

*Order Number:* 043-2011

*Date Enacted:* September 14, 2011



TSAWWASSEN FIRST NATION  
s̓əwaθən məsteyəx<sup>w</sup>

*Community Governance Act*

**ANNUAL UTILITY CHARGE REGULATION (2011)**

## *Contents*

1. Authority .....	2
2. Definitions .....	2
Part 1 – Utility Charge .....	2
3. Application of Utility Charge.....	2
4. Liability and receipt of notices for registered interests .....	2
5. Liability and receipt of notices for unregistered interests .....	2
6. Unpaid utility charges .....	3

## Authority

1 This regulation is made under the Community Governance Act, section 3(3).

## Definitions

- 2 (1) In this regulation,
- "Act" means the Community Governance Act;
  - "residential properties" means all properties classified as Class 01 'residential' under the BC Assessment Act and Regulations.
- (2) Unless specifically provided otherwise in these regulations, the terms used have the same meaning as defined in the Act.

## Part 1 – Utility Charge

### Application of Utility Charge

- 3 (1) Residential properties at the locations set out in the Schedule that are liable for property tax under the *Property Taxation Act* are liable to pay a utilities charge at the rates set out in the Schedule to this regulation.
- (2) Despite subsection (1), residential properties that have been granted a permissive exemption pursuant to section 16 of the *Property Taxation Act* are liable for a utility charge applied under this regulation.
- (3) Despite subsection (1), residential properties that are part of the Stahaken subdivision are not liable to pay a utilities charge under this regulation.

### Deadline for payment of utility charge

4 Utility charges are due and payable on or before July 4<sup>th</sup>, 2011.

### Liability and receipt of notices for registered interests

- 5 (1) If a leasehold interest on a residential property is registered in the Land Title Office (British Columbia), the registered holder of that leasehold interest is liable to pay the utility charge set out in Schedule A.
- (2) Utility charge notices for properties under subsection (1) will be sent to the address of the holder of that leasehold interest.

### Liability and receipt of notices for unregistered interests

- 6 (1) If a leasehold interest on a residential property exists and is liable for a utilities charge under section 3(1) but is not registered in the Land Title Office (British Columbia), the registered owner of the property on which the interest exists is liable to pay the utility charge set out in Schedule A.
- (2) If there is more than one unregistered interest on a residential property, each interest is liable to pay a utilities charge at the rate set out in Schedule A.
- (3) Utility charge notices for properties under subsections (1) and (2) will be sent to the address of the owner of that property.

## Unpaid utility charges

- 7 (1) Any utility charge that is not paid by the date set out under section 4 is considered a debt owing to Tsawwassen First Nation, and interest will be applied at the rate set out under the *Interest on Accounts Receivable Regulation*.
- (2) Utility charges that remain outstanding for 12 or more months after the date set out under section 4 are subject to a lien on an interest in land as set out in section 96 of the *Financial Administration Act*.

**SCHEDULE A – 2011 Utility Charge**

<b>Location of Property</b>	<b>Annual Utility Charge</b>
Tsatsu Shores	\$700.00
Tsawwassen Beach Lots	\$260.00
TFSI Properties	\$700.00