

# **THE CORPORATION OF THE CITY OF PORT COQUITLAM**

## **BYLAW NO. 3736**

### *A Bylaw to re-establish the Business Improvement Area*

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*Whereas the City Council may by majority vote, grant money to an applicant for the purpose of the planning and implementation of a Business Promotion Scheme;*

*And whereas before Council grants money for a Business Promotion Scheme, the Council shall pass a bylaw as required by the Community Charter;*

*And whereas the Council has had an application for a grant of money under Section 215 of the Community Charter;*

*Now therefore the City Council of The Corporation of the City of Port Coquitlam, in open meeting assembled, enacts as follows:*

1. This Bylaw may be cited as the "Downtown Business Improvement Area Bylaw, 2010, No. 3736"

2. For the purpose of this Bylaw:

**"Association"** means the Port Coquitlam Business Improvement Association, or any other name that the members of the Association may approve.

**"Downtown Business Improvement Area"** means the area of the City designated by Section 3 of this Bylaw.

**"Business Promotion Scheme"** means:

- a. to carry out studies and make reports respecting the Downtown Business Improvement Area; and
- b. to create a pleasant physical environment; and
- c. to encourage business in the Downtown Business Improvement Area.

3. Council hereby designates those lands shown in Schedule "A" attached to and forming part of this Bylaw, as the Port Coquitlam Business Improvement Area.

4. Council hereby approves to grant to the Association an amount not exceeding \$859,919.00, broken down into annual amounts as follows:

	<b>Year</b>	<b>Budget</b>
a.	2011	\$ 165,240.00
b.	2012	\$ 168,545.00
c.	2013	\$ 171,916.00
d.	2014	\$ 175,355.00
e.	2015	\$ 178,863.00

**TOTAL (Years One to Five) \$ 859,919.00**

5. All of the money granted to the Association pursuant to this Bylaw shall be recovered within the Downtown Business Improvement Area from the owners of land within that area.
6. For the purpose of recovering the monies granted to the applicant under this Bylaw, the Council shall levy annually on all land and improvements that fall into Class 5 or 6 of Section 216 of the *Community Charter* within the designated Business Improvement Area, rates sufficient to raise the following sums:

	<b>Year</b>	<b>Rates</b>
a.	2011	\$ 147,716.00
b.	2012	151,690.00
c.	2013	154,724.00
d.	2014	157,819.00
e.	2015	160,977.00

7. The Association shall submit annually to Council, on or before April 1, a budget for the purpose of the business promotion scheme set out in Schedule "B".
8. The Association shall provide the City with audited financial statements every three years by May 1 the following year. The Association will provide the City with a review engagement of the annual financial statements in the two years between audits by May 1 of the following year. The Financial Officer will assess the need for an audit in the review engagement years based on a risk assessment including, but not limited to changes in personnel, systems or processes, and will notify the BIA President of any change in requirements prior to January 31 the following year. Two years of review engagements will follow the year when additional audits are required subject to the risk assessment process outlined above.

9. The Association shall not incur any indebtedness or other obligations beyond each budget year.
10. The Association shall obtain and maintain in force during the Five Year term of this Bylaw, a policy of insurance in accordance with the specifications set out in Schedule "C" attached hereto, and shall deliver a certified copy of each policy to the City of Port Coquitlam's City Treasurer on or before July 15th each year of the five year term of the Business Improvement Area.
11. This Bylaw shall be in effect from the date of adoption until December 31, 2015.

*Read a first time by the Municipal Council this 13<sup>th</sup> day of September, 2010.*

*Read a second time by the Municipal Council this 13<sup>th</sup> day of September, 2010.*

*Read a third time by the Municipal Council this 13<sup>th</sup> day of September, 2010.*

*Adopted by the Municipal Council of the Corporation of the City of Port Coquitlam this 8<sup>th</sup> day of November, 2010.*

**GREG MOORE**  
*Mayor*

**CAROLYN DEAKIN**  
*Assistant Corporate Officer*

**RECORD OF AMENDMENTS**

<b><u>BYLAW NO.</u></b>	<b><u>SUMMARY OF AMENDMENT</u></b>	<b><u>DATE APPROVED</u></b>
3769	Section 8	2011 07 11
3805	Section 8	2012 07 09

