

BYLAW NO. 2827/83

A bylaw of The City of Red Deer, in the Province of Alberta, to designate the Downtown as a Revitalization Zone, and establish a Board of Directors for the Business Revitalization Zone.

WHEREAS pursuant to Section 50 of the Municipal Government Act, a Council may by Bylaw designate an area as a Business Revitalization Zone and prescribe its boundaries and establish a Board of Directors for the Business Revitalization Zone;¹

²AND WHEREAS, in 1983 Council of The City of Red Deer, in the Province of Alberta received a request from more than 10 designated representatives of ratepayers shown on the then current assessment roll of the municipality as being assessed for business assessments;

AND WHEREAS, no qualifying petition has been received objecting to the designation of the downtown as a Business Revitalization Zone;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CITY OF RED DEER, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED ENACTS AS FOLLOWS:

TITLE

- 1 This bylaw may be cited as the "Downtown Business Revitalization Zone Bylaw."

DEFINITIONS

¹ 2827/A-95

² 2827/A-2012

2¹ (1) In this bylaw:

- (a)² “Board” means the Board of a Business Revitalization Zone known as the Red Deer Downtown Business Association;
- (b) “Designated Representative” means the sole appointed representative of a Taxpayer;
- (c) “Taxpayer” means a person who operates a business and is liable to pay Business Revitalization Zone taxes in respect of that business;
- (d) “Zone” means the Business Revitalization Zone established under this bylaw.

BUSINESS REVITALIZATION ZONE

3³ The City hereby establishes a Business Revitalization Zone in the area of the city as designated on the attached Schedule “A”, to be known as the Red Deer Downtown Business Association Zone.

BOARD OF DIRECTORS

4⁴ There is hereby established a Board to be known as “The Board of Directors of the Red Deer Downtown Business Association”.

PURPOSE OF THE BOARD

¹ 2827/A-95

² 2827/A-2001

³ 2827/A-95, 2827/A-2001, 2827/A-2012

⁴ 2827/A-95, 2827/A-2001

5¹ The purposes for which the Board is established are:

- (a)² to improve, beautify, and maintain property;
- (b) to develop, improve, and maintain public parking;
- (c) to promote the Zone as a business or shopping area.

MEMBERSHIP

6 (1)³ The Board may consist of up to eleven (11) members, who shall be appointed by resolution of Council. The members shall consist of:

- (a) One (1) member of Council, and
- (b)⁴ Up to ten (10) members who have been nominated by one or more taxpayers.

(2)⁵ Unless otherwise provided for by Council resolution, Board members referred to in Section 6 (1) (b) shall be appointed for three (3) year terms commencing January 1 of any given year.

(3)⁶ At no time shall the Board consist of less than six (6) members.

¹ 2827/A-95

² 2827/A-2012

³ 2827/A-2001

⁴ 2827/A-2001

⁵ 2827/A-2001, 2827/A-2012

⁶ 2827/A-2001

- (4)¹ The Council representative referred to in Section 6(I)(a) shall be appointed annually at Council's organizational meeting for a one (1) year term.
- (5)² Any member may resign from the Board at any time upon sending written notice to Council to that effect.
- (6) Where a member ceases to be a member of the Board before the expiration of the designated term, Council may appoint another eligible person for the unexpired portion of the term.
- (7) A member ceases to be a member of the Board when that member fails to attend three (3) consecutive regular meetings of the Board, unless absence is caused through illness or is authorized by resolution of the Board.

MEETINGS

- 7³ (1) The Board shall designate the time and place of its regular meetings.
- (2)⁴ The Board shall meet in January of each year to appoint officers and to conduct any other business deemed necessary.
- (3) Special meetings may be called by the Chairman, with the approval of two members of the Board.

¹ 2827/A-99, 2827/A-2012

² 2827/A-2001

³ 2827/A-92, 2827/A-2001

⁴ 2827/A-2012

- (4) If the Chairman is absent or refuses to call a special meeting when requested by any member of the Board, the Secretary to the Board shall call a special meeting when requested to do so in writing by any three (3) members of the Board.
- (5) No special meeting shall be called unless twenty-four (24) hours notice is given in writing to all members of the Board, or by unanimous consent of all members.
- (6) The members of the Board may consider or transact any business at any meeting provided it is within the power established for the Board.
- (7)¹ (a) A majority of members constitutes a quorum.
- (b)² All members, including the Chairperson, must vote on all matters before the Board unless a conflict of interest is declared. If there is an equal number of votes for or against a resolution, the resolution is defeated.
- (c)³ The majority vote of those members present and voting constitutes the decision of the Board.
- (d) The provisions of Division 6, Pecuniary Interest, within the Municipal Government Act, applies to all Board members and the proceedings of Board and Executive Committee meetings.
- (8) The Board may establish their own rules of procedure but in doing so, it shall have due regard for the principles of procedural fairness.

