

**CITY OF QUESNEL
BYLAW NO. 1900**

**A Bylaw to extend the term of the local service tax within Downtown Quesnel
Business Improvement Area**

WHEREAS Sections 210, 211 and 215 of the *Community Charter* provides Council with the authority to designate, by bylaw, a Business Improvement Area;

AND WHEREAS Council may levy and impose within such Business Improvement Area a Local Service Tax on land and improvements that are classified as Class 5 [light industry] or 6 [business and other] property class under the Prescribed Classes of *Property Regulation* (B.C. Reg. 438/81);

AND WHEREAS Council intends to grant the monies raised by such Local Service Tax to the Quesnel Downtown Association for the purposes of a business promotion scheme as defined in Section 215 of the *Community Charter*;

AND WHEREAS the term of the original Quesnel Downtown Business Improvement Area Bylaw No. 1249, the Quesnel Downtown Business Improvement Area Bylaw No. 1660 and the Quesnel Downtown Business Improvement Area Bylaw No. 1729 have now expired;

AND WHEREAS the Quesnel Downtown Association has requested that Council proceed to extend their Business Improvement Area for a two (2) year term as set out in this Bylaw with an expanded area boundary, on Council's own initiative - subject to petition against, pursuant to Section 213 of the *Community Charter*;

AND WHEREAS notice of the intention to establish the Business Improvement Area has been given in accordance with the provisions of the *Community Charter* to the owners of all parcels of land liable to be specially charged as noted in updated Schedule "A";

NOW THEREFORE the Council of the City of Quesnel in an open meeting assembled enacts as follows:

1. In this Bylaw, unless the context otherwise requires:

"Applicant" means the Quesnel Downtown Association

"Business Improvement Area" or "BIA" means the area of the City noted in Section 2 and contained within "Schedule A" of this Bylaw;

"Business Promotion Scheme" means the improvement, beautification and promotion of the BIA, including the cost of any studies or reports;

"City" means the City of Quesnel;

“Commercial Land” means land designated as Classes 5 (light industry) and 6 (business and other) by the British Columbia Assessment Authority

“Council” means the Council of the City of Quesnel.

2. For the purposes of this Bylaw, the Business Improvement Area to which this Bylaw is applicable shall be comprised of the Commercial Land within the area shown in heavy outline on Schedule “A” attached hereto and forming part of this Bylaw.
3. For the purposes of this Bylaw, the amount of money to be granted under this Bylaw, pursuant Section 215 of the *Community Charter*, to the Applicant is an annual sum not to exceed the following sums:
 - 2021 Sixty eight Thousand (\$68,000) dollars
 - 2022 Sixty nine Thousand (\$69,000) dollars

Each payment is to be paid to the Applicant on or before the first day of August in each year.

4. The money granted pursuant to this Bylaw shall be expended only by the Applicant for the Business Promotion Scheme in accordance with the conditions and limitations set out in this Bylaw.
5. All of the money granted to the Applicant pursuant to this Bylaw shall be recovered within the BIA from the owners of the Commercial Land.
6. For the purpose of recovering the monies granted to the Applicant under this Bylaw and pursuant to the *Community Charter*, the Council hereby levies and imposes within the BIA annually against all taxable commercial and light industrial land and improvements within the designated BIA, rates sufficient to raise the approved and budgeted sum in each year of the two year term of this Bylaw.
7. The money granted pursuant to this Bylaw shall be expended by the Applicant only for projects provided for in the annual budget submitted by the Applicant and approved by Council.
8. The Applicant shall submit to the City an annual financial statement which shall be prepared in accordance with generally accepted accounting principles and shall include a balance sheet and a statement of revenue and expenditures. The yearly financial statements shall be submitted by the Applicant to Council before each yearly payment.
9. The Applicant shall submit a budget for the approval of the Council on or before the 15th day of March in each year, and notwithstanding the previous paragraph, no payments shall be made unless the payments are within the amounts set out in the budget approved by Council.

10. The Applicant shall provide to the City copies of insurance policies confirming that the Applicant maintains Comprehensive General Liability Insurance acceptable to the City and subject to limits of not less than TWO MILLION DOLLARS (\$2,000,000) inclusive per occurrence for bodily injury, death and damage to property including loss of use thereof. The Insurance shall cover anyone employed directly or indirectly by the Applicant as well as any contractor or subcontractors hired by the Applicant. The City shall be added as an additional insured on the insurance.
11. The Applicant's Comprehensive General Liability insurance policy shall contain an endorsement to provide the City of Quesnel with 30 days prior written notice of change or cancellation of the policy.
12. This Bylaw shall cease to have effect on the 1st day of January 2023, with the first budget due in 2021.
13. This bylaw shall be cited for all purposes as "City of Quesnel Downtown Quesnel Business Improvement Area Bylaw 1900 of 2020."

READ A FIRST TIME this 15th day of December, 2020.

READ A SECOND TIME this 15th day of December, 2020.

COUNCIL INITIATIVE published in the January 13, 2021 and January 20, 2021 issues of the Quesnel-Cariboo Observer, with 3 of 126 property owners or 1.8% of the assessed values of properties included in this BIA opposing the establishment of the Business Promotion Scheme.

READ A THIRD TIME this day of , 2021.

FINALLY ADOPTED by a Majority of Council this day of , 2021.

MAYOR,
Bob Simpson

CORPORATE OFFICER,
Byron Johnson