



Affaires autochtones et
Développement du Nord Canada

Aboriginal Affairs and
Northern Development Canada

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JUN 16 2015

Westbank First Nation

Votre référence - Your file

Notre référence - Our file

June 12, 2015

E4216-3-601

Westbank First Nation
301 – 501 Hwy 97 South
KELOWNA BC V1Z 3J2

Dear Chief and Council:

Re: Taxation Bylaws

Please find enclosed 3 certified true copies of the bylaws as well as the original.

If you have any questions, please call me at 604-666-5305 or email me at jeanemile.dufault@aandc.gc.ca .

Yours truly,

Jean-Émile Dufault
Band Governance Officer
Community Development
British Columbia Region

Canada

Ministre des Affaires autochtones
et du développement du Nord



Minister of Aboriginal Affairs and
Northern Development

Ottawa, Canada K1A 0H4

I, Minister of Indian Affairs and Northern Development, HEREBY
APPROVE, pursuant to section 83 of the *Indian Act*, the following by-law
made by the Westbank First Nation, in the Province of British Columbia, at
a meeting held on the 23rd day of June 2014.

- **Westbank First Nation
Capital Expenditure By-law No. 14-TX-04**

A handwritten signature in black ink, appearing to read 'S. Desautels'.

Dated at Ottawa, Ontario, this 10th day of December 2014.

Canada

WESTBANK FIRST NATION
IR NO.10 SNEENA ROAD SIDEWALK STREET LIGHTING
LANDSCAPING CAPITAL EXPENDITURE BY-LAW NO. 14-TX-04

To authorize the expenditure of a maximum of Five Hundred Thousand Dollars (\$500,000) from money raised pursuant to section 83(1) of the *Indian Act*, for the purpose of completing the construction of Sneena Road Sidewalk, Street Lighting and Landscaping within the Tsinstikeptum Indian Reserve No.10.

WHEREAS:

- A. Pursuant to Section 83(1) of the *Indian Act* and the Westbank First Nation's inherent right of self-government, the Westbank First Nation has enacted the Westbank First Nation Property Taxation By-law, 95-TX-08 (the "**Taxation By-law**");
- B. In accordance with section 12(3)(l) of the Taxation By-law, the Westbank First Nation annually deposits Ten (10%) percent of annual gross taxes in a cumulative capital projects fund (the "**Cumulative Fund**") to be used from time to time for such capital projects as may be authorized by separate by-law;
- C. In accordance with section 4.4 of the WFN Expenditure By-law 1995, all surplus monies remaining in the Taxation Fund at the end of the Fiscal Year specified in the Expenditure By-law Annual Budget Schedule may be transferred into the Stabilization Fund, and may be applied towards the operation and administration costs for the next Fiscal Year, overruns on existing Capital projects or for any other contingencies, (the "**Stabilization Fund**");
- D. Westbank First Nation deems it desirable and in the best interest of the community to advance funds to complete the Sneena Road Sidewalk, Street Lighting and Landscaping Project on Tsinstikeptum Indian Reserve No.10.
- E. The Westbank First Nation has concluded the total cost of construction of Sneena Road Sidewalk, Street Lighting and Landscaping on Tsinstikeptum Indian Reserve No.10 to be not more than Five Hundred Thousand Dollars \$500,000 as outlined in Schedule "A" to this By-law.

NOW THEREFORE, the Council of the Westbank First Nation hereby enacts the following by-law;

SHORT TITLE

1. This By-law may be cited for all purposes as the IR No.10 Sneena Road Sidewalk, Street Lighting and Landscaping Project Capital Expenditure By-law No. 14-TX-04.

EXPENDITURE AUTHORIZATION

2. The Westbank First Nation hereby acknowledges that it is in the best interests of all community and band members of the Westbank First Nation to proceed with the Sneena Road Sidewalk, Street Lighting and Landscaping Project as summarized in Schedule "A" to this By-law.
3. The Westbank First Nation hereby approves the expenditure of not more than Five Hundred Thousand Dollars (\$500,000) from the Cumulative Fund for the purposes of the Sneena Road Sidewalk, Street Lighting and Landscaping Project (the "Project Funds").
4. The Westbank First Nation also authorizes the expenditure of all or a portion of the Project Funds to acquire all such lands, easements, rights-of-way, licences, permits, rights and authorities as may be required or desirable for or in connection with the IR No.10 Sneena Road Sidewalk, Street Lighting and Landscaping Project.
5. Any of the Project Funds not expended on the IR No.10 Sneena Road Sidewalk, Street Lighting and Landscaping Project or incidental costs related thereto, will be reimbursed to and deposited in the Cumulative Fund upon completion of the IR No.10 Sneena Road Sidewalk, Street Lighting and Landscaping Project.

