

BY-LAW NO. 2010- 22

A by-law of the City of Ottawa designating the Bells Corners Area as an improvement area.

WHEREAS section 204 of the Municipal Act, S.O. 2001, c25, as amended, provides that the local municipality may designate an area as an improvement area;

AND WHEREAS notice of Council's intention to pass a by-law designating the area hereinafter described as an improvement area has been given as prescribed by the said Act, and no sufficiently signed petitions objecting to the passing of the by-law have been received within the time limit prescribed;

THEREFORE the Council of the City of Ottawa enacts as follows:

1. The Bells Corners Improvement Area shall comprise those certain lands, particularly described in Schedule "A" annexed hereto, designated as an improvement area within the meaning of the said Municipal Act.

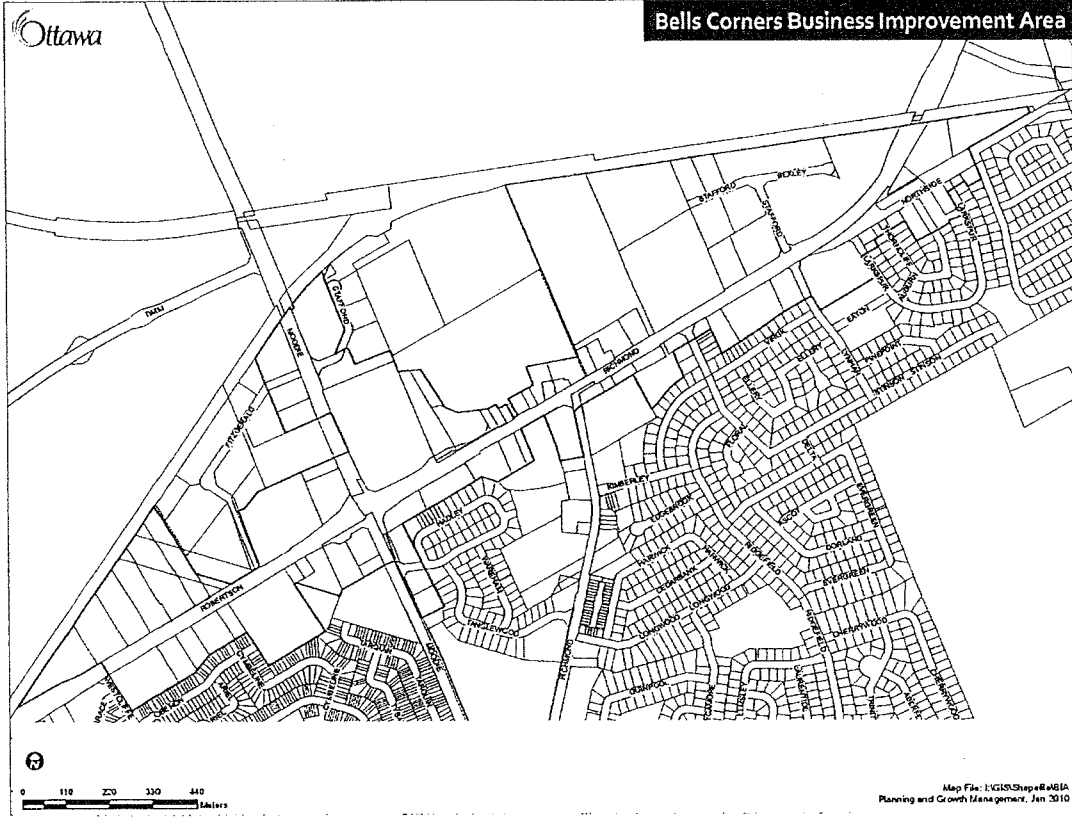
2. Schedule "A" shall form part of this by-law and the notations, references and other information shown thereon shall be as much part of this by-law as if all the matters and information set forth by the said Schedule were fully described herein.

ENACTED AND PASSED this 13th day of January, 2010

CITY CLERK

MAYOR

Schedule "A"



BY-LAW NO. 2010 - 22

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A by-law of the City of Ottawa designating the Bells Corners area as an improvement area.

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Enacted by City Council at its meeting of January 13, 2010.

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LEGAL SERVICES
jmp- D14-03-BELLS

COUNCIL AUTHORITY:
City Council- October 14, 2009
CSEDC Report 47, Item 1

BY-LAW NO. 2010- 23

A by-law of the City of Ottawa to establish a Board of Management for the Bells Corners Improvement Area.

WHEREAS section 204 of the Municipal Act, S.O. 2001, c25, as amended, provides that the local municipality may establish a Board of Management;

THEREFORE the Council of the City of Ottawa enacts as follows:

1. There is established for the area designated in By-law 2010-22 entitled "A by-law of the City of Ottawa designating the Bells Corners area as an improvement area", hereinafter called the "Area", a Board of Management to be known as the "Bells Corners Business Improvement Area Board of Management", hereinafter called the "Board".
2. The Board established under Section 1 is a body corporate.
3. There is entrusted to the Board the promotion of the Area as a business or shopping area.
4. The Board shall consist of 9 members, appointed by the Council of the City of Ottawa, hereinafter called the "Council", one of whom shall be a member of Council and the remaining members shall be individuals assessed for business assessment, or tenants of such property, in respect of land in the Area of nominees of such individuals or of corporations so assessed.
5. Each member shall hold office from the time of appointment until the expiration of the term of the Council which appointed that member, provided that member continues to be qualified as set out 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 or her predecessor was appointed.
7. The member shall hold office until their successors are appointed and are eligible for reappointment on the expiration of their term of office.
8. The Board shall, as soon as possible after its members are appointed, 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.
9. The Board shall undertake provision of the following:
 - (a) regular meetings of the Board that shall be held at a regular time and location,
 - (b) regular written communication to the general membership,

- (c) an annual membership meeting to provide information on the Board's activities and on the budget for the business improvement area, and
- (d) a procedure for the selection of persons to be nominated by the Board.

10. 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, the City Clerk of the City of Ottawa, hereinafter called the "Corporation", and to the Deputy City Manager of Infrastructure Services & Community Sustainability of the Corporation, and to the Manager of Financial Services Branch of the Corporation, as soon as possible after the meeting covered thereby.

