

CITY OF EDMONTON

BYLAW 12926

**NORTHWEST INDUSTRIAL BUSINESS IMPROVEMENT
AREA BYLAW**

(CONSOLIDATED ON DECEMBER 13, 2016)

THE CITY OF EDMONTON

BYLAW 12926

NORTHWEST INDUSTRIAL BUSINESS IMPROVEMENT AREA

(S.2(a), Bylaw 17782, December 13, 2016)

Whereas the Municipal Council of the City of Edmonton has received a request, appended hereto and forming Appendix “A” to this Bylaw, pursuant to Section 50 of the Municipal Government Act and the Business Revitalization Zone Regulation (Alta. Reg. 377/94), as amended, to

- (a) designate a prescribed area as a business revitalization zone;
- (b) designate a name for the zone;
- (c) establish a board for the zone;
- (d) specify the number of board members, describe the term of office of board members, the method of filling vacancies on the board and related matters;
- (e) authorize a business assessment in the zone to be used for the purposes of the business revitalization zone tax, if a council has not passed a business tax bylaw for the municipality.

AND WHEREAS on September 13, 2001, notice of the intention of Council to pass this Bylaw was mailed to every person who is shown on the current assessment roll of the City as being assessed for business taxes within the boundaries of the Business Revitalization Zone;

AND WHEREAS no petition objecting to the passing of this Bylaw has been received by the Municipal Council of the City;

NOW THEREFORE the Municipal Council of the City of Edmonton, duly assembled, enacts as follows:

PART I - PURPOSE, DEFINITIONS AND INTERPRETATION

DEFINITIONS

- 1 In this bylaw, unless the context otherwise requires:
- (a) “**Board**” means all Directors of the Business Improvement Area as appointed by Council from time to time;
 - (b) “**City**” means the municipal corporation of the City of

Edmonton;

- (c) **“Council”** means the municipal council of the City of Edmonton;
- (d) **“Director”** means a person appointed by Council pursuant to section 6 of this bylaw;
- (e) **“Member”** means a business assessed for business taxes within the Northwest Industrial Business Improvement Area;
- (f) **“MGA”** means the *Municipal Government Act*, S.A. 2000, c. M-26;
- (g) **“Person”** includes an individual, partnership, association, corporation, trustee, executor, administrator or legal representative; and
- (h) *Deleted*

(S.3, Bylaw 13920, April 19, 2005)

(S.2(b),3, 5(a), Bylaw 17782, December 13, 2016)

DESIGNATION OF THE ZONE

2 The area, the boundaries of which are outlined and shaded on the map attached as Appendix “B” to this Bylaw, and which are more particularly described in Appendix “C” attached to this Bylaw, is hereby designed as the “Northwest Industrial Business Improvement Area”.

(S.4, Bylaw 13920, April 19, 2005)

(S.4, Bylaw 17782, December 13, 2016)

ESTABLISHMENT OF THE ASSOCIATION

- 3 (1) The Board of Directors of the Northwest Industrial Business Improvement Area is hereby established as a corporation pursuant to Section 51(2) of the Municipal Government Act under the name “Northwest Industrial Business Association”.
- (2) The Corporation hereby established shall consist of Directors appointed from time to time in accordance with Section 6.

(S.5, Bylaw 13920, April 19, 2005)

(S.5(b), Bylaw 17782, December 13, 2016)

PURPOSES OF THE ZONE

4 The objects or purposes for which the Northwest Industrial Business Improvement Area are established are:

- (a) improving, beautifying and maintaining property in the

Northwest Industrial Business Improvement Area;

- (b) developing, improving, and maintaining public parking; and
- (c) promoting the Northwest Industrial Business Improvement Area as a business or shopping district.

(S.5(c), Bylaw 17782, December 13, 2016)

POWERS OF ASSOCIATION

- 5 (1) Subject to the provisions of this bylaw and every other applicable bylaw of the City or statute or regulations of the Province, the Northwest Industrial Business Improvement Area shall have the power to do all things necessarily incidental to the attainment of its objects.
- (2) Nothing in this bylaw shall be construed as giving the Northwest Industrial Business Improvement Area the power to borrow money or otherwise pledge its assets without the express direction of Council.

(S.5(d), Bylaw 17782, December 13, 2016)

DIRECTORS

- 6 (1) The Board of the Northwest Industrial Business Improvement Area shall consist of fifteen Directors appointed by Council.
- (2) At the recommendation of the Board, Council may appoint fewer than fifteen Directors.
- (3) Each appointment made by Council is for a term of one year with no maximum number of terms.
- (4) No person shall be appointed as a Director unless that person:
 - (a) has been nominated in writing, submitted to the Board before close of nominations, for appointment as a Director, by any person in the Northwest Industrial Business Improvement Area who is shown on the current assessment roll of the City as being assessed for business taxes with respect to a business carried on within the Northwest Industrial Business Improvement Area, and
 - (b) has consented to act as a Director, in writing submitted to the Board prior to that person's appointment.
- (5) A majority of existing, appointed members constitutes quorum.

