

CITY OF MAPLE RIDGE

BYLAW NO. 7251-2016

**A bylaw to establish a business improvement area service to provide a grant to the Downtown Maple Ridge Business Improvement Association for the planning and implementation of a business promotion scheme for the Maple Ridge Downtown Business Improvement Area.**

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**WHEREAS** the Council of the City of Maple Ridge may grant money to an organization that has, as one of its aims, functions, or purposes, the planning and implementation of a business promotion scheme;

**AND WHEREAS** all of the grant paid must be recovered by means of a local service tax;

**AND WHEREAS** a notice of the intention of the Council of the City of Maple Ridge to establish a Business Improvement Area Service for the purpose of funding a Business Promotion Scheme to carry out certain works and services and to market and promote business within the Business Improvement Area, has been duly given by publication of notice and service of it upon the owners of the parcels liable to be specially charged and no petition against the works proposed on Council's initiative, signed by the owners of at least 50% of the parcels that would be subject to the Business Improvement Area Service tax, that in total represent at least 50% of the assessed value of land and improvements that would be subject to the Business Improvement Area Service Tax, has been presented within 30 days after the second publication of the notice;

**AND WHEREAS** it is deemed expedient to proceed with the grant;

**NOW THEREFORE**, the Council of the City of Maple Ridge enacts as follows:

**1. TITLE**

This Bylaw shall be cited for all purposes as "Maple Ridge Business Improvement Area Establishment Bylaw No. 7251-2016".

**2. DEFINITIONS**

In this Bylaw:

"**Act**" means the Community Charter, SBC 2003, Chapter 26;

"**Business Improvement Area**" means the area of the City of Maple Ridge designated by Schedule "A" of this Bylaw;

"**Business Promotion Scheme**" means those specific activities and expenditures set out in Section 5 of this Bylaw;

"**Council**" means the Council of the City of Maple Ridge; and

"**City**" means the City of Maple Ridge.

"**DMRBIA**" means the Downtown Maple Ridge Business Improvement Association.

**3. DESIGNATION OF AREA**

Those lands within the area shown shaded on the map attached to and forming part of this Bylaw as Schedule "A", are designated as a Business Improvement Area within the meaning of Section 215 of the Act and shall be known as the Downtown Business Improvement Area.

**4. GRANT**

a) Council is hereby empowered to grant to the DMRBIA money not exceeding the following amounts:

2017 - \$263,600  
2018 - \$270,200  
2019 - \$276,900  
2020 - \$283,900  
2021 - \$290,900

b) These monies shall be paid to the DMRBIA as follows:

January 1, 2017 - \$131,800	July 1, 2017 - \$131,800
January 1, 2018 - \$135,100	July 1, 2018 - \$135,100
January 1, 2019 - \$138,450	July 1, 2019 - \$138,450
January 1, 2020 - \$141,950	July 1, 2020 - \$141,950
January 1, 2021 - \$145,450	July 1, 2021 - \$145,450

**5. EXPENDITURE**

The DMRBIA will work with the City to ensure alignment with the priorities of the City relating to security, façade improvements and other elements related to the Town Centre Animation Plan and any other such plans that may be developed during the term of this bylaw. The money granted under Section 4 of this Bylaw shall be expended only by the DMRBIA, in accordance with the conditions and limitations set out in this Bylaw, and only for a Business Promotion Scheme consisting of the following activities and expenditures:

- a) marketing and promotions
- b) safety and security improvements
- c) beautification, including general clean up, graffiti removal, banners
- d) festivals and other related promotional events.

**6. RECOVERY OF FUNDS**

- (a) All of the money granted to the DMRBIA pursuant to this Bylaw shall be recovered within the Business Improvement Area in the manner set out in this Section.
- (b) For the purpose of recovering the monies granted to the DMRBIA under this Bylaw in any year in which a grant is made to the DMRBIA, there shall be levied and imposed in each year on all land and improvements within the Business Improvement Area that fall within Class 6 of the Assessments - Classes and Percentage Levels Regulations, B.C. Reg. 438/81, as that regulation stood on January 8, 1988, a rate sufficient to raise the sums set out in Section 4 herein for that year. The levy shall be based on the assessed value of land and improvements for general municipal purposes.

**7. CONDITIONS AND LIMITATIONS**

Notwithstanding any other provision of this Bylaw, no grant shall be made and no grant funds shall be used or spent by the DMRBIA, in any year unless the DMRBIA:

- a) submits an annual budget and work plan for approval by the City on or before May 1st in each year beginning May 1st, 2018;
- b) submits to the City a review engagement on a fiscal year basis, and such auditor shall be a member, or a partnership whose partners are members, in good standing of the Canadian Institute of Chartered Accountants, or the Certified General Accountants Association of British Columbia, or a person certified by the board established under Section 181 of the Company Act, RSBC 1996, Chapter 62. Such review engagement shall be prepared in accordance with generally accepted accounting principles and shall include a Balance Sheet and a Statement of Revenue and Expenditure. A review engagement for the immediately preceding fiscal year, shall be submitted to the City on or before May 1st of each year beginning May 1st, 2017; and
- c) is a Society incorporated and in good standing under the provisions of the Society Act, RSBC 1996, Chapter 433.

