

THE CORPORATION OF THE
CITY OF WHITE ROCK
BYLAW 2311



**A Bylaw to establish and designate a Business Improvement Area
in the City of White Rock.**

WHEREAS the City may establish a business improvement area service to grant money to an organization that has the planning and implementation of a business promotion scheme as one of its aims, functions or purposes;

AND WHEREAS the owners of certain properties within the municipal boundaries have formed an association know as the "White Rock Business Improvement Association", a registered not for profit society in the Province of British Columbia to undertake certain works and services and to market and promote business within that area;

AND WHEREAS a City Council may propose to undertake a business improvement area, as a local area service, on its own initiative;

NOW THEREFORE, the Council of the City of White Rock, in open meeting assembled, enacts as follows:

Definitions

1. For the purpose of this Bylaw:

Area means the lands and improvements contained within the three geographic areas of the City of White Rock as shaded on the maps attached to and forming part of this bylaw as Schedule "A".

Association means the White Rock Business Improvement Association or any other name that the members of the association may approve;

Business Promotion Scheme means the development and undertaking of projects and initiatives to encourage business and commerce in the Area. This includes:

- a. carrying out studies, preparing reports and undertaking projects or initiatives to encourage business and commerce in the Area;
- b. encouraging and promoting commercial business and encouraging entertainment, sports, and cultural activities within the Area;
- c. creating a pleasant physical environment;
- d. removing graffiti from buildings and other structures in the Area
- e. improving, beautifying or maintaining streets, sidewalks or municipally owned land, buildings or other structures in the Area

City means The Corporation of the City of White Rock

Council means the Council for the City

Taxable Property means land and improvements in the Area that fall within the Class 6 property class for assessment purposes.

Grant

2. Subject to the conditions and limitations set out in this bylaw Council hereby grants the following sums to the Association to undertake its Business Promotion Scheme:
 - a) In 2020, a sum not to exceed \$337,006;
 - b) In 2021, a sum not to exceed \$343,014;
 - c) In 2022, a sum not to exceed \$350,021;
 - d) In 2023, a sum not to exceed \$357,029;
 - e) In 2024, a sum not to exceed \$364,037
3. The City will pay 50% of the applicable grant to the Association on or before April 1 of the calendar year in which the funds are collected, and 50% of the applicable grant on or before October 1 of the same calendar year, subject to the requirements noted in Sections 4 and 5 of this Bylaw.
4. The April 1 annual grant installments will only be paid if the requirements of Sections 6, 10 and 16 of this Bylaw have been complied with.
5. The October 1 annual grant installments will only be paid if the requirements of Sections 6, 13 and 16 of this Bylaw have been complied with.

Expenditures and Indebtedness

6. Monies granted to the Association pursuant to this bylaw will be expended only:
 - a) By the Association;
 - b) In accordance with the conditions and limitations set out in this bylaw; and
 - c) For the Business Promotion Scheme.
7. Monies granted pursuant to Section 2 of this bylaw must be expended by the Association on expenses provided for in the annual budget submitted pursuant to Section 10.
8. The Association must not incur any indebtedness or other obligations beyond the sum granted for each calendar year.
9. The Association shall keep separate from any other accounts, the account used for money granted to the Association by City Council pursuant to this Bylaw, and shall report separately from the requirement of Section 13 of this Bylaw, the revenues and expenditures related to that separate account, upon the request of the City.

Budget

10. The Association must submit annually to the City Clerk for information, or before March 1st of each year, 2020 through 2024 inclusive, a budget for the Association's fiscal year beginning on April 1 of the same year, which contains information sufficient in detail to describe all anticipated

expenses and revenues and which has been approved by a majority of the members present at the Annual General Meeting of the Association.

Recovery and Tax Levy

11. All of the money granted to the Association pursuant to this Bylaw will be recovered as a property value tax from the owners of the Taxable Property within the Area.
12. For the purpose of recovering the monies granted the Association, the City will impose each year a levy rate per \$1,000 of assessment on the Taxable Property within the Area which when multiplied by the total assessment for land and improvements will yield the maximum amount of the respective grants set out in this Bylaw.

Financial Statements

13. Notwithstanding any provisions of the Association's Bylaws concerning its fiscal year, the Association must submit to the City on or before July 31 each year an audited annual financial statement for the Association's preceding April 1 to March 31 fiscal year which will be prepared in accordance with generally accepted accounting principles and will include a balance sheet and a statement of revenue and expenditures.
14. The financial statement submitted by the Association must also be prepared in accordance with the requirements of the Society Act, R.S.B.C. 1996, c. 433 as amended from time to time.
15. The Association will permit the Director of Financial Services for the City or his or her nominee to inspect during normal business hours on reasonable notice all books of account, receipts, invoices and other financial position records which the Director of Financial Services deems advisable for the purposes of verifying and obtaining further particulars of the budget and any financial statements of the Association as they relate to monies granted to Association by the Council pursuant to this Bylaw.

Insurance

16. The Association must carry at all times a policy of comprehensive general liability insurance in the amount of \$5,000,000 with:
 - a) The City as an additional named insured;
 - b) A cross coverage provision; and
 - c) An endorsement to provide the City Clerk with 30 days notice of change or cancellation.
17. The Association will deliver a copy of the each insurance policy to the City Clerk within 60 days of payment of the premiums for the insurance policy.

Alterations to the Association's Constitution

18. The Association may not alter or approve amendments to its constitution and bylaws without providing the City Clerk with one (1) months notice of its intention to make such alteration or amendment and where any alteration or amendment is made without such notice, the City may withhold any payments of the grant referred to in Section 2. The Association must provide

written notice of every meeting of the Association’s members, annual or general, at least 14 days prior to the meeting, to the City Clerk.

Independent Entity

- 19. The Association is independent from the City.
- 20. The Association will bear all the responsibility of managing its own affairs, hiring its own employees and paying all its own expenses including all salaries, office rent, subject to this Bylaw.

General Provisions

- 21. This Bylaw will be operative only from the date of final adoption to December 31, 2024.
- 22. If any portion of this Bylaw is held to be invalid by a court of competent jurisdiction, the invalid portion shall be severed and the remainder of this Bylaw shall be deemed to have been enacted without the invalid portion.
- 23. This Bylaw may be cited for all purposes as the “White Rock Business Improvement Area Bylaw 2019, No. 2311”

RECEIVED FIRST READING on the	7 th day of	October, 2019
RECEIVED SECOND READING on the	7 th day of	October, 2019
RECEIVED THIRD READING on the	7 th day of	October, 2019
NOTICE OF INTENTION advertised in the Peace Arch News, pursuant to section 213 of the <i>Community Charter</i> , on the	18 th & 25 th day of	October, 2019
A MAJORITY OF THE OWNERS representing at least 50% of the value of lands and improvements of the Taxable Property failed to petition the Council not to proceed as of the	29 th day of	November, 2019
ADOPTED on the	16 th day of	December, 2019



 MAYOR



 DIRECTOR OF CORPORATE ADMINISTRATION

Waterfront Commercial Areas

West Beach:

