

AMENDED by # 77-63

AMENDED by # 90-40

AMENDED by # 98-38

AMENDED by # 98-60

REPEALED by # 05-22

THE CORPORATION OF THE TOWN OF GRIMSBY

BY-LAW NO. 76-73

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

WHEREAS, Section 361 of The Municipal Act, R.S.O. 1970, chapter 284, provides that the Council of a local Municipality may pass By-Laws designating an area as an improvement area and may by By-Law establish for any such area so designated a Board of Management to which may be entrusted, subject to such limitations as the By-Law may provide, the improvement, beautification and maintenance of municipally owned lands, buildings and structures in the area, beyond such improvement, beautification and maintenance as is provided at the expense of the Municipality at large, and the promotion of the area as a business or shopping area;

AND WHEREAS, it is desirable to designate the area hereinafter described as an improvement area and to establish a Board of Management for such area for the purposes set out herein.

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

1. The area comprised of the land described in Schedule "A" annexed hereto and shown in Schedule "B" annexed hereto and made a part of this By-Law is designated as an improvement area within the meaning of Section 361 of The Municipal Act, (hereinafter called "the area").
2. There is established for the area described in said Schedule "A" and shown in Schedule "B" to this By-Law a Board of Management to be known as the "Board of Management for the Grimsby Downtown Improvement Area", (hereinafter called "the Board").



M 76269

Ontario Municipal Board

IN THE MATTER OF Section 361
of The Municipal Act (R.S.O.
1970, c. 284),

-- and --

IN THE MATTER OF an application
by The Corporation of the Town
of Grimsby for approval of By-
law 76-73 passed on the 17th
day of January, 1977, being a
by-law to designate an area as
an Improvement Area and to
establish a Board of Management
therefor

B E F O R E :

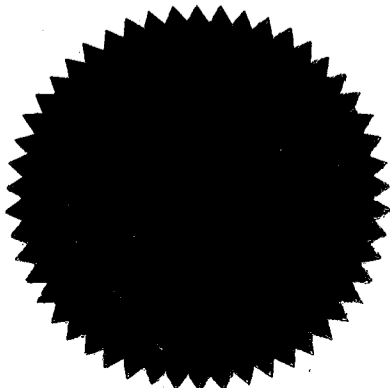
W. SHUB, Q.C.,
Chairman

-and-

A. H. ARRELL, Q.C.,
Vice-Chairman

} Monday, the 31st day of
January, 1977

THE BOARD ORDERS, under and in pursuance of the
legislation hereinbefore referred to and of any and
all other powers vested in the Board that this
application be and the same is hereby granted and
that By-law 76-73 passed by the Council of the
Corporation of the Town of Grimsby on the 17th day
of January, 1977, being a by-law to designate an
area described in Schedule "A" and shown on Schedule
"B" attached to such by-law, as an Improvement Area
and to establish a Board of Management therefor to
be known as the "Board of Management for the Grimsby
Downtown Improvement Area", be and the same is hereby
approved.



K. C. Andrews

K. C. ANDREWS
SECRETARY

ENTERED
O. B. No. <u>M 76-1</u>
Folio No. <u>114</u>
FEB 3 1977
<i>K. C. Andrews</i>
SECRETARY, ONTARIO MUNICIPAL BOARD



3. There is entrusted to the Board, subject to the limitations hereinafter set out, the improvement, beautification and maintenance as is provided at the expense of the Municipality at large, and the promotion of the area as a business or shopping area.
4. The Board shall consist of seven members appointed by the Council, two of whom shall be members of the Council, and the remaining members shall be persons qualified to be elected as members of the Council assessed for business assessment in respect of land in the area, or nominees of corporation so assessed.
5. Each member shall hold office for a period of one year from the time of appointment, provided he continues to be qualified as provided in Section 4.
6. Where a vacancy occurs from any cause, the Council shall appoint a person qualified as set out in Section 4 to be a member, who shall hold office for the remainder of the term for which his predecessor was appointed.
7. The members shall hold office until their successors are appointed and are eligible for re-appointment on the expiration of their term of office.
8. The Board shall as soon as possible after its members are appointed in each year, 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 the said year.
9. 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 Clerk Co-Ordinator as soon as possible after the meeting covered thereby.

10. 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 said Town Treasurer may require.
11. The Municipal auditor shall be the auditor of the Board and all books, documents, transactions, minutes and accounts of the Board shall, at all times, be open to his inspection.
12. The fiscal year of the Board shall be the calendar year.
13. On or before the 1st day of March in each year, the Board shall submit its annual report for the preceding year to Council, including a complete audited and certified financial statements of its affairs, with balance sheet and revenue and expenditure statement.
14. The Council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment, as hereinafter set out, but at no time shall it exceed 20% of the taxes paid on business assessment.
15. The Board shall submit to the Council its estimates for the current year at the time and in the form prescribed by the Council. The Board may make requisitions upon the Council for all sums of money required to carry out its powers and duties, within the limits of the estimates as approved by the Council, but nothing herein divests the Council of its authority with reference to rejecting such estimates in

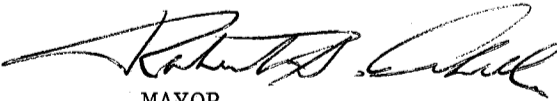

whole or in part of providing the money for the purposes of the Board and when money is so provided by the Council, the Treasurer shall, upon the certificate of the Board, pay out such money to the Board.

16. The Board shall not expend any moneys not included in the estimates approved by the Council.
17. The Board shall not incur any indebtedness extending beyond the current year.
18. The Board shall take out at its own expense and deposit and keep on deposit with the Town Treasurer, insurance policies satisfactory in all respects to the said Town Treasurer, indemnifying the Corporation against public liability and property damage in respect of the activities of the Board.
19. This By-Law shall not come into force or take effect until it has been approved by The Ontario Municipal Board.

READ A FIRST AND SECOND TIME THIS 18th DAY OF OCTOBER, 1976


MAYOR

CLERK CO-ORDINATOR

READ A THIRD TIME AND FINALLY PASSED THIS 17th DAY OF JANUARY, 1977.


MAYOR

CLERK CO-ORDINATOR

SCHEDULE "A" TO BY-LAW NO. 76-73

FIRSTLY:

Lots 1 and 2 as shown on Registered Plan 175;

SECONDLY:

The whole of Registered Plan 210;

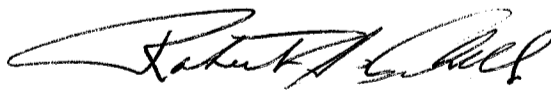
THIRDLY:

Lots 107, 108, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162,
163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175
176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188,
189, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202,
203, 204, Pt. Lot 282, 303, 307, 308, 309, 314, 315, 316, 317, 318,
319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331,
332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 351, 383, 384,
385, 386, 387, Pt. Lot 388, and Lot 389 as shown on Corporation
Plan #4.

THIS IS SCHEDULE "A" TO BY-LAW

NO. 76-73

SIGNATURES OF SIGNING OFFICERS



MAYOR



CLERK CO-ORDINATOR

THIS IS SCHEDULE "B" TO BY-LAW

NO. 76-73



SIGNATURES OF SIGNING OFFICERS

MAYOR

CLERK CO-ORDINATOR