

THE CORPORATION OF THE TOWN OF GRIMSBY

BY-LAW NO. 05-22

A BY-LAW TO DESIGNATE A CERTAIN AREA AS AN
IMPROVEMENT AREA AND TO ESTABLISH A BOARD OF
MANAGEMENT THEREFOR

WHEREAS the Council of The Corporation of the Town of Grimsby passed By-law No. 76-73 to designate a certain area as an improvement area and to establish a Board of Management therefor;

AND WHEREAS the Municipal Act, 2001, S.O. 2001, Chapter 25, Section 209 provides that the municipality may 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 Board of Management of the Grimsby Downtown Improvement Area has requested that the area boundaries be expanded;

AND WHEREAS notice of the proposed by-law has been circulated in accordance with the requirements of the Municipal Act, 2001, S.O. 2001, Chapter 25, Section 210 and insufficient objections were received to prevent passage of a by-law to expand the improvement area.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF GRIMSBY ENACTS AS FOLLOWS:

DESIGNATION / BOARD OF MANAGEMENT

1. That the Grimsby Downtown Improvement Area as established in 1977 is hereby expanded to comprise all of the lands described in Schedule 'A' to this by-law and shown on Schedule 'B' to this by-law (hereinafter called "the area") and the area is hereby designated as an improvement area in accordance with the provisions of the Municipal Act, 2001, S.O. 2001, chapter 25.
2. There is established for the area a board of management to be known as the "Board of Management for the Grimsby Downtown Improvement Area" (hereinafter called "the Board").
3. The mandate of the Board is to oversee the improvement, beautification and maintenance of municipally owned land, buildings and structures in the area beyond that provided at the expense of the municipality generally, and to promote the area as a business and/or shopping area.
4. The Board is a corporation and shall consist of nine (9) directors appointed by Council composed as follows:
 - (a) two (2) directors shall be members of the Council; and
 - (b) seven (7) directors shall be selected by a vote of the membership of the improvement area.
5. The Council may refuse to appoint a person selected by the members of the improvement area, in which case the Council may leave the position vacant or direct that a meeting of the members of the improvement area be held to elect or select another candidate for the municipality's consideration.

6. The term of the directors of the Board of Management is the same as the term of the Council that appointed them but continues until their successors are appointed.
7. Directors are eligible for reappointment.
8. Subject to Section 5, if a vacancy occurs for any cause, the 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.
9. The Board shall, as soon as possible after its members are appointed in each term, elect a chairman and vice-chairman and appoint a secretary and treasurer, and such other officers as it may deem necessary to properly conduct the business of the Board during its term.
10. 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 Town Clerk for distribution to the Council as soon as possible after the meeting.

MEMBERSHIP

11. Members of the 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.
12. Each member of the improvement area has one vote regardless of the number of properties that the member may own or lease in the improvement area.
13. A corporate member of an improvement area may nominate in writing one individual to vote on behalf of the corporation and two or more corporations may nominate one individual for voting purposes.

FINANCIAL


14. The Board shall prepare a proposed budget for each fiscal year by the date and in the form required by the municipality and the Board shall hold one or more meetings of the members of the improvement area for discussion of the proposed budget.
15. The Board shall submit the budget to Council by the date and in the form required by the municipality and the Council may approve it in whole or in part but may not add expenditures to it.
16. The Board shall not:
 - (a) spend any money unless it is included in the budget approved by the Council or in a reserve fund established under section 417 of the Municipal Act;
 - (b) incur any indebtedness extending beyond the current year without the prior approval of the Council; or
 - (c) borrow money.

