

CERTIFICATION

Pursuant to Section 86, Indian Act RSC 1985 C.I-5 and amendments thereto, I certify that the attached copy of the Westbank First Nation Property Taxation Amendment By-law 09-TX-04 dated August 24, 2009 is a true copy of the said by-law.



Bill Guerin, Director
Community Development,
a Superintendent as defined in
Sec 2(1) Indian Act RSC 1985

Ministre des Affaires indiennes et
du Nord canadien et interlocuteur fédéral
auprès des Métis et des Indiens non inscrits



Minister of Indian Affairs and
Northern Development and Federal Interlocutor
for Métis and Non-Status Indians

Ottawa, Canada K1A 0H4

I, the Minister of Indian Affairs and Northern Development, HEREBY
APPROVE, pursuant to section 83 of the *Indian Act*, the following by-law
made by the Westbank First Nation, in the Province of British Columbia, at
a meeting held on the 24th day of August 2009.

- **Westbank First Nation**
Property Taxation Amendment By-law 09-TX-04

A handwritten signature in black ink, appearing to read "Chuck Stull".

Dated at Ottawa, Ontario, this 18th day of December 2009.

Canada

LEGAL CODE of the WESTBANK FIRST NATION

WESTBANK FIRST NATION
PROPERTY TAXATION AMENDMENT BYLAW
09-TX-04

WHEREAS:

The Council of the Westbank First Nation deems it advisable and in the best interests of the Westbank First Nation to continue to engage in the taxation for local purposes of land, or interests in land, in the reserve lands of the Westbank First Nation, including rights to occupy, possess or use land in the reserve lands of the Westbank First Nation;

NOW BE IT HEREBY RESOLVED:

That the *Property Taxation Amendment Bylaw 09-TX-04* be and is hereby enacted for the purpose of continuing assessment and taxation for local government purposes of land, in the reserve, including rights to occupy, possess or use land in the reserve, pursuant to the provisions of the *Indian Act* and in particular pursuant to the provisions of subsection 83(1) of the *Indian Act*, and pursuant to the inherent right of self government,

And,

That upon approval by the Minister of Indian and Northern Affairs, the *Property Taxation Amendment Bylaw 09-TX-04* shall come into full force and effect.

**WESTBANK FIRST NATION
PROPERTY TAXATION AMENDMENT BYLAW 09-TX-04**

1. This Property Taxation Amendment Bylaw amends the Westbank First Nation Property Taxation Bylaw 95-TX-08.
2. The following hereby added to sub-section 14. (1): of the Westbank First Nation Property Taxation Bylaw 95-TX-08
 - h) if, and for howsoever long as, council by band council resolution may approve, the property of a municipality that is:
 - (i) maintained or operated as a park or recreation ground or for athletic or recreational purposes by the municipality; or
 - (ii) is utilized for the purposes of providing sanitary sewer services through sanitary sewer lines,
 - j) if, and for howsoever long as, council by band council resolution may approve a building used or occupied by a religious body and used for public worship, religious education or as a church hall, and the land on which the building stands; provided that the land is registered in the name of:
 - (i) the religious organization using the building,
 - (ii) trustees for the use of that organization, or
 - (iii) a religious organization granting the lease of the building and land to be used solely for public worship,
 - k) if, and for howsoever long as, council by band council resolution may approve a building used or occupied by a non-profit organization that provides emergency services such as fire protection, or police protection, and the land on which the building stands,
 - l) if, and for howsoever long as, council by band council resolution may approve a building used solely as a hospital or seniors' home and not operated for profit, and the land on which the building stands,
 - m) if, and for howsoever long as, council by band council resolution may approve a building used solely by a registered not for profit society or a fully registered charity, and the land on which the building stands.

EFFECTIVE

This By-law comes into full force and effect upon approval by the Minister of Indian and Northern Affairs.

BE IT HEREBY RESOLVED AND AGREED: that this Bylaw entitled "Westbank First Nation Property Taxation Amendment Bylaw 09-TX-04" is hereby:

Read for the first time by Council of Westbank First Nation at a duly convened meeting held on the 11th day of August 2009.

Exempt from second reading pursuant to section 60.9 of the Westbank First Nation Constitution.

Read a third time, and enacted as Westbank Law, by Council of the Westbank First Nation at a duly convened meeting held on the 24th day of August 2009.


Chief Robert Louie


Councillor Larry Derrickson

Absent from Meeting
Councillor Mike De Guevara

Absent from Meeting
Councillor Brian Eli


Councillor Loretta Swite