

BOARD & COMMITTEE

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SCHEDULE

Schedule `A` - Belmont Improvement Area

Article 1

INTERPRETATION

60.1.1 Improvement Area - designated - Schedule `A`

The area of the City of Kitchener as described in Schedule `A` attached hereto is hereby designated as an Improvement Area to be known as the Belmont Improvement Area.

60.1.2 Auditor - designated

The City 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 auditor's inspection.

Article 2

BOARD OF MANAGEMENT

60.2.1 Establishment

A Board of Management for the said Improvement Area is hereby established which shall be known as the Belmont Improvement Area Board of Management.

60.2.2 Composition

The composition of the Board shall be as is established from time to time by resolution of Council provided that at least one member shall be a member of the Council and the remaining members shall be individuals assessed for business assessment in respect of land in the said designated area or nominees of such individuals or of Corporations so assessed and provided further that at least one member of the Board other than the said member of Council, shall be a representative of the business community not engaged in the retail sale of merchandise.

60.2.3 Term of Office - original

Each member of the Board shall hold office from the time of the said appointment until the expiration of the term of the Council that approved the appointment provided the member continues to be qualified as provided in Section 60.2.2 hereof.

60.2.4 Term of Office - reappointment

The members for the Board shall hold office until their successors are appointed by Council and are eligible for reappointment on the expiration of their term of office. By-law 87-262, 13 October, 1987.

60.2.5 Vacancy

Where a vacancy occurs in the Board from any cause, the Council shall, by resolution, appoint a person qualified as set out in Section 60.2.2 hereof to be a member of the Board, who shall hold office for the remainder of the term for which the predecessor was appointed. By-law 87-262, 13 October 1987; By-law 88-127, 18 July, 1988.

60.2.6 Termination - by Council

Upon repeal of this Chapter, the Board shall cease to exist and its undertakings, assets and liabilities shall be assumed by the City.

**Article 3
FINANCE****60.3.1 Estimates - submission to Council**

The Board shall submit its estimates for the current year to the Council at a time and in a form as prescribed by Council. However, the Council may reject such estimates in whole or in part and also may refuse to provide such money for the purposes of the Board.

60.3.2 Requisitions - upon City Treasurer

The Board may make requisitions upon the City Treasurer against the budget approved for all sums of money required by the Board in order to carry out its powers and duties. A certificate, signed by the Chairman of the Board and one other Board member, shall form part of each requisition. Provided however, that upon requisition, the City Treasurer, during the period between year-end and budget day, may advance an amount of money up to fifty per cent of the budget for the preceding year.

60.3.3 Other expenditures - approval

The Board shall not expend any monies not included in its estimates which have received prior approval by the Council.

60.3.4 Indebtedness - limitation

The Board shall not incur any indebtedness extending beyond the current year.

60.3.5 Annual report - audited

The Board shall, annually, on or before the 1st day of March, submit its annual report for the preceding year to Council. Said annual report shall include a complete audited and certified financial statement of the affairs of the Board with a balance sheet and a statement of revenue and expenditure.

60.3.6 Special charge - annual levy

The Council shall, in each year, levy a special charge upon persons in the said designated area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board thereof, 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 area used as the basis for computing business assessment.

60.3.7 Special charge - collection

Any charge imposed under Section 60.3.6 hereof may be collected in the same manner and with the same remedies as provided by the *Municipal Act* for the collection of taxes upon business assessment.

Article 4**EFFECTIVE DATE - BY-LAW - CONDITIONS****60.4.1 Ontario Municipal Board - approval required**

This Chapter shall not come into force and effect until such time as it receives the approval of the Ontario Municipal Board and shall be subject to whatever conditions, restrictions, or limitations the Ontario Municipal Board may, by order, impose. By-law 87-262, 13 October, 1987.

Ontario Municipal Board - approval obtained

Note: By-law 87-262 is a consolidation of By-law 77-103-P as amended by By-laws 78-92-P, 80-48-P and 81-62-P. By-law 77-103-P which established the boundaries of the Belmont Improvement Area Board of Management was approved by the Ontario Municipal Board, August 8, 1977.

BELMONT IMPROVEMENT AREA

Schedule 'A' - Belmont Improvement Area

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