17. Section 65 of the Ontario Municipal Board Act and Section 401 of the Municipal Act apply to the Council's approval under clause 13 (b) as if it were incurring a debt of the municipality.
18. The Board shall give reasonable notice to the general membership of a meeting to hold a vote for the purposes of discussion of a proposed budget or for the purpose of holding a vote to select a nominee to the Board of Management.
19. The Board shall adopt and maintain only banking arrangements and ordinary good accounting practices that are acceptable to the Town Treasurer and keep such books of accounts and submit such statements from time to time as the Town Treasurer may require.
20. The fiscal year of the Board shall be the calendar year.
21. The municipal auditor is the auditor of the Board and all books, documents, transactions, minutes and accounts of the Board shall at all times be open to the auditor's inspection.
22. The Board shall submit its annual report for the preceding year to the Council on or before March 1st in each year, and the report shall include complete audited and certified financial statements of its affairs, with balance sheet and revenue and expenditure statement.
23. The municipality shall annually raise the amount required for the purposes of the Board, including any interest payable by the municipality on money borrowed by it for the purposes of the Board.
24. The municipality shall establish in each year a special charge for the amount referred to in Section 23, by levy upon rateable property in the improvement area that is in a prescribed business property class, which shall be levied in the proportion that the assessed value of the real property bears to the assessed value of all the real property in the improvement area.
25. Charges levied for the purposes of the Board shall have priority lien status and shall be added to the tax roll.
26. By-laws No. 76-73, No. 77-63 and No. 90-40 are hereby repealed.

READ A FIRST TIME THIS 21st day of MARCH, 2005.

READ A SECOND AND THIRD TIME AND FINALLY PASSED THIS 21st day of MARCH, 2005.


MAYOR



TOWN CLERK

<u>ROLL #</u>	<u>PROPERTY LOCATION</u>	<u>ROLL #</u>	<u>PROPERTY LOCATION</u>
010-006-05800	54 ONTARIO ST.	010-007-04800	4 PATTON ST
010-006-06100	46-48 ONTARIO ST.	010-007-08600	60 KERMAN AVE.
010-006-06900	24 ONTARIO ST.	010-007-09600	10 CARNEGIE LANE
010-006-07100	16-20 ONTARIO ST	010-007-09601	PART OF INDEX 8, GRIMSBY SUBDIVISION
010-006-07200	14 ONTARIO ST	010-007-12100	2-6 MAIN ST. W.
010-006-07300	12 ONTARIO ST	010-007-12200	8-10 MAIN ST. W.
010-006-07600	4-6 ONTARIO ST	010-007-12300	12-14 MAIN ST. W.
010-006-07700	2 ONTARIO ST	010-007-12400	16-18 MAIN ST. W.
010-006-08901	GRIMSBY SUBDIVISION INDEX 7	010-007-12500	22 MAIN ST. W.
010-006-09200	17-21 JOHN ST.	010-007-12600	24 MAIN ST. W.
010-006-12700	65 MAIN ST. E.	010-007-12700	26 MAIN ST. W.
010-006-12800	63 MAIN ST. E.	010-007-12800	30 MAIN ST. W.
010-006-13000	55 MAIN ST. E.	010-007-12900	32 MAIN ST. W.
010-006-13200	43 MAIN ST E	010-007-13000	36 MAIN ST. W.
010-006-13300	37-39 MAIN ST E	010-007-13100	42-44 MAIN ST. W.
010-006-13400	35 MAIN ST E	010-007-13200	48-50 MAIN ST. W.
010-006-13500	31 MAIN ST E	010-007-13300	52 MAIN ST. W.
010-006-13600	23 MAIN ST E	010-007-13400	56 MAIN ST. W.
010-006-13700	21 MAIN ST E	010-007-13605	64 MAIN ST. W.
010-006-13800	17-19 MAIN ST E	010-007-13900	72-74 MAIN ST. W.
010-006-13900	15 MAIN ST E	010-007-14000	76 MAIN ST. W.
010-006-14000	5-11 MAIN ST E	010-007-14100	78 MAIN ST. W.
010-006-14100	3 MAIN ST E	010-007-14200	80-82 MAIN ST. W.
010-006-14200	1 MAIN ST E	010-007-14400	84-86 MAIN ST. W.
010-007-00500	53 ONTARIO ST.	010-007-14500	88 MAIN ST. W.
010-007-00600	49 ONTARIO ST.	010-007-14700	2 LIVINGSTON AVE.
010-007-00605	45 ONTARIO ST.	010-007-14800	4 LIVINGSTON AVE.
010-007-00900	35 ONTARIO ST.	010-007-14900	6 LIVINGSTON AVE.
010-007-01000	17 ONTARIO ST	010-007-15700	44 LIVINGSTON AVE.
010-007-01300	11 ONTARIO ST	010-007-15900	66 LIVINGSTON AVE.
010-007-01500	7 ONTARIO ST	010-007-16700	88 LIVINGSTON AVE.
010-007-01600	3 ONTARIO ST	010-007-17300	110 LIVINGSTON AVE.
010-007-02400	12 ELIZABETH ST	010-007-17800	122-122A LIVINGSTON AVE.
010-007-02700	8 CHRISTIE ST	010-008-23200	40 ELM ST.
010-007-02800	4 CHRISTIE ST	010-008-23400	9 OAK ST.

