

THE CORPORATION OF THE TOWN OF LAKESHORE

BY-LAW 94-2007

BEING A BY-LAW TO DESIGNATE AN IMPROVEMENT AREA WITHIN THE CORPORATION OF THE TOWN OF LAKESHORE AND TO ESTABLISH A BOARD OF MANAGEMENT FOR THE AREA

WHEREAS, Section 204 of the Municipal Act, 2001, provides that the Council of a local municipality may pass by-laws designating an area as an improvement area and may by bylaw establish for any such area so designated a Board of Management that may provide for, the improvement, beautification and maintenance of municipally owned lands, buildings, and structures within the designated area, beyond the improvement, beautification and maintenance that is provided at the expense of the municipality generally, and for the promotion of the designated area as a business or shopping area;

AND WHEREAS, Council of the Town of Lakeshore deems it desirable to designate the area hereinafter described as an improvement area and to establish a Board of Management for such area for the purpose set out herein;

NOW THEREFORE, the Council of the Corporation of the Town of Lakeshore enacts as follows:

1. The area shown on Schedule "A" attached hereto and forming part of this by-law, is hereby designated as an Improvement Area within the meaning of Section 204 of the *Municipal Act, 2001* (hereinafter called "the Area").
2. A Board of Management be hereby established for the Area (hereinafter called "the Board").
3. The Board shall consist of no less than seven members, at least one of whom shall be a member of Council and the remaining members shall be appointed by Council, based upon the recommendation of a majority of the members of the Area, and shall be persons qualified to be members of the Area, or nominees of Corporations qualified to be members of the Area as determined in accordance with Section 204 of the *Municipal Act, 2001*.
4. Each member of the Board shall hold a term concurrent to the term of Council, provided such persons continue to be qualified as provided in Section 3, above. Notwithstanding the foregoing each member of the Board shall continue to hold office until such time as their replacement is appointed.
5. Where a vacancy of the Board occurs for any reason, Council shall appoint a qualified individual as set out in section 3, above, to fill the position for the remainder of the term.
6. The Board is hereby entrusted with the improvement, beautification and maintenance of lands, buildings and structures in the Area owned by the Town of Lakeshore, beyond such improvement, beautification and maintenance as is provided at the expense of the Municipality at large and the promotion of the Area as a business and shopping area.
7. Upon its formation, the Board shall forthwith elect a Chair, Vice-Chair and other such officers as it deems necessary to conduct its business during the term. The Board may also appoint such other persons as it may deem necessary to properly carry out the mandate of the Board during its term. Any

remuneration to be paid to any persons appointed as set out above shall be included in the current budget of the Board that has been approved by Council for the Corporation of the Town of Lakeshore (hereinafter "Lakeshore").

8. Upon its formation, the Board shall forthwith appoint a Secretary who shall be required to keep minutes from each meeting of the Board or General Membership of the Improvement Area and shall be responsible for keeping all of the records of the Board, with the exception of accounting records. The Secretary shall forward true copies of all such minutes and records to all members of the Board and to the Clerk of Lakeshore as soon as possible after each meeting .
9. The Board shall conduct its banking with the Town of Lakeshore's host bank. Banking arrangements and financial reporting shall be administered by the Lakeshore's Finance and Performance Services Department.
10. Lakeshore's Municipal Auditor shall also be the auditor for the Board and shall review all books, documents, transactions, minutes and accounts of the Board, which shall be readily accessible for inspection at all times.
11. The Fiscal year of the Board shall be the Fiscal year of Lakeshore.
12. Lakeshore shall annually raise the amount required for the purpose of the Board including, any interest payable by Lakeshore on money borrowed by it for the purposes of the Board.
13. Lakeshore may establish a special charge for the amount referred to in section 12,
 - a) by levy upon ratable property in the Area that is in a prescribed business property class; or
 - b) by levy upon ratable property in the Area that is in a prescribed business property class and that, in Council's opinion, derives special benefit from the Area, which levy may be calculated using different percentages of the assessment for one or more separately assessed properties or categories of separately assessed properties in the prescribed class if the resulting levy is equitable in accordance to the benefits that, in council's opinion, accrue to the properties from the activities related to the improvement area.
14. The Board prepare a proposed budget for each fiscal year by the date and in the form required by Lakeshore and shall hold at least one meeting of the members of the Area for discussion of the proposed budget.
15. After holding the meeting referred to in section 14, above, the Board submit the proposed budget to Lakeshore. The proposed budget shall be submitted to Lakeshore by the date and in the form required by Lakeshore and Lakeshore may approve it in whole or in part but may not add expenditures to it.
16. The Board shall not,
 - a) spend any money unless it is included in the budget approved by the municipality or in a reserve fund established under section 417;
 - b) incur any indebtedness extending beyond the current year without the prior approval of the municipality; or
 - c) borrow money.

