

Key Elements of Proposed Musqueam Indian Band Utility Service Fee Law, 2024

Musqueam Indian Band (MIB) proposes to enact the Musqueam Indian Utility Service Fee Law, 2024 which will recover certain costs related to the provision of water, sewer, garbage, street cleaning and recycling services.

The Utility Service Fee Law is made pursuant to paragraph 5(1) (a.1) of the First Nations Fiscal Management Act (the "FMA").

The key features of the Utility Service Fee Law are that it:

- imposes fees on each holder of an interest in reserve lands based on the services provided;
- provides exemptions in certain circumstances to Band members but requires MIB to fund such exemptions from general revenues;
- charges user fees that are the same as the fees charged by the City of Vancouver and the City of Delta to the Band for the provision of these services, and the fees charged are set by annual by-law in each City for all users of the services on and off reserve;
- includes provisions for the appointment of an administrator, and for the preparation of an annual report;
- provides that taxes collected under the Utility Service Fee Law will be accounted separately and expended only for the provision of the services under the authority of an expenditure law or under section 13.1 of the FMA;
- provides for refunds, where applicable;
- sets out taxpayers' rights to reconsideration and appeal;
- provides provisions for penalties (10% of the unpaid portion of the service fees) and interest (15% per year); and
- sets out the mechanisms of service fee collection and enforcement, including the creation of liens on the interest in land to which unpaid fees pertain.

For further information or questions regarding the Utility Service Fee Law, and to obtain copies of the Utility Service Fee Law, please contact the M Bussell, Surveyor of Taxes at 6735 Salish Drive Vancouver BC V6N 4C4, by telephone at 604-263-3261 or by email at mbussell@musqueam.bc.ca