

Bylaw No. 6731

A Bylaw of the City of Saskatoon to designate an area as a business improvement district to be known as the Broadway Business Improvement District and to establish a Board of Management thereof.

**Codified to Bylaw No. 8900
(November 22, 2010)**

BYLAW NO. 6731

A Bylaw of The City of Saskatoon to designate an area as a business improvement district to be known as the Broadway Business Improvement District and to establish a Board of Management thereof.

Whereas Sections 106 to 109 of *The Urban Municipality Act* provide that the Council of an urban municipality may by bylaw designate an area as a Business Improvement District and establish for any such area so designated a Board of Management which may, subject to such limitations as the bylaw may provide:

- (a) improve, beautify and maintain publicly-owned lands, buildings and structures in the business improvement district, in addition to any improvement, beautification or maintenance that is provided at the expense of the urban municipality at large;
- (b) acquire, by purchase, lease or otherwise, any land and buildings necessary for its purposes and improve, beautify or dispose of that land and buildings;
- (c) promote the business improvement district as a business or shopping area;
- (d) undertake improvement and maintenance of any land for use as parking and may subsequently dispose of that land, by sale, lease, exchange or otherwise for public or private redevelopment for commercial purposes at a price not less than its fair market value;
- (e) conduct any studies or prepare any designs that may be necessary for the purposes of this section;
- (f) contribute monies to the urban municipality in which it is located for the purposes of a downtown revitalization project described in Sections 118 to 120 *The Urban Municipality Act*.

And whereas it is desirable to designate the area hereinafter described as a Business Improvement District and to establish a Board of Management for such District for the purpose set out herein.

And whereas notice as prescribed by the said Act of the intention of the Council to pass a bylaw designating the area hereinafter described as a Business Improvement District has been given and no sufficiently-signed petition objecting to the passing of the bylaw has been received within the time limited therefor;

Now, therefore, the Council of the City of Saskatoon enacts as follows:

Designation of the Business Improvement District

1. The area comprised of the land described in Schedule "A" and shown in bold outline on the plan in Schedule "B" annexed hereto and made part of this Bylaw is designated as a Business Improvement District within the meaning of Sections 106 and 107 of *The Urban Municipality Act* (hereinafter called the "District").

Establishment of the Board of Management

2. There is established for the District a Board of Management to be known as the "Board of Management for the Broadway Business Improvement District" (hereinafter called the "Board").

Powers of the Board

3. The Board has all the powers set out in Section 109 of *The Urban Municipality Act*, except the power to contribute to a downtown revitalization project and except any other limitations provided in this Bylaw.

Composition of the Board

4. The Board is a body corporate and shall consist of persons appointed by resolution of Council. At least one person appointed shall be a member of Council, and the other persons appointed shall be persons who are electors of The City of Saskatoon and who are operators of businesses in the District or who are nominees of corporations which operate businesses in the District.

Term of Office

5.
 - (1) Council may by resolution, remove any person appointed to the Board and appoint another person to replace him.
 - (2) Unless sooner removed from office, a member of the Board holds office until the first meeting of Council following the next general election after he is appointed and until his successor is appointed. A Board member is eligible for reappointment upon the expiration of the term of his appointment.

Election of Chairman, Appointment of Secretary-Treasurer

6. The Board shall, as soon as possible after its members are appointed, elect a chairman and vice-chairman and appoint a Secretary-Treasurer, and such other officers as it may deem necessary to properly conduct its business.

Minutes and Records of the Board

7. The Board shall keep proper minutes and records of every meeting of the Board, and shall make these available to all members of the Board and to the City Clerk upon request. The minutes and records of the Board shall be open to inspection by any operator of a business in the District.

Financial Records

8. The Board shall adopt and maintain only banking arrangements and good accounting practices that are acceptable to the treasurer of the Council of Saskatoon and shall keep such books of account and submit such statements from time to time as the said treasurer may require.

Approval of Estimates by Council

9. The Board shall submit to Council for its approval the revenue and expenditure estimates of the Board for the current year by January 15th of that year, in the form prescribed by the Council. The Board shall set out in the estimates:
 - (a) the amounts to be contributed to the Board by Council from monies to be collected from the urban municipality at large;
 - (b) any amounts contributed to the Board by Council pursuant to Section 114 of *The Urban Municipality Act*;
 - (c) the amounts of grants to be received by the Board from other than municipal sources;
 - (d) the amounts to be received by the Board from the disposal or conveyance of land and buildings.