11. The Board shall adopt and maintain banking arrangements and accounting procedures acceptable to the Council and shall keep such accounting records and submit such financial statements to the Council as it may require.

12. The Auditor of the Corporation 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, for inspection.

13. The fiscal year of the Board shall be the calendar year.

14. 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 statement of its affairs with balance sheet and revenue and expenditure statement.

15. The Board shall submit to Council its estimates for the current year at the time and in the form prescribed by Council and within the limits as approved by Council. The money to be provided by Council shall be paid to the Board from time to time upon receipt of requisitions signed by the Chairman thereof, or his designate.

16. The Board shall not:
(a) expend any monies not included in the estimates approved by the Council;
(b) incur, without the prior approval of Council, any indebtedness extending beyond the current year.

17. The Board shall maintain at all times:
(a) third party public liability and property damage insurance in such limits as determined from time to time by Council, providing for joint coverage of the Board and the Corporation with a cross liability clause; and

- (b) all other insurances as are considered necessary by the Council to protect the Board's assets against loss or damage; and provide copies of all insurance policies with the Corporation.

ENACTED AND PASSED this 13th day of January, 2010

CITY CLERK

MAYOR

BY-LAW NO. 2010 - 23

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A by-law of the City of Ottawa to establish a Board of Management for the Bells Corners Improvement Area,

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Enacted by City Council at its meeting of January 13, 2010.

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LEGAL SERVICES

jmp - D14-03-BELLS

COUNCIL AUTHORITY:

City Council- October 14, 2009

CSEDC Report 47, Item 1

BELLS CORNERS BIA

BY-LAW/CONSTITUTION

Whereas S. 204 of the Municipal Act provides for the creation of Business Improvement Areas by municipalities,

And whereas the City of Ottawa passed **By-law 2010-22** and **By-law 2010-23** the Bells Corners Business Improvement Area,

And whereas the Bells Corners Business Improvement Area deems it prudent to create an organization by-law to better assist with the management of its affairs,

BE IT ENACTED AND IT IS HEREBY ENACTED AS a by-law of Bells Corners Business Improvement Area (hereinafter called the BIA) as follows:

1. BELLS CORNERS BIA

The name of the organization is the Bells Corners Business Improvement Area.

2. MISSION

The Bells Corners BIA is the '**voice of the business community**'.

It is committed to improving and promoting the business community district area through investment and advocacy to become one of Ottawa's premier shopping, business and entertainment destinations.

3. OBJECTIVES

The purposes of the Bells Corners B.I.A. is to allow local business people and property owners to join together and, with the support of the City of Ottawa, organize, finance and carry out improvements and promote 'smart' growth and economic development.

Additionally, the purpose is to provide and communicate critical information back to the BIA membership regarding City of Ottawa activities and its impact to the BIA commercial business district.

4. HEAD OFFICE

The head office shall be located in Bells Corners, a suburb in the City of Ottawa, in the Province of Ontario at such a place that the Board of Managers may determine from time to time.

5. FISCAL YEAR

The fiscal year of the Bells Corners B.I.A. shall terminate on December 31st in each year.

6. MEMBERSHIP

(A) Membership Eligibility:

(i) The following shall be eligible for membership in the B.I.A.:

(a) Property Owners: Members of the improvement area consist of persons who are assessed, on the last returned assessment roll, with respect to rateable property in the area that is in a prescribed business property class;

(b) Tenants: Tenant of such rateable property, who, by the terms of their lease are responsible for the part of the taxes that the tenant is required to pay under the tenant's lease.

(B) Rights AND Benefits of Membership:

Every Member in good standing is entitled:

(i) to attend any Annual or General Meeting of the Bells Corners B.I.A.;

(ii) to one vote on each question arising at any Annual or General Meeting of the Bells Corners B.I.A.; and

(iii) to hold any office of the Bells Corners B.I.A.

(C) Nominees:

If a Member is a corporation or a partnership it shall designate in writing to the Board of Managers a nominee to attend an Annual or General Meeting of the B.I.A. on its behalf and where a Member operates one or more corporations or partnerships or two or more tenanted locations it shall appoint a different nominee for each such entity or location.

7. MEMBERSHIP MEETINGS

(A) Annual General Meetings:

The Annual General Meeting (AGM) of the Bells Corners B.I.A. shall be held at a location in Bells Corners specified in the meeting notice no later than in the month of December in each year as determined by the Board of Managers.

The AGM agenda shall include:

- (i) Financial Statements AND Reports;
- (ii) Auditor's Report;
- (iii) Annual Budget;
- (iv) Annual Report of the Board of Managers;
- (v) Minutes of the last Annual General Meeting;
- (vi) As necessary the election of Board of Managers (subject to approval by City Council of the City of Ottawa), if an election year; and
- (vii) any other business that may properly be brought before the meeting.

(B) General Meetings:

The Board of Managers may, from time to time, call a General Meeting of the Members of the Bells Corners B.I.A. for any date and time to be held at a location in Bells Corners, as specified in the Notice.

(C) Notice of Meetings:

(i) Notice of the Annual General Meeting or of a General Meeting of Members shall be issued on the website, announced in the local newspapers and sent by prepaid mail at least ten (10) days (exclusive of the day of mailing and of the day for which notice is given) in advance to each Member and each member of the Board of Managers at the addresses as they appear on the books of B.I.A. and if no address is given therein then to the last address of each known to the Secretary; provided always that a meeting of Members may be held for any purpose on any date and at any time and at any place within Ottawa, without notice, if all Members are present in person at the meeting or if all the absent Members shall have signified their assent in writing to such meeting being held. Notice of any meeting or any irregularity in any meeting or in the notice thereof may be waived by any Member.

(ii) The accidental omission to give notice of any meeting or the non-receipt of any notice by any persons referred to in subparagraph (i) shall not invalidate any resolution passed or any proceedings taken at any meeting.

(D) Quorum:

A quorum for the Annual General Meeting or for a General Meeting of the Bells Corners B.I.A. shall be 10 % of the Members or 5 Members, whichever is the lesser. No business shall be transacted at any meeting unless the requisite quorum be present at the commencement of business.

