008 TAX RATES AND LEVY - BUSINESS IMPROVEMENT AREAS

Table 5 - Barton Village

Property Class		Current Value Assessment	Tax Ratio	Weighted Assessment	BIA Tax Rate	BIA Levy
3a Commercial - Residual	CT/DT/ST	\$ 12,327,720	2.0193	24,893,365	0.00229007	\$ 28,231
- vacant bldg, excess land	CU/DU/SU	\$ -	1.4135	-	0.00160305	\$ -
3b Commercial - Parking Lot & Vacant Land	GT/CX	\$ 288,700	2.0193	582,972	0.00229007	\$ 661
4a Industrial - Residual	IT	\$ 163,880	3.3705	552,358	0.00382245	\$ 626
- vacant bldg, excess land,	IU	\$ -	2.1908	-	0.00248459	\$ -
4b Industrial - Large	LT	\$ 2,024,000	3.9523	7,999,455	0.00448227	\$ 9,072
- vacant bldg, excess land	LU	\$ -	2.5690	-	0.00291347	\$ -
Total		\$ 14,804,300		\$ 34,028,150		\$ 38,591
Approved 2008 Budget \$ 38,591 (divided by weighted assessment) = 0.00113409 tax rate at tax ratio of 1.00						

Use Rateable Assessment

* Westinghouse 2/3 assessment reduction as per By-law 98-15

030-233-06050, 030-237-03410, 030-237-09140

		Gross Assessment	Adjustment	Rateable Assessment	Gross Tax	Net Tax
Commercial - vacant building/excess land	CX	\$ 197,100	\$ 131,400	\$ 65,700	451.37	150.46
Industrial - Large	LT	\$ 6,072,000	\$ 4,048,000	\$ 2,024,000	27,216.32	9,072.11
		\$ 6,269,100	\$ 4,179,400	\$ 2,089,700	27,667.69	9,222.56

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2008 TAX RATES AND LEVY - BUSINESS IMPROVEMENT AREAS

Table 6 - Downtown Hamilton

Property Class		Current Value Assessment	Tax Ratio	Weighted Assessment	BIA Tax Rate	BIA Levy
3a Commercial - Residual	CT/DT/ST	\$ 99,093,992	2.0193	200,100,497	0.00223449	\$ 221,424
- vacant bldg, excess land	CU/DU/SU	\$ -	1.4135	-	0.00156414	\$ -
3b Commercial - Parking Lot & Vacant Land	GT/CX	\$ 7,418,167	2.0193	14,979,504	0.00223449	\$ 16,576
4a Industrial - Residual	IT	\$ -	3.3705	-	0.00372968	\$ -
- vacant bldg, excess land,	IU	\$ -	2.1908	-	0.00242429	\$ -
4b Industrial - Large	LT	\$ -	3.9523	-	0.00437348	\$ -
- vacant bldg, excess land	LU	\$ -	2.5690	-	0.00284276	\$ -
Total		\$ 106,512,158		\$ 215,080,001		\$ 238,000
Approved 2008 Budget \$ 238,000 (divided by weighted assessment) = 0.00110656 tax rate at tax ratio of 1.00						

Use Rateable Assessment

* Ramada and Howard Johnson's 2/3 assessment reduction as per By-law 92-119

		Gross Assessment	Adjustment	Rateable Assessment	Gross Tax	Net Tax
Ramada (020-152-00010)						
Commercial - Residual	CT	6,046,620	4,031,080	2,015,540	13,511.09	4,503.70
Commercial - Residual	ST	\$ 517,810	\$ 345,207	\$ 172,603	1,157.04	385.68
		<u>6,564,430</u>	<u>4,376,287</u>	<u>2,188,143</u>	<u>14,668.13</u>	<u>4,889.38</u>
Howard Johnson (020-151-50430, 020-151-50460)						
Commercial - Residual	CT	3,517,000	2,344,667	1,172,333	7,858.69	2,619.56
Commercial - Parking Lot & Vacant Land	GT	218,000	145,333	72,667	487.12	162.37
		<u>3,735,000</u>	<u>2,490,000</u>	<u>1,245,000</u>	<u>8,345.81</u>	<u>2,781.94</u>

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2008 TAX RATES AND LEVY - BUSINESS IMPROVEMENT AREAS

Table 7 - King Street West

Property Class		Current Value Assessment	Tax Ratio	Weighted Assessment	BIA Tax Rate	BIA Levy
3a	Commercial - Residual - vacant bldg, excess land	CT/DT/ST CU/DU/SU	\$ 4,445,535 -	2.0193 1.4135	8,976,869 -	\$ 4,380 -
3b	Commercial - Parking Lot & Vacant Land	GT/CX	\$ 122,000	2.0193	246,355	\$ 120
4a	Industrial - Residual - vacant bldg, excess land,	IT IU	\$ - -	3.3705 2.1908	- -	\$ - -
4b	Industrial - Large - vacant bldg, excess land	LT LU	\$ - -	3.9523 2.5690	- -	\$ - -
Total			\$ 4,567,535		\$ 9,223,223	\$ 4,500
Approved 2008 Budget \$ 4,500 (divided by weighted assessment) = 0.00048790 tax rate at tax ratio of 1.00						