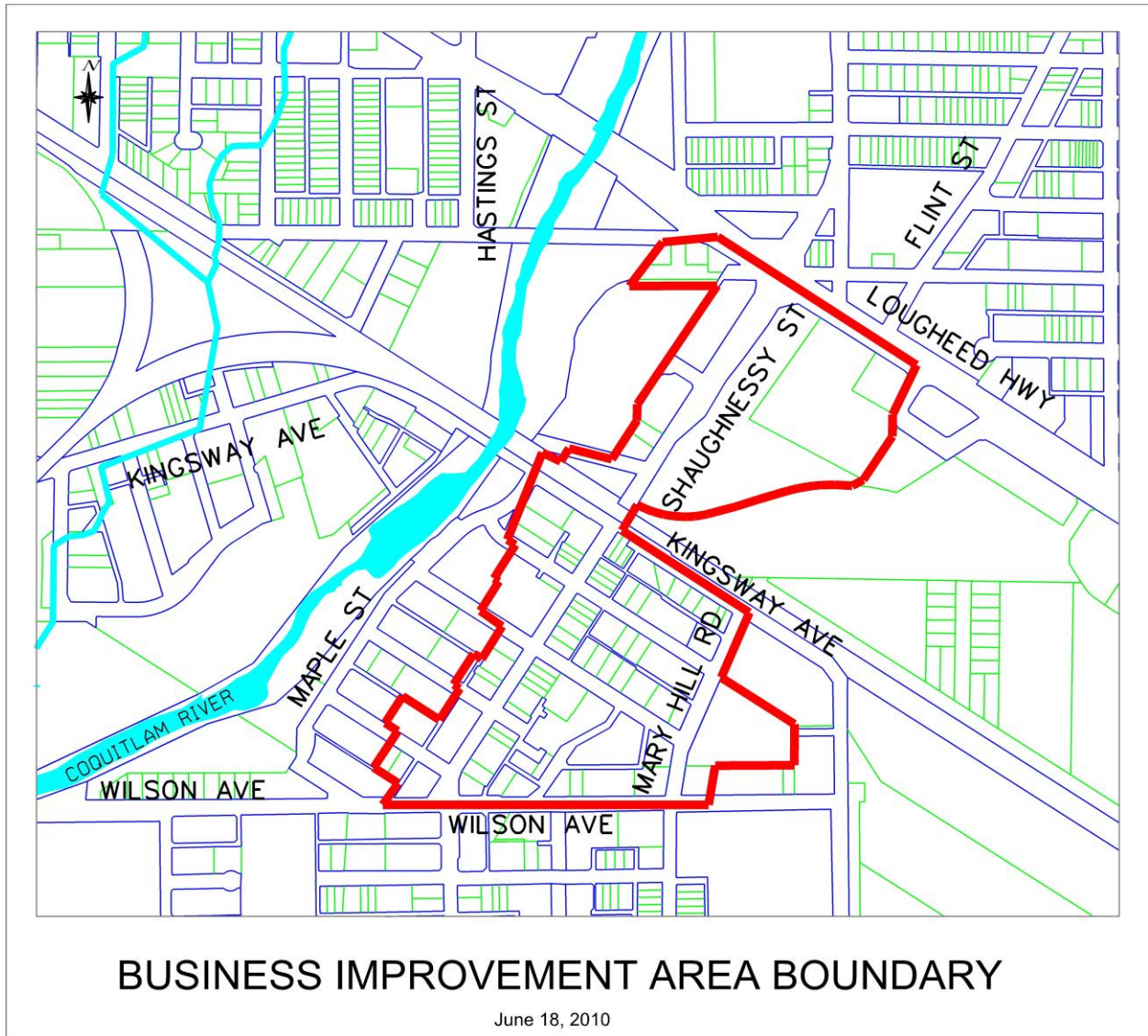
**THE CORPORATION OF THE CITY OF PORT COQUITLAM**

**Downtown Port Coquitlam Business Improvement Area Bylaw, 2010, No. 3736**

**SCHEDULE "A"**

**Boundaries of the Downtown Port Coquitlam  
Business Improvement Area**

The boundaries of the Downtown Port Coquitlam Business Improvement Area (BIA) are shown in heavy outline on the map below, and are described as "both sides of Shaughnessy Street from Lougheed to Wilson, extending further to the northwest at Marpole, Elgin, Kingsway, and Lougheed; and the area bounded by Shaughnessy, Kingsway, Mary Hill and Wilson".



**THE CORPORATION OF THE CITY OF PORT COQUITLAM**

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**SCHEDULE "B"**

**Business Promotion Scheme**

The Business Promotion Scheme for Downtown Port Coquitlam and the mandate of the Downtown Port Coquitlam Business Improvement Area (BIA) are as follows:

- To restore the Downtown's traditional role as the focus for the community;
- To create a positive image for Downtown Port Coquitlam, by emphasizing its "small town" character and uniqueness;
- To promote the Downtown as a whole, through collective advertising and special events;
- To create a pleasant and welcoming atmosphere in the Downtown area;
- To work towards traffic, parking, and transit improvements;
- To undertake research and develop a marketing strategy for Downtown businesses;
- To build upon Port Coquitlam's heritage in developing a theme for physical revitalization.

**THE CORPORATION OF THE CITY OF PORT COQUITLAM**

**Downtown Port Coquitlam Business Improvement Area Bylaw, 2010, No. 3736**

**SCHEDULE "C"**

**Insurance Specifications**

1. The applicant shall provide and maintain Comprehensive General Liability Insurance acceptable to the City and subject to limits of not less than **TWO MILLION DOLLARS (\$2,000,000.00)** 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 subcontractor hired by the applicant.
2. The City shall be added as an additionally named insured under the Comprehensive General Liability Policy and the Policy shall contain a Cross Liability Clause.
3. The applicant shall provide the City (by delivery to the Purchasing Manager) with a copy of its Comprehensive General Liability Insurance Policy prior to the City providing funding under Section 4 of this Bylaw.
4. The applicant's Comprehensive General Liability Policy shall contain an endorsement to provide that the policy shall not be cancelled, lapsed, or materially altered, without giving thirty (30) days notice in writing to the City.