



Taza Development Rates and Fees Law, 2020 L.TDRF.2005

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.TDRF.2005
Within the Tsuut'ina Nation Lands**

**Enacted on May 26, 2020 in Tsuut'ina Nation
Coming Into Force: May 26, 2020**

Preamble

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

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

NOW THEREFORE: the Tsuut'ina Citizens hereby enact this Law through the Tsuut'ina Nation *Legislative Process Act*.

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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 his or her 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 days 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 or 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 of permit established by the Tsuut’ina Nation Chief and Council, from time to time, and when signed by the 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) **“Lease Holder”** means the Person to whom a Lease has been executed.
- (o) **“License Year”** means the period commencing January 1 and ending on 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, association, society or unincorporated organization or any trustee, executor, administrator or other legal representative.
- (s) **“SCA”** means the *Safety Codes Act, RSA 2000 c-S-1*.
- (t) **“Tsuut’ina Nation Chief and Council”** 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 services, 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 Chief and Council 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 and 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 the 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, superseded or replaced from time to time.

Reference to Title

10. Where the title of a 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 had been enacted without the invalid portion.

General

13. All applicable rates, fees, fines, and other charges are attached in Schedule “A” 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 Development Authority.
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 Chief and Council.
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 the Law shall be made through the *Tsuut'ina Nation Legislative Process Act, 2018* as may be amended from time to time.

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Taza Development Rates and Fees Law, 2020 Appendix

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A. Schedule "A"

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

Taza Development Approval Process Law, 2019				
Section	Specified Fee Rate or Offence	Minimum Penalty First Offence	Specified Penalty First Offence	Date of Last Amendment
Sect 154.	Occupy or commence use prior to DCP	\$1500	\$3000	November 1, 2019
Sect 92.	Fail to allow inspection/hinder Inspector	\$1500	\$3000	November 1, 2019
Sect 87.	Fail to obtain Development Permit	\$1500	\$3000	November 1, 2019
Sect 90.	Fail to comply with Development Permit or Development Permit conditions	\$1500	\$3000	November 1, 2019
Sect 201.	Fail to comply with Warranty Inspection Deficiencies	\$1500	\$3000	November 1, 2019

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

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

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

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

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

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

A.5. Table: ‘Development Compliance Permit’

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

A.6. Table: ‘Taza Development Building Regulations Law, 2019’

Taza Development Building Regulations Law, 2019					
Section	Specified Fee Rate or Offence	Fee Amount	Minimum Penalty First Offense	Specified Penalty First Offense	Specified Penalty First Offense
Sect 100.	Demolition Permit Application Fee	\$300	N/A	N/A	N/A
Sect 6.	Fail to comply with any order or notice issued by the Development Authority	N/A	\$500	\$1000	\$1000
Sect 7.	Work or authorize or allow work to proceed on a project for which a Building Permit is required	N/A	\$1000	\$2500	\$2500
Sect 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 Development Authority	N/A	\$1000	\$2500	\$2500
Sect 9.	Occupy or allow the occupancy of any building, or part thereof, without an Occupancy Certificate	N/A	\$1000	\$2500	\$2500

Sect 10.	No person having authority in the construction, reconstruction, demolition, alteration, removal, relocation, or occupancy of a building shall cause, allow or maintain any unsafe condition	N/A	\$1000	\$2500	November 1, 2019
Sect 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 Development Authority	N/A	\$1000	\$2500	November 1, 2019
Sect 12.	Submit false or misleading information to the Development Authority	N/A	\$1000	\$5000	November 1, 2019
Sect 13.	Interfere with or obstruct the entry of the Development Authority acting in the administration or enforcement of this Law.	N/A	\$1500	\$3000	November 1, 2019
Sect 14.	Excavate, or fill any building site in the absence of a valid or subsisting building permit	N/A	\$1500	\$3000	November 1, 2019
Section 15. (a)	Continue construction beyond the foundation stage without an acceptable level of fire protection being provided	N/A	\$1000	\$2500	November 1, 2019
Section 15. (b)	Continue construction beyond the foundation stage without a survey sketch being received and approved by the	N/A	\$1000	\$2500	November 1, 2019

	Development Authority by a registered Canada Land Surveyor.				
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A.7. Table: 'Building Permit Application Fees'

Building Permit Application Fees			
Permit Type	Cost	Notes	Date of Last Amendment
Building Permit Commercial	\$9.75	Per \$1000 construction value	November 1, 2019
Building Permit-Multiple Unit Residential	\$5.50	Per \$1000 construction value	November 1, 2019
Electrical Permit	See TTN Electrical Permit Fee Schedule provided on the Tsuut'ina Nation Civic services website at: https://civicservices.tsuutina.com/grav-admin/user/pages/09.building-permit/TTNElectricalPermitFeeSchedule.pdf	Plus \$5.00 per \$1000 electrical contract value over \$1,000,000	November 1, 2019
Plumbing Permit	\$110	Plus \$11.50 per outlet plus \$1000 Sewer connection	November 1, 2019
Gas Permit	\$340	Plus \$45 per additional 1 Million BTU over 2 Million BTU	November 1, 2019

