

118

**THE CORPORATION OF THE TOWNSHIP OF ESSA**

**BY-LAW 2007 -30**

**A By-law to expand the Boundaries of the Angus Business Improvement Area (BIA) to extend east along County Road 90/Mill Street to the 5<sup>th</sup> Line of Essa for operational commercial businesses, and to repeal By-law 2004-27.**

WHEREAS Township of Essa By-law 2004-27 was passed on the Fifth day of May, 2004 for the purposes of expanding the boundaries of the Angus Business Improvement Area; and

WHEREAS Section 209 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorizes a municipality to alter the boundaries of an improvement area and the Board of Management for that improvement area is continued as the Board of Management for the altered area; and

WHEREAS the growth of the commercial sector in Angus has increased beyond the boundaries established by the above mentioned by-law so that Council has determined that the BIA should be expanded to include a larger commercial area for the betterment of the community; and

WHEREAS notice of the intention of Council to pass this by-law to expand the portion of Angus presently covered by the Business Improvement Area by-law was sent by prepaid mail to every person owning land for the purpose of or in connection with any business in the designated area who was shown on the last revised assessment roll of the Township as being assessed for business assessment within the meaning of the *Assessment Act*; and

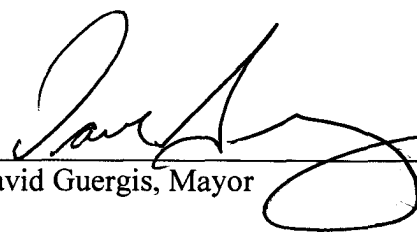
WHEREAS no sufficiently signed petition objecting to the passing of the By-law has been received within the time limited to prohibit the passing of the By-law;


NOW THEREFORE the Council of the Corporation of the Township of Essa enacts as follows:

1. That the area comprised of those properties shown on the attached Schedule "A" which shall form part of this by-law, is hereby designated as an Improvement Area within the meaning of Section 204 of the *Municipal Act, 2001*, as amended;
2. That a Board of Management entrusted with the improvement, beautification and maintenance of public lands, buildings and structures in the improvement area, and for the promotion of the area as a business area be continued as the Board of Management for the altered area be appointed;
3. That the Board of Management is currently and shall continue to be governed by the provisions of Schedule "B" attached, which Schedule shall form part of this By-law;