EFFECTIVE

6. This By-law comes into full force and effect upon approval by the Minister of Aboriginal Affairs and Northern Development Canada.

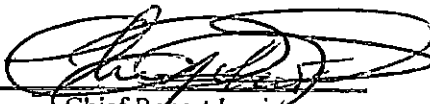
BE IT HEREBY RESOLVED AND AGREED:

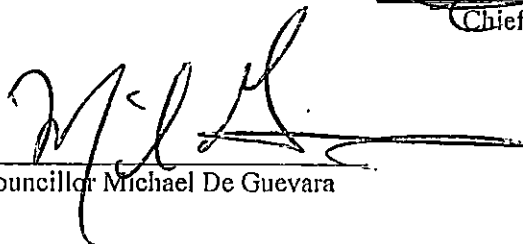
That this By-law, entitled the IR No.10 Sneena Road Sidewalk, Street Lighting and Landscaping Project By-law No.14-TX-04 being read for the first, second, third and final time by the Council of the Westbank First Nation held at duly convened meetings.

Read a first time by the Council of Westbank First Nation at a duly convened meeting held on the 26th day of May, 2014.


Exempt from a second reading pursuant to section 60.9 of the Westbank First Nation Constitution.

Read a third time, and enacted as a Westbank Law, by Council of the Westbank First Nation at a duly convened meeting held on the 23rd day of June, 2014.


Chief Robert Louie


Councillor Michael De Guevara


Councillor Mickey Werstuik


Councillor Christopher Derickson


Councillor Brian Eli

SCHEDULE "A"

BUDGET FOR PROPOSED IR NO.10 Sneena Road Sidewalk, Street lighting and Landscaping Project 14-TX-04	COST	FUNDING SOURCE
Engineering – Design, Tender and Construction Costs	\$ 426,500.00	WFN, Local Government Services
Environmental Management Plan and monitoring	\$ 12,000.00	
Geo Tech	\$ 11,500.00	
Contingency	\$ 50,000.00	
	\$ 500,000.00	WFN, LGS
TOTAL	\$ 500,000.00	WFN, LGS

CERTIFICATION

Pursuant to Section 86, Indian Act RSC 1985 C.I-5 and amendments thereto, I certify that the attached copy of the Westbank First Nation IR No.10 Sneena Road Sidewalk Street Lighting Landscaping Capital Expenditure By-law No. 14-TX-04, also known as the Expenditure By-law 2014, dated June 23, 2014, is a true copy of the said by-law.



MAY 20 2015

Bill Guerin, Director
Community Development,
a Superintendent as defined in
Sec 2(1) Indian Act RSC 1985



First Nations Tax Commission
Commission de la fiscalité des premières nations

4216-601
Original in CIDM
Document # 2947493

February 9, 2015

Our File: E4216-3/601

Chiara Taylor
Manager, Governance & Capacity Development
Community Development
BC Regional Office
600-1138 Melville Street
VANCOUVER BC V6E 4S3

Westbank First Nation Expenditure By-laws

Enclosed for certification are the following:

1. Westbank First Nation Capital Expenditure By-law No. 14-TX-04 which was approved by the Minister on December 10, 2014; and
2. Westbank First Nation Capital Expenditure By-law No. 14-TX-05 which was approved by the Minister on December 10, 2014.

Please return certified copies, including copies of the ministerial approvals, certified under section 86 of the *Indian Act* to the Westbank First Nation and return copies to the First Nations Tax Commission at the address listed below.

Sincerely,

Lilian Richards
By-law Registrar
First Nations Tax Commission
Suite 202, 190 O'Connor Street
OTTAWA ON K2P 2R3

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