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

Taza Development Business License Law, 2019							
Section	Specified Rate or Offence	Fee or Rate	Minimum Penalty First Offence	Penalty 2nd Offence	Penalty 3rd Offence	Date of Last Amendment	
Sect 6.	Business License Fee - Yearly Rate January 1 to December 31	\$300	N/A	N/A	N/A	November 1, 2019	
Sect 6.	Business License Fee- 1/2 Year Rate July 1 to December 31	\$150	N/A	N/A	N/A	November 1, 2019	
Sect 6.	Business License Fee-Daily	\$25	N/A	N/A	N/A	November 1, 2019	
Sect 6.	Business License Fee-Weekly	\$60	N/A	N/A	N/A	November 1, 2019	
Sect 6.	Business License Fee-Monthly	\$100	N/A	N/A	N/A	November 1, 2019	
Sect 53.	Appeal Form Fee	\$100	N/A	N/A	N/A	November 1, 2019	
Sect 6.	Carry on a business without a paid license	N/A	\$250	\$500	\$1000	November 1, 2019	
Sect 12.	Contravene conditions of a business license	N/A	\$250	\$500	\$1000	November 1, 2019	
Sect 6.	Operate separate Business without Business License	N/A	\$250	\$500	\$1000	November 1, 2019	

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Sect 15.	Fail to post or present business certificate	N/A	\$250	\$500	\$1000	November 1, 2019
Sect 14. 16	Fail to carry or show Business License	N/A	\$250	\$500	\$1000	November 1, 2019
Sect 29.	Give false information on Application	N/A	\$250	\$500	\$1000	November 1, 2019
Sect 46.	Carry on Business when Business License is suspended	N/A	\$250	\$500	\$1000	November 1, 2019
Sect 60.	Carry on Mobile vending business without approval	N/A	\$250	\$500	\$1000	November 1, 2019
Sect 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	November 1, 2019

A.9. Table: 'Taza Development Sign Law, 2019'

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

A.10. Table: 'Taza Development Zoning Law, 2019'

Taza Development Zoning Law, 2019'				
Section	Specified Fee Rate or Offence	Minimum Penalty First Offence	Specified Penalty First Offence	Date of Last Amendment
Lighting Offences				
61.	Fail to shield	\$100	\$200	November 1, 2019
64.	Exceed mounting height	\$100	\$200	November 1, 2019
Sign Offences				
58.	Sign too close to curb	\$100	\$500	November 1, 2019
76.	Sign in corner visibility triangle	\$100	\$500	November 1, 2019
58.	Unauthorized projection over sidewalks or road rights-of-way	\$100	\$200	November 1, 2019
60.	Fail to comply with General Rules for Sign	\$100	\$200	November 1, 2019
Parking Loading, and Bicycle Parking Offences				
77.	Fail to identify parking stalls through signage	\$500	\$1000	November 1, 2019
77.	Fail to identify parking standards	\$500	\$1000	November 1, 2019
77.	Fail to comply with loading standards	\$500	\$1000	November 1, 2019
77.	Fail to comply with bicycle parking standards	\$500	\$1000	November 1, 2019

Commercial and Mixed-Use Offences				
73.	Fail to screen mechanical	\$200	\$1000	November 1, 2019
70.	Fail to enclose garbage containers	\$200	\$1000	November 1, 2019

Chief and Council Signature Page

THIS LAW IS HEREBY made at this duly convened meeting of the Chief and Council of the Tsuut'ina Nation this 26th day of May 2020 by Nation Council Resolution.

Voting in favour of the *Taza Development Rates and Fees Law, 2020*, as evidenced by signatures, are the following members of the Chief and Council:

Tsuut'ina Nation Chief Roy Whitney

Member of Tsuut'ina Nation Council
Kelsey Big Plume

Member of Tsuut'ina Nation Council
Paula Big Plume

Member of Tsuut'ina Nation Council
Stanley Big Plume

Member of Tsuut'ina Nation Council
Steven Crowchild

Member of Tsuut'ina Nation Council
Emmet Crowchild

Member of Tsuut'ina Nation Council
Vincent Crowchild

Member of Tsuut'ina Nation Council
Corrine Eagletail

Member of Tsuut'ina Nation Council
Brent Dodginghorse

Member of Tsuut'ina Nation Council
Lyle Dodginghorse

Member of Tsuut'ina Nation Council
Leon Littlelight

Member of Tsuut'ina Nation Council
Shay Runner

Member of Tsuut'ina Nation Council
Ellery Starlight