

**CITY OF PRINCE GEORGE**  
**BYLAW NO. 9025, 2019**

**A Bylaw of the City of Prince George to establish a Business Improvement Area.**

**WHEREAS** sections 210, 211 and 215 of the *Community Charter* provide Council with the authority to designate, by bylaw, a business improvement area;

**AND WHEREAS** Council may levy and impose within such business improvement area a local service tax on land and improvements that are classified as Class 5 [*light industry*] or 6 [*business and other*] property class under the *Prescribed Classes of Property Regulation* (B.C. Reg. 438/81);

**AND WHEREAS** Council intends to grant the monies raised by such local service tax to the Gateway Business Improvement Area Society for the purposes of a business promotion scheme as defined in Section 215 of the *Community Charter*;

**AND WHEREAS** the Gateway Business Improvement Area Society has requested that Council proceed to establish a business improvement area for a twenty (20) year term as set out in this Bylaw, on Council's own initiative - subject to petition against, pursuant to Section 213 of the *Community Charter*;

**AND WHEREAS** notice of the intention to establish the business improvement area has been given in accordance with the provisions of the *Community Charter*;

**NOW THEREFORE** the Council of the City of Prince George, in open meeting assembled, **ENACTS AS FOLLOWS:**

**1. INTERPRETATION**

**1.1** In this bylaw:

- (a) "Association" means the Gateway Business Improvement Area Society, a society incorporated pursuant to the *Society Act* under incorporation number S0033492;
- (b) "Business Promotion Scheme" as referred to in Section 215(1) of the *Community Charter*, means:
  - (i) carrying out studies or making reports respecting an area within the Gateway Business Improvement Area;
  - (ii) the improvement, beautification or maintenance of streets, sidewalks or municipally owned land, buildings or structures in the Gateway Business Improvement Area;
  - (iii) the conservation of heritage property in the Gateway Business Improvement Area; and
  - (iv) the encouragement of business in the Gateway Business Improvement Area;
- (c) "Council" means the municipal council of the City of Prince George;

- (d) "Gateway Business Improvement Area" means that area of the City of Prince George designated by section 2.1 of this Bylaw as a business improvement area;
- (e) "Proportional Share" means the amount equal to a Taxable Property's total net taxable value appearing on the assessment roll, divided by the sum total net taxable value of all Taxable Property within the Gateway Business Improvement Area, multiplied by the total amount granted to the Association for the applicable year;
- (f) "Taxable Property" means land or improvements, or both, that are listed in the assessment roll, classified as Class 5 [*light industry*] or 6 [*business and other*] property class under the Prescribed Classes of Property Regulation (B.C. Reg. 438/81), and that are not exempt from paying municipal property taxes under the *Community Charter*.

1.2 Unless otherwise defined herein, all phrases in this Bylaw shall have the meaning given to them in the *Community Charter* and the *Local Government Act*.

## 2. DESIGNATION OF GATEWAY BUSINESS IMPROVEMENT AREA

2.1 Council hereby designates the areas outlined on Appendix "A" attached to and forming part of this Bylaw, as a business improvement area for a term of twenty years, commencing on July 12, 2019, and ending on July 11, 2039.

## 3. GRANT TO ASSOCIATION

- 3.1 Council hereby establishes a business improvement area service in respect of the Gateway Business Improvement Area.
- 3.2 Subject to the terms and conditions of this Bylaw, Council hereby approves a grant to the Association not to exceed \$100,000 in each year of the twenty-year term of this bylaw.
- 3.3 All money granted to the Association must be expended only by the Association for the sole purpose of its Business Promotion Scheme in accordance with the conditions and limitations set out in this bylaw.
- 3.4 Money granted under this bylaw shall be paid to the Association on or before August 1<sup>st</sup> in each year, commencing in the year 2020.

