

CITY OF PORT COQUITLAM
BUSINESS IMPROVEMENT ASSOCIATION BYLAW

Bylaw No. 4188

Whereas Council may by majority vote, grant money to an applicant for the purpose of the planning and implementation of a Business Promotion Scheme;

And whereas before Council grants money for a Business Promotion Scheme, the Council shall pass a bylaw as required by the Community Charter;

And whereas Council has had an application for a grant of money under Section 215 of the Community Charter;

The Council of the Corporation of the City of Port Coquitlam enacts as follows:

1. CITATION

This Bylaw may be cited as the “Downtown Business Improvement Area Bylaw, 2020, No. 4188”.

2. DEFINITIONS

1. For the purpose of this Bylaw:

Association means the Port Coquitlam Business Improvement Association, or any other name that the members of the Association may approve.

Downtown Business Improvement Area means the area of the City designated by Section 3 of this Bylaw.

Business Promotion Scheme means:

- a) carrying out studies or making reports respecting one or more areas in the municipality where business or commerce is carried on,
- b) improving, beautifying and maintaining streets, sidewalks or municipally owned land, buildings or other structures in one or more business improvement areas,
- c) the removal of graffiti from buildings and other structures in one or more business improvement areas,
- d) conserving heritage property in one or more business improvement areas, and
- e) encouraging business in one or more business improvement areas.

3. ADMINISTRATION

1. Council hereby designates those lands shown in Schedule “A” attached to and forming part of this Bylaw, as the Port Coquitlam Business Improvement Area.
2. Council hereby approves to grant to the Association an amount not exceeding \$934,167.00, broken down into annual amounts as follows:

Year	Budget
a. 2021	\$186,089.00
b. 2022	\$186,089.00
c. 2023	\$186,089.00
d. 2024	\$186,089.00
e. 2025	\$189,811.00
TOTAL (Years One to Five)	<u>\$934,167.00</u>

3. All of the money granted to the Association pursuant to this Bylaw shall be recovered within the Downtown Business Improvement Area from the owners of land within that area.
4. For the purpose of recovering the monies granted to the applicant under this Bylaw, the Council shall levy annually on all land and improvements that fall into Class 5 or 6 of Section 216 of the Community Charter within the designated Business Improvement Area, rates sufficient to raise the following sums:

Year	Budget
a. 2021	\$167,480.00
b. 2022	\$167,480.00
c. 2023	\$167,480.00
d. 2024	\$167,480.00
e. 2025	\$170,830.00

5. The Association shall submit to the City, on or before May 1, a budget for the purpose of the business promotion scheme and payment schedule set out in Schedule “B” and Schedule “C”.
6. The Association shall provide the City with audited financial statements for the year 2024 by May 1 of the following year. The Association will provide the City with an annual review engagement of the annual financial statements in the years between audits by May 1 of the following year. The Director of Finance will assess the need for an audit in the review engagement years based on a risk assessment including, but not limited to changes in personnel, systems or processes, and will notify the BIA President of any change in requirements prior to January 31 of the following year. Four years of review engagements will follow the year when additional audits are required subject to the risk assessment process outlined above.
7. The association shall not incur any indebtedness or other obligations beyond each budget year.

8. The Association shall obtain and maintain in force during the Five Year term of this Bylaw, a policy of insurance in accordance with the specifications set out in Schedule "D" attached hereto, and shall deliver a certified copy of each policy to of the five year term of the Business Improvement Area.

9. This Bylaw shall be in effect from January 1, 2021 until December 31, 2025.

4. SEVERABILITY

If any section, subsection or clause of this Bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, the decision will not affect the validity of the remaining portions of this Bylaw.

READ A FIRST TIME this	28 th day of	July, 2020
READ A SECOND TIME this	28 th day of	July, 2020
READ A THIRD TIME this	28 th day of	July, 2020
ADOPTED this	24 th day of	November, 2020

