THE CORPORATION OF THE MUNICIPALITY OF POWASSAN

BY-LAW NO. 2004-28

Being a By-Law to affix a scale of costs applicable to all documentation processed under Part XI of the Municipal Act, 2001, C.25.

WHEREAS pursuant to Section 385 of the Municipal Act, 2001, c. 25, By-Laws may be passed by the Council of a Municipality prescribing a scale of administration costs;

AND WHEREAS the Council deems it expedient to establish a scale of administrative costs to be charged for processing documentation;

NOW THEREFORE the Council of The Corporation of the Municipality of Powassan enacts as follows:

1. That the Council of the Corporation of the Municipality of Powassan authorizes **Municipal Tax Recovery Inc.** to perform the administrative requirements of Part XI of the Municipal Act, 2001, c.25.

2. That the Treasurer be duly authorized to charge the amount prescribed by this By-Law representing the administrative cost;

3. That the administrative cost applicable to the categories described herein shall be as follows:

Stage A — Draft and forward demand letter to assessed owner
FEE: $100.00 plus G.S.T.

Stage B — Basic Package
Search title, search executions, ascertain names and addresses of all persons entitled to notice, prepare and register Tax Arrears Certificates and Statutory Declaration.
Prepare and serve Initial Notices (includes up to 10 notices at no additional cost)
Includes all governmental search and registration charges, Canada Post registered mail, telephone, courier and fax costs
FEE: $695.00 plus G.S.T.
(Additional notices $5.00 each plus G.S.T.)
(If property is Registry Act add $50.00 for title search)
(If U.S. postage required add $5.00 each)

Stage C — Prepare and serve all required Final Notices (includes up to 10 notices at no additional cost) Includes Canada Post registered mail, telephone, courier and fax costs FEE: $199.00 plus G.S.T.
(Additional notices $5.00 each plus G.S.T.)
(If U.S. postage required add $5.00 each)

Stage D — Where Extension Agreement is requested, to draft suitable Extension Agreement and communicate with the owner, spouse of the owner, a mortgagee or a tenant in occupation (as the case may be) to arrange for signing FEE: $300.00 plus G.S.T.

Stage E — Where the cancellation price is paid, prepare and register the Tax Arrears Cancellation Certificate
Includes registration charges, telephone, courier and fax costs
FEE: $165.00 plus G.S.T.

Stage F — If taxes are not paid within one year from the date of registration of the Tax Arrears Certificate and if no subsisting extension agreement is in place, prepare tender forms and arrange for the required advertisements for the Ontario Gazette and local newspaper, prepare Transfer or Vesting, Land Transfer Tax Affidavit and Treasurer's Statement and attend to registration. Obtain endorsement of Ministry of Northern Development and Mines.
Includes registration charges, telephone, courier, and fax costs. The actual advertising and survey cost (if required) shall be in addition to the cost set out in Stage F.
FEE: $595.00 plus G.S.T.

Stage G — Prepare and serve all required Farm Debt Mediation Act Notices. Includes Canada Post registered mail, telephone, courier and fax costs. FEE: $89.00 plus G.S.T.

Stage H — If sale yields more than arrears of taxes plus cancellation price, preparation of application and attending at financial institutions and to payment of surplus into Superior Court of Justice ; Serve notice of payment into court on Public Trustee and all persons to whom initial notices were sent. FEE: $350.00 plus G.S.T.

READ A FIRST time and considered read a SECOND and THIRD time and adopted as such in open Council this 7th day of December, 2004.

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Mayor

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Clerk