



Taza Development Rates and Fees Law

Under the guidance of Almighty God, Our Creator, and as a sovereign Nation; We, the peoples of Tsuut'ina Nation, in preservation and continuation of the Tsuut'ina Nation's unique culture, identity, traditions, language and institutions, and with respect to the special relationship to the land and resources, in continued relationship with all First Nations and Canada; Do ordain and establish this law in accordance with our inherent right to governance.

Nato ninist'iya dinachowi diyi nananitini k'asona diyi datl'ishi nanisaatluni niiha nihina?o-ha tlaat'a Tsuut'ina wusa dinaloku nihininisha, nihiusno, misila yino?i, nihigunaha misila nihininana?o-hi. Nisk'a uwa mits'i-hi tlaat'a dina-tii uwa Canada isla najuna adadanazini diyi datlishi dik'asilo niiha nihina?o-ha gwasala.

**A Document to Ratify the L.RF.YYDD
Within the Tsuut'ina First Nation Lands.**

**Enacted on [Month, Day of 2020] in Tsuut'ina Nation
Coming Into Force: [Month, Day, Year]**

NOTICE – DRAFT ONLY

This document is a non-binding draft of proposed legislation under development by the Tsuut'ina Nation. It has not been enacted and carries no legal force or effect. This draft is subject to review, revision, and formal approval by the Head Chief and Minor Chiefs of Tsuut'ina Nation. It may be amended or withdrawn at any time. Do not rely on this document for legal, regulatory, or development-related purposes.

Preamble

WHEREAS the Tsuut'ina Nation Head Chief and Minor Chiefs desire to make a Law governing the Taza Development Rates and Fees on the Tsuut'ina Nation Reserve;

AND WHEREAS the Government of Canada recognizes the inherent right of self-government as an existing Aboriginal right under Section 35 of the Constitution Act, 1982;

AND WHEREAS it is recognized that the inherent right of governance includes the right to govern in relation to matters that are internal to the community, and integral to the unique culture, identity, traditions, languages and institutions of the Tsuut'ina Nation;

AND WHEREAS it is considered to be necessary for the benefit, security and preservation of the Tsuut'ina Nation and culture;

AND WHEREAS Head Chief and Minor Chiefs have the authority to enact this Law pursuant to the Legislative Process Act;

NOW THEREFORE: Head Chief and Minor Chiefs hereby enact this Law pursuant to the Tsuut'ina Legislative Process.

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Definitions

1. In this Law, the following terms have the following meanings:
 - (a) **“Agent”** means a Person, firm, or corporation representing the Lease Holder, by designation or contract, and includes a hired tradesperson or contractor who may be granted a Permit for Work within the limitations of their license,
 - (b) **“Annual Business License”** means an Annual License issued by the Tsuut’ina Nation that allows individuals or companies to conduct business on the Tsuut’ina Nation,
 - (c) **“Approved”** means Approved in writing,
 - (d) **“Building”** means any Structure used or intended for supporting or sheltering any Use or Occupancy,
 - (e) **“Building Permit”** means an acceptance or approval made under a Tsuut’ina Nation Building Law, authorizing the construction of a Building or Structure,
 - (f) **“Business Day”** is considered every official workday of the week, these are the day between and including Monday through Friday and do not include public holidays and weekends. Public holidays recognized are as follows:
 - i. New Year’s Day,
 - ii. Family Day,
 - iii. Good Friday,
 - iv. Easter Monday,
 - v. Victoria Day,
 - vi. Canada Day,
 - vii. Alberta Heritage Day,
 - viii. Labour Day,
 - ix. Thanksgiving Day,
 - x. Remembrance Day,
 - xi. Christmas Day,
 - xii. Boxing Day, and
 - xiii. Tsuut’ina Day.
 - (g) **“Business License”** means a License granted by the Tsuut’ina Nation entitling the Person to which it is granted to carry on business therein specified on the Taza Development pursuant to the provisions of the *Taza Development Business License Law, 2019*,