## **8. INSURANCE**

- (a) The DMRBIA shall provide and maintain Commercial General Liability Insurance acceptable to the City and subject to limits of not less than five million dollars (\$5,000,000) inclusive per occurrence for bodily injury, death and damage to property including loss of use thereof. The insurance shall cover any person employed directly or indirectly by the DMRBIA as well as any contractor or subcontractor hired by the DMRBIA.
- (b) The City shall be added as an additional insured under the Comprehensive General Liability Insurance policy, and the DMRBIA shall provide the City with a copy of the policy prior to the City providing funding under Section 4 of this bylaw.
- (c) The DMRBIA's Comprehensive General Liability Insurance policy shall contain a cross liability clause and an endorsement requiring that the City be provided with 30 days prior written notice of any change in the policy or its cancellation.

## **9. EXPIRATION DATE**

This bylaw shall cease to have effect on the 31<sup>st</sup> day of December, 2021.

**READ** a first time the 14<sup>th</sup> day of June, 2016.

**READ** a second time 14<sup>th</sup> day of June, 2016.

**READ** a third time the 14<sup>th</sup> day of June, 2016.

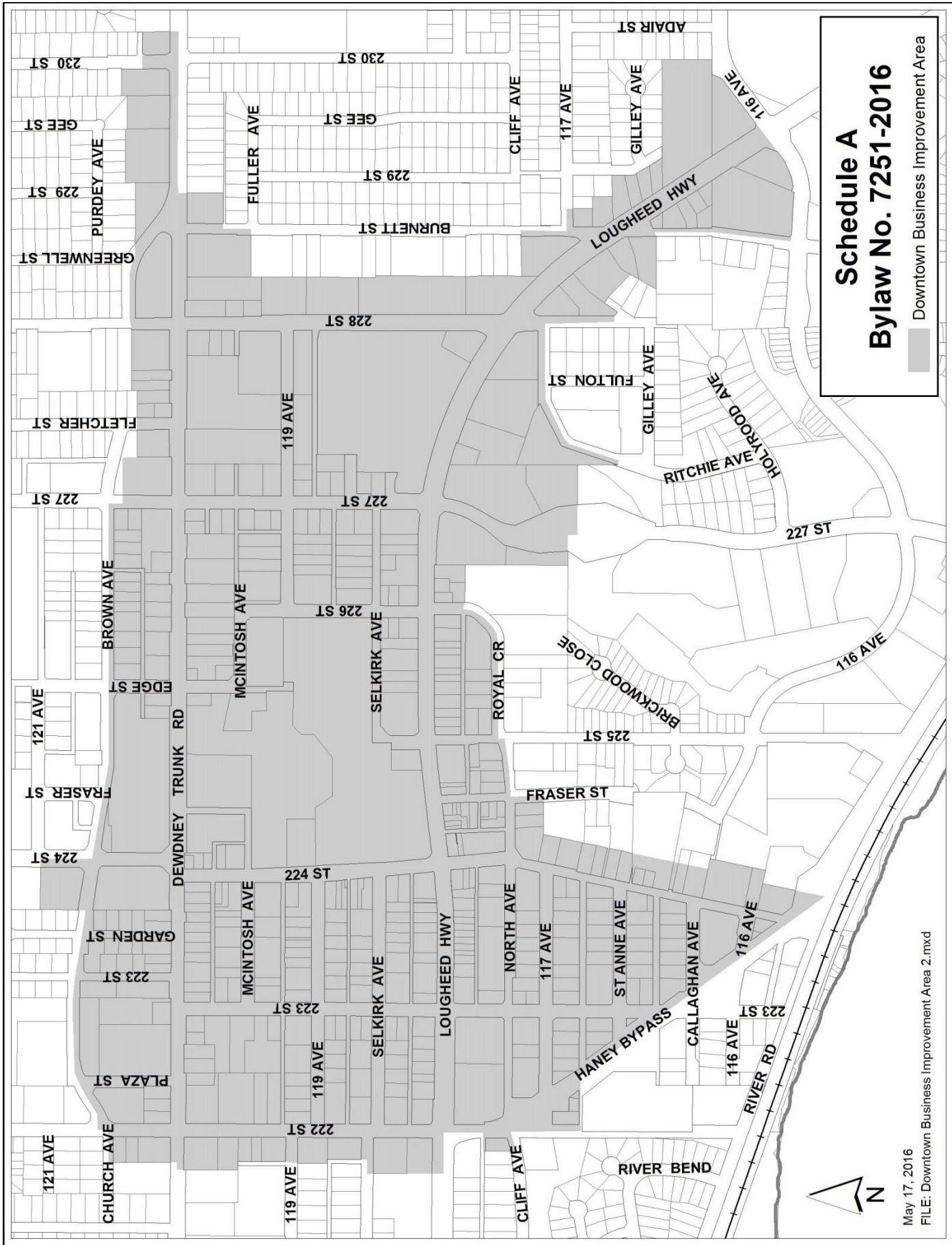
**ADOPTED** the 6<sup>th</sup> day of September, 2016.

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**PRESIDING MEMBER**

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**CORPORATE OFFICER**



**Schedule A**  
**Bylaw No. 7251-2016**  
 Downtown Business Improvement Area

May 17, 2016  
 FILE: Downtown Business Improvement Area 2.mxd