



City of Castlegar

PROPERTY TAX EXEMPTION POLICY

Policy Directive No. 15

Legislative Framework

The Community Charter provides for tax exemptions under the following circumstances:

i) Statutory Exemptions (Section 220)

These are enacted by the Province of BC and includes a wide range of property held by, or used for, the Province of BC, municipalities, Regional Districts, public hospitals, public schools, cemeteries, church buildings, etc. For some property, such as churches and private schools, the exemption is limited to the buildings and the land immediately beneath the buildings. Council exempts the land surrounding the buildings through a permissive exemption.

i) Permissive Exemptions by Council (Section 224 – 227)

These exemptions require a bylaw approved by Council. The bylaw has the effect of exempting a property from all property taxation (ie: municipal, school, Regional District, BCAA , MFA and Hospital taxes) except for parcel taxes, user fees and other charges which are not based on property assessment.

Eligibility Criteria

The onus is on each organization to demonstrate that they clearly meet the following eligibility criteria.

- i) The paramount consideration for a permissive tax exemption is the benefit to the community and the residents of the City of Castlegar. The organization must fulfil some basic need or otherwise improve the quality of life for Castlegar residents. To a lesser degree, benefits to the region will be taken into account.
- ii) Permissive exemptions will also be granted where an organization provides a service that the City would provide given the resources to provide. Services provided by the organization should be an extension of, or complementary to municipal services and programs.
- iii) Permissive tax exemptions will be based on the principal use of the property. Exemptions are not based on the charitable service of an organization, but rather the organization's use of the particular property to the direct benefit of the community.
- iv) The goals, policies and principles of the organization must not be inconsistent or conflict with those of the City of Castlegar.

- v) Membership in the organization and/or use of the property must be reasonably open to all City of Castlegar residents.
- vi) The organization must be a registered not for profit organization in the Province of BC. The support of the municipality must not be used for commercial gain.
- vii) The organization and property must be in compliance with all municipal bylaws and policies.

Application Process

To receive consideration for a property tax exemption for the next taxation year new applicants must submit an application before the end of July in the preceding year.

Properties on the annual tax exemption bylaw will be required to submit the following documentation, as appropriate, before July 31 of each year:

- i) Financial statements for the preceding fiscal year.
- ii) Proof that the society is in good standing with the registrar under the Society Act.
- iii) Rate schedule for facility rental.
- iv) Statistics illustrating facility use for the previous twelve month period.

Limitations

- i) There will be no exemption or reduction to utility fee's and charges for tax exempt properties, including but not limited to fees, charges and parcel taxes for water, sewer and garbage.
- ii) Where a properties tax exempt use is restricted to a defined portion of a property, the balance of the property will not receive a tax exemption.
- iii) The tax burden resulting from the exemption must be a justifiable expense to the taxpayers of the City of Castlegar.
- iv) Vacant land being held for future use will not receive a tax exemption.

In accordance with Section 224 of the Community Charter a council may, by bylaw, exempt eligible land or improvements, or both, from taxation for the period and subject to the conditions provided in the bylaw. Council uses permissive tax exemptions as a means to support local organizations that benefit the community through the enhancement of citizen's quality of life. Applications for permissive tax exemptions by charitable, philanthropic or other not for profit organizations will be considered by Council for land and/or improvements that are owned or held by such organizations or are ancillary to a statutory exemption under section 220 of the Community Charter and are used for a purpose directly related to the purposes of the organization. Permissive tax exemptions will generally only be considered if the applicant organization's use of the land and/or improvements benefits the community in one or more of the following ways:

- *provides recreational programs and/or facilities for public use;*
- *provides programs to and/or facilities used by youth, seniors or other special needs groups;*
- *offers cultural or educational programs to the public which promote community spirit, cohesiveness and/or tolerance; or*
- *offers services to the public in formal partnership with the municipality.*

Council may designate only a portion of the land/improvements as exempted where a portion of the land/improvements is used by the private sector or the applicant already receives a grant-in-aid from the municipality and Council may impose conditions on the exempted land/improvements with the applicant organization.

<i>Applicant Information</i>			
Name of Organization:		Date:	
Address:		Postal Code:	
Contact Name:		Contact Phone:	

Checklist: Each application must be accompanied by the following documents:

- Financial Statements for the preceding year.
- Proof of good standing with the registrar under the Society Act of BC.
- Title certificate or lease agreement, if applicable.
- Rate schedule for facility rental
- Other pertinent information in support of your request.

Details of Property

1. Roll Number(s): _____
2. Registered Owner(s) _____
3. Legal Land Description(s): _____
4. Civic Address(es): _____
5. For every building identified, indicate all use(s) within each building. Please explicitly identify any caretaker's residence, church manse, or other residential units where residential occupation is more than seasonal:
 - Building #1: _____
 - Building #2: _____
 - Building #3: _____
 - Building #4: _____

6. What is the primary use of your property (including buildings)? What are all of the secondary uses?

7. Is any part of the property or building(s) used or rented by commercial or private operators or by any other group? If so, describe the user groups, terms of use and fees charged.

8. Has there been any change in the status or use of the property or building(s) in the last 12 months? Explain.

Details of Organization

1. How does your property and organization's use of the property directly benefit the community?

2. Council's Strategic Plan includes: Engaged and informed citizens and strong civic organization, thriving and resilient business and industry, wellbeing hub and safe community, solid and sustainable civic infrastructure, and creating special places and recreation for everyone.

Can you please explain how your organization's activities contributes to any of Council's strategic goals?

3. Is membership in your organization and/or use of your property reasonably open to all City of Castlegar residents? Explain.

4. What are the goals, objectives and principles of your organization?

5. Size of your membership, congregation, or other relevant data of residents utilizing the property.

6. Is your organization and property in compliance with all municipal policies, bylaws and regulations of the City of Castlegar?

The following declaration must be completed by a signing officer of the organization.

On behalf of the organization, I hereby declare that all of the information presented in and provided with this application is true and correct.

Dated this _____ day of _____, 20 _____.

Name (please print)

Position

Signature

Phone Number

Applications can be submitted to the following address by August 31st of the year preceding the year in which the Permissive Tax Exemption would come into effect:

City of Castlegar
Director of Finance
460 Columbia Avenue
Castlegar, B.C.
V1N 1G7

Application can also be emailed to finance@castlegar.ca