- (h) **“Carry on, carrying on, carried on, carries on”** means to conduct, operate, perform, keep, hold, occupy, deal in or use, for a fee or exchange of benefits, whether as principal or agent,
- (i) **“Construction”** means any erection, repair, alteration, enlargement, addition, demolition, removal or excavation,
- (j) **“Demolition Permit”** means the form or permit established by the Tsuut'ina Nation Head Chief and Minor Chiefs, from time to time, and when signed by the Tsuut'ina Development Authority it will be the authority for a person to demolish a building,
- (k) **“Development Authority”** means the board established under Section 113 of the *Taza Development Approval Process Law, 2019*,
- (l) **“EPEA”** means the Environmental Protection and *Enhancement Act, RSA 2000, c-E12* that the Tsuut'ina Nation has referenced as best practices,
- (m) **“Law”** means the *Taza Development Rates and Fees Law, 2019*,
- (n) **“Leaseholder”** means the Person to whom a Lease has been executed,
- (o) **“License Year”** means the period commencing January 1 and ending December 31 of the same calendar year,
- (p) **“Occupancy”** means the use or intended use of a Building or part of a Building for the shelter or support of people, animals or property,
- (q) **“Occupancy Certificate”** means an acceptance or approval made under the *Taza Development Building Regulations Law, 2019*, authorizing the Occupancy of a Building or Structure or part of a Building or Structure,
- (r) **“Person”** means an individual, corporation, body corporate, Partnership, joint venture, associate, society or unincorporated organization or any trustee, executor, administrator or other legal representative,
- (s) **“SCA”** means the Safety Codes Act, RSA 2000 Cs-1,
- (t) **“Tsuut'ina Nation Head Chief and Minor Chiefs”** means the duly elected governing body for the Tsuut'ina Nation,
- (u) **“Tsuut'ina Nation”** means the sovereign Nation previously referred to as the “Sarcee Nation”,
- (v) **“Violation Ticket”** means a ticket in a form as approved by the Tsuut'ina Nation, issued by the Tsuut'ina Nation allowing a payment option of a fine established under this Law,
- (w) **“Use”** means the purpose for which any Lot, Building or Structure is designed, arranged or intended or for which it is occupied or maintained,
- (x) **“Work”** means any construction, erection, repair, alteration, enlargement, addition, demolition, removal, or excavation.

Name, Purpose, and Application

Name

2. This Law may be cited as the “*Taza Development Rates and Fees Law, 2020*”

Purpose

3. The purpose of this Law is to set various rates, fees for service, and levy fines on the Taza Development for the Tsuut'ina Nation

Applicability

4. This Law applies only to certain lands within the Tsuut'ina Nation, which are legally described as follows:
 - (a) Lot 37, CLSR Plan 103721
 - (b) Lot CLSR Plan 103678
 - (c) Lot 39, CLSR Plan 103679
 - (d) Lot 40, CLSR Plan 103718
 - (e) Lot 41, CLSR Plan 103718
 - (f) Lot 65, CLSR Plan 107404
 - (g) Lot 66, CLSR Plan 107404.

Application of Law

5. Where any other Law passed by the Tsuut'ina Nation Head Chief and Minor Chiefs may apply to any matter covered by this Law, compliance with this Law will not relieve the person from also complying with the provisions of the other applicable Act, Regulation or Law.

Interpretation

Headlines and References

6. The headings used in the organization of this Law are solely for convenience of reference and do not in any way affect, limit, amplify or modify any of the terms or conditions and must not be used in any way in the interpretation of this Law. Any reference in this Law to a part, article, section, appendix or other subdivision means a part, article, section, appendix or other subdivision of this Law unless otherwise expressly provided.

Non-limiting

7. The word including, when following any statement, must be construed broadly, to refer to all other things that could reasonably fall within the scope of such statement, whether or not non-limiting language (such as “without limitation” or “without limiting” the generality of the foregoing) is used with reference to it.

Number and Gender

8. In this Law, the singular includes the plural and the plural singular, as the context permits or requires, and gender specific terms include both genders and corporations.

Reference to Law

9. Any reference to any law including any development approval requirements includes and is a reference to the same as amended.