(E) Determination of Questions:

- (i) Questions arising at any meeting of Members shall be decided by a majority vote unless otherwise stated in these By-laws or as required by law.
- (ii) At all meetings, every question shall be decided by a show of hands unless a ballot on the question is required by the Chair or requested by a Member.
- (iii) The Chair shall declare that a resolution has been carried or not carried. It will be entered into the minutes of the Bells Corners B.I.A. It is not necessary to record the number or the proportion of votes.
- (iv) The Chair shall not vote on any matter unless there is a tie in which case, the Chair shall have the casting vote.

(F) Meeting Procedures:

Subject to the By-laws of the Bells Corners B.I.A., the procedure to be used at all General and Annual General Meetings shall be governed by the latest edition of Robert's Rules of Order.

(G) Nominees:

For the purposes hereof and Section 8, designated nominees of Members shall be considered Members.

8. BOARD OF MANAGERS

(A) Board Composition

The affairs of the Bells Corners B.I.A. shall be governed by a Board of Managers (sometimes called the "Board") comprised of nine (9) members. The Board shall be composed of:

- (i) Eight (8) members, nominated by the membership at the Annual General Meeting and subsequently approved by City Council of the City of Ottawa, all

of which shall be Members from the Property Owner and/or Tenant groups;
and

(ii) 1 Council Member at the City of Ottawa.

(B) Term of Office

The term of office for the Board of Managers shall be concurrent with that of the City of Ottawa Council. As per City of Ottawa By-Law No. 2010-23, Clause 8, the Board shall, as soon as possible after its members are appointed, elect a chairman and vice-chairman who will select a treasurer, and other such officers, as it may deem necessary, to properly conduct the business of the Board.

(C) Powers

The Board may, on behalf of the Bells Corners B.I.A., exercise all the powers that the B.I.A. may legally exercise in fulfillment of its objects, unless the Board is restricted by law or by the Members from exercising those powers. These powers include, but are not limited to, the power:

- (i) to enter into contracts or agreements;
- (ii) to make banking and financial arrangements;
- (iii) to execute documents;
- (iv) to direct the manner in which any other person or persons may enter into contracts or agreements on behalf of the B.I.A.;
- (v) to purchase, lease or otherwise acquire, sell, exchange or otherwise dispose of real or personal property, securities or any rights or interests for such consideration and upon such terms and conditions as the Board may consider advisable; and
- (vi) to purchase insurance to protect the property, rights and interests of the B.I.A. and to indemnify the B.I.A., its Members, the Board, and Officers from any claims, damages, losses or costs arising from or related to the affairs of the B.I.A.

(D) Role and Function

The Board shall be responsible for:

- (i) making decisions on policy affecting the Bells Corners B.I.A.,
- (ii) managing the affairs of the Bells Corners B.I.A.,
- (iii) hiring of Staff of the Bells Corners B.I.A.,

- (iv) appointing such committees as may be required to accomplish the work of the Bells Corners B.I.A.,
- (v) and ensuring that the duties and reporting requirements as set out by Ottawa City by-law 2010-23 are fulfilled.

(E) Borrowing Powers

The Bells Corners B.I.A. shall not borrow money and, without the prior approval of City Council, may not incur indebtedness extending beyond the current fiscal year.

(F) Board Eligibility

Each Board member shall be a Member and shall remain a Member throughout his or her term of office.

(G) Vacancies

Where a vacancy on the Board occurs, the Board of Managers may nominate a replacement who shall hold office for the remainder of the term for which his or her predecessor was appointed. If there is no quorum of the Board, the remaining Board members shall call a General Meeting of the Bells Corners B.I.A. to fill any vacancy. Such replacement Board Manager shall be approved by City Council.

(H) Quorum

A quorum for a meeting of the Board of Managers shall be a simple majority, excluding the Ward Councillor.

(I) Meetings of the Board

(i) Meetings of the Board may be called by the Chair, the Vice-Chair, the Secretary or any two members of the Board. The Board may hold its meetings at any place in the City of Ottawa, in the Province of Ontario as it may from time to time determine.

(ii) No formal notice of any meeting of the Board shall be necessary if all the elected Board Members are present or if those absent have indicated their consent to the meeting being held in their absence.

(iii) The Board may appoint a day or days in any month or months for regular meetings at an hour to be named. If regular meetings are scheduled, no additional notice is required. A meeting of the Board may also take place without notice immediately after an Annual General Meeting at which the Board is elected, provided a quorum is present.

(iv) No error or omission with respect to notice for a meeting of the Board shall invalidate the meeting or invalidate or make void any proceedings taken or had at the meeting.

(v) The members of the Board shall vote on any resolution arising at any meeting of the Board. A majority of votes shall decide the resolution. In case of a tie vote, the Chair of the meeting shall have a casting vote in addition to his or her original vote.

(vi) A declaration by the Chair that a resolution has been carried and an entry to that effect in the minutes shall be admissible in evidence as prima facie proof of the fact, without proof of the number or proportion of the votes recorded in favor or against any resolution.

(J) Confidentiality and Privacy of Information

(i) The Bells Corners B.I.A., through its Board of Management, shall abide by and act in accordance with the laws, policies, and practices governing all matters related to confidentiality, privacy, and access to information.

(ii) In this regard, every Board member shall:

(a) respect the confidentiality of all matters discussed at Board meetings and any other information and documentation to which one may have access to in the capacity as Board member of the Bells Corners B.I.A.; and

(b) respect and act in accordance with the B.I.A. policies governing the privacy and access to information to which one may acquire in the capacity of Board member of the Bells Corners B.I.A.

(K) Standard of Care

Every Board member and Officer of the Bells Corners B.I.A. shall:

(i) exercise the powers and discharge the duties of the office honestly, in good faith, and in the best interests of the B.I.A.; and

(ii) exercise the degree of care, diligence, and skill that a reasonable and prudent person would exercise in comparable circumstances.

(L) Conflict of Interest

Every Board member who has any direct or indirect interest in any contract or arrangement, or proposed contract or arrangement with the Bells Corners B.I.A. shall disclose his or her interest in the manner required by the Municipal Conflict of Interest Act, R.S.O. 1190 c M-50 or as the same may be amended and shall:

- (i) declare his or her interest at the first meeting of the Board after which he or she became interested or aware of any such interest;
- (ii) request that his or her declaration be recorded in the minutes of the meeting; and
- (iii) not vote on any resolution or participate in any discussion with respect to the resolution concerning the contract or proposed contract.

