



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 200-88

To appoint the Administration and
Finance Committee to hear applications
respecting tax adjustments

WHEREAS section 496 and section 496a of the Municipal Act, R.S.O. 1980, c. 302, as amended, provide for applications to the municipal council for the cancellation, reduction or refund of taxes provided the requirements of the sections are met;

AND WHEREAS section 497 of the Municipal Act authorizes the treasurer to recommend that a person's taxes be increased where that person has been undercharged by reason of any gross or manifest error that is a clerical error or similar type of error;

AND WHEREAS the council is required under the said sections to afford all applicants an opportunity to be heard before making a decision in respect of any such application;

AND WHEREAS section 106 of the Municipal Act permits a council by by-law to provide for a committee of the council to hear such applicants or afford them an opportunity to be heard in the place and stead of the council;

AND WHEREAS section 496a(2) of the Municipal Act permits a council by by-law to appoint a committee composed of at least three persons who are members of council or who are eligible to be elected members of council, to hear applications under section 496a of the Act;

NOW THEREFORE the Council of The Corporation of the City of Brampton ENACTS AS FOLLOWS:

1. Where applications are made to Council for the cancellation, reduction or refund of taxes under either section 496 or 496a of the Municipal Act, all applicants shall be afforded an opportunity to be heard by the Administration and Finance Committee of Council in the place and stead of Council.
2. Where the Treasurer makes a recommendation under section 497 of the Municipal Act, the person affected by that recommendation shall be afforded an opportunity to be heard by the Administration and Finance Committee in the place and stead of Council.
3. The Administration and Finance Committee may hear any such application or deal with any recommendation so long as a quorum of the committee is present in accordance with the provisions of By-law 62-81 as amended.
4. The City Clerk is hereby directed:
 - (a) that all notices of hearing required under section 496 or 496a of the Municipal Act shall refer to a scheduled meeting of the Administration and Finance Committee rather than a Council meeting;
 - (b) that all notices of the date a recommendation under section 497 of the Municipal Act will be dealt with shall refer to a scheduled meeting of the Administration and Finance Committee rather than a Council meeting;
 - (c) to prepare on behalf of the Administration and Finance Committee, in respect of all hearings under section 496, 496a or 497 of the Municipal Act, a report to Council summarizing the evidence and arguments presented by the parties, the findings of fact made by the Committee and the recommendations, if any, of the Committee with reasons therefor on the merits of the application in respect of which the hearing has been conducted.
4. The chairman of the Administration and Finance Committee, or the member acting as chairman in the absence of the committee chairman, and one other member of the committee present at the hearing, shall sign all reports to Council prepared under section 3(b) of this By-law to indicate that the report accurately reflects the proceedings of the Committee at the hearing.
5. Where a hearing has been held by the Administration and Finance Committee pursuant to this by-law, Council shall not hold a hearing in respect of the same matter.

READ A FIRST, SECOND and THIRD TIME and PASSED in Open Council this 12th day of September, 1988.

APPROVED AS TO FORM LAW DEPT. BRAMPTON
WCC
DATE 28/09/88


KENNETH G. WHILLANS


LEONARD J. MIKULICH