Reference to Title

10. Where the title of position within the Tsuut’ina Nation’s administration is used in this Law, the title refers to the Person holding that position.

Reference to Government Body

11. Any reference in this Law to a government body, representative or department includes and is a reference to its successors from time to time.

Provisions Severable

12. If any section or portion of this Law is declared or held to be invalid for any reason, the invalidity must not affect the validity of the remainder of that section or this Law, and the terms and provisions of this Law are to continue to be in force and in effect and to be construed as if it has been enacted without the invalid portion.

General

13. All applicable rates, fees, fines, and other charges are attached in Schedule 'A' and Schedule 'B' of this Law.
14. An individual rate, fee, fine, or levy outlined in Schedule 'A' may, from time to time be waived or modified by a resolution of the Tsuut'ina Development Authority (TDA).
15. Minimum and specified penalties are set forth in Schedule 'A' of this Law, and may be revised from time to time by the Tsuut'ina Nation Head Chief and Minor Chiefs.
16. Where there is a specified penalty for an offence listed in Schedule 'A' of this Law, that amount is the specified penalty for the offence.
17. Where there is a minimum penalty listed for an offence in Schedule 'A' of this Law, that amount is the minimum penalty amount for the offence.
18. All permits and or Application Fees described in this Law are non-refundable.
19. All Fees described in this Law are to be paid in Canadian currency.

Amendments to this Law

Amendments

20. Amendments to this Law shall be made through the Tsuut'ina Legislative Process Act, as may be amended as from time to time.

INSERT FIELD



Taza Development Rates and Fees Law, 2019

Appendix

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DRAFT - NOT ENACTED - FOR INFORMATION ONLY

Schedule 'A'

A.1 Table: 'Taza Development Approval Process Law, 2019'

Section	Specified Fee Rate or Offence	Minimum Penalty First Offence	Specified Penalty First Offence	Date of Last Amendment
154	Occupancy or commence use prior to DCP	\$1500	\$3000	Nov 1, 2019
92	Fail to allow inspection/hinder Inspector	\$1500	\$3000	Nov 1, 2019
87	Fail to obtain Development Permit	\$1500	\$3000	Nov 1, 2019
90	Fail to comply with Development Permit or Development Permit Conditions	\$1500	\$3000	Nov 1, 2019
201	Fail to comply with Warranty Inspection Deficiencies	\$1500	\$3000	Nov 1, 2019

A.2 Table: 'Development Permit Application Fees, General Permits'

General Permits	Cost	Notes	Date of Last Amendment
Stripping, Grading, Excavation for 2 or more parcels	\$1000	N/A	Nov 1, 2019
Signs	\$265	Per Freestanding and Facia sign	Nov 1, 2019
Change to an application prior to circulation	25%	Of original application fee	Nov 1, 2019
Change to an application prior to decision	50%	Of original application fee	Nov 1, 2019
Request to re-evaluate a condition of Development Permit approval	25%	Of original application fee	Nov 1, 2019

A.3 Table: 'Commercial, Industrial, Institutional Permits (new construction)

Commercial, Industrial, Institutional Permits (new construction)	Cost	Notes	Date of Last Amendment
600sm (6468 sf) or less	\$550	N/A	Nov 1, 2019
601sm (6469 sf) to 1499sm (16,136 sf)	\$1025	N/A	Nov 1, 2019
1500sm (16,146 sf) and over	\$2025	Plus \$0.75/sm over 1500sm	Nov 1, 2019
Change of use in an existing building	\$330	Per change of use	Nov 1, 2019

A.4 Table: 'Residential Permits' (new construction)

Residential Permits (new construction)	Cost	Notes	Date of Last Amendment
Multiple unit dwelling	\$340	Plus \$140/dwelling unit	Nov 1, 2019
Show home or sales trailer	\$315	N/A	Nov 1, 2019

A.5 Table: 'Development Compliance Permit'

Development Compliance Permits	Cost	Notes	Date of Last Amendment
First Inspection	No cost	N/A	Nov 1, 2019
Re-Inspection-first	\$150	N/A	Nov 1, 2019
Re-Inspection-second and any subsequent re-inspections	\$250	Per inspection	Nov 1, 2019

