

BOARD - COMMITTEE

Chapter 96 RICHMOND HILL BUSINESS IMPROVEMENT AREA

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Article 1
IMPROVEMENT AREA

96.1.1 Designated - set out - Schedule 'A' - Schedule 'B'
The Corporation hereby designates the area shown as Schedule 'A' and described in Schedule 'B' (hereinafter called the "improvement area"), as an improvement area within the meaning of the *Municipal Act*.

Article 2
BOARD OF MANAGEMENT

96.2.1 Established
The Corporation hereby establishes a board of management to be known as the "Board of Management for the Richmond Hill Business Improvement Area" (hereinafter called "Board") for the improvement area.

96.2.2 Improvement - beautification - maintenance - area

Subject to the limitations provided for in this Chapter, the Corporation entrusts to the Board the improvement, beautification and maintenance of municipally-owned land, 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. By-law 187-87, 13 July, 1987.

96.2.3 Composition - 9 members - qualifications

The Board shall consist of nine members appointed by Council, one of whom shall be a member of the Council, and the remaining members shall be individuals assessed for business assessment in respect of land in the improvement area, or nominees of such individuals or of corporations so assessed. By-law 187-87, 13 July, 1987; By-law 286-87, 5 October, 1987.

96.2.4 Term - expiry

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 so qualified as provided in Section 96.2.3.

96.2.5 Vacancy - filled by appointment - remainder of term

Where a vacancy occurs on the Board from any cause, Council shall appoint a person qualified as set out in Section 96.2.3 to be a member of the Board, who shall hold office for the remainder of the term for which his or her predecessor was appointed.

96.2.6 Reappointment - eligibility

The members of the Board shall hold office until their successors are appointed, and are eligible for reappointment on the expiration of their term of office.

96.2.7 Chair - elected - other appointments - annually

The Board shall, as soon as possible after its members are appointed, elect a Chair and appoint a secretary and treasurer, to be elected and appointed annually and such other officers as it may deem necessary to properly conduct the business of the Board during the year. By-law 187-87, 13 July, 1987.

96.2.8 Minutes - records - submitted to Clerk - Commissioner

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 Clerk and the Commissioner of Planning and Development of the Town of Richmond Hill as soon as possible after the meeting covered thereby. By-law 187-87, 13 July, 1987; By-law 113-95, 1 May, 1995.

96.2.9 Accounting - banking arrangements - books - kept

The Board shall adopt and maintain banking arrangements and good accounting practices that are acceptable to the Corporation's auditor, and shall keep such books of account and shall submit such statements from time to time as the Corporation's auditor may require.

96.2.10 Auditor - inspection - all books - at any time

The Corporation's 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 or her inspection.

96.2.11 Fiscal year - calendar year

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

96.2.12 Report - annual - financial statement - audited

On or before the 1st day of March in each 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 statement.

96.2.13 Estimates - annual - to Council - approval required

The Board shall submit to Council its estimates for the current year in a form and at a time satisfactory to the Treasurer of the Town of Richmond Hill and may make requisitions upon the Council for all sums of money required to carry out its powers and duties, but nothing in this Section 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, upon the certificate of the Board, pay out such money to the Board.

96.2.14 Insurance policies - requirement

The Board shall deposit and keep on deposit with the Clerk of the Town of Richmond Hill, insurance policies satisfactory in all respects to the said Clerk, indemnifying the Corporation against public liability and property damage in respect of the activities of the Board.

96.2.15 Repeal of Chapter - by-law - procedure

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

96.2.16 Assistance - special requirements - permitted

Nothing in this Chapter shall prevent the Board from obtaining the assistance of persons with special qualifications to provide the Board with plans and information to enable the Board to carry out its duties and responsibilities as established under Section 96.2.2 of this Chapter. By-law 187-87, 13 July, 1987.

96.2.17 Schedules - considered part of Chapter

Schedule 'A' is a copy of the plan outlining the improvement area. Schedule 'B' is a description of the boundaries of the improvement area. Schedule 'C' is a list of the Board Members approved by Council for the purposes of the Richmond Hill Business Improvement Area pursuant to this Chapter. Schedules 'A', 'B' and 'C' are considered to be part of this Chapter. By-law 270-95, 2 October, 1995.

Article 3 FINANCIAL

96.3.1 Special assessment - levy - businesses - within area

The Council of the Corporation (hereinafter called "Council") shall in each year levy a special charge upon persons in the improvement area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board for the improvement area, together with interest thereon at such rate as is required to repay any interest payable by the Corporation 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 improvement area used as the basis for computing business assessment.

96.3.2 Special assessment - collected as taxes

Any charge imposed under Section 96.3.1 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.

96.3.3 Expenditures - not in estimates - prohibited

The Board shall not expend any money not included in the estimates approved by Council or in a reserve fund established under section 163 of the *Municipal Act*, R.S.O. 1990, c. M.45.

96.3.4 Borrowing - indebtedness - Council - approval

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.

96.3.5 Remuneration - prohibited - expenses - permitted

Members of the Board shall serve without remuneration but may be reimbursed for out-of-pocket mileage allowances or travel expenses, provided such expenses have been authorized and approved by the Board and such amounts for such expenses are provided for in the estimates of the Board as approved by Council, and such mileage allowances or travel expenses shall be paid at a rate to be determined by Council from time to time. By-law 187-87, 13 July, 1987.

RICHMOND HILL BIA

SCHEDULE

Schedule 'A' - Improvement Area

Schedule 'A' to this Chapter, being a map outlining the improvement area, may be viewed upon request at the office of the Clerk, during normal office hours.

RICHMOND HILL BIA

Schedule 'B' - Improvement Area Boundaries

On the north — The southern boundary of Benson Avenue on the west side of Yonge Street and the southern boundary of Crosby Avenue on the east side of Yonge Street.

On the east and the west — The easterly and westerly boundaries are generally the rear property lines of all lots which front Yonge Street.

On the south — The northern boundary of Major Mackenzie Drive on the east and west side of Yonge Street.

By-law 187-87, 13 July, 1987; Schedule 'B'.

RICHMOND HILL BIA

SCHEDULE

Schedule 'C' - Board members

The Board of Management shall comprise the following members:

Henri Amar

Gail Blackburn, Regional and Local Councillor

Pat Hengen

Ron Kajiura

Denise Levia

Don Levitt

Wendy Schie

Phyllis Simmons

Gerry Suggitt

By-law 270-95, 2 October, 1995.