

BYLAW NO. 4779

A BYLAW OF THE CITY OF MEDICINE HAT to authorize Council to impose a property tax for the year 2023 and to exempt certain property from taxation for the year 2023.

WHEREAS Section 353 of the *Municipal Government Act* RSA 2000 Chapter M-26, as amended, requires Council to annually pass a property tax bylaw;

AND WHEREAS a property tax bylaw authorizes a council to impose a tax in respect of property to raise revenue to be used towards the payment of requisitions and expenditures and transfers set out in a municipality's budget;

AND WHEREAS Section 297 of the *Act* allows Council by bylaw to divide the residential and non-residential assessment classes into sub-classes;

AND WHEREAS Section 364 of the *Act* allows Council by bylaw to exempt from taxation machinery and equipment used for manufacturing or processing;

NOW THEREFORE THE MUNICIPAL CORPORATION OF THE CITY OF MEDICINE HAT, IN COUNCIL ASSEMBLED, ENACTS AS FOLLOWS:

1. TITLE

This Bylaw may be referred to as the "2023 Property Tax Bylaw".

2. DEFINITIONS

(1) In this Bylaw,

- (a) "Act" means the *Municipal Government Act*, RSA 2000, c. M-26, and regulations made under the *Municipal Government Act*;
- (b) "business day" means any day other than a Saturday, Sunday or statutory holiday in Medicine Hat, Alberta;
- (c) "designated industrial property" means designated industrial property as defined under Section 284(1)(f.01) of the *Act*;
- (d) "dwelling unit" means self-contained premises occupied or intended to be occupied as a separate place of residence;
- (e) "farm land" means farm land as defined under Section 297(4)(a) of the *Act*;
- (f) "Finance Department" means the Finance Department of the City of Medicine Hat;
- (g) "life-lease agreement" means an agreement pursuant to which
 - (i) a resident of a dwelling unit occupies the dwelling unit as a life tenant, and

- (ii) the resident has paid the owner of the dwelling unit the market value for a sale of the dwelling unit in consideration for the granting of the life tenancy;
 - (h) "multi-family residential property" means all residential property other than single family residential property and vacant residential property;
 - (i) "non-residential" means non-residential as defined under Section 297(4)(b) of the *Act*;
 - (j) "property tax" means a tax in respect of property imposed pursuant to Division 2 of Part 10 of the *Act*;
 - (k) "regulations" means Matters Relating to Assessment and Taxation Regulation, 2018, Alberta Regulation 203/2017;
 - (l) "residential" means residential as defined under Section 297(4)(c) of the *Act*;
 - (m) "single family residential property" means residential property where the total number of dwelling units on the property, whether contained in a single building or more than 1 building, does not exceed 4 and shall be deemed to include a residential condominium unit and a dwelling unit held or intended to be held under a life-lease agreement; and
 - (n) "vacant residential property" means residential property with no improvements located on, in, over or under the property.
- (2) All other words used in this Bylaw that are defined in the *Act* shall have the meanings given to those words in the *Act* except where specifically defined otherwise in this Bylaw or required by the context in which the words are used in this Bylaw.

3. ASSESSMENT SUB-CLASSES

- (1) Assessment Class 1 - Residential is divided into the following sub-classes:
 - (a) single family residential property,
 - (b) multi-family residential property, and
 - (c) vacant residential property.
- (2) Assessment Class 2 - Non-Residential. No sub-classes.
- (3) Assessment Class 3 – Farm land. No sub-classes.
- (4) Assessment Class 4 – Machinery & Equipment. No sub-classes.
- (5) The sub-classes established under this section shall continue to apply from year to year unless otherwise amended by bylaw.

4. PROPERTY TAX

- (1) The Finance Department is authorized and directed to impose and collect a property tax for the year 2023 at the rates set out in Schedule "A" to this Bylaw.
- (2) In Schedule "A":
 - (a) "ASFF" means The Alberta School Foundation Fund established under the *Education Act*, SA 2012, c. E-0.3;
 - (b) "Med. Hat CSRD #20" means The Medicine Hat Catholic Separate Regional Division No. 20;
 - (c) "Designated Industrial Property Requisition" means the designated industrial property set by the Minister in accordance with Section 359.3 of the *Act*;
 - (d) "Designated Industrial Property, Non-Residential" means designated industrial property;
 - (e) "Designated Industrial Property, Machinery & Equipment" means the machinery & equipment located within a designated industrial property;
 - (f) "Single Family" means single family residential property;
 - (g) "Vacant Residential" means vacant residential property;
 - (h) "Multi Family" means multi-family residential property;
 - (i) "Farm Land" means farm land; and
 - (j) "Non-Residential" means non-residential property.

5. PAYMENT

- (1) Property tax imposed pursuant to this Bylaw shall be paid to the Finance Department at City Hall, 580 - 1st Street S.E., Medicine Hat.
- (2) Subject to the provisions of Bylaw No. 3302, the Tax Instalment Payment Plan Bylaw, as amended, and Bylaw No. 3303, the Tax Arrears Instalment Payment Plan Bylaw, as amended, property tax imposed pursuant to this Bylaw shall be paid on or before the **last business day of June**, in the current year.
- (3) The provisions of Bylaw No. 3191 the Tax Penalties Bylaw, as amended, shall apply to all property tax imposed pursuant to this Bylaw that is not paid on or before the **last business day of June**, in the current year.

