



POLICY NUMBER: 5-1970-1

REFERENCE:
Permissive Tax Exemption Policy

ADOPTED BY:
Council

CROSS-REFERENCE:
N/A

SUPERSEDES:
None

AMENDED DATE:
N/A

DEPARTMENT:
Finance

EFFECTIVE DATE:
August 18, 2020

Policy Statement

The purpose of this policy is to provide guidance to Council in the evaluation of applications for permissive tax exemptions pursuant to Part 7, Division 7, section 224 of the *Community Charter*.

Scope

Council uses its authority to grant permissive tax exemptions by bylaw as a way of fulfilling its municipal purposes set-out in section 7 of the *Community Charter*:

"The purposes of a municipality include:

- a) providing for good government of its community,*
- b) providing for services, laws and other matters for community benefit,*
- c) providing for stewardship of the public assets of its community, and*
- d) fostering the economic, social and environmental well-being of its community."*

Council's primary consideration in determining whether to grant a permissive tax exemption will be the benefit that the organization offers to the community. The organization must fulfill some basic need or otherwise improve the quality of life for Ucluelet residents.

Process

Council will consider applications for permissive tax exemptions annually. Each year, staff will contact all organizations with expiring exemptions to invite them to reapply.

Completed application forms and supporting documentation must be received by the District before September 1st. Staff will review the applications for completeness and eligibility and present a summary report to Council in September.



To comply with the requirements of procedural fairness, Council will provide applicants with an adequate opportunity to be heard in respect of their applications for exemptions, and will provide reasons to an applicant if it refuses to grant an exemption, or decides to discontinue an exemption. After Council considers the applicants and their input, Council will direct staff as to which properties to include in the bylaw. Staff will then draft the bylaw for Council consideration. After 3rd reading, but before adoption, staff will publish notice of Council's intention to adopt the bylaw in accordance with section 227 of the *Community Charter*. Following adoption, staff will send the bylaw to BC Assessment.

Eligibility Criteria

Eligibility criteria for permissive tax exemptions are set out in the *Community Charter*.

Council will consider exemptions for periods up to 10 years, after which time Council must reconsider whether to continue to offer the exemptions. Council may at any time reconsider and amend its permissive tax exemption bylaw. Any changes will take effect for the following tax year.

Extent and Conditions

Council may exempt only a portion of the land or improvements in the following circumstances:

- a) a portion of the land or improvement is used by the private sector and does not meet Council's eligibility criteria;
- b) the applicant already receives a grant-in-aid or other benefit from the Municipality;
- c) Council wishes to limit the total of all permissive tax exemptions granted.

Council may consider whether to impose conditions on the exempted land or improvements such as:

- a) Registration of a covenant restricting use of the property; or
- b) Execution of an agreement committing the applicant to
 - continue a specific service or program,
 - provide lands or facilities for public use during certain times,
 - provide use of lands or facilities to certain groups free of charge or at reduced rates,
 - disclose any material increases in the organization's revenue.

Council may impose penalties on an exempted organization for knowingly breaching the conditions of exemption. The penalties may include: revoking an exemption with notice, disqualifying any future application for exemption for a specific time period, or requiring repayment of monies equal to the foregone tax revenue.

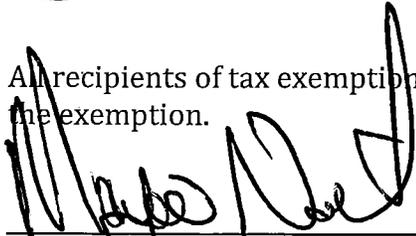
Applicants must be seen to be working towards self-sufficiency by seeking funding from other sources.

Applicants must show evidence of a clear mandate and competent administration.

Applicants must not be in arrears with the District.



All recipients of tax exemptions from the District of Ucluelet are required to publicly acknowledge the exemption.



Mayco Nöe
Mayor, District of Ucluelet



PERMISSIVE TAX EXEMPTION APPLICATION FORM

Name of Organization:		
Society/Charitable Registration #:	Contact Person:	Contact Person Position:
Phone:	Fax:	Email:
Mailing Address:		
Civic Address:		Roll #:
Overview of your organization's purpose, programs and services in the community (please attach additional information if needed) <hr/> <hr/> <hr/> <hr/>		
Principal use of property: <hr/> <hr/> <hr/> <hr/>		

Please provide a copy of the following:	Attached
Copy of most recent Society Act Annual Report or Charity Information Return	<input type="checkbox"/>
Most recent audited Financial Statements or Financial Statements prepared by an Accountant	<input type="checkbox"/>
Year to date Financial Statements	<input type="checkbox"/>
Current Year Budget	<input type="checkbox"/>

Declaration: On behalf of the organization, I hereby declare that the information included in this application is true and correct to the best of my knowledge.

Authorized Signature:	
Position / Title:	
Date of Application:	