

Board - Committee

Chapter 0036 - Board of Management Improvement Areas

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Article 1 - Improvement Area

36.1.1 Area - designated

The area described as follows:

commencing at a point, being the intersection of the centre lines of Oxford Street and Hunter Street;

thence easterly along the centre line of Hunter Street to the centre line of Princess Street;

thence easterly along the centre line of Princess Street to the centre line of Beale Street;

thence southerly along the centre line of Beale Street to the centre line of Bay Street;

thence southerly along the centre line of Bay Street to Main Street;

thence westerly along the centre line of Main Street to the centre line of Mill Street;

thence northerly along the centre line of Mill Street to the centre line of Oxford Street;

thence northerly along the centre line of Oxford Street to the place of beginning; shall be designated as an improvement area.

Article 2 - Board - Established

36.2.1 Board of Management - improvement area

A Board of Management is hereby established to manage the improvement area.

36.2.2 Members - appointed - by Council

The Council shall, in each term at its appointments meeting or so soon thereafter as may be convenient, appoint members to the Board of Management in accordance with section 204 of the *Municipal Act, 2001*.

36.2.3 Composition-members number - as advisable

The Board shall consist of such number of members appointed by Council as the Council considers advisable.

36.2.4 Membership - eligibility - requirements

At least one member of the Board shall be a member of the Council and the remaining members shall be individuals who are persons who, on the last returned assessment roll, are assessed with respect to rateable property in the area that is in a prescribed business property class or tenants or representatives of such property.

36.2.5 Term - expiration - term of Council

Each member of the Board of Management shall, provided he/she continues to be qualified, hold office from the time of his/her appointment until the expiration of the term of the Council that appointed him/her.

36.2.6 Vacancy - filled - remainder of term

Where a vacancy occurs on the Board, from any cause, Council may appoint a person qualified as set out in Section 36.2.3 and 36.2.4, who shall hold office for the remainder of the term for which his/her predecessor was appointed.

36.2.7 Term - until successors appointed – reappointment

Members of the Board shall hold office until their successors are appointed and are eligible for reappointment.

Article 3 - Board - Responsibilities

36.3.1 Lands - buildings - in area - improved – beautified

The Board of Management is entrusted to oversee the improvement, beautification and maintenance of municipally-owned lands, buildings, and structures in the area beyond that provided at the expense of the municipality generally.

36.3.2 Area - promoted - business - shopping area

The Board of Management is also entrusted with the promotion of the improvement area as a business and shopping area.

Article 4 - Financial

36.4.1 Financial statement - estimates - submitted – May

The Board of Management shall on or before the 31st day of May of each year submit an annual report including complete audited financial statement which shall be prepared by the City's Auditor at the expense of the Board and at the same time shall submit to the Council its estimates for the then current year in the form prescribed by Council.

36.4.2 Estimates - rejection - acceptance - by Council

The Council may reject estimates set out in Section 36.4.1, in whole or in part or may provide all or any part of the estimates requested by the Board.

36.4.3 Estimates - approval - by-law - Council

The estimates as finally accepted by Council shall be approved by by-law.

36.4.4 Treasurer - established - payment of accounts

The Treasurer of the Corporation shall act as Treasurer of the Board and shall pay the accounts of the Board following approval of the estimates of the Board by Council and of the accounts by the Board.

36.4.5 Expenditures - unapproved - prohibited

The Board shall not expend any money which is not provided for in its estimates as approved by Council.

36.4.6 Debt - incurred - beyond current year – prohibited

The Board shall not incur any indebtedness extending beyond the current year without the prior approval of Council.

36.4.7 Business assessment - special levy - calculated

The Council shall annually raise the amount required for the purposes of the board of management as set out in Article 3, including any interest payable by the municipality on money borrowed by it for the purposes of the board of management and shall establish a special charge for the amount to be raised by levy upon rateable property in the improvement area that is in a prescribed business property class.

36.4.8 Application - Municipal Act

The Board shall be governed by and comply with the provisions of the *Municipal Act, 2001*, as amended from time to time.

Article 5 - Repeal - Enactment - Conditional

36.5.1 Chapter - repeal - by Council

This Chapter may be repealed by the Council in any year to take effect on the 31st day of December of that year.

36.5.2 Ontario Municipal Board - approval - required

The by-law upon which this Chapter was founded came into force and took effect upon the approval of the Ontario Municipal Board.

36.5.3 Ontario Municipal Board - approval - received

Note: By-law 5211-76 was approved by the Ontario Municipal Board November 26, 1976.