(M) Removal

- (i) A Board member may be removed from the Board for:
 - (a) ceasing to be a Member in good standing;
 - (b) absence from three (3) consecutive meetings of the Board, unless there are extenuating circumstances;
 - (c) failure to perform any duty or tasks as set out in the By-laws and any governing policies;
 - (d) a breach of the provisions of the By-laws regarding conflict of interest;
 - (e) a breach of the provisions of the By-laws regarding confidentiality and privacy of information; and
 - (f) a breach of the provisions of the By-laws regarding the Standard of Care referred to in subsection (K) above and/or behavior deemed harmful to the welfare or best interests of the B.I.A.
- (ii) To remove a Board member from office for any of the reasons set out in this section, a resolution shall be made and approved by a simple majority of the Board members present at a duly called meeting of the Board to which notice specifying the intent to pass such resolution has been given.

9. OFFICERS

(A) Election and Term of Office

- (i) The Board of Managers shall elect from among themselves a Chair, Vice-Chair, who will appoint a Treasurer who shall serve their term or until he or she is removed from office by resolution of the Board of Managers.

(ii) Where required Officers shall be elected by the Board of Managers at the first meeting following the Annual General Meeting.

(B) Duties of the Officers

(i) The Chair shall:

- (a) chair all meetings of the B.I.A. and of the Board, when present in person and able;
- (b) have general supervision of the affairs of the Bells Corners B.I.A.;
- (c) sign all By-laws and execute any documents with the Secretary;
- (d) perform any other duties, which the Board, from time to time, may assign;
- (e) sit, ex officio, on all committees; and
- (f) ensure that all past records of the Board are transferred to the succeeding Treasurer when there is a change of Treasurer.

(ii) The Vice-Chair shall:

- (a) exercise any or all of the duties of the Chair in the absence of the Chair or if the Chair is unable for any reason to perform those duties; and
- (b) perform any other duties, which the Board, from time to time, may assign.

(iii) The Secretary shall:

- (a) keep or cause to be kept records and books of the Bells Corners B.I.A., including the registry of Officers and Board members, the registry of Members, the minutes of the Annual General Meeting, General Meetings and meetings of the Board or any committees thereof, any committee reports, the By-laws and resolutions;
- (b) certify copies of any record, registry, by-law, resolution or minute;
- (c) send or cause to be sent any notices required for the Annual General Meeting, General Meetings and meetings of the Board of Management; and

(d) perform any other duties, which the Board may, from time to time, assign.

(iv) The Treasurer shall:

- (a) cause to be kept and maintained the financial records and books of the Bells Corners B.I.A.;
- (b) assist the auditor in the preparation of the financial statements of the Bells Corners B.I.A.;
- (c) perform any other duties, which the Board, from time to time, may assign;
- (d) maintain or cause to be maintained an inventory of all physical assets owned or leased by the Bells Corners B.I.A.; and
- (e) cause to be prepared and distributed the proposed annual budget in accordance with the requirements of the City of Ottawa.

10. THE EXECUTIVE DIRECTOR

(A) Appointment

The Board of Managers shall hire or contract an Executive Director and prescribe the duties of this position.

(B) Duties

- (a) The Board shall delegate to the Executive Director the responsibility for the general management and the execution of the policies and programs of the Bells Corners B.I.A.
- (b) The Executive Director shall:
 - (i) be the Chief Administrative Officer;
 - (iii) be the senior staff position, responsible for the hiring and termination of all other staff;
 - (iv) attend all meeting of the Board of Managers and be entitled to speak on all matters, without the right to vote;
 - (v) sit ex-officio, on all committees;
 - (vi) perform duties as set out for Secretary in section 9 B iii.

(C) Remuneration and Evaluation

The Board shall:

- (i) establish the remuneration for the Executive Director through a resolution of the Board; and shall:

(ii) annually, and jointly with the Executive Director, carry out a formal and written evaluation of the position of the Executive Director, within a mutually determined and agreed upon approach, process, and time frame. The Chair of the Board shall represent the Board in this matter.

11. COMMITTEES OF THE BOARD

- (a) There shall be Standing committees, as the Board of Managers shall, from time to time, determine.
- (b) The Board may appoint ad hoc committees as may be deemed necessary to carry out the objectives of the Bells Corners B.I.A. or to advise the Board. The Board shall prescribe the duties of all such committees.
- (c) All committees, Standing and ad hoc, are required to conduct business in accordance with these By-laws.
- (d) All committee membership, as required by these By-laws and determined by the Board from time to time, are subject to the same rights and responsibilities in their capacity as Members of committees, as those required by the Board.
- (e) Each Standing and ad hoc committee is considered a committee of the Board of Managers and as such, is responsible to the Board. Each Committee shall make recommendations to the Board for its approval, and shall report to the Board, through each committee Chair, as determined by the Board, from time to time.
- (f) Standing committees of the Board may include, but not be necessarily limited to:
- (i) Marketing and Events Committee
 - (ii) Economic Development Committee
 - (iii) Communications Committee
 - (iv) Safety and Security Committee
- (g) Each Standing and ad hoc committee of the Board shall be chaired by a Board Member, as elected by the Board. Committee members shall be Board members, Members and non-Members from within the B.I.A.
- (h) Unless otherwise stated in the By-laws, the terms of reference for each committee will be determined by the Board of Managers, from time to time.

12. SIGNING AUTHORITY

(a) Three (3) persons shall have signing authority for the B.I.A.: the Chair, the Treasurer, and the Executive Director.

(b) Two (2) signatures of foregoing shall be required on all cheques issued by the Bells Corners B.I.A.

13. REMUNERATION

(a) No Board member shall receive remuneration in payment for services carried out in that capacity.

(b) Board members may be reimbursed for all reasonable, out-of-the-ordinary expenses directly relating to their functions as Board members. Reimbursement for any such expenses must be approved in advance by the Board of Managers.

14. AUDITOR

The external Auditor for the Corporation of the City of Ottawa shall be the Auditor for the Bells Corners B.I.A. and all books, documents, transactions, minutes and accounts of the Bells Corners B.I.A. shall at all times be open to his/her inspection.