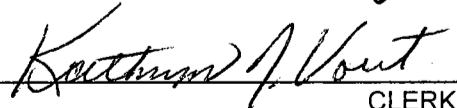
<u>ROLL #</u>	<u>PROPERTY LOCATION</u>	<u>ROLL #</u>	<u>PROPERTY LOCATION</u>
010-008-23500	9-9B OAK ST.	010-009-15300	8 ELM ST.
010-008-26300	66 MAIN ST. E.	010-009-18300	12-14 MAIN ST. E.
010-008-26400	62 MAIN ST. E.	010-009-18400	8-10 MAIN ST. E.
010-008-26500	60 MAIN ST. E.	010-009-18500	4-6 MAIN ST. E.
010-008-26600	50 MAIN ST. E.	010-009-18700	5 MAIN ST. W.
010-008-26700	32-36 MAIN ST. E.	010-009-18800	7-9 MAIN ST. W.
010-008-26800	28 MAIN ST. E.	010-009-18900	11-21 MAIN ST. W.
010-008-26900	24 MAIN ST. E.	010-009-19100	23 MAIN ST. W.
010-008-27000	20 MAIN ST. E.	010-009-19200	27 MAIN ST. W.
010-009-00300	33-35 ELM ST.	010-009-19300	31-35 MAIN ST. W.
010-009-02000	3 MOUNTAIN ST.	010-009-19400	37-55 MAIN ST. W.
010-009-02300	5 MOUNTAIN ST.	010-009-19500	41-43 MAIN ST. W.
010-009-02500	11 MOUNTAIN ST.	010-009-19600	45 MAIN ST. W.
010-009-02600	13 MOUNTAIN ST.	010-009-19700	47-51 MAIN ST. W.
010-009-02700	19 ELM ST.	010-009-19800	55 MAIN ST. W.
010-009-02800	19 MOUNTAIN ST.	010-009-20100	63 MAIN ST. W.
010-009-04000	8 MOUNTAIN ST.	010-009-20400	1 LIVINGSTON AVE.
010-009-04500	16 MOUNTAIN ST.	010-009-20500	5 LIVINGSTON AVE.
010-009-07600	89 MAIN ST. W.	010-009-20600	7 LIVINGSTON AVE.
010-009-13500	25 ELM ST.	010-009-20700	9 LIVINGSTON AVE.
010-009-13600	23 ELM ST.	010-009-20800	11 LIVINGSTON AVE.
010-009-13700	21 ELM ST.	010-009-20900	13 LIVINGSTON AVE.
010-009-14300	32-34 ELM ST.	010-009-21000	17 LIVINGSTON AVE.
010-009-14400	30 ELM ST.	010-010-20900	166 MAIN ST. W.
010-009-15100	14 ELM ST.	010-010-24300	207 MAIN ST. W.

THIS IS SCHEDULE 'A' TO BY-LAW NO. 05-22
PASSED THIS 21st day of MARCH, 2005

SIGNATURES OF SIGNING OFFICERS



 MAYOR



 CLERK

