



Bylaw No. 2003-80

Disclaimer:

This information has been provided solely for research convenience. Official bylaws are available from the Office of the City Clerk and must be consulted for purposes of interpretation and application of the law.

Office Consolidation

THE REGINA DOWNTOWN BUSINESS IMPROVEMENT DISTRICT BYLAW

No. 2003-80

Including Amendments to November 26, 2018

This Bylaw has been consolidated under the authority of the City Clerk. It represents proof, in absence of evidence to the contrary of:

- a) the original bylaw and of all bylaws amending it; and**
- b) the fact of passage of the original and all amending bylaws.**

AMENDMENTS

DATE PASSED

Bylaw No. 2004-84

October 4, 2004

Bylaw No. 2006-59

August 21, 2006

Bylaw No. 2006-89

December 18, 2006

Bylaw No. 2007-85

December 17, 2007

Bylaw No. 2008-11

January 28, 2008

Bylaw No. 2010-58

November 22, 2010

Bylaw No. 2011-64

December 19, 2011

Bylaw No. 2012-58

August 20, 2012

Bylaw No. 2016-18

March 29, 2016

Bylaw No. 2016-48

June 27, 2016

Bylaw No. 2018-59

November 26, 2018

BYLAW NO. 2003-80

THE REGINA DOWNTOWN BUSINESS IMPROVEMENT DISTRICT BYLAW, 2003

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

Purpose

- 1 The purpose of this Bylaw is to continue the Regina Downtown Business Improvement District under *The Cities Act*.

Authority

- 2 The authority for this Bylaw is section 25 of *The Cities Act*.

Definitions

- 3 In this Bylaw:

“**Accountant**” means a person who currently has a CA, CMA or CGA designation and is a member in good standing with their professional association;

“**BID levy**” means the uniform rate charged against property within the District to support Regina Downtown;

“**Board**” means the Board of Directors of Regina Downtown;

“**City**” means the City of Regina;

“**City Manager**” means the person appointed by Council as City Manager;

“**City Solicitor**” means the person appointed by Council as City Solicitor;

“**Council**” means the Council of the City of Regina;

“**Clerk**” means the City Clerk;

Repealed. (#2016-48, s. 14(2), 2016)

Repealed. (#2011-64, s. 14, 2011)

“**District**” means the area shown and described on the map attached as Schedule A to this Bylaw;

“**Lawyer**” means a member in good standing of the Law Society of Saskatchewan;

“**Regina Downtown**” means the business improvement district established by this Bylaw;

(#2006-59, s. 2, 2006; #2011-64, s. 14, 2011, #2016-18, s. 4, 2016, #2016-48, s. 14(3), 2016)

District

- 4 The District is continued as a business improvement district known as “Regina Downtown”.

Purpose of Regina Downtown

- 5 The purpose of Regina Downtown is to encourage the development of a vibrant and prosperous downtown by:
- (a) improving the District’s appearance and image, promoting and marketing the District, and undertaking initiatives and projects that facilitate the ongoing enhancement and redevelopment of the District;
 - (b) improving, beautifying and maintaining publicly-owned lands, buildings and structures in the District, in addition to any improvement, beautification or maintenance that is provided at the expense of the City;
 - (c) acquiring, by purchase, lease or otherwise, any land and buildings in the District necessary for its purposes and improve, beautify, maintain or dispose of that land and buildings;
 - (d) maintaining and improving any land in the District for use as parking, which land may subsequently be disposed of by sale, lease, exchange or otherwise for public or private redevelopment for commercial purposes at a price not less than its fair market value;
 - (e) conducting any studies or preparing any designs that may help to achieve this purpose;
 - (f) contributing moneys to the City for the purposes of a downtown revitalization project.

Board

- 6(1) The Board shall consist of up to thirteen persons appointed by resolution of Council, including:
- (a) a member of Council; and
 - (b) twelve other persons who are electors of the City or are employed in the District.
- (#2004-84, s. 2, 2004; #2006-59, s. 3, 2006; #2010-58, s. 2, 2010)
- (2) Council may, by resolution, appoint a person to complete a member’s term where:
- (a) Council, by the same or another resolution, removes that member;
 - (b) a member resigns, dies or becomes ineligible to continue as a member.

(2.1) When appointing persons to the Board, Council may consider names proposed by a nominating committee for recommending appointments to Executive Committee, consisting of:

- (a) the Chairperson of the Board;
- (b) the Vice-Chairperson of the Board;
- (c) the Finance and Administration Chair of the Board;
- (d) a citizen member of the Board who is in the first year of his or her term;
- (e) the City Council member; and
- (f) the City Manager.

(#2004-84, s. 3, 2004; #2011-64, s. 14, 2011; #2012-58, s. 2, 2012, #2016-48, s. 14(3), 2016)

(3) Unless sooner removed from office, the term of appointment for members shall:

- (a) continue with current members until January 1, 2004;
- (b) be staggered one and two year terms as may be set by resolution of Council for terms commencing January 1, 2004;
- (c) thereafter shall be for up to three years commencing January 1; and
- (d) in the case of the member of Council, only continue for so long as the member remains a member of Council.

(4) Unless specifically authorized by Council, no member who has served three or more consecutive terms shall be eligible for reappointment after 2009.

(#2010-58, s. 3, 2010; #2012-58, s. 3, 2012)

Officers

7 The Board, at its first meeting each year shall elect from its members such officers as it considers necessary to properly conduct its business, including a chairperson and vice-chairperson.

Procedures and Records

8(1) Subject to the following subsections, the Board may establish its own procedures.

(2) Quorum shall be a majority of the number of members appointed by Council.

- (3) The Board must keep proper minutes of its meetings and records of the operations of Regina Downtown.
- (4) The minutes of all Board meetings must be:
 - (a) circulated and approved at each subsequent meeting;
 - (b) provided to the Clerk following their approval;
 - (c) available for inspection upon request by all members of the Board and any person required to pay the BID levy.
- (5) A Board may:
 - (a) appoint one of its members;
 - (b) hire any person; or
 - (c) by agreement with the City Manager, arrange for the City;

to assume responsibility for maintaining any books, documents, records of transactions, minutes and accounts and for making and receiving payments.

Annual Report

- 9 On or before May 1 in each year, the Board shall submit its annual report for the preceding year to Council together with a complete audited and certified financial statement of its affairs, with a balance sheet and revenue and expenditure statements.

Fiscal Year

- 10 The Board's fiscal year must be the calendar year.

Budget

- 11 The Board shall annually submit to Council for its approval the Board's revenue and expenditure estimates for the current year by March 15 in the form required by the City Manager, and shall set out in the estimates:
 - (a) the amounts to be raised from the levy on property within the District;
 - (b) the amounts and details of other revenue projected to be received by the Board, including the amounts to be received for the disposal or conveyance of land and buildings;
 - (c) the proposed expenditures for the year, including expenditures for the acquisition of land and buildings;

- (d) details of any proposed financial commitments that extend beyond the current budget year;
 - (e) a narrative description of the specific programs and activities to be undertaken, including associated revenues and expenditures;
- (#2011-64, s. 14, 2011, #2016-48, s. 14(4), 2016)

12 Monies from the estimates approved by Council which remain unexpended at the end of the fiscal year may be carried over and applied to the Board's approved estimates for the next fiscal year.

13(1) The Board shall expend only those moneys included in the estimates approved by Council and no member of the Board shall authorize the expenditure of funds not previously approved by the Council.

(2) The Board shall not purchase real estate without the consent of City Council.
(#2008-11, s. 2, 2008)

14(1) The Board shall:

- (a) adopt and maintain accounting practices and banking arrangements acceptable to the City Manager;
 - (b) keep such books of account and promptly submit such statements as the City Manager may request.
- (2) The City Manager, City Solicitor, or any of their delegates shall be entitled to full access to any records of the Board, which they may inspect on the Board's premises or remove for inspection and review elsewhere.
- (3) The Board will employ and pay for the services of the City's auditor to conduct an annual audit, which audit report the Board must promptly submit to the Board and provide a copy to the City Manager.
(#2011-64, s. 14, 2011, #2016-48, s. 14(4), 2016)

Disestablishment

- 15(1) The Board shall cease to exist if this Bylaw is repealed, unless continued by another bylaw.
- (2) Where the Board ceases to exist, its undertakings, assets and liabilities are then vested in the City, except to the extent members of the Board may be personally liable.

Repeal

16 Bylaw No. 2001-76 is repealed.

Coming Into Force

17 This Bylaw comes into force on the day of passage.

READ A FIRST TIME THIS 14th DAY OF OCTOBER, 2003.

READ A SECOND TIME THIS 14th DAY OF OCTOBER, 2003.

READ A THIRD TIME AND PASSED THIS 14th DAY OF OCTOBER, 2003.

P. FIACCO _____
Mayor

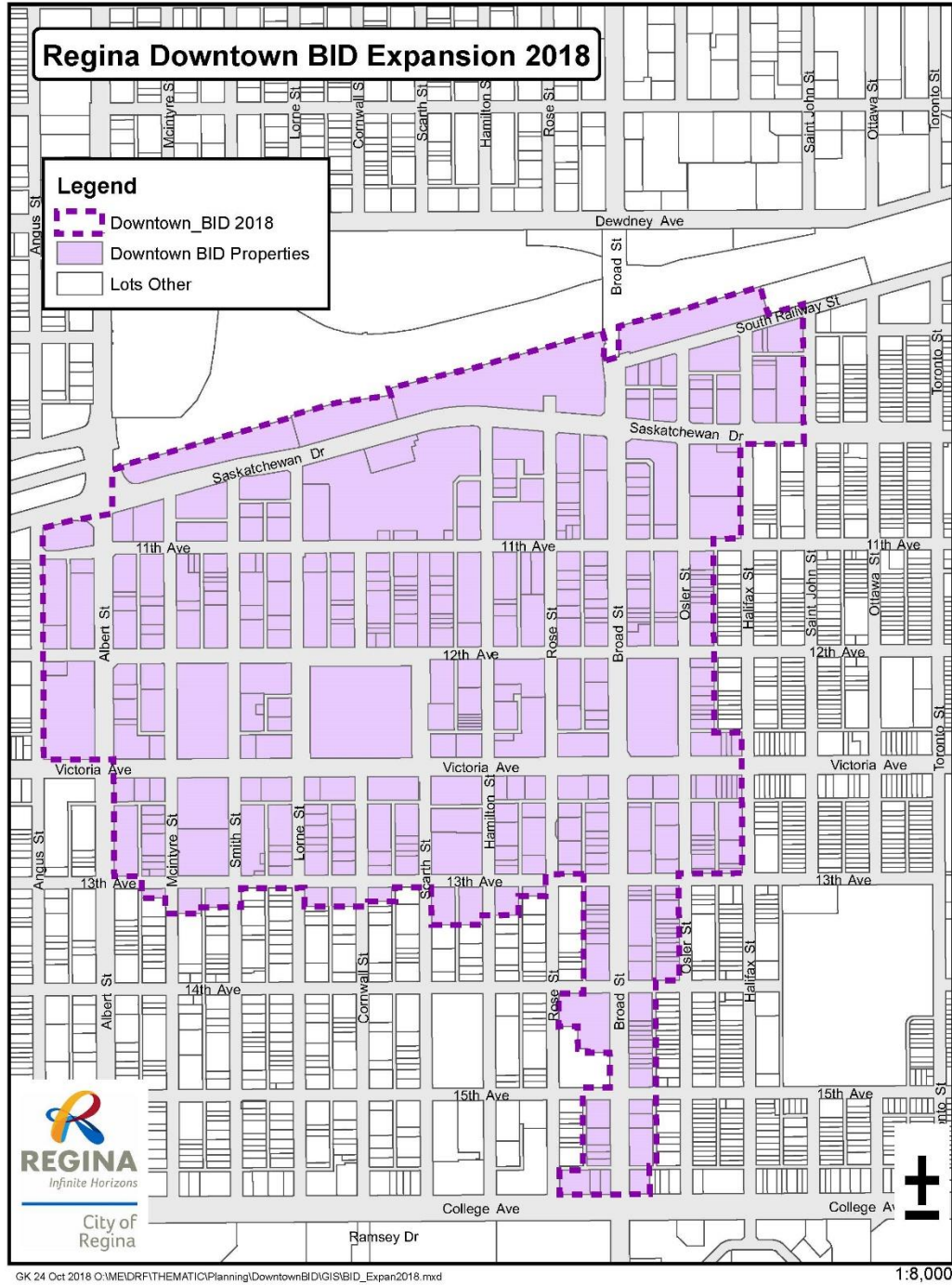
R. MARKEWICH _____
City Clerk

(SEAL)

CERTIFIED A TRUE COPY

City Clerk

Schedule A



(#2016-18, s. 5, 2016, #2018-59, s.4, 2018)

ABSTRACT

BYLAW NO. 2003-80

THE REGINA DOWNTOWN BUSINESS IMPROVEMENT DISTRICT BYLAW, 2003

PURPOSE: To continue the Regina Downtown Business Improvement District under *The Cities Act*.

ABSTRACT: The Bylaw incorporates provisions of *The Urban Municipality Act* and Bylaw No. 2001-76. The Bylaw also responds to requests from the Board of Management to revise the purpose of the Board, change the composition of the Board, limit eligibility for reappointment to three consecutive terms and expands the boundaries of the business improvement district to include areas north of Saskatchewan Drive and north east of Saskatchewan Drive and Broad Street, including property occupied by Casino Regina.

STATUTORY
AUTHORITY: Section 25 of *The Cities Act*

MINISTER'S APPROVAL: N/A

PUBLIC HEARING: Required pursuant to section 101(2) of *The Cities Act*.

PUBLIC NOTICE: Public notice of the accompanying report to Council is required by section 101(2) of *The Cities Act*. Public notice was given in accordance with *The Public Notice Bylaw # 2003 – 8* by publication in the October 4, 2003 edition of the Regina Leader Post and posting at City Hall and on the City of Regina website.

REFERENCE: Executive Committee of October 8, 2003: EX03-62

AMENDS/REPEALS: Repeals Bylaw No. 2001-76

CLASSIFICATION: Administrative

ORIGINATING
DEPARTMENT: City Solicitor