Table 8 - Main West Esplanade

Property Class		Current Value Assessment	Tax Ratio	Weighted Assessment	BIA Tax Rate	BIA Levy
3a	Commercial - Residual - vacant bldg, excess land	CT/DT/ST CU/DU/SU	\$ 9,195,190 -	2.0193 1.4135	18,567,847 -	\$ 13,549 -
3b	Commercial - Parking Lot & Vacant Land	GT/CX	\$ 306,000	2.0193	617,906	\$ 451
4a	Industrial - Residual - vacant bldg, excess land,	IT IU	\$ - -	3.3705 2.1908	- -	\$ - -
4b	Industrial - Large - vacant bldg, excess land	LT LU	\$ - -	3.9523 2.5690	- -	\$ - -
Total			\$ 9,501,190		\$ 19,185,753	\$ 14,000
Approved 2008 Budget \$ 14,000 (divided by weighted assessment) = 0.00072971 tax rate at tax ratio of 1.00						

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Table 9 - Waterdown

Property Class		Current Value Assessment	Tax Ratio	Weighted Assessment	BIA Tax Rate	BIA Levy
3a	Commercial - Residual - vacant bldg, excess land	CT/DT/ST CU/DU/SU	\$ 56,432,924 \$ 329,430	2.0193 1.4135	113,955,003 465,653	0.00065875 \$ 37,175 0.00046113 \$ 152
3b	Commercial - Parking Lot & Vacant Land	GT/CX	\$ 1,001,500	2.0193	2,022,329	0.00065875 \$ 660
4a	Industrial - Residual - vacant bldg, excess land,	IT IU	\$ 193,780 \$ -	3.3705 2.1908	653,135 -	0.00109955 \$ 213 0.00071471 \$ -
4b	Industrial - Large - vacant bldg, excess land	LT LU	\$ - \$ -	3.9523 2.5690	- -	0.00128935 \$ - 0.00083808 \$ -
Total			\$ 57,957,634		\$ 117,096,120	\$ 38,200
Approved 2008 Budget			\$ 38,200	(divided by weighted assessment) =	0.00032623	tax rate at tax ratio of 1.00

Table 10 - Stoney Creek

Property Class		Current Value Assessment	Tax Ratio	Weighted Assessment	BIA Tax Rate	BIA Levy
3a	Commercial - Residual - vacant bldg, excess land	CT/DT/ST CU/DU/SU	\$ 10,984,860 \$ -	2.0193 1.4135	22,181,728 -	0.00128111 \$ 14,073 0.00089678 \$ -
3b	Commercial - Parking Lot & Vacant Land	GT/CX	\$ 36,500	2.0193	73,704	0.00128111 \$ 47
4a	Industrial - Residual - vacant bldg, excess land,	IT IU	\$ 65,190 \$ -	3.3705 2.1908	219,723 -	0.00213836 \$ 139 0.00138993 \$ -
4b	Industrial - Large - vacant bldg, excess land	LT LU	\$ - \$ -	3.9523 2.5690	- -	0.00250747 \$ - 0.00162986 \$ -
Total			\$ 11,086,550		\$ 22,475,155	\$ 14,259
Approved 2008 Budget			\$ 14,259	(divided by weighted assessment) =	0.00063443	tax rate at tax ratio of 1.00

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2008 TAX RATES AND LEVY - BUSINESS IMPROVEMENT AREAS

Table 11 - Dundas

Property Class		Current Value Assessment	Tax Ratio	Weighted Assessment	BIA Tax Rate	BIA Levy
3a Commercial - Residual	CT/DT/ST	\$ 15,157,640	2.0193	30,607,822	0.00654851	\$ 99,260
- vacant bldg, excess land	CU/DU/SU	\$ -	1.4135		-	0.00458396
3b Commercial - Parking Lot & Vacant Land	GT/CX	\$ 113,000	2.0193	228,181	0.00654851	\$ 740
4a Industrial - Residual	IT	\$ -	3.3705	-	0.01093040	\$ -
- vacant bldg, excess land,	IU	\$ -	2.1908	-	0.00710476	\$ -
4b Industrial - Large	LT	\$ -	3.9523	-	0.01281716	\$ -
- vacant bldg, excess land	LU	\$ -	2.5690	-	0.00833115	\$ -
Total		\$ 15,270,640		\$ 30,836,003		\$ 100,000
Approved 2008 Budget \$ 100,000 (divided by weighted assessment) = 0.00324296 tax rate at tax ratio of 1.00						

Table 12 - Locke Street

Property Class		Current Value Assessment	Tax Ratio	Weighted Assessment	BIA Tax Rate	BIA Levy
3a Commercial - Residual	CT/DT/ST	\$ 2,040,945	2.0193	4,121,280	0.00502218	\$ 10,250
- vacant bldg, excess land	CU/DU/SU	\$ -	1.4135		-	0.00351553
3b Commercial - Parking Lot & Vacant Land	GT/CX	\$ -	2.0193	-	0.00502218	\$ -
4a Industrial - Residual	IT	\$ -	3.3705	-	0.00838274	\$ -
- vacant bldg, excess land,	IU	\$ -	2.1908	-	0.00544878	\$ -
4b Industrial - Large	LT	\$ -	3.9523	-	0.00982973	\$ -
- vacant bldg, excess land	LU	\$ -	2.5690	-	0.00638932	\$ -
Total		\$ 2,040,945		\$ 4,121,280		\$ 10,250
Approved 2008 Budget \$ 10,250 (divided by weighted assessment) = 0.00248709 tax rate at tax ratio of 1.00						