15.. INDEMNIFICATION

The Bells Corners B.I.A. shall indemnify and save harmless Board members, their heirs, executors and administrators, respectively from time to time and at all times from and against:

(a) All costs, charges and expenses whatsoever that he or she sustains or incurs in or about any action, suit or proceeding that is brought, commenced or prosecuted against him or her, for or in respect of any act, deed, matter or thing whatsoever made, done or permitted by him or her in the execution of the duties of his or her office; and

(b) all other costs, charges and expenses that he or she sustains or incurs in or about or arising from or in relation to the affairs except costs, charges or expenses thereof as are occasioned by his or her own willful neglect or default.

16. REVIEW MECHANISM & DISSOLUTION

(a) Should a majority vote be received to dissolve the Bells Corners B.I.A., a request shall be made to the City of Ottawa to repeal the by-law establishing the Bells Corners B.I.A.

(b) Upon the repeal of a by-law under the Municipal Act the Board of Manager is dissolved and the assets and liabilities of the Board become the assets and liabilities of the municipality.

(c) If the liabilities assumed under subsection (b) exceed the assets assumed, the City of Ottawa may recover the difference by imposing a charge on all rateable property in the former improvement area that is in a prescribed business property class.

17. CONSISTENCY WITH LEGISLATION

(a) Nothing contained in this by-law shall require the commission of any act which is contrary to an express provision of the Municipal Act or any by-laws of the Corporation of the City of Ottawa relating to the Board of Managers of the area or "Business Improvement Areas" as defined by the Municipal Act.

(b) If there shall exist any conflict between any provision contained in these By-laws and any such provision of the Municipal Act or the By-laws, the latter shall prevail, and the provision or provisions herein affected shall be curtailed, limited or eliminated to the extent (but only to the extent) necessary to remove such conflict, and as so modified these By-laws shall remain in full force and effect.

18. AMENDMENTS

By-laws of the Bells Corners B.I.A. may be enacted, repealed, amended, added to or re-enacted by the Board of Managers, upon approval of a General Meeting of Members duly called to consider confirmation of such by-law amendment.

19. EFFECTIVE DATE

These By-laws/Constitution come into force and are effective immediately upon the approval of the Board of Managers, subject to ratification and confirmation by the Members at a General Meeting called for that purpose or an Annual General Meeting, whichever occurs first.

PASSED by the Board of Managers this _____ day of January 2010.

THE BOARD OF MANAGERS
FOR THE BELLS CORNER BUSINESS IMPROVEMENT AREA

CHAIRMAN

TREASURER

APPROVED by the Membership this _____ day of January 2010.

Bells Corners Business Improvement Area Procurement Policy

Approval

1. Upon approval of the Annual Budget by the Bells Corners Business Improvement Area Board of Management and City Council, the Executive Director has approval to expend funds as identified in the budget, subject to the Bells Corners Business Improvement Area procurement policy.
2. Expenses not identified in the Budget, must receive Board approval prior to incurring the expense.
3. The Executive Director has approval to make expenditures, upon Board approval, as follows;

Amount	Process
\$0- 250	At the discretion of ED
\$250-1000	One time purchases- ED to get Board approval via email*
\$1000 + OR Contracts	<ol style="list-style-type: none"> 1. Minimum of 2 quotes required. 2. Selection of <i>Bells Corners</i> business where reasonable and <i>effective</i>. 3. Board vote at meeting.

4. *Non-participation by Board members to respond within a reasonably stated time allotment will be considered a vote abstention.

Contracts

1. Where expenses are of a *project* nature requiring a signed contract, the contract must be signed by the appointed Board Director of a selection committee, consisting of 2 or more Board members, assigned to award the project contract and the Executive Director, upon approval of the Board.

Payment Processing

1. The Executive Director signs all **Payment Requests** approving account allocations identified on the invoice prior to submitting to the Treasurer for signature.
2. Payment Requests are returned to the BIA office after obtaining the signature of the Treasurer (or Chair or Vice-Chair in the Treasurer's absence).
3. Payment Requests are then copied and prepared for delivery to city hall financial staff to begin cheque processing.
4. Processing payments takes approximately one week from the date of receipt of the paperwork at the city.
5. The city only accepts the original invoice for processing (not supporting, or attached documents).
6. Payments are payable on City of Ottawa cheques and mailed directly from the City of Ottawa.
7. BIA staff verify payment requests have been processed by reviewing the detailed transactions monthly financial reports prepared by the city.

Bells Corners Business Improvement Area Procurement Policy

Signing Authorities

1. The Treasurer is the financial signing authority.
2. All payables require the signature of the Treasurer and Executive Director. In the absence of the Treasurer, the Chair and then Vice-Chair have signing authority for payment processing.
3. The Treasurer is required to inform the Executive Director when he/she will not be available to sign documents (for example when out of town on business, vacation, illness, etc.) in order that paperwork requiring the Treasurer's signature may be prepared to accommodate the Treasurer's schedule.

Operational

Budget

- The budget is developed by the Executive Director in consultation with the Board and/or a designated committee. It includes a Breakdown itemizing projects and costs.
- Committee drafts the budget annually in September.
- Treasurer presents the draft to the Board at the October board meeting.
- Board presents proposed budget to membership, via website and at AGM.
- Board approves the final Budget in November .
- The Budget is submitted to the city in December for council approval.
- Upon approval, the Executive Director is authorized to expend funds in accordance with project costing detailed in the Budget Breakdown.
- Recommendations for spending outside the Budget or changes to the Budget are presented to the Board for approval and include funding options or shifts in account allocation.

Bells Corners Business Improvement Area Procurement Policy

Approval

1. Upon approval of the Annual Budget by the Bells Corners Business Improvement Area Board of Management and City Council, the Executive Director has approval to expend funds as identified in the budget, subject to the Bells Corners Business Improvement Area procurement policy.
2. Expenses not identified in the Budget, must receive Board approval prior to incurring the expense.
3. The Executive Director has approval to make expenditures, upon Board approval, as follows;

Amount	Process
\$0- 250	At the discretion of ED
\$250-1000	One time purchases- ED to get Board approval via email*
\$1000 + OR Contracts	<ol style="list-style-type: none"> 1. Minimum of 2 quotes required. 2. Selection of <i>Bells Corners</i> business where reasonable and <i>effective</i>. 3. Board vote at meeting.

