



CITY OF CAMPBELL RIVER
PROVINCE OF BRITISH COLUMBIA
BYLAW NO. 3500

WHEREAS the Council may, by majority vote, grant money to an applicant under Section 215 of the *Community Charter* for the purpose of the planning and implementation of a Business Promotion Scheme;

AND WHEREAS before a Council grants money for a Business Promotion Scheme, the Council shall pass a Bylaw as required by Sections 211(2) and 215 of the *Community Charter*;

AND WHEREAS the Council has had an application for a grant of money under Section 215 of the *Community Charter*;

THEREFORE BE IT RESOLVED that the City of Campbell River in open meeting assembled enacts as follows:

1. TITLE:

This Bylaw may be cited as the **"Willow Point Business Improvement Area Bylaw No. 3500, 2013"**.

2. DEFINITIONS:

In this Bylaw, unless the context otherwise requires:

"Applicant" means the Willow Point Business Improvement Area Society.

"Business Improvement Area" means the area of the City designated by Section 3 of this Bylaw.

"Business Promotion Scheme" means:

- (a) carrying out studies or making reports respecting one or more business areas in the City where business or commerce is carried on;
- (b) improving, beautifying or maintaining of streets, sidewalks or municipally owned land, buildings or other structures in one or more business improvement areas;
- (c) the removal of graffiti from buildings and other structures in one or more business improvement areas;
- (d) conserving heritage property in one or more business improvement areas;
- (e) encouraging business in one or more business improvement areas;

in accordance with the plan set out in Schedule "B".

“City”	means the City of Campbell River.
“Council”	means the Council of the City.
“Parcel”	means all properties that are taxable for General Municipal Purposes that fall or would fall within Class 5 or 6 of the Assessment-Classes and Percentage Levels Regulation, B.C. Reg. 438/81.

3. DESIGNATION OF AREA:

For the purposes of this Bylaw, the Business Improvement Area to which this Bylaw is applicable shall be comprised of that tract of land shown in heavy outline on Schedule "A" attached hereto and forming part of this Bylaw, and shall be commonly referred to as the Willow Point Business Improvement Area.

4. GRANT:

4.1 For the purpose of the Bylaw, the maximum amount of money to be granted to the Applicant annually under this Bylaw, pursuant to Section 215 of the *Community Charter*, is as follows:

- 4.1.1** in the calendar year 2013, a sum not to exceed SEVENTEEN THOUSAND, EIGHT HUNDRED AND FORTY DOLLARS (\$17,840.00);
- 4.1.2** in the calendar year 2014, a sum not to exceed EIGHTEEN THOUSAND, SEVEN HUNDRED AND THIRTY-TWO DOLLARS (\$18,732.00);
- 4.1.3** in the calendar year 2015, a sum not to exceed NINETEEN THOUSAND, SIX HUNDRED AND SIXTY-EIGHT DOLLARS (\$19,668.00);
- 4.1.4** in the calendar year 2016 a sum not to exceed TWENTY THOUSAND, SIX HUNDRED AND FIFTY-ONE DOLLARS (\$20,651.00)
- 4.1.5** in the calendar year 2017, a sum not to exceed TWENTY ONE THOUSAND, SIX HUNDRED AND EIGHTY-FIVE DOLLARS (\$21,685.00);

The monies shall be paid to the Applicant on or before the 1st day of August, in each year.

5. EXPENDITURE:

5.1 The money granted under Section 215 of the *Community Charter* pursuant to this Bylaw shall be expended only:

- 5.1.1** by the Applicant;
- 5.1.2** in accordance with the conditions and limitations set out in this Bylaw;
- 5.1.3** for the Business Promotion Scheme set out in Schedule "B" attached hereto and forming part of this Bylaw.

6. COST RECOVERY:

6.1 All of the money granted to the Applicant under this Bylaw shall be recovered within the Business Improvement Area from the owners of land within that area.

6.2 For the purpose of recovering the monies granted to the applicant under this Bylaw under the authority of Section 215 of the *Community Charter*, the Council shall levy annually a rate sufficient to raise the sums as outlined in Section 4, or such lesser amount as granted to the applicant pursuant to the provisions of this

Bylaw by a tax on all improvements, that fall into Class 5 or 6 of the Assessments - Classes and Percentage Levels Regulation, B.C. Reg. 438/81 within the Willow Point Business Improvement Area.