¹ 2827/A-2001

² 2827/A-2012

³ 2827/A-2012

- (9) Minutes shall be kept of all Board meetings (regular and special) and Board Committee meetings and copies shall be filed with the City Clerk.

OFFICERS AND EXECUTIVE COMMITTEE OF THE BOARD¹

- 8² (1) A Chairman, Vice Chairman and Treasurer shall be selected from the members of the Board.
- (2)³ The Mayor and City Manager may attend any meeting of the Board.
- (3)⁴ The Board may appoint committees of its members, or of Taxpayers, and/or of citizens at large to deal with any matter, special study, or assignment coming within its jurisdiction. Such committees shall deal only with the matter or question referred to it for consideration and where appropriate, upon completion of the assignment, shall be dissolved.
- (4)⁵ The Executive Committee shall consist of the Chairman, the Vice Chairman, Treasurer, and two Directors selected from the members of the Board.
- (5) The Executive Committee shall hold such meetings as deemed necessary at a time and place designated by the Executive Committee.

¹ 2827/A-92

² 2827/A-92, 2827/A-2001

³ 2827/A-95

⁴ 2827/A-95, 2827/A-2012

⁵ 2827/A-92, 2827/A-95, 2827/A-2001

- (6)¹ A majority of the Executive present at an Executive Committee Meeting shall constitute a quorum.
- (7)² The Board shall be responsible for all decisions respecting the day to day operating needs of the Red Deer Downtown Business Association and shall have the responsibility to respond to requests for information from City Council, various City committees and other groups within the City.
- (a) In carrying out such duties shall act in accordance with directions, and such delegated authority as may be given to the Executive Committee by the Board from time to time by resolution of the Board.
- (b) The Executive Committee shall not have any authority to expend any funds unless such expenditure is authorized by the Board.
- (c) The Executive Committee shall not have any authority to incur any indebtedness, except as specifically authorized by resolution of the Board.
- (8)³ The Executive Committee shall not have any authority to incur any indebtedness, except as specifically authorized by resolution of the Board.

POWERS & DUTIES

- 9⁴ (1) The Board shall, at the time and in the form prescribed by Council, submit to Council, for its approval the program and estimates of revenues and

¹ 2827/A-92

² 2827/A-92, 2827/A-95, 2827/A-2001, 2827/A-2012

³ 2827/A-92

⁴ 2827/A-95, 2827/A-2012

expenditures of the Board for the next year together with any request for sums of money required to carry out the Board's duties.

(2)¹ Council shall provide, in the form and manner it considers adequate, to every Taxpayer, notice of the estimates and the date and place of Council meeting at which the estimates will be considered.

(3)² On approval of all or part of the estimates Council shall direct the payment of the approved amount to the Board.

10³ On or before March 1st in each year, the Board shall submit its Annual Report for the preceding year to Council and that report shall include a summary of the year's activities and a complete audited financial statement of its affairs, with a balance sheet and a revenue and expenditure statement.

11⁴ All books, documents, records of transactions, minutes and accounts of a Board shall, at all times, be open to inspection by The City auditor.

12⁵ (1) The Board may

- (a) appoint one of its members;
- (b) hire any person; or

by agreement with Council, rely on the municipality to maintain any books, documents, records of trisection, minutes and accounts, and for making and receiving payments.

¹ 2827/A-95, 2827/A-2012

² 2827/A-2012

³ 2827/A-95, 2827/A-2012

⁴ 2827/A-95, 2827/A-2001

⁵ 2827/A-95, 2827/A-2012

13¹ The Board shall obtain Public Liability Insurance or such other forms of insurance as deemed necessary by The City and the Board.

14² In the event of this bylaw being repealed, the Board shall cease to exist and its undertakings, assets and liabilities shall be assumed by The City.

15³ This bylaw shall come into full force and effect January 1, 1984.

READ A FIRST TIME IN OPEN COUNCIL this 11 day of October A.D. 1983

READ A SECOND TIME IN OPEN COUNCIL this 12 day of December A.D. 1983

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY PASSED THIS 12TH day of December, 1983.

“R.J. McGhee”

“R. Stollings”

MAYOR

CITY CLERK

¹ 2827/A-95
² 2827/A-95
³ 2827/A-95