A.6 Table: 'Development Building Regulation Law, 2019'

Section	Specified Fee Rate or Offence	Fee / Rate	Minimum Penalty 1 st Offence	Specified Penalty 2 nd Offence	Specified Penalty 3 rd Offence	Date of Last Amendment
100	Demolition Permit Application Fee	\$300	N/A	N/A	N/A	Nov 1, 2019
6	Failure to comply with any order or notice issued by the TDA	N/A	\$500	\$1000	\$1000	Nov 1, 2019
7	Work or authorize or allow work to proceed on a project for which a Building Permit is required	N/A	\$1000	\$2500	\$2500	Nov 1, 2019
8	Deviate from the approved plans and specifications forming part of the Building Permit or omit or fail to complete work required by the said plans and specification without first having obtained approval in writing from the TDA	N/A	\$1000	\$2500	\$2500	Nov 1, 2019
9	Occupy or allow the occupancy of any building or part thereof, without an Occupancy Certificate	N/A	\$1000	\$2500	\$2500	Nov 1, 2019
10	No person having authority in the construction, reconstruction, alteration, removal relocation, or occupancy of a building shall cause, allow or	N/A	\$1000	\$2500	\$2500	Nov 1, 2019

	maintain any unsafe condition					
11	Excavate or undertake work, on, over or under Taza Development Lands or erect or place any construction or work or store any materials thereon, without approval having first been obtained from the TDA	N/A	\$1000	\$2500	\$2500	Nov 1, 2019
12	Submit false or misleading information to the TDA	N/A	\$1000	\$2500	\$5000	Nov 1, 2019
13	Interfere with or obstruct the entry of the TDA acting in the administration or enforcement of this Law	N/A	\$1500	\$3000	\$3000	Nov 1, 2019
14	Excavate, or fill any building site in the absence of a valid or subsisting building permit	N/A	\$1500	\$3000	\$3000	Nov 1, 2019
15(a)	Continue construction beyond the foundation stage without a survey sketch being received and approved by the TDA by a registered Canada Land Surveyor.	N/A	\$1000	\$2500	\$2500	Nov 1, 2019

A.7 Table: 'Building Permit Application Fees'

Permit Type	Cost	Notes	Date of Last Amendment
Building Permit Commercial	\$10.05	Per \$1000 construction value	Nov 1, 2019
Building Permit Multiple Unit Residential	\$10.05	Per \$1000 construction value	Nov 1, 2019
Electrical Permit	Include TDA website link when it's updated	Plus \$5.00 per \$1000 electrical contract value over \$1,000,000	Nov 1, 2019
Plumbing Permit	\$160 Base	Plus \$12.00 per outlet plus \$1000 Sewer connection	Nov 1, 2019
Gas Permit	\$340 Base	Plus \$49 per additional 1 Million BTU over 2 Million BTU	Nov 1, 2019
Temporary Gas Permit	\$160	Per tank set	

A.8 Table: 'Taza Development Business License Law, 2019'

Section	Specified Fee Rate or Offence	Fee/Rate	Minimum Penalty 1 st Offence	Penalty 2 nd Offence	Penalty 3 rd Offence	Date of Last Amendment
6	Business License Fee - Yearly rate January 1 to December 31	\$300	N/A	N/A	N/A	Nov 1, 2019
6	Business License Fee – ½ year rate July 1 to December 31	\$150	N/A	N/A	N/A	Nov 1, 2019
6	Business License Fee – Daily	\$25	N/A	N/A	N/A	Nov 1, 2019
6	Business License Fee – Weekly	\$60	N/A	N/A	N/A	Nov 1, 2019

