

OSOYOOS INDIAN BAND
ANNUAL TAX RATES LAW, 2019

WHEREAS:

A. Pursuant to section 5 of the *First Nations Fiscal Management Act*, the Council of a First Nation may make laws respecting taxation for local purposes of reserve lands and interests or rights in reserve lands, including laws to establish tax rates and apply them to the assessed value of those lands and interests or rights;

B. The council of the First Nation has made a property assessment law and a property taxation law; and

C. Subsection 10(1) of the *First Nations Fiscal Management Act* requires a First Nation that has made a property taxation law to, at least once each year, make a law setting the rate of tax to be applied to the assessed value of each class of lands and interests or rights;

NOW THEREFORE the Council of the Osoyoos Indian Band duly enacts as follows:

1. This Law may be cited as the *Osoyoos Indian Band Annual Tax Rates Law, 2019*.

2. In this Law:

“Act” means the *First Nations Fiscal Management Act*, S.C. 2005, c. 9, and the regulations made under that Act;

“Assessment Law” means the *Osoyoos Indian Band Property Assessment Law, 2009*;

“First Nation” means the Osoyoos Indian Band, being a Band named in the schedule to the Act;

“property taxation law” means a law enacted by the First Nation under paragraph 5(1)(a) of the Act;

“taxable property” has the meaning given to that term in the Taxation Law; and

“Taxation Law” means the *Osoyoos Indian Band Property Taxation Law, 2012*.

3. Taxes levied pursuant to the Taxation Law for the taxation year 2019 shall be determined by imposing the rates set out in the Schedule upon the assessed value of all taxable property in each property class.

4. Notwithstanding section 3, where the amount of the tax levied on taxable property in a taxation year is less than one-hundred dollars (\$ 100), the taxable property shall be taxed at one-hundred dollars (\$ 100) for the taxation year.

5. Except where otherwise defined, words and expressions used in this Law have the meanings given to them in the Assessment Law and the Taxation Law.

6. Where a provision in this Law is expressed in the present tense, the provision applies to the circumstances as they arise.

7. This Law must be construed as being remedial and must be given such fair, large and liberal construction and interpretation as best ensures the attainment of its objectives.

8. The Schedule attached to this Law forms part of and is an integral part of this Law.

9. This Law comes into force and effect on the day after it is approved by the *First Nations Tax Commission*.

THIS LAW IS HEREBY DULY ENACTED by Council on the 28 day of May, 2019, at Oliver, in the Province of British Columbia.

A quorum of Council consists of FOUR (4) members of Council.

Chief Clarence Louie	Councillor Veronica McGinnis
Councillor Leona Baptiste	Councillor Sammy Louie
Councillor Justin Hall	Councillor Nathan McGinnis

SCHEDULE A
2019 TAX RATES FOR TAXATION DISTRICT #1 Oliver, BC

PROPERTY CLASS	RATE PER \$1,000 OF ASSESSED VALUE	
	Land	Improvements
Class 1 – Residential	5.4389	5.6486
Class 2 – Utilities	31.9134	33.2587
Class 5 - Light Industry	13.2358	13.7494
Class 6 - Business and Other	12.0993	12.6129
Class 8 - Recreational Property/Non-Profit Organization	5.7232	5.9329
Class 9 – Farm	10.5232	10.7329

SCHEDULE B
2019 TAX RATES FOR TAXATION DISTRICT #2 Osoyoos, BC

PROPERTY CLASS	RATE PER \$1,000 OF ASSESSED VALUE	
	Land	Improvements
Class 1 – Residential	4.8919	5.4146
Class 2 – Utilities	23.6138	25.4433
Class 5 - Light Industry	8.8233	10.5305
Class 6 - Business and Other	8.5724	9.8200
Class 8 - Recreational Property/Non-Profit Organization	5.1762	5.6989
Class 9 – Farm	9.9762	10.4989