

Original signed by: Byron Johnson, CAO

# City Staff Report

**Report Date:** Dec 3, 2020  
**Meeting Date:** Dec 15, 2020

**To:** City Manager  
**From:** Director of Corporate and Financial Services  
**Subject:** Downtown Quesnel Business Improvement Area Bylaws

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## Purpose

The purpose of this report is to request Council to proceed with the first two readings of the Downtown Quesnel Business Improvement Area Bylaw 1900.

## Summary

This bylaw is a Council Initiative Bylaws subject to petition against.

The Downtown Quesnel BIA Bylaw expired in 2020 and the group has come forward requesting a two-year extension and boundary expansion.

After the first two readings of this bylaw, Staff will mail to all the businesses in the respective BIA's area the budgets and plans with an estimate of their cost and instructions for the petition. The mail outs will happen in January so they do not conflict with the businesses Christmas season. Staff will also advertise the process in the local newspaper. Any businesses within the BIAs opposing the continuation of the BIA or the boundary expansion will have 30 days after to notify City Hall of their opposition.

## Recommendation

THAT Council proceed with the first two readings of the City of Quesnel Downtown Quesnel Business Improvement Area Bylaw 1900 in the bylaw section of the agenda.

## Statutory Requirements

The Community Charter Section 215 sets out the purpose of a BIA as follows:

- carrying out studies or making reports respecting one or more areas in the municipality where business or commerce is carried on,
- improving, beautifying or maintaining streets, sidewalks or municipally owned land, buildings or other structures in one or more business improvement areas,
- the removal of graffiti from buildings and other structures in one or more business improvement areas,
- conserving heritage property in one or more business improvement areas, and
- encouraging business in one or more business improvement areas.
- for the business promotion scheme described in the bylaw.

The Community Charter Section 213 sets out the process for a council initiative bylaw subject to petition against.

## Local area service on council initiative — subject to petition against

213 (1) If a council proposes to undertake a local area service on its own initiative in accordance with this section, it must give notice of this intention



- (a) in accordance with section 94 [public notice], and
- (b) to the owners of parcels that would be subject to the local service tax.

(2) The notice under subsection (1) must include

- (a) the information required under section 212 (2) [information requirements for petition],
  - (b) if the council is proposing that all or part of the costs may be waived or reduced in accordance with section 201 (3) [property subject to parcel tax], the amount that the property owner will be required to pay for this purpose, and
  - (c) a statement indicating that the council may proceed with establishing the service unless a petition against the service is presented within 30 days after notice has been given in accordance with this section.
- (3) For the purposes of subsection (1) (b), the corporate officer must mail the notice to the applicable address as set out in the last revised assessment roll.
- (4) Council may proceed with the local area service in accordance with the notice unless it receives a sufficient petition against the service within 30 days after the second publication under subsection (1) (a).
- (5) Section 212 (3) to (6) [rules respecting petitions for local service] applies to a petition under this section.
- (6) If a council has been prevented from undertaking a local area service because of a petition under this section, the council must not propose the same service on its own initiative within a period of one year after the presentation of the petition.
- (7) As an exception to subsection (6), a council may again propose a local area service on its own initiative within the period referred to in that subsection if the service is varied from or less expensive than that originally proposed to be undertaken.

## **Financial Implications**

As the funds for a BIA are collected through a local service tax, only the businesses in the area are subject to the tax for BIA's and there is no net cost to the City of Quesnel budget.

## **Attachments**

1. City of Quesnel Downtown Quesnel Business Improvement Area Bylaw 1900