6	Business License Fee – Monthly	\$100	N/A	N/A	N/A	Nov 1, 2019
53	Appeal Form Fee	\$100	N/A	N/A	N/A	Nov 1, 2019
6	Carry on a business without a paid license	N/A	\$250	\$500	\$1000	Nov 1, 2019
12	Contravene conditions of a business license	N/A	\$250	\$500	\$1000	Nov 1, 2019
6	Operate separate Business without Business License	N/A	\$250	\$500	\$1000	Nov 1, 2019
15	Fail to post or present business certificate	N/A	\$250	\$500	\$1000	Nov 1, 2019
14 and 16	Fail to carry or show Business License	N/A	\$250	\$500	\$1000	Nov 1, 2019
29	Give false information on Application	N/A	\$250	\$500	\$1000	Nov 1, 2019
46	Carry on business when Business License is suspended	N/A	\$250	\$500	\$1000	Nov 1, 2019
60	Carry on Mobile vending business without approval	N/A	\$250	\$500	\$1000	Nov 1, 2019

41	Fail to pay renewal Business License Fee within 20 days	Charged interest at the rate of 10% per day of the outstanding business license fee amount	N/A	N/A	N/A	Nov 1, 2019
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A.9 Table: 'Taza Development Sign Law, 2019'

Section	Specified Fee Rate or Offence	Minimum Penalty 1 st Offence	Specified Penalty 1 st Offence	Date of Last Amendment
Sign Offences				
19	Sign too close to curb	\$100	\$500	Nov 1, 2019
20	Sign in corner visibility triangle	\$100	\$500	Nov 1, 2019
17	Unauthorized projection over sidewalks or road rights-of-way	\$100	\$200	Nov 1, 2019
62	Fail to comply with General Rules for Sign	\$100	\$200	Nov 1, 2019

A.10 Table: ‘Taza Development Zoning Law, 2019’

Section	Specified Fee Rate or Offence	Minimum Penalty 1 st Offence	Specified Penalty 1 st Offence	Date of Last Amendment
Lighting Offences				
61	Fail to shield	\$100	\$200	Nov 1, 2019
64	Exceed mounting height	\$100	\$200	Nov 1, 2019
Sign Offences				
58	Sign to close to curb	\$100	\$500	Nov 1, 2019
76	Sign in corner visibility triangle	\$100	\$500	Nov 1, 2019
58	Unauthorized projection over sidewalks or road rights-of-way	\$100	\$200	Nov 1, 2019
60	Fail to comply with General Rules for Sign	\$100	\$200	Nov 1, 2019
Parking Loading, and Bicycle Parking Offences				
77	Fail to identify parking stalls through signage	\$500	\$1000	Nov 1, 2019
77	Fail to identify parking standards	\$500	\$1000	Nov 1, 2019
77	Fail to comply with loading standards	\$500	\$1000	Nov 1, 2019
77	Fail to comply with bicycle parking standards	\$500	\$1000	Nov 1, 2019
Commercial and Mixed-Use Offences				
73	Fail to screen mechanical	\$200	\$1000	Nov 1, 2019
70	Fail to enclose garbage containers	\$200	\$1000	Nov 1, 2019

Schedule 'B': Development and Building Infrastructure Fee Schedule

The Development and Building Infrastructure Fee Schedule will be updated annually.

DEVELOPMENT PERMITS & DCC INSPECTIONS

	FEE	NOTES
DP – Commercial, Residential, Mixed-Use	\$3,200 (base fee) <u>Plus</u> \$1.15 / sq.m	Min.\$3,200 (no bldg.) <i>Base Fee + \$1.15 x GFA</i>
DP - Signage	\$650	Includes first 2 reviews
Additional Reviews (3+)	\$1,500	Per additional review
DCC – Civil Inspection	\$1,500	Includes first 2 inspections
DCC – Landscape Inspection	\$1,500	Includes first 2 inspections
Additional Inspections (3+)	\$500	Per additional inspection
Amendment after Approval	50% of Original Fee	
Pre-Application Meeting	\$500	

STRIPPING, GRADING, EXCAVATION, AND DEMOLITION PERMITS

	FEE	NOTES
Stripping, Grading, Excavation, and Demolition Permits	\$2,500	Includes first 2 reviews
Additional Reviews (3+)	\$1,000	Per additional review
DCC	\$1,500	Includes first 2 inspections
Additional Inspections (3+)	\$500	Per additional inspection
Amendment after Approval	50% of Original Fee	

Note: Additional fees may apply depending on parcel size and magnitude of scope.