## 4. LOCAL SERVICE TAX

- 4.1 The full amount of all grants paid to the Association under this Bylaw shall be recovered by means of a local service tax imposed on the owners of Taxable Property within the Gateway Business Improvement Area.
- 4.2 Each Taxable Property within the Gateway Business Improvement Area shall be taxed annually for its Proportional Share of the amount granted to the Association for the applicable year.

## 5. BUDGET, ACCOUNTING AND AUDITED FINANCIAL STATEMENTS

- 5.1 As a condition of the Association receiving a grant under this bylaw, the Association must:
- (a) appoint an auditor having the qualifications set out in section 169(2) of the *Community Charter* to audit the accounts and transactions of the Association in each year that this bylaw is in effect;
  - (b) cause its auditor to perform an examination that enables the auditor to prepare audited financial statements of the Association and report to Council in the manner set forth in section 171(2) of the *Community Charter*, and the Association shall provide its auditor the right to access all the Association's records for such purpose;
  - (c) by June 30<sup>th</sup> in each year from 2020 to 2039 inclusive, submit to Council the Association's audited financial statements for the previous financial year end of the Association, including: the auditor's report; the notes thereto and supporting schedules, consisting of statements of income and retained earnings and cash flow; a balance sheet; and other related statements and information that may be required in accordance with Canadian generally accepted accounting principles applied on a basis consistent with that of the previous year;
  - (d) by June 30<sup>th</sup> in each year from 2020 to 2039 inclusive, submit to Council for approval, a budget for the purpose of the Business Promotion Scheme based on a fiscal year commencing January 1<sup>st</sup>, which contains sufficient detailed information to describe all anticipated expenses and revenues of the Association; and
  - (e) by June 30<sup>th</sup> in each year from 2020 to 2039 inclusive, provide the Corporate Officer of the City of Prince George with a certificate of insurance evidencing its comprehensive general liability insurance policy described below.

## 6. INSURANCE

- 6.1 The Association must provide and maintain comprehensive general liability insurance acceptable to the City of Prince George and subject to the limits of not less than FIVE MILLION DOLLARS (\$5,000,000.00) inclusive per occurrence for bodily injury, death, and damage to property including loss of use thereof, which shall cover anyone employed directly or indirectly by the Association, any volunteers acting on behalf of the Association, and any contractor or subcontractor hired by the Association.
- 6.2 The Association must add the City of Prince George as an additional named insured under the Association's comprehensive general liability Insurance policy.
- 6.3 The Association's comprehensive general liability insurance policy must contain an endorsement to provide the City of Prince George with 30 days' prior written notice of a change or cancellation of the policy; and any such notice must be addressed to the Corporate Officer of the City of Prince George.

7. EFFECTIVE DATE AND TERM

7.1 This Bylaw shall come into force on July 12, 2019, and shall cease to have effect at midnight on July 11, 2039.

8. TITLE

8.1 This Bylaw may be cited as the "City of Prince George Gateway Business Improvement Area Bylaw No. 9025, 2019".

READ A FIRST TIME THIS 29<sup>TH</sup> DAY OF APRIL , 2019.

READ A SECOND TIME THIS 29<sup>TH</sup> DAY OF APRIL , 2019.

READ A THIRD TIME THIS 29<sup>TH</sup> DAY OF APRIL , 2019.

All three readings passed by a UNANIMOUS decision of members of Council present and eligible to vote.

Certified correct as passed Third Reading, this 29<sup>TH</sup> day of APRIL , 2019.

