



BAND COUNCIL RESOLUTION

Number 20211012-05

The Council of the
District
Province
Place

**COOK'S FERRY INDIAN BAND
BRITISH COLUMBIA REGION SOUTH
BRITISH COLUMBIA
SPENCES BRIDGE**

Date

**12
Day**

**10
Month**

**2021
Year**

The following Resolution was passed by a quorum of Council.

RE: ANNUAL RATES LAW, 2021

WHEREAS the Cook's Ferry Indian Band is a Band within the meaning of the *Indian Act, R.S.C., 1985, c-1-5*; and

- 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, interests in reserve lands or rights to occupy, possess or use reserve lands, including laws to establish tax rates and apply them to the assessed value of lands, interests and rights in the reserve; and
- B. The Council of the Cook's Ferry Indian Band 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, interests or rights in the reserve;

NOW THEREFORE the Council of Cook's Ferry Indian Band duly enacts as follows:

1. This Law may be cited as the *Cook's Ferry Annual Rates Law, 2021*; and
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 *Cook's Ferry Property Assessment Law, 1993*;

"First Nation" means Cook's Ferry, 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 *Cook's Ferry Property Taxation Law, 1993*; and

3. Taxes levied pursuant to the Taxation Law for the taxation year 2021 shall be determined by imposing the rates set out in the Schedule upon the assessed value of all taxable property in each property class; and
4. Notwithstanding section 3, where the amount of the tax levied on taxable property in a taxation year is less than One Hundred dollars (\$100.00), the taxable property shall be taxed at One Hundred dollars (\$100.00) for the taxation year; and
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; and
6. Where a provision in this Law is expressed in the present tense, the provision applies to the circumstances as they arise; and

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; and
8. The Schedule attached to this Law forms part of and is an integral part of this Law; and
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 12th day of October, 2021, at Spences Bridge, in the Province of British Columbia; and

THAT this Band Council Resolution was passed at a duly convened meeting of the Council on October 12, 2021.

Page: 2 of 3

A quorum of this band
consists of 3
Council Members

(CHIEF)

(COUNCILLOR)

(COUNCILLOR)

(COUNCILLOR)

SCHEDULE
TAX RATES

PROPERTY CLASS	RATE PER \$1,000.00 of assessed value
<u>British Columbia</u>	
Class 1 - Residential	
Class 2 – Utilities	37.49068
Class 3 – Supportive Housing	
Class 4 - Major Industry	31.02910
Class 5 - Light Industry	
Class 6 - Business and Other	
Class 8 - Recreational Property/Non-Profit Organization	
Class 9 - Farm	
Class 10- Prescribed Railway ROW	17.2209