



City of
**Campbell
River**

**HEART OF THE CITY
BUSINESS IMPROVEMENT
AREA BYLAW**

BYLAW 3574, 2015

BYLAWS



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Cover photo by Toni Falk



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Heart of the City Business Improvement Area Bylaw No. 3574, 2015

ADOPTED April, 20 2015

PURPOSE

This bylaw sets out to 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.

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The Council of the City of Campbell River enacts as follows:

PART 1: Title

- 1.0** This bylaw may be cited for all purposes as **Heart of the City Business Improvement Area Bylaw No. 3574, 2015**.

PART 2: Definitions

- 2.0** In this bylaw unless the context otherwise requires:

Applicant	means the Heart of the City 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.

PART 3: Designation of Area

- 3.0** 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 Heart of the City Business Improvement Area.

PART 4: Grant

- 4.0** 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:
- a. in the calendar year 2015, a sum not to exceed FORTY-TWO THOUSAND, FIVE HUNDRED AND EIGHTY-SIX DOLLARS (\$42,586.00);
 - b. in the calendar year 2016, a sum not to exceed FORTY-FOUR THOUSAND, SEVEN HUNDRED AND FIFTEEN DOLLARS (\$44,715.00);
 - c. in the calendar year 2017, a sum not to exceed FORTY-SIX THOUSAND, NINE HUNDRED AND FIFTY-ONE DOLLARS (\$46,951.00);
 - d. in the calendar year 2018 a sum not to exceed FORTY-NINE THOUSAND, TWO HUNDRED AND NINETY-NINE DOLLARS (\$49,299.00)
 - e. in the calendar year 2019, a sum not to exceed FIFTY-ONE THOUSAND, SEVEN HUNDRED AND SIXTY-FOUR DOLLARS (\$51,764.00);
- 4.1** The monies shall be paid to the Applicant on or before the 1st day of August, in each year.

PART 5: Expenditure

- 5.0** The money granted under Section 215 of the *Community Charter* pursuant to this Bylaw shall be expended only:
- a. by the Applicant;
 - b. in accordance with the conditions and limitations set out in this Bylaw;
 - c. for the Business Promotion Scheme set out in Schedule "B" attached hereto and forming part of this Bylaw.

PART 6: Cost Recovery

- 6.0** 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.
- 6.1** 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 Heart of the City Business Improvement Area.
- 6.2** The property known as 975 Shoppers Row - Discovery Inn, and registered under Folio 4429.000 in the Assessment Roll will be assessed taxes on 11.96% of the assessed value which represents only the retail portion of the building.

- 6.3** The property known as 1342 Shoppers Row – Harbourside Inn and registered under folio 01511.950 in the Assessment Roll will be assessed taxes on 23% of the assessed value which represents only the retail portion of the building.

PART 7: Conditions and Limitations

- 7.0** 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.
- 7.1** 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.
- 7.2** 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.
- 7.3** 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 2015 to 2019, 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.
- 7.4** The Applicant shall not incur any indebtedness or other obligations beyond each budget year.

PART 8: Independent Agency

- 8.0** The Applicant is an agency independent from the City and it shall be solely responsible for managing its own affairs.
- 8.1** 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.
- 8.2** The executive members of the Heart of the City 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.
- 8.3** 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.

PART 9: Insurance

9.0 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.

PART 10: Setup and Administration Fees

10.0 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'.

10.1 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.

PART 11: Expiration Date

This bylaw shall cease to have effect on the 31st day of December 2019.


READ THE FIRST TIME this 23rd day of March, 2015

READ THE SECOND TIME this 23rd day of March, 2015


READ THE THIRD TIME this 7th day of April, 2015

ADOPTED this 20th day of April, 2015

Signed by the Mayor and City Clerk this 23rd day of April 2015



MAYOR



CITY CLERK

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 or 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.
5. The applicant's Comprehensive General Liability policy shall contain an endorsement to provide "cross liability coverage" and to provide the City with 30 days written notice of change or cancellation.



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