

Town of Portugal Cove-St. Philip's

Home-Based Artists Business Tax Exemption Policy

Pursuant to the authority vested in the Town Council of Portugal Cove – St. Philip's the Town Council has adopted this policy on the 11<sup>th</sup> day of May, 2021.

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**1.0 TITLE**

- 1.1 This document shall be known and cited as the Home-Based Artists Business Tax Exemption Policy

**2.0 DEFINITIONS**

- 2.1 "Council" shall mean the Town Council of Portugal Cove – St. Philip's.  
2.2 "Town" shall mean the Town of Portugal Cove – St. Philip's.  
2.3 "Artist" means a person who produces an artistic work;  
2.4 "Artistic work" means an artistic work within the meaning of the Copyright Act (Canada) and includes the creation or furtherance of art whether or not financial gain.  
2.5 "Studio" means the area within a home that supports the creation of art

**3.0 POLICY STATEMENT**

- 3.1 This policy will establish guidelines for providing a business tax exemption for home-based artists in Portugal Cove – St. Philip's. The purpose of these guidelines will be to create the criteria for exemption eligibility and define the scope of the exemption.

**4.0 APPLICATION:**

- 4.1 This policy shall apply to all artists who operate out of their homes in Portugal Cove – St. Philip's.

**5.0 POLICY PROCEDURE:**

**Definition of Eligible Artists**

- 5.1 **Artist Definition:** The Town accepts the Canada Council for the Arts definition of a professional artist:
- has specialized training in the artistic field (not necessarily in academic institutions)
  - is recognized as a professional by his or her peers (artists working in the same artistic tradition)
  - is committed to devoting more time to artistic activity, if possible financially
  - has a history of public presentation or publication
- 5.2 **Studio Size:** The studio shall not be any larger than 50% of the residence.

**Types of Art that are eligible:** The exemption is only for businesses that are operating for the sole purpose of creating artistic work. Artistic works must be original and creative works generally recognized as having cultural or artistic merit. These Artists would include Visual Artists, Craftspersons, Literary, Film, and Performing Artists.

### **Exemption Details**

5.3 **Business Tax:** Any form of business tax will not be charged.

5.4 **Property Tax:** Residential property tax will still be required.

5.5 **Business Permit Fee:** Business permits will still be required in order to assess and determine eligibility. However, artists will have a reduced rate of \$25.

### **6.0 REPEALS**

6.1 None.

### **7.0 AMENDMENTS**

7.1 None.

### **8.0 DATE EFFECTIVE/RESOLUTION**

8.1 Date effective: May 11, 2021 by motion #2021-110