

DISTRICT OF SEHELDT

Bylaw No. 599, 2021

A bylaw to establish and designate a Business Improvement Area

WHEREAS the District of Sechelt Council may pursuant to section 215 of the *Community Charter*, SBC 2003, c 26 grant money to an organization that has, as one of its functions, the planning and implementation of a Business Promotion Scheme;

AND WHEREAS the grant must be recovered by means of a local service tax;

AND WHEREAS District of Sechelt Council, at the request of the Sechelt Downtown Business Association, wishes to establish a Business Improvement Area based on the Association's recommendations, by way of Section 213 of the *Community Charter* - Council initiative – subject to petition against;

AND WHEREAS Council has obtained the approval of the Business Improvement Area electors pursuant to the provisions of the *Community Charter*;

NOW THEREFORE, District of Sechelt Council in open meeting assembled enacts as follows:

1. Title

This bylaw may be cited for all purposes as "Downtown Business Improvement Area Bylaw No. 599, 2021".

2. Establishment and Definition of Service Area

- (a) A Business Improvement Area is hereby established for the purpose of granting money to the Sechelt Downtown Business Association to undertake a Business Promotion Scheme pursuant to the provisions of the *Community Charter*. The Business Improvement Area shall be known as the 'Downtown Business Improvement Area'.
- (b) The Downtown Business Improvement Area boundary is defined as outlined in the attached Schedule 'A'.

3. Cost Recovery

All of the costs of the service established pursuant to this Bylaw shall be recovered within the Business Improvement Area from the owners of the land within the defined boundary by a local area service tax imposed and calculated in accordance with section 4 of this Bylaw.

4. Local Service Tax

- (a) For the purpose of recovering the costs of the Business Improvement Area established under this Bylaw, Council hereby levies and imposes each year within the Business Improvement Area pursuant to section 216(2) of the *Community Charter*, a maximum local area service tax as follows:

<u>Year</u>	<u>Maximum Local Area Service Tax</u>
2022	\$70,700 (Seventy Thousand Seven Hundred Dollars)
2023	\$71,407 (Seventy-One Thousand Four Hundred Seven Dollars)
2024	\$72,121 (Seventy-Two Thousand One Hundred Twenty-One Dollars)
2025	\$72,842 (Seventy-Two Thousand Eight Hundred Forty-Two Dollars)
2026	\$73,570 (Seventy-Three Thousand Five Hundred

- (b) The local area service tax shall only be imposed on properties classified as Class 6 [business and other] of the *Assessments – Classes and Percentage Levels Regulation, BC Reg. 438/81*;
- (c) The maximum local area service tax amounts established in section 4(a) of this Bylaw shall be recovered by a tiered system based on the number of business licenses associated with each property in the Business Improvement Area as follows:

Number of Business Licenses held	Percentage Rate
0 to 1	100%
2 to 5	85%
6 to 10	75%
11 or more	60%

5. Conditions and Limitations

- (a) The money granted under section 3 must be expended only:
- (i) by the Sechelt Downtown Business Association;
 - (ii) in accordance with the conditions and limitations set out in this bylaw; and
 - (iii) for the Business Promotion Scheme set out in the attached “Schedule B”.
- (b) The money shall be paid to the Sechelt Downtown Business Association on or before the 15th day of July each year.
- (c) The Sechelt Downtown Business Association shall submit to the District of Sechelt annually, a report on its Business Promotion Scheme activities.

- (d) The Sechelt Downtown Business Association will submit to the District of Sechelt a Balance Sheet and Statement of Revenue and Expenditure by March 1st each year.
- (e) The Sechelt Downtown Business Association is an agency independent from the District of Sechelt and it shall be solely responsible for managing its own affairs and for hiring, compensating, training and providing direction to its own employees.
- (f) The Sechelt Downtown Business Association shall pay all expenses in connection with its operations from the amount received by way of grant under this Bylaw, or from other revenues of the Association.
- (g) The Sechelt Downtown Business Association will not in any manner whatsoever commit or purport to commit the District of Sechelt to the payment of any money to any person, corporation, or other body for any purpose.

6. Insurance

The Applicant must take out and maintain insurance in accordance with the specifications set out in the attached "Schedule C".

7. Bylaw Expiration Date

This Bylaw shall cease to have effect on July 31st, 2026.

READ A FIRST TIME THIS 6th DAY OF October, 2021

READ A SECOND TIME THIS 6th DAY OF October, 2021

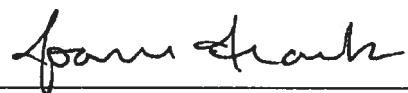
READ A THIRD TIME THIS 6th DAY OF October, 2021

Pursuant to section 213 of the *Community Charter*, Petition Against conducted from November 6, 2021 to December 7, 2021.

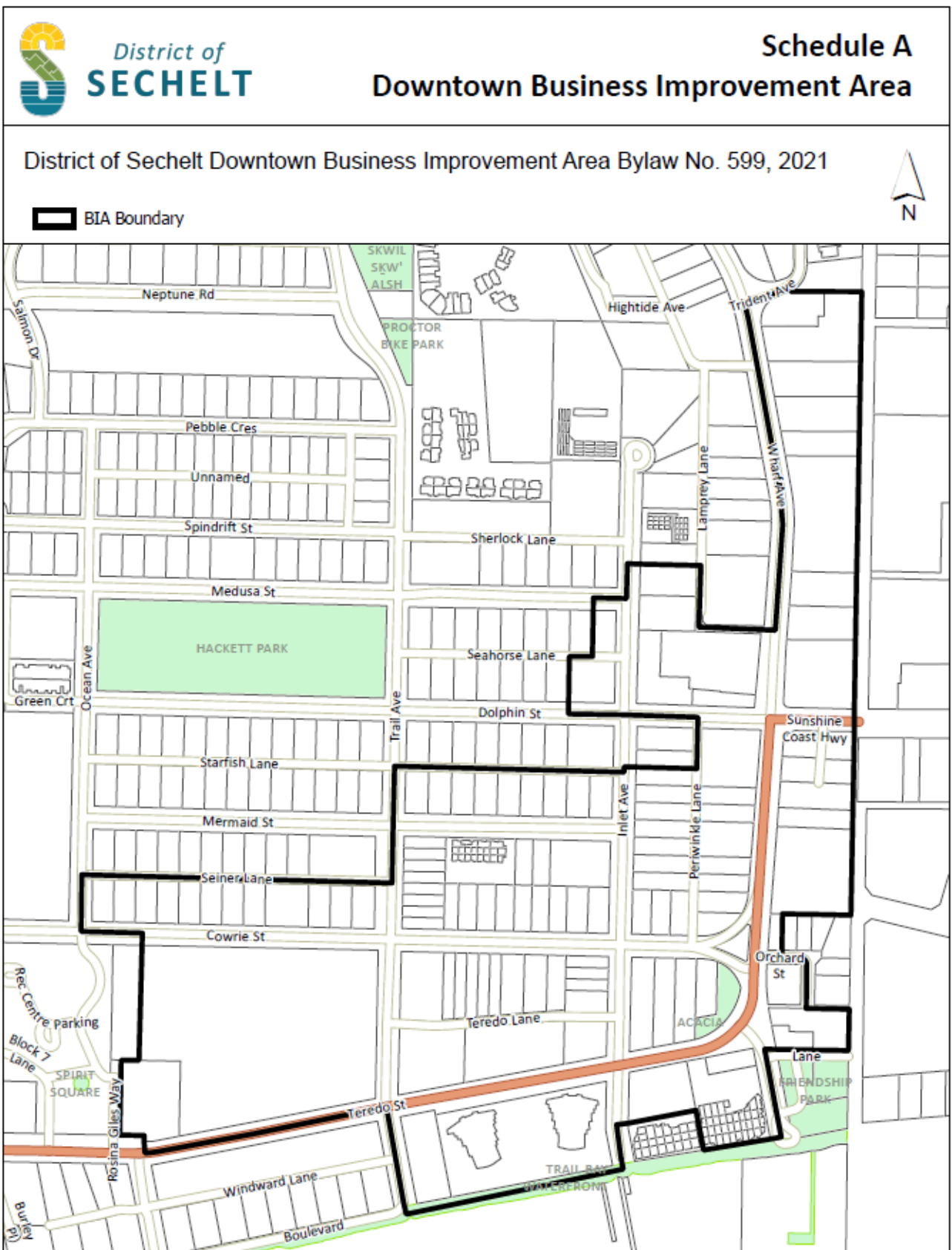
ADOPTED THIS 19th DAY OF January, 2022



Mayor



Corporate Officer



SCHEDULE "B"

Business Promotion Scheme

The Sechelt Downtown Business Association provides opportunities for merchants to showcase their businesses, encourages residents and tourists to shop in a warm and friendly downtown environment. Provides business support programs, hosts events, plus offers education and inspirational seminars for members.

MISSION STATEMENT: *To Champion a Unique, Vibrant and Attractive Downtown.*

1. Wages and Administration: The vast majority of the work is accomplished through community support and by our committed and hard-working team of volunteers and our various committees. A portion of our budget is allocated towards paying an Executive Director to support our members through business programs, events, co-op marketing, grants and partnerships with other local organizations.

2. Marketing & Promotional Events: The SDBA organizes and promotes major events such as the Canada Day Parade, Oktoberfest, and Festival of Lights, as well as hosts Shop Local promotions, creates Business Profiles for marketing purposes, Sechelt Business Monthly Newsletter as well as online and social media promotion.

3. Facility Improvements: The SDBA promotes and advocates for property owner and business owner grants to encourage improvements in the areas of public safety, revitalization and beautification (street planters, benches, etc).

4. Community Projects: The SDBA develops a network of relations among local community groups (schools, arts council, garden clubs, housing associations, citizen groups, etc.) and institutions (Chamber of Commerce, Community Futures, SCREDO, etc.) to partner in projects that benefit the BIA and community as a whole.

5. Advocacy and Infrastructure: The SDBA is the downtown business community's voice to government and will work with the District of Sechelt to review and comment on any development proposals and infrastructure improvements, with consideration to the needs and benefits to our local businesses.

SCHEDULE "C"

Insurance Specifications

1. As an organization responsible for coordinating a number of special public events and attractions, the Sechelt Downtown Business Association (the Association) shall provide and maintain Comprehensive General Liability Insurance in an amount no 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 Association as well as any contractor or subcontractor hired by the Association.
2. The District of Sechelt shall be added as an additional insured under the Association's Comprehensive General Liability Insurance policy.
3. The Association shall provide Employee Fidelity insurance of no less than \$100,000 (One Hundred Thousand Dollars) per employee.
4. The Association shall provide the District of Sechelt with a copy of its Comprehensive General Liability and Employee Fidelity Insurance Policies annually.
5. The Association's Comprehensive General Liability and Employee Fidelity Insurance policies shall contain an endorsement the policy shall not be cancelled, lapsed or materially altered without giving the District of Sechelt thirty (30) days written notice of change or cancellation.

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