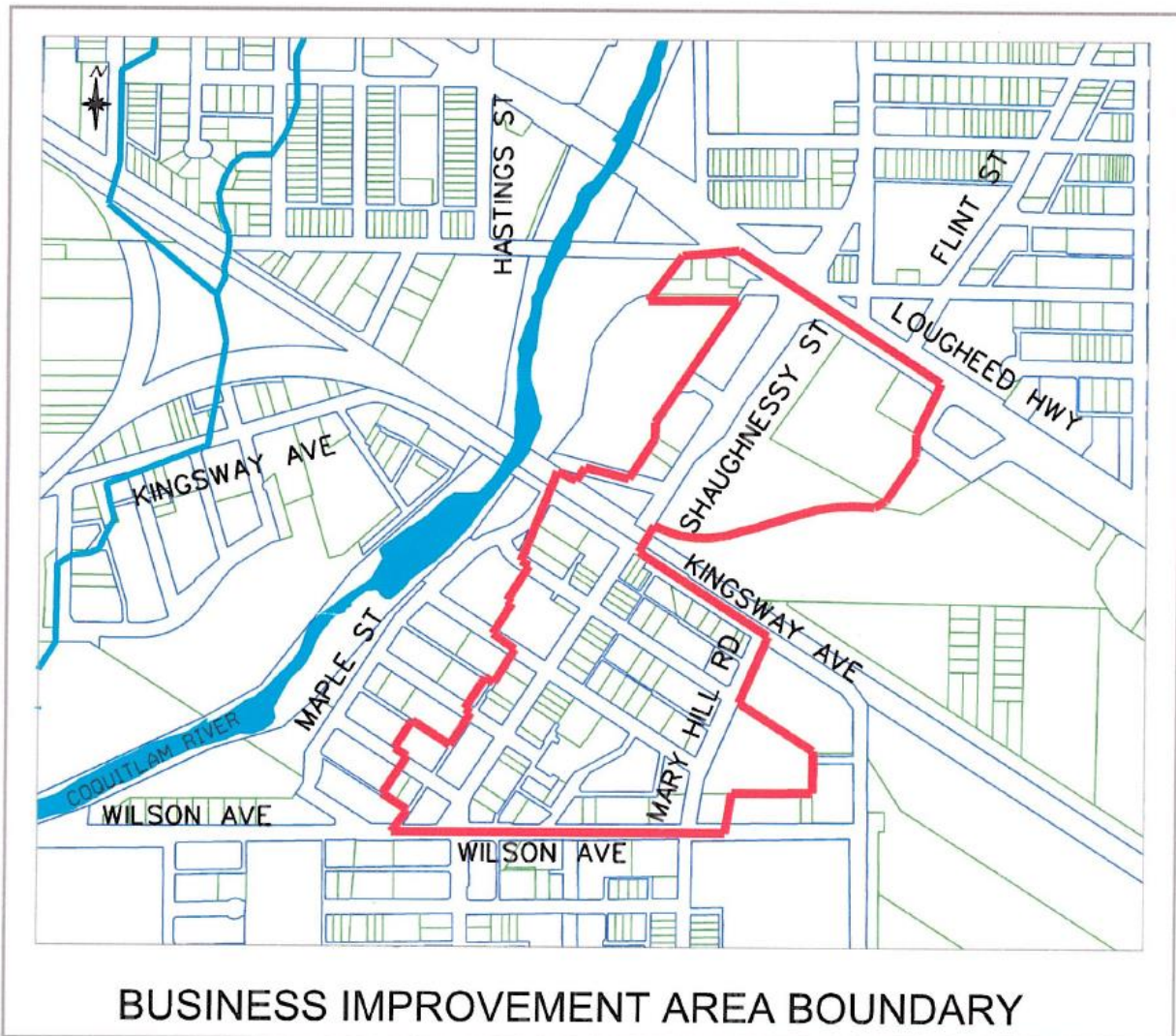
Brad West
Mayor

Gabryel Joseph
Corporate Officer

SCHEDULE "A"

Boundaries of the Downtown Port Coquitlam Business Improvement Area

The boundaries of the Downtown Port Coquitlam Business Improvement Area (BIA) are shown in heavy outline on the map below, and are described as "both sides of Shaughnessy St from Lougheed Hwy to Wilson Ave, extending further to the northwest at Marpole Ave, Elgin Ave, Kingsway Ave and Lougheed Hwy; and the area bounded by Shaughnessy St, Kingsway Ave, Mary Hill Rd and Wilson Ave".



SCHEDULE “B“

Business Promotion Scheme

Business Promotion Scheme

The Business Promotion Scheme for Downtown Port Coquitlam and the mandate of the Downtown Port Coquitlam Business Improvement Area (BIA) are as follows:

- Serving as a voice for downtown businesses and an advocate for their collective needs,
- Keeping members updated on initiatives and issues that affect them,
- Providing members with opportunities to network and collaborate,
- Leading or sponsoring events designed to attract people to downtown Port Coquitlam, and
- Leading or sponsoring initiatives designed to keep the downtown beautiful and safe.

SCHEDULE “C”

Schedule of Payments

Schedule of Payments

Annual funding will be remitted in two installments: 50% before January 15th and 50% before July 15.

SCHEDULE "D"

Insurance Specifications

1. The applicant shall provide and maintain Comprehensive General Liability Insurance acceptable to the City and subject to limits of not less than **THREE MILLION DOLLARS (\$3,000,000.00)** 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 applicant as well as any contractor or subcontractor hired by the applicant.
2. The City shall be added as an additionally named insured under the Comprehensive General Liability Policy and the Policy shall contain a Cross Liability Clause.
3. The applicant shall provide the City (by delivery to the Purchasing Manager) with a copy of its Comprehensive General Liability Insurance Policy prior to the City providing funding under Section 4 of this Bylaw.
4. The applicant's Comprehensive General Liability Policy shall contain an endorsement to provide that the policy shall not be cancelled, lapsed, or materially altered, without giving thirty (30) days notice in writing to the City.