

Ts'uubaa-asatx Water and Sewer Services Fee Law (North Shore Estates), 2021

Council of Ts'uubaa-asatx proposes to enact *Ts'uubaa-asatx Water and Sewer Services Fee Law (North Shore Estates), 2021* (the "Law"). Below is a description of the key elements of the Law. This document does not describe every provision contained in the Law. For a full understanding of the Law, readers are encouraged to review the entire Law, a copy of which is available at <https://www.lakecowichanfn.ca/> and use this document as a guide only.

Application

The Law authorizes Council to levy fees for the provision of water and sewer services to the residents of Phase I of North Shore Estates, which comprises the 26 lots identified on the sketch plan attached as Schedule I to the Law. The Law does not apply to any other occupants on Ts'uubaa-asatx reserve other than the residents of Phase I.

Administration

The tax administrator for Ts'uubaa-asatx is responsible for overseeing the administration and enforcement of this Law. The tax administrator may, with the permission of the Operations Manager or Council, if the same person holds both positions of tax administrator and Operations Manager, assign the performance of his or her duties under this Law to other persons working for Ts'uubaa-asatx.

Revenues and Expenditures

All monies collected pursuant to this Law may be spent on the provision of water and sewer services to Phase I and for no other purpose.

Fees

Ts'uubaa-asatx has entered into a servicing agreement with the Town of Lake Cowichan (the "Town"). Pursuant to the servicing agreement, the Town agrees to provide sewer and water services (and other services) to Phase I and Ts'uubaa-asatx agrees to pay the annual fees charged by the Town to "outside users" under the Town's applicable sewer and water bylaws from time to time.

Pursuant to the Law, Ts'uuba-asatx will charge residents of Phase I the same water and sewer fees payable by Ts'uubaa-asatx to the Town pursuant to the servicing agreement, plus 10%. This extra 10% is intended to cover Ts'uubaa-asatx's administration costs and the projected annual repair and maintenance costs of the sewer and water infrastructure installed by Ts'uubaa-asatx to service Phase I and future developments.

The fees levied under this Law are payable once an occupancy permit for a dwelling has been issued. The annual services fee must be included in the annual property tax notices and will have the same due date as property taxes, unless a different due date is stipulated in the notices.

Penalties, Interest and Enforcement

Penalties and interest will apply to late payments.

Ts'uubaa-asatx has the legal right to pursue recovery of any overdue fees in the same manner as if they were a debt owing.

In accordance with the standards prescribed by the First Nations Tax Commission, the Law prohibits Ts'uubaa-asatx from discontinuing the provision of water service to a residential dwelling even if fees are overdue.