7. CONDITIONS AND LIMITATIONS:

- 7.1 The Applicant shall submit an annual budget for the approval of the City and, notwithstanding anything in this Bylaw, no payments shall be made unless the budget submitted is within the amounts established by this Bylaw.
- 7.2 The annual budget of the Applicant shall be submitted on or before the first day of March in each year of the Business Promotion Scheme.
- 7.3 The money granted pursuant to Section 215 of the *Community Charter* as outlined in Section 4 of this the Bylaw shall be expended by the Applicant for only those projects provided for in the annual budget submitted by the Applicant and approved by Council.
- 7.4 The Applicant shall account for the money granted and approved by Council for the previous year by submitting to the City on or before April 1st, in each of the years 2013 to 2017, an annual report which must include a financial statement prepared in accordance with generally accepted accounting principles and shall include a balance sheet and a Statement of Revenue and Expenditure. The annual report must also include a review of its achievements during the previous year and a work plan for the following year.
- 7.5 The Applicant shall not incur any indebtedness or other obligations beyond each budget year.

8. INDEPENDENT AGENCY:

- 8.1 The Applicant is an agency independent from the City and it shall be solely responsible for managing its own affairs.
- 8.2 The Applicant shall pay all expenses in connection with its operation, including, but not limiting the generality of the foregoing, wages of support staff, rent, stationery, telephone and postage, and all other office expenses.
- 8.3 The executive members of the Willow Point Business Improvement Area Society are not employed by the City and as such are not bound by or benefit from the terms and conditions set out in agreements made between the City and its employees.
- 8.4 The Applicant will not in any manner whatsoever commit or purport to commit the City to the payment of any money to any person, firm or corporation.

9. INSURANCE:

The Applicant shall provide to the City copies of insurance policies insuring the Applicant in accordance with the specifications set out in Schedule "C" attached hereto and forming part of this Bylaw, which insurance shall be maintained by the Applicant.

10. SETUP & ADMINISTRATION FEES:


- 10.1 The Applicant will pay to the City of Campbell River a one-time setup fee of \$5.00 per parcel for each parcel assessed as either Class 5 or 6 located within the area shown in Schedule 'A'.

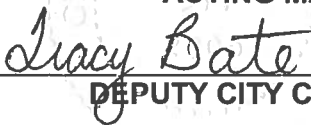
10.2 An annual administration fee of 2% of the amount granted pursuant to Section 215 of the Community Charter shall be charged to the Applicant and deducted from the amount granted.

11. EXPIRATION DATE:

This Bylaw shall cease to have effect on the 31st day of December, 2017.

Read a first time on the	9th	day of	April	2013.
Read a second time on the	9th	day of	April	2013.
Read a third time on the	9th	day of	April	2013.
Adopted on the	23rd	day of	April	2013.


A. J. Adams.
ACTING MAYOR


Tracy Bate
DEPUTY CITY CLERK

SCHEDULE "A"



City of
**Campbell
River**



PROPOSED WILLOW POINT
BUSINESS IMPROVEMENT AREA

MAP PREPARED BY: CITY OF CAMPBELL RIVER
ENGINEERING DEPARTMENT
REF: F:\EDO\WILLPNT-BIA.DWG

SCHEDULE "B"

Business Promotion Scheme

1. Marketing
2. Research & Education
3. Staff
4. Physical Improvements to the Business Area
5. Administration

SCHEDULE "C"

Insurance Specifications

- 1.** The applicant shall provide and maintain Comprehensive General Liability insurance acceptable to the City and subject to limits of not less than Two Million Dollars (\$2,000,000.00) inclusive per occurrence for bodily injury, death and damage to property including loss of use thereof. The insurance shall cover anyone employed directly or indirectly by the Applicant as well as any contractor of sub-contractors hired by the Applicant.
- 2.** The City shall be added as an additional named insured under the Comprehensive General Liability.
- 3.** The applicant shall provide the City with a copy of its Comprehensive General Liability insurance policy prior to the City providing funding under Section 4 of this Bylaw.
- 4.** The applicant's Comprehensive General Liability policy shall contain an endorsement to provide the City with 30 days written notice of change or cancellation.