Levy on Business Operators

10. (1) Council shall authorize a levy to be paid by the operators of businesses in the Business Improvement District, of a uniform rate that Council considers sufficient to raise the amount required for the purposes of the proposed expenditures included in the approved estimates of the Board, less any revenues received by the Board under clauses 9(a) to (d).
- (2) The levy mentioned in subsection (1) is to be based on the assessment of all land and improvements used or intended to be used for business purposes in the Business Improvement District.
- (3) Where only a portion of any land or improvements are used or intended to be used for business purposes, the levy mentioned in subsection (1) shall be based on the assessment of the portion.
- (4) Where any levy payable under this section is payable by a tenant, the landlord is deemed to be The City of Saskatoon's agent for the collection of the amount, and shall promptly pay all amounts collected over to The City of Saskatoon.

Limit of the Board's Expenditures and Indebtedness

11. The Board shall expend only those monies included in the estimates approved by the Council and no member of the Board shall authorize the expenditure of funds not previously approved by Council. No indebtedness extending beyond the current fiscal year shall be incurred by the Board.

Auditor

12. The municipal auditor shall be the auditor of the Board and all books, documents, records of transactions, minutes and accounts of the Board shall, at all times be opened to his inspection.

Fiscal Year and Annual Report of the Board

13. The fiscal year of the Board shall be the calendar year and, on or before the 31st day of March in each year, the Board shall submit its annual report for the preceding year to the Council, and that report shall include a complete audited and certified financial statement of its affairs, with balance sheet and revenue and expenditure statement.

Insurance

14. The City of Saskatoon shall provide commercial general liability insurance against third party liability and third party property damage in respect of the activities of the Board.

Parking Facilities

15. No land acquired by the Board and used for parking shall be sold, leased or disposed of unless the Board uses the proceeds to acquire land which provides parking facilities in an amount equal to those on the land disposed of.
16. This Bylaw shall come into force and take effect upon the day of the final passing thereof.

Read a first time this 2nd day of June, A.D. 1986.
Read a second time this 25th day of August, A.D. 1986.
Read a third time and passed this 25th day of August, A.D. 1986.

"C. Wright"
Mayor

"J. Kolynchuk"
City Clerk

"SEAL"

Schedule "A"

The area of land designated as a Business Improvement District is contained within the boundaries described as follows:

Commencing at a point located at the centre of the intersection of 8th Street and Dufferin Avenue thence north in a straight line along the centre of Dufferin Avenue to the centre of 12th Street; thence west in a straight line along the centre of 12th Street to the centre of Broadway Avenue; thence in a northeasterly direction along the centre of University Drive to a point in line with the extension of the boundary between Lots 7 and 8, in Block 86, Plan No. Q; thence in a straight line in a northwesterly direction along the boundary between the said Lots 7 and 8 to a point at the centre of the lane abutting the said lots; thence in a straight line in a southwesterly direction along the centre of the said lane to the centre of Broadway Avenue; thence in a straight line in a northwesterly direction along the centre of Broadway Avenue to a point where it intersects with the centre line of Saskatchewan Crescent; thence in a westerly direction along the centre line of Saskatchewan Crescent to a point where it intersects with the centre line of Eastlake Avenue; thence in a straight line in a south direction to a point located at the centre of the intersection of Eastlake Avenue and 12th Street; thence in a straight line east along the centre line of 12th Street to a point where it intersects with the centre line of the lane which abuts Lot 12, Block A3, Plan No. A 955; thence south in a straight line along the centre of the said lane to its intersection with the east-west lane in Block 63, Plan No. Q1; thence westerly along the centre line of the said east-west lane to the intersection of the northerly production of the west limit of Lot 13, Block 63, Plan No. Q1; thence south along the northerly production of, and the west limit of Lot 13, Block 63, Plan No. Q1, to the southwest corner of said Lot 13; thence south to the northwest corner of Lot 26, Block 64, Plan No. Q1; thence southerly in a straight line along the boundary of Lots 26 and 27, Block 64, Plan No. Q1, to the centre of the east-west lane of Block 64, Plan No. Q1; thence easterly along the centre of the east-west lane of said Block 64, to the centre of the north-south lane of said Block 64; thence south in a straight line along the centre of said lane to the centre of 8th Street; thence east in a straight line to the point of commencement.

Schedule 'B'

