

CITY OF GRANDE PRAIRIE

OFFICE CONSOLIDATION

BYLAW C-801

**A Bylaw of the City of Grande Prairie,
in the Province of Alberta, to designate
the Downtown as a Business Improvement Area,
and establish a Board of Directors
for the Business Improvement Area.**

**(As amended by Bylaws C-801A, C-801B, C-801C,
C-801D, C-801E and C-801F)**

WHEREAS pursuant to the Municipal Government Act, RSA 2000, Chapter M-26 and the Business Improvement Area Regulation, and amendments thereto, a Council may by Bylaw, designate an area as a Business Improvement Area and prescribe its boundaries and establish a Board of Directors for the Business Improvement Area.

(Bylaw C-801F - April 6, 2020)

AND WHEREAS, the Council of the City of Grande Prairie, in the Province of Alberta has received a request from more than 10 persons in an area who are shown on the current assessment roll of a municipality as being assessed for Business Improvement Area assessment.

(Bylaw C-801C - February 11, 2002 and Bylaw C-801F - April 6, 2020)

AND WHEREAS, no petition has been received objecting to the designation of the downtown as a Business Improvement Area.

(Bylaw C-801F - April 6, 2020)

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CITY OF GRANDE PRAIRIE, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED ENACTS AS FOLLOWS:

TITLE

1. This Bylaw may be cited as the "Downtown Business Improvement Area".

(Bylaw C-801F - April 6, 2020)

DEFINITIONS

2. (1) In this Bylaw:
 - a) "Board" means the Board of Directors of the Downtown Business Improvement Area Association of the City of Grande Prairie.
(Bylaw C-801F - April 6, 2020)
 - b) "City" means the City of Grande Prairie or the area contained within the boundaries of the City as the context requires.
 - c) "Corporate Services Director" means the Corporate Services Director of the City of Grande Prairie.
(Bylaw C-801E - March 4, 2013)
 - d) "City Manager" means the City Manager of the City of Grande Prairie.
 - e) "Council" means the Council of the City of Grande Prairie.
 - f) "Downtown Business Improvement Area" means the area as designated on the attached Schedule "A".

(Bylaw C-801F - April 6, 2020)

BUSINESS IMPROVEMENT AREA

3. There is hereby established a Business Improvement Area to be known as the Downtown Business Improvement Area as designated on the attached Schedule "A".
(Bylaw C-801F - April 6, 2020)

BOARD OF DIRECTORS

4. There is hereby established a Board to be known as "The Board of Directors of the Downtown Business improvement Area Association".
(Bylaw C-801F - April 6, 2020)

PURPOSE OF THE BOARD

5. (1) The purpose of the Board shall be:
- a) to improve, beautify and maintain municipally owned lands, buildings and structures in the area, in addition to any improvement, beautification or maintenance that is provided at the expense of the municipality at large;
 - b) to promote the area as a business or shopping area; and
 - c) to conduct any studies or prepare any designs that may be necessary for the purpose of this section.

MEMBERSHIP

6. (1) The Board shall consist of ten (10) members, who shall be appointed by resolution of Council. The members shall consist of:
- a) One (1) member of Council;
 - b) Eight (8) members from the Downtown Business Improvement Area who are shown on the current assessment roll of the City as being assessed for Business Improvement Area Assessment; and
 - c) One (1) member of the public at large, who is a City resident, and is selected by the Board, as nominated by members within the Downtown Business Improvement Area.
(Bylaw C-801E - March 4, 2013 and Bylaw C-801F - April 6, 2020)
- (2) The eight (8) area members shall be nominated by persons in the area who are shown on the current assessment roll of the City as being assessed for Business Improvement Area Assessment with respect to the Downtown Business Improvement Area.
(Bylaw C-801E - March 4, 2013 and Bylaw C-801F - April 6, 2020)
- (3) Area members of the Board of Directors of the Downtown Business Improvement Area shall be appointed by Council for three (3) year terms, commencing March 1st unless they are appointed to serve the unexpired portion of an existing term, except that effective January 1, 1987 three (3) area members of the Board shall be appointed for a term of one (1) year, three (3) additional area members of the Board shall be appointed for a term of two (2) years, and the remaining three (3) members shall be appointed for a term of three (3) years.
(Bylaw C-801C - February 11, 2002 and Bylaw C-801F - April 6, 2020)

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- (4) At no time shall the Board consist of less than seven (7) members.
(Bylaw C-801A - May 5, 1986)
 - (5) The member of Council shall be appointed annually.
(Bylaw C-801C - February 11, 2002)
 - (6) Any member may resign from the Board at any time upon sending written notice to Council to that effect, and any member may be removed from the Board by Council at any time, by resolution.
 - (7) Where a member ceases to be a member of the Board before the expiration of the designated term, Council may appoint another eligible person for the unexpired portion of the term.
 - (8) A member ceases to be a member of the Board when:
 - a) the member fails to attend three (3) consecutive regular meetings of the Board, unless the absence is caused through illness or is authorized by resolution of the Board;
 - b) the member is hired in a full-time capacity with the City; or
 - c) the member ceases to be a member of the Business Improvement Area, with the exception of the member of the public at large.**(Bylaw C-801E - March 4, 2013 and Bylaw C-801F - April 6, 2020)**

MEETINGS

7.
 - (1) The Board shall hold at least ten (10) regular meetings per year at a time and place so designated by the Board.
 - (2) The first meeting shall be held in the first quarter of each year for the appointment of officers of the Board and to conduct any other business deemed necessary.
(Bylaw C-801E - March 4, 2013)
 - (3) Special meetings may be called by the Chairman, with the approval of two (2) members of the Board.
 - (4) If the Chairman is absent or refuses to call a special meeting when requested by any member of the Board, the Secretary to the Board shall call a special meeting when requested to do so in writing by any three (3) members of the Board.
 - (5) No special meeting shall be called unless twenty-four (24) hours notice is given in writing to all members of the Board, or by unanimous consent provided all members of the Board are present.
 - (6) The members of the Board may consider or transact any business at any meeting provided it is within the powers established for the Board.
 - (7) A majority of the members of the Board shall form a quorum.

- (8) The Board shall establish policies and procedures necessary to govern the conduct of the Board, its members, committees and employees of the Association, provided such policies and procedures are not inconsistent with the powers herein conferred, and provided they are not inconsistent with the City's Procedure Bylaw.

(Bylaw C-801E - March 4, 2013)

- (9) Minutes shall be kept of all Board meetings (regular and special) and Board Committee meetings, and copies shall be filed with the Corporate Services Director.

(Bylaw C-801E - March 4, 2013)

OFFICERS OF THE BOARD

8. (1) A Chairman, Vice-Chairman and Secretary-Treasurer of the Board shall be selected from among the members of the Board.

(Bylaw C-801B - February 19, 1991)

- (2) The City Manager may attend any meeting of the Board in an advisory capacity, but shall not be entitled to vote.

- (3) The Board may appoint committees of its members, or from members of the Business Improvement Area, and/or from the public at large to deal with any matter, special study, or assignment within its jurisdiction.

(Bylaw C-801E - March 4, 2013)

- (4) The Chairman and all members present shall vote on every question before the Board and in the event of an equal division, the question shall be disposed of in the negative.

POWERS & DUTIES

9. (1) The Board shall by year end of each year submit to the Council for its approval, in the form prescribed by Council, the program and estimates of revenues and expenditures of the Board for the next year, together with any request for sums of money required to carry out the Board's powers and duties.

(Bylaw C-801E - March 4, 2013)

- (2) The Board may submit the program and estimates to members of the Downtown Business Improvement Area Association prior to submission to Council.

(Bylaw C-801F - April 6, 2020)

- (3) The Council shall add to the estimates an allowance for non-collection and administration costs involved in raising the requested money.

- (4) The Council shall provide, in the form and manner it considers adequate, to every person assessed for Business Improvement Area purposes in the area, notice of the estimates and the date and place of the Council meeting at which the estimates will be considered.

(Bylaw C-801C - February 11, 2002 and Bylaw C-801F - April 6, 2020)

- (5) On approval of all or part of the estimates the Council shall direct the payment of the approved amount to the Board.

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10. (1) The Council shall authorize by Bylaw the levy, on all Business Improvement Area assessments in the area, of a uniform rate that the Council considers sufficient to raise the amount required for the purposes of Section 9.
(Bylaw C-801C - February 11, 2002 and Bylaw C-801F - April 6, 2020)
- (2) Any levy imposed under Section 10 may be collected in the same manner and with the same remedies as provided in the Municipal Government Act and Business Improvement Area Regulation.
(Bylaw C-801C - February 11, 2002 and Bylaw C-801F - April 6, 2020)
- (3) In addition to the levy under Section 10(1), the Council may, by Bylaw, provide that the sum required for any specific activity of the Board shall be raised by a special benefit levy on the Business Improvement Area assessment of those businesses considered by the Council to receive a special benefit and the provisions of the Municipal Government Act with respect to local improvement taxes apply to a special benefit levy under this subsection.
(Bylaw C-801C - February 11, 2002 and Bylaw C-801F - April 6, 2020)
- (4) The City Assessor shall include in the general roll the businesses that are subject to a Business Improvement Area levy.
11. The Board shall expend only money included in the estimates approved by the Council.
12. No indebtedness extending beyond the current fiscal year shall be incurred by the Board.
13. **Deleted by Bylaw C-801E - March 4, 2013.**
14. **Deleted by Bylaw C-801E - March 4, 2013.**
15. On or before March 1st in each year, the Board shall submit its Annual Report for the preceding year to the Council and that report shall include a summary of the year's activities and a complete audited financial statement of its affairs, with a balance sheet and a revenue and expenditure statement.
16. All books, documents, records of transactions, minutes and accounts of a Board shall, at all times, be open to inspection by the municipal auditor.
17. (1) The Board may:
a) appoint one of its members;
b) hire any person; or
c) by agreement with the Council, rely on the municipality to maintain any books, documents, records of transactions, minutes and accounts, and for making and receiving payments.
18. The Board shall obtain Public Liability insurance or such other forms of insurance as deemed necessary by the City and the Board.

19. In the event of this Bylaw being repealed, the Board shall cease to exist and its undertakings, assets and liabilities shall be assumed by the City.

20. This Bylaw shall come into full force and effect January 1, 1984.

READ a first time this 19th day of September, 1983.

READ a second time this 19th day of September, 1983.

“H. Impey” (Signed)
MAYOR

“L.M. Saunders” (Signed)
CITY CLERK

READ a third time and finally passed this 5th day of December, 1983.

“E. J. Blais” (Signed)
MAYOR

“L.M. Saunders” (Signed)
CITY CLERK