

58.10 PENALTIES ON RATES

Source: Council 28/11/91 p.4, item 4.6, File Ref: R5/16

That one penalty charge per year be applied on outstanding rates.

In accordance with the above policy, the Council thus alters its earlier resolutions of 22 November 1990, and 25 July 1991, to make

"... a continuing additional charge of ten per cent of the amount of unpaid arrears of rates at intervals of six months commencing 1 January (in the year following the financial year in which the rates were struck)..."

to

"... a continuing additional charge of ten per cent on the amount of unpaid arrears of rates at intervals of twelve months commencing 1 July in the year following that in which the second additional charge has been made ..."

58.11 RATES REMISSION POLICY

Source: LTCCP 2004/2005, adopted 30/6/04

Remission of Rate Penalties

Objective: For Council to act "fairly and reasonably" in the remission of penalties.

The penalty on any instalment which has been paid in full after the penalty date shall be remitted, if the rating unit has not incurred any other penalties in the previous 12 months.

In the circumstance that a penalty is incurred on the fourth instalment in any year and the payment for the instalment was paid after the "arrears penalty" was incurred, then the arrears penalty may be remitted also.

Where a suitable automatic payment arrangement is in place to clear an outstanding rates balance within a certain timeframe (agreed to in writing by both parties), then any penalties incurred during the term of the repayment arrangements may be remitted once all outstanding rates have been cleared, provided the terms of the repayment arrangement have been adhered to.

Any other application for penalty/penalties remission must be made in writing and shall be considered by the Manager Corporate and Community Services on a case-by-case basis.

Remission for Land Used and/or Occupied by Community, Sporting and Other Organisations

Objective: To support the provision of sporting, cultural, and recreational activities for the residents and ratepayers of the district through the financial assistance to such non-profit community organisations by the granting of rates remissions.

2.1A rating unit that is owned or used by any society or association that has in the past been granted a 50% remission through prior resolution of Council, shall now fall within the "Land 50% non-rateable" category of Schedule 1, Part 2, of the Local Government (Rating) Act 2002.

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Examples:

*Westport Senior Citizens Hall,
Reefton Bowling Club and
Granity Bowling Club*

2.2 Any rating unit that has been granted a 100% remission of the rates prior to the establishment of this policy shall continue to receive such until such time that the organisation or the rating unit becomes ineligible. The total amount(s) of remission for any one organisation in any one rating year shall be no more than \$5,000.

Example:

*Reefton Historic Trust Board
properties*

2.3 Any application received after 1 July 2003, from a community organisation for a remission of rates shall be considered by the Manager Corporate and Community Services, in terms of either paragraph 1 or 2 above, and shall be treated for rating purposes in line with similar or like organisations. If the new applicant has no similar or like organisation to be gauged against, then the application will be considered on its merits by the Corporate and Community Services Committee.

2.4 Any rating unit that is owned or used by any sporting organisation, for which a club liquor license is in force, shall have the rating unit apportioned into "divisions" for the various uses within the unit, in terms of commercial, residential, and "remainder" (as appropriate).

a) The divisions of the rating unit classified as Commercial and/or

Residential shall be rated fully in terms of the rating sector. The remainder of the rating unit will be rated as if in the rural sector, irrespective of the area.

- b) Where the rating unit is liable for more than the one charge for any service provided (eg water supply, sewage disposal, refuse collection), then only one set of such service charges shall be charged.
- c) The rating unit will be liable for only one full set of uniform charges, whether or not these are apportioned over the divisions of the unit.

The above shall apply to any rating unit that has in the past had apportionments made for this very purpose, or to any new application from an organisation that has a rating unit with a similar use or uses.

Examples:

*Reefton Golf Club and Westport
RS Bowling Club*

2.5 The practice of the Karamea Aerodrome being rated at twice the Rural 14 rate for the property shall continue, unless otherwise revoked by a resolution of the Corporate and Community Services Committee.

Remission for Residential Land in Commercial or Industrial Areas

Objective: To charge the general rates on residential properties in the same differential category on a fair and equitable basis.

For any residential rating unit that lies within a zoning that accords the unit a

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higher value than would otherwise be the case if the zoning of the area was residential, then the Council shall accord a value for the unit that is in line with a similarly sized and sited property within the vicinity, and being within a residential zone.

*Examples:
Residential properties within the
Westport commercial zone*

Remission of Uniform Charges on Non-Contiguous Lands

Objective: To provide relief from uniform charges on non-contiguous rural lands that are used as a single entity and owned or occupied by the same ratepayer.

If two or more non-contiguous rating units that are classified as “rural” in terms of Council’s rating system, are owned or occupied by the same ratepayer, and are used as the one farm unit, then such units shall be liable for one set of uniform charges and targeted service charges. To qualify only one of the rating units may have residential dwellings.

Rating units that are not “rural”, but comply with the remaining criteria, in that they are used as one property but are non-contiguous, shall be considered on a case-by-case basis by the Manager Corporate and Community Services.