VILLAGE DEVELOPMENT PLANS & MASTER PLANS

	FEE	NOTES
Village Development Plan Review (0-10 ha)	\$5,495	
Village Development Plan Review (>10 ha)	\$550	Per additional hectare
Master Plan Review (MDP, TIA, W/WW MPs)	\$5,000	Includes first 2 reviews
Additional Reviews (3+)	\$2,500	Per additional review

Note: Additional fees may apply depending on parcel size and magnitude of scope.

PUBLIC INFRASTRUCTURE PERMITS & CCC / FAC INSPECTIONS

	FEE	NOTES
Public Infrastructure Permit (underground, surface works, parks/landscape, W/WW/SW facilities)	\$10,000	Includes first 2 reviews
Public Infrastructure Permit (streetlighting and signals)	\$5,000	Includes first 2 reviews
Additional Reviews (3+)	\$5,000	Per additional review
CCC Application and Inspection	\$5,000	Per application (includes first 2 inspections)
FAC Application and Inspection	\$5,000	Per application (includes first 2 inspections)
Additional CCC or FAC Inspection	\$500	Per additional inspection
Amendment after Approval	50% of Original Fee	

Note: Additional fees may apply depending on parcel size and magnitude of scope.

UTILITY LINE ASSIGNMENT (ULA) PERMITS & TRAFFIC ACCOMODATION STRATEGY (TAS) PLANS

	FEE	NOTES
ULA Permit	\$650	Includes first 2 reviews
Traffic Accommodation Strategy/Plan	\$650	Includes first 2 reviews
Additional Reviews (3+)	\$250	Per additional Review

Notes: Any amendments to the approved ULA or TAS permit will require a new permit fee.

SPECIAL EVENT PERMITS

	FEE	NOTES
Special Event Permit	\$1,500	Flat rate (see notes)

Note: additional fees may apply depending on parcel size, magnitude of scope, and potential community impacts. Any Special Event Permit which includes a temporary structure will also require a Building Permit (i.e. tents, air supported structures, stages, portable washrooms, amusement parks, cultural structures, or other temporary structures).

BUILDING PERMITS

	FEE	NOTES
Building Permit – Commercial	10.05	Per \$1000 construction value
Building Permit – Multi-Unit Residential	10.05	Per \$1000 construction value
Electrical Permit	Based on cost of construction	See page 4 fee schedule Plus \$6,150 + 0.4 % value of electrical installation over \$1,000,000
Plumbing Permit	\$160 base fee	Base plus \$12.00 per outlet
Gas Permit	\$340 base fee	Plus \$49 per additional BTUs over 2 million
Temporary Gas Permit	\$160	Per tank set

ELECTRICAL CONTRACTOR FEE SCHEDULE

Value of Electrical Work	Permit Fee
0 - \$5,000	\$200
\$5,001 - \$10,000	\$390
\$10,001 - \$20,000	\$525
\$20,001 - \$30,000	\$725
\$30,001 - \$40,000	\$900
\$40,001 - \$50,000	\$1000
\$50,001 - \$100,000	\$1,350
\$100,001 – \$250,000	\$2,000
\$250,001 - \$500,000	\$2,900
\$500,001 - \$1,000,000	\$2,900 + 0.65 % value of electrical installation over \$500,000
Greater than \$1,000,000	\$6,150 + 0.4% value of electrical installation over \$1,000,000

	PERMIT FEE		PERMIT FEE
Temporary Service 100 Amps or Less	\$160	Underground Service 125 Amps or less	\$160

Head Chief and Minor Chiefs Signatory Page

THIS LAW IS HEREBY made at this duly convened meeting of the Head Chief and Minor Chiefs of the Tsuut'ina Nation this [____] day of [Month, Year] by Nation Council Resolution.

Voting in favour of the Taza Development Rates and Fees Law, as evidenced by signatures, are the following members of the Head Chief and Minor Chiefs:

Tsuut'ina Nation Head Chief

Member of Tsuut'ina Minor Chiefs

Member of Tsuut'ina Minor Chiefs

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