4. *Non-participation by Board members to respond within a reasonably stated time allotment will be considered a vote abstention.

Contracts

1. Where expenses are of a *project* nature requiring a signed contract, the contract must be signed by the appointed Board Director of a selection committee, consisting of 2 or more Board members, assigned to award the project contract and the Executive Director, upon approval of the Board.

Payment Processing

1. The Executive Director signs all **Payment Requests** approving account allocations identified on the invoice prior to submitting to the Treasurer for signature.
2. Payment Requests are returned to the BIA office after obtaining the signature of the Treasurer (or Chair or Vice-Chair in the Treasurer's absence).
3. Payment Requests are then copied and prepared for delivery to city hall financial staff to begin cheque processing.
4. Processing payments takes approximately one week from the date of receipt of the paperwork at the city.
5. The city only accepts the original invoice for processing (not supporting, or attached documents).
6. Payments are payable on City of Ottawa cheques and mailed directly from the City of Ottawa.
7. BIA staff verify payment requests have been processed by reviewing the detailed transactions monthly financial reports prepared by the city.

Bells Corners Business Improvement Area Procurement Policy

Signing Authorities

1. The Treasurer is the financial signing authority.
2. All payables require the signature of the Treasurer and Executive Director. In the absence of the Treasurer, the Chair and then Vice-Chair have signing authority for payment processing.
3. The Treasurer is required to inform the Executive Director when he/she will not be available to sign documents (for example when out of town on business, vacation, illness, etc.) in order that paperwork requiring the Treasurer's signature may be prepared to accommodate the Treasurer's schedule.

Operational

Budget

- The budget is developed by the Executive Director in consultation with the Board and/or a designated committee. It includes a Breakdown itemizing projects and costs.
- Committee drafts the budget annually in September.
- Treasurer presents the draft to the Board at the October board meeting.
- Board presents proposed budget to membership, via website and at AGM.
- Board approves the final Budget in November .
- The Budget is submitted to the city in December for council approval.
- Upon approval, the Executive Director is authorized to expend funds in accordance with project costing detailed in the Budget Breakdown.
- Recommendations for spending outside the Budget or changes to the Budget are presented to the Board for approval and include funding options or shifts in account allocation.

Report to/Rapport au :

**Corporate Services and Economic Development Committee
Comité des services organisationnels et du développement économique**

and Council / et au Conseil

24 September 2009 / le 24 septembre 2009

Submitted by/Soumis par : Nancy Schepers, Deputy City Manager/Directrice municipale adjointe,

Infrastructure Services and Community Sustainability/Services d'infrastructure et Viabilité des collectivités

*Contact Person/Personne ressource : Chris Cope, Acting Manager/Gestionnaire par intérim,
Economic Development/Développement économique, Economic and Environmental
Sustainability/Direction de la viabilité économique et de la durabilité de l'environnement
(613) 580-2424 x28991, Chris.Cope@Ottawa.ca*

College (8)

Ref N°: ACS2009-ICS-CSS-0037

SUBJECT: INTENT TO DESIGNATE BELLS CORNERS BIA

OBJET : INTENTION D'ÉTABLIR LA ZAC DE BELLS CORNERS

REPORT RECOMMENDATION

That Corporate Services and Economic Development Committee recommend Council:

1. **Approve the area described in Document 1 to be designated as a Business Improvement Area (BIA), under Section 204 of the *Municipal Act, 2001*;**
2. **Authorize and direct the City Clerk to send out a notice of Council's intention to pass a by-law designating the area, as defined in Document 1, as a Business Improvement Area, in accordance with Section 210 of the *Municipal Act, 2001*;**
3. **Authorize and direct the City Solicitor:**
 - a. **to prepare a by-law to designate the area as a Business Improvement Area, as described in Document 1, to be named the "Bells Corners Business Improvement Area;"**
 - b. **to prepare a by-law to establish the Board of Management of the Business Improvement Area, to be named the "Bells Corners Business Improvement Area Board of Management;"**

The BIA concept has also spread beyond the boundaries of Ontario. The concept has been adopted by more than 1,500 communities across the United States and in most provinces in Canada. A Business Improvement Area (BIA) is an association of businesses within a specified geographic area who join together, with official approval of the City, in a self-help program aimed at stimulating local business. They use their own money in an ongoing effort to draw more prospective customers to their area by improving the attractiveness of the area and promoting it as a good place to shop, visit and do business.

Once a BIA is approved by City Council, every business within its boundaries automatically becomes a member. There are no exceptions, under the principle that all who benefit should be required to bear their fair share of the cost of the program. While a BIA arises from the retail and professional activities of a main street, it has a profound effect on the surrounding area. It serves as an economic and social anchor, helping to stabilize and revitalize the local community.

The City of Ottawa currently has 15 BIAs that represent over 3,000 businesses.

The Economic Development Division has been working with the Bells Corners Steering Committee to establish a BIA within the area illustrated in Document 1. The Steering Committee is comprised of business operators and owners in the described area.

The Bells Corners BIA Steering Committee has completed a survey process within the proposed BIA boundary and has confirmed broad interest in designating a BIA in Bells Corners and is formally requesting that City Council adopt a by-law to establish a BIA pursuant to the Municipal Act Section 210.

The local Councillor for the area, Rick Chiarelli, has been very supportive of the initiatives of the Steering Committee and is a strong advocate for the creation of a BIA for Bells Corners.

The next step in the process is a requirement that Council authorize the City Clerk to send out a Notice of Intention to designate the area as a BIA to all property owners in the affected area.

The property owner must then within 30 days after the notice is mailed, give a copy of the notice to each tenant of the property to which the notice relates who is required to pay all or part of the taxes on the property.

For the purpose of defeating the by-law, the municipality's period for receiving sufficient objections is two months from the latest day of mailing of the notice by the municipality.

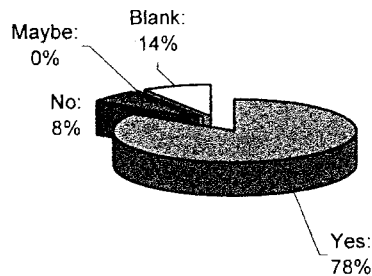
Council cannot pass a proposed BIA by-law if the municipality receives a petition signed by at least one-third of the persons entitled to notice who are responsible for at least one-third of the tax on property in the proposed BIA.

