

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
BOARD POLICY**

POLICY: Property Tax Exemption Policy

AUTHORITY: Board Resolution No. B212/10 dated April 15, 2010

POLICY STATEMENT

The Regional District of Okanagan-Similkameen recognizes the significant value of volunteers, volunteer groups and agencies to the spiritual, educational, social, cultural, and physical well-being of the region. A property tax exemption is a means for the Board to support organizations within the region that further the Board's objective to enhance the quality of life while delivering services economically to the citizens of the Regional District.

1.0 PURPOSE

To provide clarity, consistency and certainty to the Regional District, the public and prospective applicants in processing applications for exemption from property taxes pursuant to section 809 and 810 of the *Local Government Act*.

2.0 RESPONSIBILITIES

2.1 Board of Directors may:

- Make revisions, additions or deletions to the Policy.
- Receive delegations from non-profit organizations requesting a tax exemption under this policy.
- Consider property tax exemption applications on an annual basis.

2.2 The CAO shall:

- Review the policy, from time to time, and provide the Board with changes, if required.

2.3 The Manager of Finance shall:

- Establish an application deadline.
- Advertise the opportunity to apply for a property tax exemption in the local newspaper twice prior to the application deadline.
- Ensure application forms are available on the Regional District website.
- Review all applications for completeness and contact the applicant if additional information is necessary.
- Prepare a summary report of applications and bylaw for presentation to the Board at their mid-September meeting for consideration, approval and adoption prior to October 31st of each year.
- Ensure the advertising and public notice processes comply with Section 94 of the *Community Charter*.
- Submit a public notice of the proposed bylaw to be placed in local newspapers. The notice will include:
 - Property subject to bylaw
 - Description of the proposed exemption
 - Number of years the exemption will be provided
 - Estimate of the amount of taxes that would be imposed on the property if it were not exempt for the year of exemption.

2.4 The Applicant shall:

- Submit a complete application to the Manager of Finance on the approved form prior to July 31st of each year.
- Provide the information required to adjudicate the application.
- Appear before the Board, if required by the Board.
- Provide records and/or property to verify information provided in support of application.

3.0 PROCEDURES

3.1 Eligibility Criteria

To be eligible for a property tax exemption an organization must comply with all of the eligibility criteria outlined below. The application forms and supporting documentation are an integral part of this policy. There is no obligation on the part of the Board to grant property tax exemptions in any given year.

The applicant(s) must:

- qualify for an exemption under the provisions of the *Local Government Act*, general authority for property tax exemptions. (Section 809 and 810);
- be in compliance with regional district policies, plans, bylaws, and regulations (i.e. zoning);
- be a Non-Profit Organization;
- not be in competition with for-profit business.
- provide services or programs that are compatible or complementary to those offered by the Regional District. When a service or program is offered by a non-profit group or club, the community benefits from a more cost-effective provision of services;
- provide a service that fulfills some basic need, or otherwise improves the quality of life for residents of the Regional District.

3.2 The principal use of property must meet the Board's objectives. The "principal use of the property" refers to the use related directly to the principal purpose of the organization owning the property. Property tax exemptions will be based on the principal use of the property, not on the non-profit or charitable services of the organization.

3.3 The organization will provide benefits and accessibility to the residents of the Regional District. Specifically, members of the public, within the appropriate age range, are able to join a club or organization and participate in its activities for a nominal rate or fee;

Regional District residents must be the primary beneficiaries of the organization's services. The services provided on the property must be accessible to the public. The Board may, at its discretion, provide partial exemptions.

3.4 Organizations that provide liquor and/or meal services as their primary function and/or source of revenue will not be eligible for property tax exemption;

3.5 Organizations that provide short term housing with length of stay up to a maximum of two years, including emergency shelters, transitional housing, supportive housing for people with special needs, and group homes are eligible.

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- 3.6 Organizations that have a residence in the building or on the property will only be exempt if a caretaking function is performed and the property owner (organization) can provide a copy of an agreement demonstrating:
- rent is not collected on the residence; and,
 - there is a caretaker agreement in place.

4.0 PUBLIC NOTICE

Successful applicants may be asked to publicly acknowledge the exemption.

5.0 DISCLAIMER

- 5.1 The Board may, at its discretion, reject any or all applicants in any given year.
- 5.2 Applications received after the deadline of July 31st will not be considered until the following year's submissions to the Board.