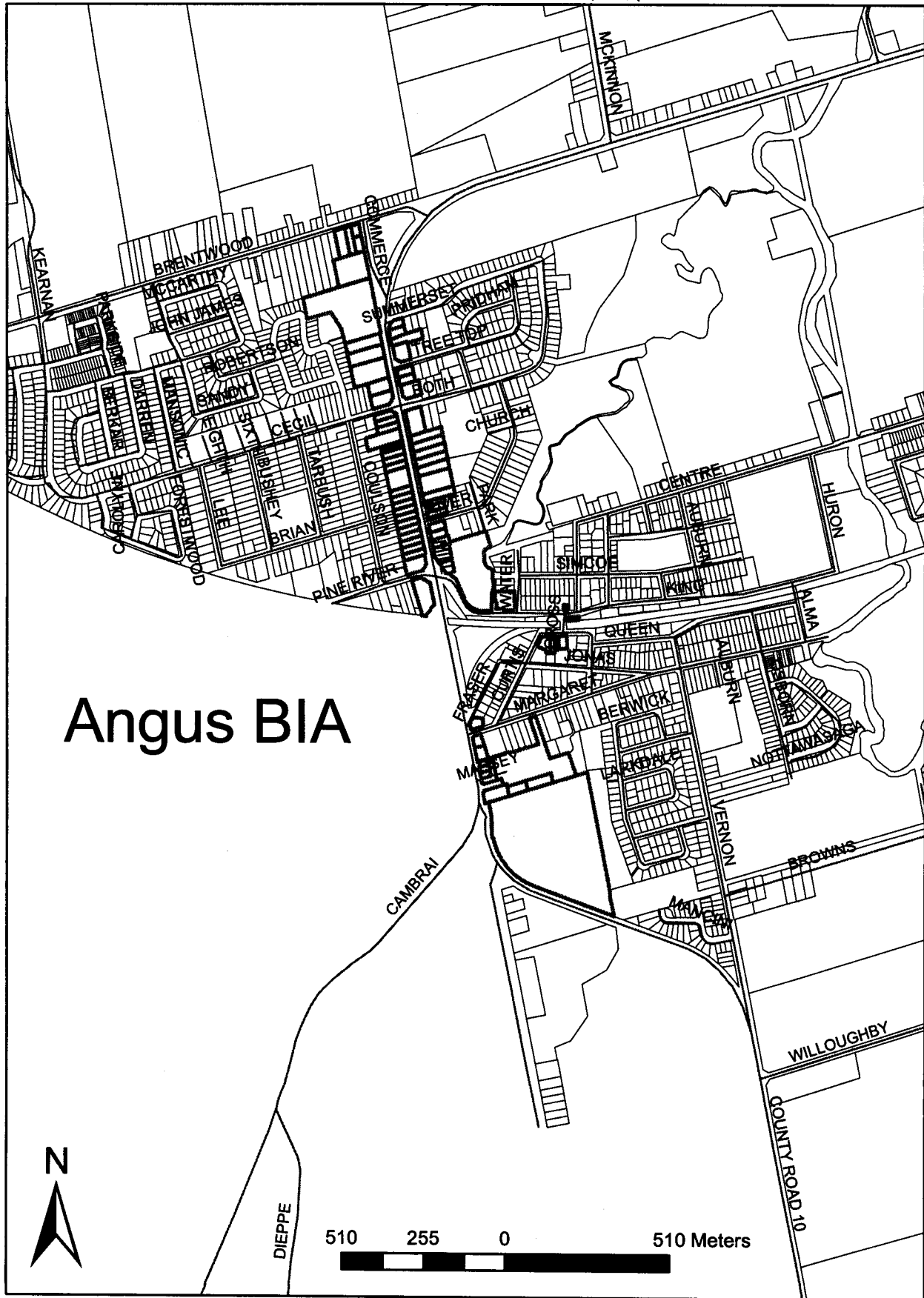
4. That the provisions contained in Sections 1, 2, and 3 above shall come into force and effect upon passing of this By-law.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the Sixteenth day of May, 2007.

  
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David Guergis, Mayor

  
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Carol O. Trainor, Clerk

SCHEDULE 'A' to B4-LAW 2007-30



Angus BIA

## SCHEDULE "B" TO BY-LAW 2007 - 30

1. A Board of Management shall be composed of one or more directors appointed directly by the municipality; and the remaining directors selected by a vote of the membership of the improvement area and appointed by the municipality.
2. Members of an improvement area consist of persons who are assessed, on the last returned assessment roll, with respect to rateable property in the area that is in a prescribed business property class, and tenants of such property.
3. Each member of an improvement area has one vote regardless of the number of properties that member may own or lease in the improvement area.
4. The term of the directors of a Board of Management is the same as the term of the Council that appointed them but continues until their successors are appointed.
5. Where a vacancy occurs in the Board of Management for any reason, Council may appoint a person to fill the vacancy for the unexpired portion of the term and the appointed person is not required to be a member of the improvement area.
6. Members of the Board of Management are eligible for reappointment on the expiration of their term of office, and shall hold office until their successors are appointed.
7. The Board of Management shall submit the approved budget to Council by the date and in the form required by the municipality, and the municipality may approve it in whole or in part, but may not add expenditures to it.
8. Council shall have the authority to reject the Board of Management estimates in whole or in part, or provide the money for the purposes of the Board of Management and, when money is so provided by the Council, the Treasurer shall, upon the certificate of the Board of Management, pay out such money to the Board of Management.
9. The Board of Management shall not spend any monies unless included in the budget approved by the municipality or in a reserve fund established under Section 417 of the *Municipal Act, 2001*, incur any indebtedness extending beyond the current year without the prior approval of the municipality, or borrow money.
10. The Board of Management shall submit an annual report for the preceding year to Council on or before May 1 in each year, which shall include a complete, audited and certified financial statement of its affairs, with balance sheet and revenue and expenditure statement.
11. The Municipal auditor shall be the auditor of the Board of Management, and all books, documents, transactions, minutes and accounts of a Board of Management shall, at all times, be open to the Auditor's inspection.
12. If at any time the By-law establishing the Board of Management is repealed, the Board will cease to exist and its undertakings, assets and liabilities shall be assumed by the Township.