DISCUSSION

The Bells Corners community has seen little commercial growth over the past several years. The current residential population is approximately 10,000. Bells Corners does contain a strong mix of retail, restaurant, and big box stores, including major national retailers such as Canadian Tire, Winners, Loblaws, Metro, Staples, and Loblaws.

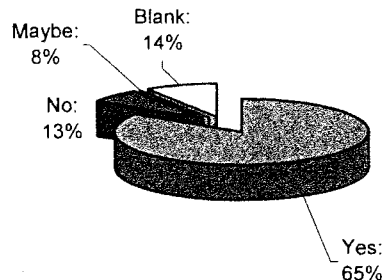
Question 2: “Do you feel coordinated efforts to promote and market Bells Corners would improve your business?”

When asked this question Again, 78 per cent responded with an affirmative answer.



Question 3: “Do you see the benefits of BIA members undertaking joint Bells Corners business development initiatives?”

Some 65 per cent of respondents indicated that they felt that a joint business development effort would be beneficial to their business,



CONSULTATION

In an effort to provide information on the BIA proposal to businesses in the Bells Corners community, and to establish their level of support, the Ward Councillor (Chiarelli) has organized and hosted a number of public meetings over the past year. Issues discussed at these meetings included creating a stronger voice for businesses in Bells Corners; enhancing communications with City Hall (e.g. more timely information on zoning applications); more effective marketing of Bells Corners as a retail and hospitality destination; as well as community policing. The local business and property owners in attendance demonstrated considerable support in favour of the creation of a BIA.

The Steering Committee has also designated in-person canvassing of over 200 businesses, and purchased websites that will provide information on the status of the BIA's formation efforts.

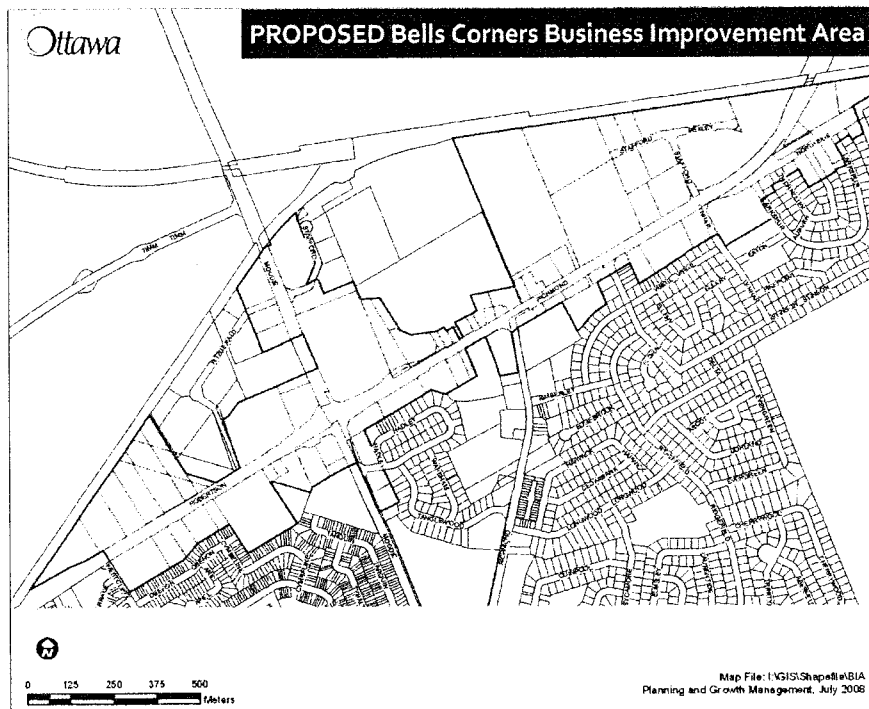
Economic Development staff has consulted regularly with representatives from the Bells Corners Steering Committee leading up to their formal request to the City to designate a BIA.

BELLS CORNERS BIA PROPOSED BOUNDARIES

DOCUMENT 1

The proposed Bells Corners Business Improvement Area boundaries will include the following addresses:

- 299 to 435 Moodie Drive
- 1 to 195 Robertson Rd.
- 3655 to 3825 Richmond Rd.
- 18 to 50 Northside Rd.
- 6 to 20 Bexley Place
- 1 to 34 Stafford Rd.



Compilation of Research - Bells Corners BIA In-Store Canvassing Results

Address	Do you feel an organized effort to improve and beautify Bells Corners would help your business?	Do you feel coordinated efforts to promote and market Bells Corners business would improve your business?	Do you feel Bells Corners needs a strong, recognized voice at city Hall to speak on your behalf?	Do you see the benefits of BIA members undertaking joint Bells Corners business development initiatives?	Would you sign a letter of support for Bells Corners BIA?	Would you be interested in serving on committees established by a new Bells Corners BIA?	Would you like to attend a Bells Corners BIA open house or focus group meeting?
301 MOODIE	Yes	Yes	Yes	Yes	Yes	No	No
301 MOODIE							
301 MOODIE							
301 MOODIE							
301 MOODIE							
301 MOODIE							
301 MOODIE							
301 MOODIE	Yes	Yes	Yes	Yes	Yes	No	No
303 MOODIE	Yes	Yes	Yes	Yes	No	No	No
303 MOODIE	Yes	Yes	Yes	Yes	Maybe	Maybe	Maybe
303 MOODIE	Yes	Yes	Yes	Yes	Yes	No	No
303 MOODIE	Yes	Yes	Yes	Yes	No	No	No
303 MOODIE	Yes	Yes	Yes	Yes	Maybe	Maybe	Maybe
303 MOODIE	Yes	Yes	Yes	Yes	Yes	Yes	Yes
303 MOODIE	Yes	Yes	Yes	Yes	Yes	No	No
303 MOODIE	Yes	Yes	Yes	Yes	Yes	Yes	Yes
306 MOODIE	Yes	Yes	Yes	Yes	Yes	No	No
310 MOODIE	Yes	Yes	Yes	Yes	Yes	Yes	Yes
320 MOODIE	Yes	Yes	Yes	Yes	Yes	No	No
326 MOODIE	Yes	Yes	Yes	Yes	Yes	No	No
330 MOODIE	Yes	Yes	Yes	Yes	Yes	No	No
340 MOODIE	Yes	Yes	Yes	Yes	Yes	Yes	Yes
346 MOODIE	No	No	No	No	No	No	No
350 MOODIE	Yes	Yes	Yes	Yes	Yes	Yes	Yes
360 MOODIE	Yes	Yes	Yes	Yes	No	No	No
360 MOODIE	Yes	Yes	Yes	Yes	No	No	No

