

BYLAW NO. 7891

The Sutherland Business Improvement District Bylaw, 1999

The Council of the City of Saskatoon enacts:

Title

1. This Bylaw may be cited as The Sutherland Business Improvement District Bylaw, 1999.

Purpose

2. The purpose of this Bylaw is to designate an area in the Sutherland neighbourhood of The City of Saskatoon as a business improvement district under *The Urban Municipality Act, 1984*, S.S. 1983-84, ss. 106 to 117, and to establish a board of management for the business improvement district.

Definitions

3. In this Bylaw,
 - (a) “board” means the board of management established under Section 5;
 - (b) “district” means the area designated as a business improvement district under Section 4.

Establishment of Business Improvement District

4. The area comprised of the land described in Schedule “A” and identified on the Location Plan in Schedule “B” is designated as a business improvement district. Schedules “A” and “B” are annexed to and form part of this Bylaw.

Establishment of Board of Management

5. The board of management for the Sutherland business improvement district is established.

Powers of Board

6. The board has all the powers set out in Section 109 of *The Urban Municipality Act, 1984*, subject to the limitations set out in this Bylaw.

Composition of Board

7. The board is a body corporate and consists of:
 - (a) at least one person who is a member of Council; and
 - (b) any number of other persons who are electors of The City of Saskatoon who operate a business in the district or who are nominees of corporations that carry on business in the district;

who are appointed by resolution of Council.

Term of Office

8.
 - (1) Unless sooner removed from office, a member of the board holds office until the first meeting of Council following the next general election after the member is appointed until a successor is appointed.
 - (2) A member of the board is eligible for reappointment.
 - (3) Council may, by resolution, remove any person appointed to the board under Section 7, and may appoint another person to replace the member so removed.

Election and Appointment of Officers

9.
 - (1) The board shall, as soon as possible after its members are appointed, elect a chair and vice-chair to manage and conduct its affairs.
 - (2) The board shall, as soon as possible after its members are appointed, appoint a secretary-treasurer and such other officers as it may deem necessary to properly conduct its business.

Minutes and Records of the Board

10. The board shall keep proper minutes and records of every meeting of the board, and shall make the minutes and records available upon request to all electors who operate a business in the district or who are nominees of corporations that carry on business in the district, and to all members of the board and the City Clerk.

Financial Records

11. The board shall adopt and maintain banking arrangements and accounting practices that are acceptable to the City of Saskatoon, and shall keep such books of account and submit such statements from time to time as the City may require.

Approval of Estimates by Council

12. (1) The board shall submit to Council for its approval the revenue and expenditure estimates of the board for the current year, at the time and in the form required by Council.
- (2) The board shall set out in the estimates:
 - (a) the amounts to be contributed to the board by Council from monies collected from The City of Saskatoon at large;
 - (b) any amounts contributed to the board by Council from money collected as payments in lieu of off-street parking facilities as provided in Section 114 of *The Urban Municipality Act, 1984*;
 - (c) the amounts of any grants to be received by the board from other than municipal sources; and
 - (d) the amounts to be received by the board from the disposal or conveyance of land and buildings.

Levy

13. (1) A levy is hereby authorized to be paid by the operators of businesses in the district that Council considers sufficient to raise the amount required for the purposes of the proposed expenditures included in the approved estimates of the board, less any revenues to be received by the board under Clauses 12 (a) to (d).

- (2) The levy mentioned in Subsection (1) is to be based on the assessment of all land and improvements used or intended to be used for business purposes in the district.
- (3) The levy imposed under this Section is to be of a uniform rate.
- (4) Where:
 - (a) a levy is imposed under this Section and a portion of the land, improvements or both is not used for business purposes;
 - (b) a levy payable under this Section is payable by a tenant; or
 - (c) a business operated by a landlord occupies premises on the land or improvements or both.

the levy imposed under this Section shall be apportioned among tenants on the basis of rent or area, but not both.

- (5) Where any levy payable under this Section is payable by a tenant, the landlord is deemed to be The City of Saskatoon's agent for the collection of the amount, and shall promptly pay over to the City of Saskatoon all amounts collected.

Expenditures by Board

14. (1) The board shall expend only those monies included in the estimates approved by Council and no member of the board shall authorize the expenditure of funds not previously approved by Council.
- (2) The board shall not incur indebtedness extending beyond the current year.

Auditor

15. The auditor of the City of Saskatoon shall be the auditor of the board, and all books, documents, records of transactions, minutes and accounts of the board shall, at all times, be open for the auditor's inspection.

Annual Report

16. The fiscal year of the board shall be the calendar year and, on or before March 1 in each year, the board shall submit its annual report for the preceding year to Council together with a complete audited and certified financial statement of its affairs, with a balance sheet and revenue and expenditure statements.

Parking Facilities

17. No land acquired by the board and used for parking shall be sold, leased or disposed of unless the board uses the proceeds to acquire land which provides an equal amount of parking.

Coming Into Force

18. This Bylaw comes into force on the day of its final passing.

Read a first time this 13th day of December, 1999.

Read a second time this 13th day of December, 1999.

Read a third time and passed this 13th day of December, 1999.

"Henry Dayday"

Mayor

"Janice Mann"

City Clerk

Schedule “A”

The area designated as The Sutherland Business Improvement District is contained within the boundaries described as follows:

Commencing at the south east corner of Central Avenue and Gray Avenue, hence south easterly along the southerly boundary of Gray Avenue to the south east corner of Parcel H, Registered Plan 80-S-21594, hence south westerly to the south west corner of said parcel H, hence north westerly to the south west corner of Parcel C, Registered Plan 69-S-26385, hence southerly to the south west corner of Parcel G, Registered Plan 80-S-23394, hence south, south easterly along the easterly boundary of Parcels E and F, Registered Plan 80-S-23394 to the south east corner of said Parcel E, hence north westerly along the northerly boundary of 107th Street East to the north east corner of Central Avenue and 107th Street East, hence westerly to the south west corner of Lot 5, Block 2, Plan G122, hence northerly along the easterly boundary of the lane laying parallel to and 62.787 metres from the easterly boundary of Central Avenue to the north east corner of said lane and 108th Street West, hence westerly 21.33 metres to the south west corner of Lot 3,

Block 1, Registered Plan HA, hence northerly to the south west corner of Lot 38, Block 1, Plan HA, hence westerly to the south west corner of Lot 36, Block 1, Registered Plan HA, hence northerly to the north west corner of said Lot 36, hence easterly along the southerly boundary of 109th Street West to the north west corner of said Lot 38, hence northerly to the north west corner of Lot 3, Block 2, Registered Plan HA, hence easterly 21.33 metres to the intersection of the easterly boundary of the lane laying parallel to and 44.5 metres west of westerly boundary of Central Avenue, hence northerly to the intersection with the southerly boundary of Parcel G, Registered Plan 60-S-10724, hence westerly to the south west corner of said Parcel G, hence northerly to the north west boundary of the CP ROW, Registered Plan I5207, hence south easterly to the easterly boundary of Central Avenue, hence northerly to the point of commencement.