# Bylaw #2026-15
# Penalties on Unpaid Taxes

**BEING A BYLAW OF THE TOWN OF THORSBY IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE IMPOSITION OF PENALTIES ON UNPAID TAXES.**

**WHEREAS:** Part 10 of the municipal Government ACT, being c M-26, Revised statutes of Alberta 2000 and amendments thereto, describes the general provisions for taxation;

**WHEREAS:** the Municipal Government ACT, being Chapter M-26 Revised Statutes of Alberta RSA 2000, c M-26, Revised statutes of Alberta 2000 and amendments thereto, and in accordance with Sections 344-346 authorizes Council to impose penalties on taxes that remain unpaid after the date shown on the tax notice and on taxes that remain unpaid after December 31 of the year in which they are imposed;

**AND WHEREAS:** Council considers it in the public interest to establish the due date for municipal taxes and the penalties applicable to unpaid taxes;

**NOW THEREFORE:** Be it resolved, the Council of the Town of Thorsby, in the Province of Alberta, duly assembled, enacts as follows:

## PART I – TITLE

1. This Bylaw may be cited as the "Penalties on Unpaid Taxes" Bylaw.

## PART II - DEFINITIONS

1. In this Bylaw, unless the context otherwise requires:
    a. **"ACT"** means the Municipal Government ACT, RSA 2000, c M-26, as amended or replaced from time to time.
    b. **"Alberta Time"** means the local time observed in the Province of Alberta on the applicable date.
    c. **"Business Day"** means a day on which the Town Administration Office is open for regular business, excluding Saturdays, Sundays, statutory holidays, and other days on which the Town Administration Office is closed.
    d. **"Current Taxes"** means taxes imposed in the current calendar year that have not become Tax Arrears.
    e. **"Due Date"** means the date by which taxes are required to be paid under this Bylaw and as shown on the applicable tax notice.
    f. **"Tax Arrears"** means taxes that remain unpaid after December 31 of the year in which they were imposed.
    g. **"Taxes"** means taxes imposed by the Town under the ACT and includes any penalties that, under the ACT, form part of the tax.
    h. **"Town"** means the municipal corporation of the Town of Thorsby.

## PART III – TAXES DUE DATE

1. Property taxes levied are deemed to have been imposed for the period of January 01, to December 31 of each calendar year.

2. Unless otherwise provided by Council or bylaw, Taxes are due and payable in full on June 30th in each calendar year or the next Business Day if the due date falls on a day that is not a Business Day.

3. The Due Date shall be shown on the tax notice issued by the Town.

4. Notwithstanding section 3.1, no penalty on Current Taxes shall be imposed sooner than permitted by section 344 of the ACT.

## PART IV – PENALTIES ON CURRENT TAXES

1. A penalty of six percent (6%) shall be imposed on all Current Taxes remaining unpaid after the Due Date. The penalty shall be applied on the first Business Day following the Due Date, provided that the penalty is not imposed sooner than permitted by the ACT.

2. In addition to the penalty imposed under section 4.1, a penalty of two percent (2%) shall be imposed on all Current Taxes remaining unpaid on the first day of each month from August through December, inclusive.

3. If a penalty date under section 4.1 falls on a day that is not a Business Day, the penalty shall be imposed on the next Business Day.

## PART V – TAXES DUE DATE

1. A penalty of twelve percent (12%) shall be imposed on January 1 of each year on all Taxes that are in arrears.

2. A penalty imposed under this Bylaw forms part of the Taxes in respect of which it is imposed, in accordance with the ACT.

## PART VI – RECEIPT OF PAYMENT

1. Payments may be made via cash, cheque, money order, EFT, online banking transfer. Payments by credit card and interact e-transfer are <u>not accepted</u>.

2. Except for a tax payment sent by mail, payment must be received by the Town, or credited to the Town's bank account, no later than 4:30 p.m. Alberta Time on the applicable Due Date.

3. Where an applicable Due Date falls on a Saturday, Sunday, statutory holiday, or other day on which the Town Administration Office is closed for regular business, payment received no later than 4:30 p.m. Alberta Time on the next Business Day shall be considered received on time.

4. A payment made through a financial institution, online banking service, electronic funds transfer, or other electronic payment method is considered received on the date and time the funds are credited to the Town's bank account, and not on the date or time the taxpayer initiates the payment.

5. A tax payment sent by mail shall be deemed to have been received on the date of the postmark stamped on the envelope, in accordance with section 341 of the ACT.

6. A payment that is subsequently rejected, reversed, returned for insufficient funds, or otherwise not successfully completed by the financial institution shall be deemed not to have been received. Any applicable tax penalties shall apply as though the payment had not been made.

7. Any separate fee or charge relating to a dishonoured or returned payment shall be imposed in accordance with the Town's applicable Fees and Charges Bylaw or other applicable bylaw or policy.

## PART VII – TAX NOTICES AND RESPONSIBILITY FOR PAYMENT

1. Failure to receive a tax notice does not relieve a taxpayer from the obligation to pay Taxes by the applicable Due Date or from any penalties imposed in accordance with this Bylaw and the ACT.

2. Taxpayers are responsible for allowing sufficient processing time for payments made through financial institutions or other third-party payment services so that payment is received by the Town within the time prescribed by this Bylaw.

## PART VIII – APPLICATION OF PAYMENTS

1. Tax payments shall be applied in accordance with the ACT, including the requirement that a tax payment be applied first to Tax Arrears.

## PART IX – CANCELLATION, REDUCTION, REFUND, OR DEFERRAL

1. Nothing in this Bylaw limits Council's authority under section 347 of the ACT to cancel, reduce, refund or defer Taxes where Council considers it equitable to do so.

## PART X – SEVERABILITY

1. If any provision of this Bylaw is found to be invalid, illegal, or unenforceable by a court of competent jurisdiction, that provision shall be severed from this Bylaw and the remaining provisions shall continue in full force and effect.

## PART XI – REPEAL

1. Upon third and final reading, Bylaw #2013-08, and any amendments thereto, is hereby repealed.

## PART XII – EFFECTIVE DATE

1. This Bylaw shall come into force and have effect upon the third and final reading.

READ A FIRST TIME this 25th day of August, 2026

READ A SECOND TIME this 22nd day of September, 2026

READ A THIRD AND FINAL TIME this 22nd day of September, 2026

Darryl Hostyn, Mayor

Donna Tona, CAO