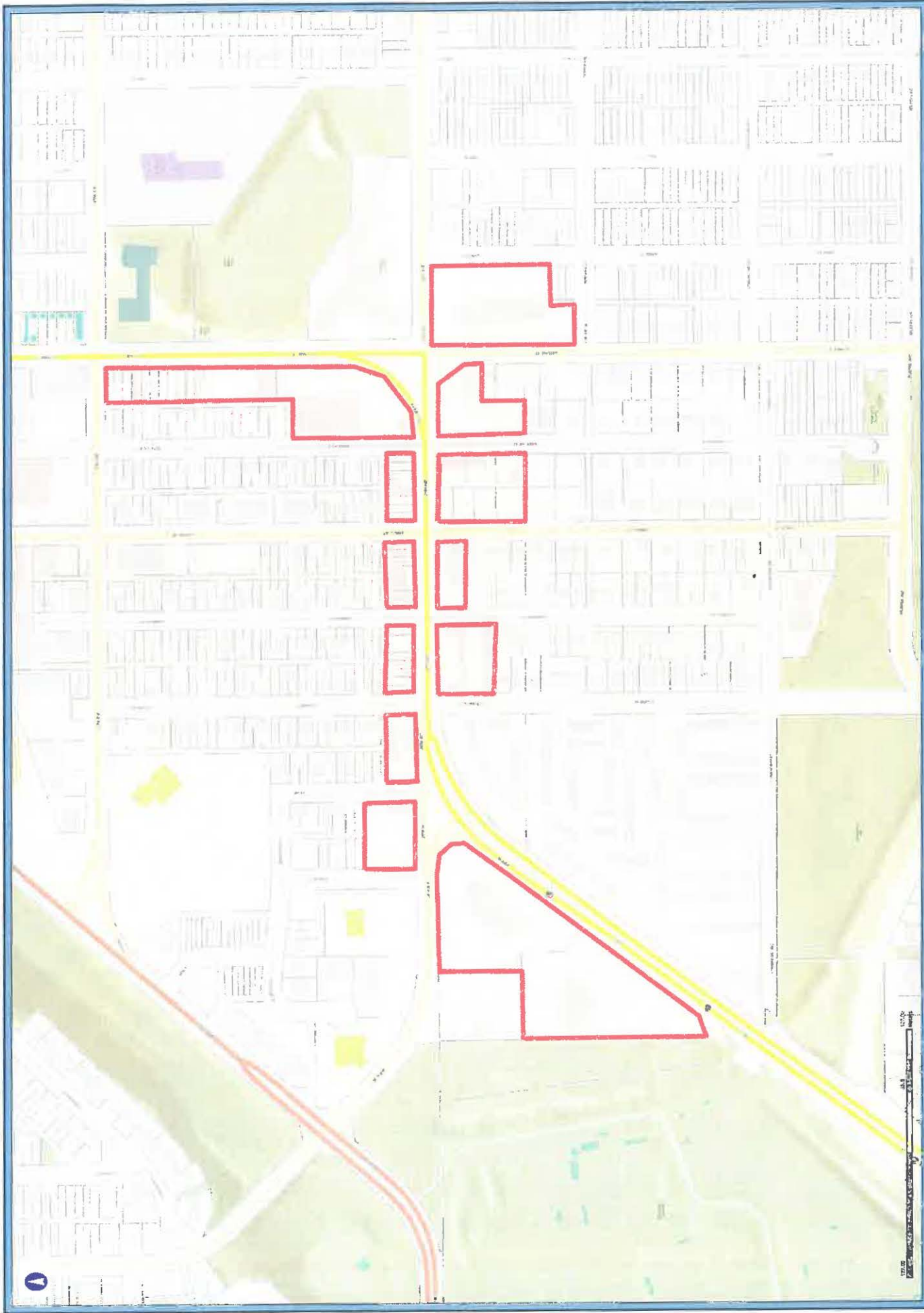
  
CORPORATE OFFICER OF  
THE CITY OF PRINCE GEORGE

ADOPTED THIS 24<sup>TH</sup>  
BY A UNANIMOUS  
PRESENT AND ELIGIBLE TO VOTE.

DAY OF JUNE , 2019,  
DECISION OF ALL MEMBERS OF CITY COUNCIL

  
MAYOR

  
CORPORATE OFFICER



PC/MAP

### Appendix "A" to Bylaw No. 9025, 2019

1: 5000  
This map is a user-generated static output from an  
Internet mapping site and is for reference only. Data  
accuracy is not guaranteed and may not be  
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