

THE CORPORATION OF THE VILLAGE OF CREEMORE

BY-LAW NUMBER 8803 1987

A by-law to designate an improvement area

WHEREAS Section 217 of the Municipal Act, R.S.O. 1980, Chapter 302, provides that councils may pass by-laws designating an area as an improvement area and may by by-law establish for any such area so designated a Board of Management to which may be entrusted, subject to such limitations as the by-law may provide, owned lands, buildings and structures in the area, 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 or shopping area;

AND WHEREAS it is desirable to designate the area hereinafter described as an improvement area and to establish a Board of Management for such area;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE VILLAGE OF CREEMORE ENACTS AS FOLLOWS:

Designation of Improvement Area

1. The area more particularly shown and described in Schedule "A" hereto is designated as an improvement area within the meaning of Section 217 of The Municipal Act, R.S.O. 1980, Chapter 302, and is hereinafter referred to as "the improvement area"/

Establishment of Board of Management

2. There is established for the improvement area, a Board of Management to be known as "Board of Management for the Creemore Improvement Area" (hereinafter referred to as "the Board").

Authority of Board

3. (1) There is entrusted to the Board, subject to the provisions of The Municipal Act and the limitations herein set out, the improvement, beautification and maintenance of municipally owned lands, buildings and structures in the improvement area, beyond such improvement, beautification and maintenance as is provided at the expense of the Municipality at large, and the promotion of the improvement area as a business or shopping area.

(2) The following limitations are hereby imposed upon the authority of the Board, namely:

No project shall be undertaken and no work shall be performed on any highway or other property owned by the Municipality without notifying the Village Clerk and obtaining his approval of the commencement of such project or work.

Membership of Board

4. (1) The Board shall consist of five (5) members appointed by council, one of whom shall be a member of council, and remaining members shall be individuals assessed for business assessment in respect of lands in the area or nominees of such individuals or of corporations as assessed.

(2) Each member shall hold office from the time of his or her appointment until the expiration of the term of the council that appointed him or her, provided he or she continues to be qualified as provided in section (1).

(3) Whereas a vacancy occurs from any cause, the council shall appoint a person qualified as set out in subsection (1) of this section to be a member, who shall hold office for the remainder of the term for which his or her predecessor was appointed.

(4) The members shall hold office until their successors are appointed and are eligible for re-appointment on the expiration of their term of office.

Officers

5. The Board, as soon as is practicable after its members are appointed, shall elect a Chairman and a Vice-Chairman and shall appoint a Secretary and Treasurer and such other officers as it may deem necessary and as are lawfully authorized, to properly conduct the business of the Board.

Minutes and Records

6. The Board shall keep proper minutes and records of every meeting of the Board and shall forward true copies of such minutes and records to all members of the Board and to the Village Clerk as soon as possible after the meeting covering thereby.

Auditor

7. The Municipal Auditor shall be the auditor of the Board and all books, documents, transactions, minutes and accounts of the Board shall, at all times, be open to his inspection.

Fiscal Year

8. The fiscal year of the Board shall be the calendar year.

Annual Report

9. On or before the 1st day of March in every year, the Board shall submit its annual report for the preceding year to Council, including a complete audited and certified financial statement of its affairs, with balance sheet and revenue and expenditure statements.

Estimates

10. The Board shall submit to the Council its estimates for the current year at the time and in the form prescribed by the Village Clerk. The Board may make requisitions upon the Council for all sums of money required to carry out its powers and duties, within the limits of the estimates as provided by the Council, but nothing herein divests the Council of its authority with reference to rejecting such estimates in whole or in part or providing the money for the purposes of the Board and when money is so provided by the Council, the Treasurer shall pay out, upon the certificate of the Board, such money to the Board.

Special Levy

11. The Council shall levy in each year a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purpose of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the areas used as the basis for computing business assessment.

Limitation on Expenditures

12. The Board shall not expend any monies not included in the estimates approved by the Council or in a reserve fund established under Section 165 of The Municipal Act.

Prohibition on Borrowing

13. The Board shall not borrow money and, without the prior approval of the Council, it may not incur any indebtedness extending beyond the current year.

Maximum and Minimum Charges

14. The Council hereby declares its intent that the initial by-law to be passed under subsection 17 of Section 217 of The Municipal Act shall provide that no person shall be charged less than twenty-five (\$25.00) dollars, nor shall any one person be charged more than 10% of the total estimates.

Effective Date

15. This By-law shall come into force and take effect upon the final passing hereof, or when approved by the Ontario Municipal Board where such approval is required by The Municipal Act.

Ralph MacDonald
Reeve Ralph MacDonald

J. Dempster-Evans
Clerk-Treasurer Juanita Dempster-Evans