17. The Board shall submit its annual report for the preceding year to Council by the date and in the form that is required by Lakeshore and the report shall include audited financial statements.

Repeals:

All By Laws regulating Improvement Areas within the limits of the former Town of Belle River are hereby repealed.

This By Law shall be deemed to have come into force and take effect on the date of final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 14 DAY OF AUGUST, 2007.



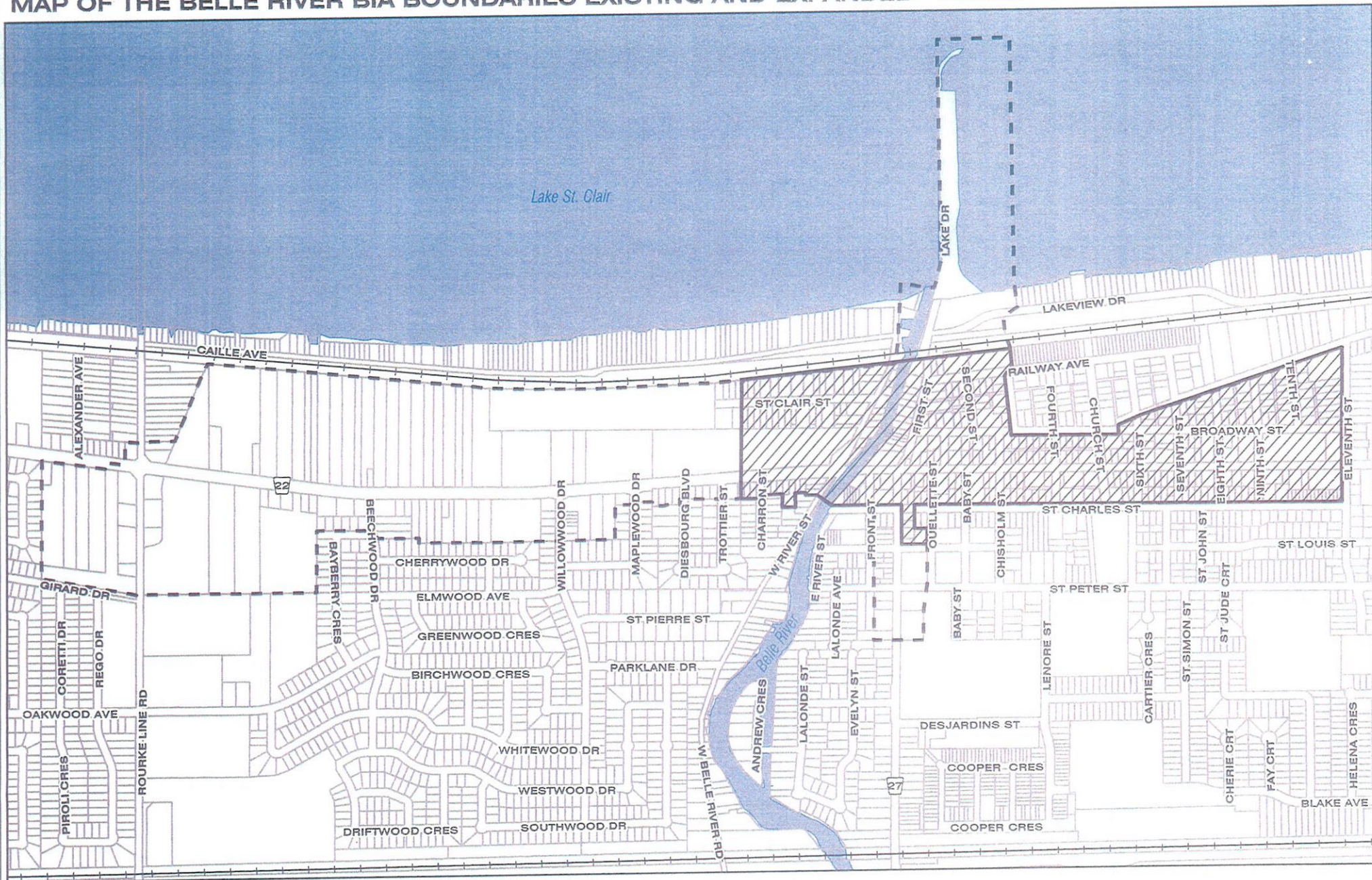
TOM BAIN, Mayor



MARY/MASSE, Clerk

/sr

MAP OF THE BELLE RIVER BIA BOUNDARIES EXISTING AND EXPANDED Schedule "A"



BELLE RIVER BUSINESS IMPROVEMENT AREA



Expanded Boundary (2007)

Existing Boundary (1993)



This map was produced by the Town of Lakeshore GIS Department and is intended for illustrative purposes only. Every attempt has been made to ensure the accuracy of this data however, errors may occur. June 2007.



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