Compilation of Research - Bells Corners BIA In-Store Canvassing Results

Address	Do you feel an organized effort to improve and beautify Bells Corners would help your business?	Do you feel coordinated efforts to promote and market Bells Corners business would improve your business?	Do you feel Bells Corners needs a strong, recognized voice at city Hall to speak on your behalf?	Do you see the benefits of BIA members undertaking joint business development initiatives?	Would you sign a letter of support for forming the Bells Corners BIA?	Would you be interested in serving on committees established by a new Bells Corners BIA?	Would you like to attend a Bells Corners BIA open house or focus group meeting?
31	NORTHSIDE	Yes	Yes	Yes	Yes	Yes	Yes
31	NORTHSIDE	Yes	Yes	Yes	Yes	Yes	Yes
32	NORTHSIDE	Yes	Yes	Yes	No	Maybe	Maybe
32	NORTHSIDE	Yes	Yes	Yes	Yes	No	No
38	NORTHSIDE	Yes	Yes	Yes	No	No	No
42	NORTHSIDE	No	No	No	No	No	No
44	NORTHSIDE	Yes	Yes	Yes	Yes	No	No
44	NORTHSIDE	Yes	Yes	Yes	Maybe	No	No
48	NORTHSIDE	Yes	Yes	Yes	Yes	Yes	Yes
48	NORTHSIDE	Yes	Yes	Yes	No	No	No
50	NORTHSIDE	Yes	Yes	Yes	Yes	Yes	Yes
50	NORTHSIDE	Yes	Yes	Yes	Yes	Yes	Yes
3655	RICHMOND	Yes	Yes	No	Maybe	No	No
3655	RICHMOND	Yes	Yes	No	Maybe	No	No
3657	RICHMOND	Yes	Yes	Yes	No	No	No
3657	RICHMOND	No	No	No	No	No	No
3657	RICHMOND	Yes	Yes	Yes	Maybe	Maybe	Maybe
3657	RICHMOND	Yes	Yes	Yes	Maybe	Maybe	Maybe
3657	RICHMOND	Yes	Yes	Yes	No	Maybe	No
3657	RICHMOND	Yes	Yes	Yes	Maybe	No	No
3657	RICHMOND	Yes	Yes	Yes	No	No	No
3657	RICHMOND	Yes	Yes	Yes	Yes	Yes	Yes
3659	RICHMOND	Yes	Yes	Yes	Yes	Yes	Yes
3659	RICHMOND	Yes	Yes	Yes	Yes	No	No
3659	RICHMOND	Yes	Yes	Yes	No	No	No
3659	RICHMOND	Yes	Yes	Yes	No	No	No
3659	RICHMOND	Yes	Yes	Yes	Yes	No	No
3659	RICHMOND	Yes	Yes	Yes	Yes	No	No

Compilation of Research - Bells Corners BIA In-Store Canvassing Results

Address	Do you feel an organized effort to improve and beautify Bells Corners would help your business?	Do you feel coordinated efforts to promote and market Bells Corners business would improve your business?	Do you feel Bells Corners needs a strong, recognized voice at city Hall to speak on your behalf?	Do you see the benefits of BIA members undertaking joint Bells Corners business development initiatives?	Would you sign a letter of support for forming the Bells Corners BIA?	Would you be interested in serving on committees established by a new Bells Corners BIA?	Would you like to attend a Bells Corners BIA open house or focus group meeting?
3730 RICHMOND	No	No	No	No	No	No	No
3730 RICHMOND	Yes	Yes	Yes	Yes	Yes	No	No
3730 RICHMOND	Yes	Yes	Yes	Yes	Yes	No	No
3740 RICHMOND	Yes	Yes	Yes	Yes	Maybe	No	No
3750 RICHMOND	Yes	Yes	Yes	Yes	No	Maybe	Maybe
3754 RICHMOND	No	No	No	No	No	No	No
3754 RICHMOND	Yes	Yes	Yes	Yes	No	No	No
3754 RICHMOND	Yes	Yes	Yes	Yes	Yes	No	No
3754 RICHMOND	Yes	Yes	Yes	Yes	No	No	No
3754 RICHMOND	No	No	No	No	No	No	No
3754 RICHMOND	Yes	Yes	Yes	Yes	Yes	No	No
3766 RICHMOND	Yes	Yes	Yes	Yes	Yes	No	No
3770 RICHMOND	Yes	Yes	Yes	Yes	Maybe	No	No
3775 RICHMOND	Yes	Yes	Yes	Yes	Maybe	Maybe	Maybe
3785 RICHMOND	Yes	Yes	Yes	Yes	No	Maybe	Maybe
3791 RICHMOND	No	No	No	No	No	No	No
3791 RICHMOND	Yes	Yes	Yes	Yes	No	No	No
3817 RICHMOND	No	No	No	No	No	No	No
3825 RICHMOND	Yes	Yes	Yes	Yes	Yes	No	No
3825 RICHMOND	Yes	Yes	Yes	Yes	Maybe	No	No
3825 RICHMOND	Yes	Yes	Yes	Yes	No	No	No
3825 RICHMOND	Yes	Yes	Yes	Yes	No	Maybe	Maybe
3825 RICHMOND	Yes	Yes	Yes	Yes	No	No	No
3825 RICHMOND	No	No	No	No	Yes	No	No
3825 RICHMOND	Yes	Yes	Yes	Yes	Yes	No	No
3825 RICHMOND	Yes	Yes	Yes	Yes	No	No	No
3825 RICHMOND	Yes	Yes	Yes	Yes	Yes	No	No
3825 RICHMOND	Yes	Yes	Yes	Yes	No	No	No
3825 RICHMOND	Yes	Yes	Yes	Yes	Yes	No	No
1 ROBERTSON	Yes	Yes	Yes	Yes	Yes	No	No