6. EXEMPTIONS FROM TAXATION

- (1) As provided for in Section 364(1.1) of the *Act*, the following property is exempt from taxation for the year 2023:

- (a) One hundred per cent (100%) of the assessment of machinery and equipment used for manufacturing or processing shall be exempt for purposes of general municipal taxes, management body requisition taxes and designated industrial property requisition taxes. For greater clarity, this is marked with a * on Schedule "A" to this Bylaw.
- (2) For purposes of this Section:
 - (a) "general municipal taxes" means the property taxes imposed pursuant to this Bylaw to raise the tax revenues shown under the heading "General Municipal" in Schedule "A" to this Bylaw;
 - (b) "management body requisition taxes" means the property taxes imposed pursuant to this Bylaw to raise the tax revenues for the Cypress View Foundation Requisition set out in Schedule "A" to this Bylaw;
 - (c) "designated industrial property requisition taxes" means the property taxes imposed pursuant to this Bylaw to raise the tax revenue for the designated industrial property requisition set by the Minister in accordance with Section 359.3 of the *Act*; and
 - (d) "machinery and equipment" does not include any component as defined in Section 297(4)(a.1)(i) or (ii) of the *Act*.

7. INTERPRETATION

It is the intention of the Council of the City of Medicine Hat that if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

8. COMING INTO FORCE

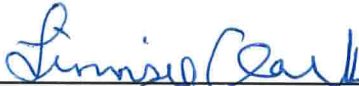
This Bylaw shall come into force at the beginning of the day that it is passed.

READ A FIRST TIME in open Council on April 17, 2023.

READ A SECOND TIME in open Council on May 1, 2023.

READ A THIRD TIME in open Council on May 1, 2023.

SIGNED AND PASSED on May 2, 2023.



MAYOR: LINNSIE CLARK





CITY CLERK: A. KARBASHEWSKI

SCHEDULE "A" TO BYLAW NO. 4779		TAX LEVY	APPLICABLE	
ASSESSMENT & TAXATION RATES			ASSESSMENT	
2023 TOTAL TAX RATE		<i>*adjusted over/under</i>		TAX RATE (1)
EDUCATION REQUISITIONS:				
ASFF EDUCATION REQUISITION				
ASFF REQUISITION (RESIDENTIAL & FARM LAND)	15,831,489.49	6,560,540,022	2.4307	
ASFF REQUISITION (NON-RESIDENTIAL)	5,882,200.88	1,568,775,453	3.7149	
ASFF REQUISITION (MACHINERY & EQUIPMENT) *		383,256,509		
TOTAL ASFF	21,713,690	8,512,571,984		
OPTED-OUT SCHOOL BOARDS:				
MED. HAT CSRD #20 REQ'N (RESIDENTIAL & FARM LAND)	3,203,847.41	1,270,615,661	2.4307	
MED. HAT CSRD #20 REQ'N (NON-RESIDENTIAL)	702,321.95	203,685,304	3.7149	
MED. HAT CSRD #20 REQ'N (MACHINERY & EQUIPMENT) *		170,675,590		
TOTAL OPTED-OUT SCHOOL BOARD - MED. HAT CSRD #20	3,906,169	1,474,300,965		
TOTAL EDUCATION REQUISITION	25,619,860	9,603,616,440		
MANAGEMENT BODY REQUISITION:				
CYPRESS VIEW FDN. (ALL CLASSES EXCLUDING M & E)	1,249,326.00	9,779,816,890	0.1278	
CYPRESS VIEW FDN. (MACHINERY & EQUIPMENT) *		553,932,099		
TOTAL MANAGEMENT EDUCATION REQUISITION	1,249,326	10,333,748,989		
DESIGNATED INDUSTRIAL PROPERTY REQUISITION: **				
DESIGNATED INDUSTRIAL PROPERTY, NON-RESIDENTIAL	25,347	339,767,100	0.0746	
DESIGNATED INDUSTRIAL PROPERTY, MACHINERY & EQUIPMENT *	0.00	98,718,900	0	
TOTAL DESIGNATED INDUSTRIAL PROPERTY REQUISITION	25,347			
GENERAL MUNICIPAL:				
SINGLE FAMILY & VACANT RESIDENTIAL	49,766,772	7,456,353,374	6.6744	
MULTI-FAMILY	3,082,419	391,393,709	7.8755	
FARM LAND	18,072	1,051,000	17.1955	
NON-RESIDENTIAL	32,437,014	2,038,617,038	15.9113	
TAXABLE ASSESSMENT	85,304,278	9,887,415,121		
MACHINERY & EQUIPMENT *	0	553,932,099	0.0000	
TOTAL GENERAL MUNICIPAL	85,304,278	10,441,347,220		
TOTAL REQUIRED TAX REVENUES	112,196,810			
These tax levy values have been adjusted for previous years over and under levies as per section 359 (3) of the MGA.				
(1) For ease of reference, the Tax Rates have been multiplied by a factor of 1000.				
* Council has exempted Machinery and Equipment under this bylaw.				
** The assessment and requisition of Designated Industrial Property is the responsibility of the Province of Alberta.				

(expressed in mills)