(S.5(e), Bylaw 17782, December 13, 2016)

- REMUNERATION** 7 (1) The position of a Director is voluntary, and no remuneration will be paid for services as a Director.
- (2) Directors shall be reimbursed for expenses necessarily incurred in the performance of duties as a Director.
- PROCEDURES FOR THE BOARD** 8 (1) The Board shall manage the business and affairs of the Northwest Industrial Business Improvement Area.
(S.5(f), Bylaw 17782, December 13, 2016)
- (2) The Board shall meet at least quarterly and may meet more frequently, as it sees fit, for the dispatch of business.
- (3) The Directors shall:
- (a) elect one of their number as Chair of the Board to preside at all meetings of the Board, and
- (b) determine the period for which that person is to hold office.
- (4) If the Chair is not present within fifteen (15) minutes from the time fixed for the holding of any meeting, the Directors present shall choose one of their number to be the Chair of the meeting.
- (5) A motion is lost when the vote is tied.
- (6) The Board may delegate any of the Board's powers to a committee or committees consisting of one or more Directors.
- FINANCIAL MATTERS** 9 (1) The financial year of the Board is the calendar year.
- (2) The Board may appoint such officers of the Northwest Industrial Business Improvement Area as the Board sees fit and may specify the powers and duties of such officers and, subject to the provisions of this bylaw, may delegate to any officer such of the powers of the Board as the Board thinks fit.
- (3) If a Director or a Director's family member, as defined within the MGA, has a pecuniary interest in a matter before the Board, the Director shall be precluded from voting or participating in the discussion.
- (4) The Northwest Industrial Business Improvement Area may have a corporate seal, which seal may be adopted or changed from time to time by the Board and on which the name of the Northwest Industrial Business Improvement Area shall appear.
- (5) The banking business of the Northwest Industrial Business Improvement Area shall be transacted with such banks or financial institutions as the Board may from time to time designate, and

shall be transacted in accordance with such agreements, instructions, and delegations of power as the Board may from time to time prescribe.

- (6) The Board shall cause true accounts to be kept of the sums of money received and expended by the Northwest Industrial Business Improvement Area and the matter or matters in respect of which such receipts and expenditures take place, all acquisitions and dispositions of property of the Association, and all the assets and liabilities of the Northwest Industrial Business Improvement Area.
- (7) The books of account of the Northwest Industrial Business Improvement Area shall be kept at such place or places as the Board thinks fit, and no person, other than a Director, an officer, the City Auditor, or an officer, accountant, or other person, whose duty to the Northwest Industrial Business Improvement Area or to the Council require that person to do so, shall have any right to inspect any account or book or document of the Northwest Industrial Business Improvement Area except as may be authorized by the Board, by Council, or by statute.
- (8) The Board shall, in each year at the time and in the form prescribed by the Council, submit to the Council, for its approval, estimates of revenues and expenditures expected to be received and made by the Northwest Industrial Business Improvement Area for the next fiscal year.
- (9) The Board shall present and review these estimates with its Members at the annual general meeting and subsequently revise, if necessary, and approve them prior to their submission to Council.
- (10) The Board shall notify by mail, personal delivery, or a combination of the two, all businesses within the Northwest Industrial Business Improvement Area listed in the current assessment roll of the proposed budget, and of the date and place when Council will consider approval of the proposed budget.

(S.5(g), Bylaw 17782, December 13, 2016)

**ANNUAL GENERAL
MEETINGS AND
SPECIAL
MEETINGS OF THE
BOARD**

- 10 (1) In each calendar year, prior to submitting its estimates of revenues and expenditures to Council, the Board shall hold an annual general meeting of all Members.
- (2) Written notice of the annual meeting shall be sent by mail, personal delivery, or a combination of the two, to all Members, at least fourteen (14) days prior to the meeting date.

- (3) At the annual meeting the Board shall:
 - (a) review with Members its estimates of revenues and expenditures for the next calendar year;
 - (b) review with Members any nominations for new Directors from the Members for the next calendar year received by the Board prior to the meeting;
 - (c) seek any additional nominations for new Directors for the next calendar year; and
 - (d) close the nomination period permanently for new Directors for the next calendar year.

- (4) For the purposes of any vote of the membership during the annual meeting or a special meeting, the following voting procedures shall apply:
 - (a) Each Member shall be entitled to one vote;
 - (b) In order to be eligible to vote, each representative shall present to the Board upon arrival at the meeting, an original signed statement giving the bearer permission to represent the Member in any vote at that meeting; and
 - (c) Motions are passed by a majority of the votes cast by the Members present at the meeting.

(S.6(4.0 – 10.4), Bylaw 13920, April 19, 2005)

ANNUAL REPORT 11 The Board shall prepare and submit to Council an annual report of the activity of the Northwest Industrial Business Improvement Area at the time specified by Council, together with an audited financial statement of the Northwest Industrial Business Improvement Area comprised of an income and expenditure account and a balance sheet and any other statements and reports required by Council.

(S.5(h), Bylaw 17782, December 13, 2016)

PART II - GENERAL

EFFECTIVE DATE 12 This bylaw takes effect beginning on the date on which this bylaw is passed and signed.

13 Bylaw 12926 is hereby consolidated into one Bylaw by incorporating this amendment.

(NOTE: Consolidation made under Section 69 of the *Municipal Government Act*, R.S.A. 2000, c.M-26 and Bylaw 16620 Section 16, and printed under the City Manager's authority)

Bylaw No. 12926 passed by Council December 18, 2001:

Amendments:

Bylaw 13920, April 19, 2005

Bylaw 17782, December 13, 2016

**Committee to Establish a BRZ
Northwest Industrial Business District in Edmonton**

**Approximate Area:
East to West – 170 Street – Anthony Henday Drive
North to South – Yellowhead Freeway to 109 Avenue**

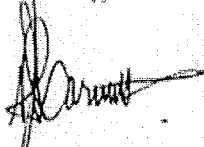
³¹
17 August 2001

City of Edmonton
City Clerks Office
3rd Floor, City Hall
1 Sir Winston Churchill Square
Edmonton, Alberta
T5J 2R7

To Whom It May Concern:

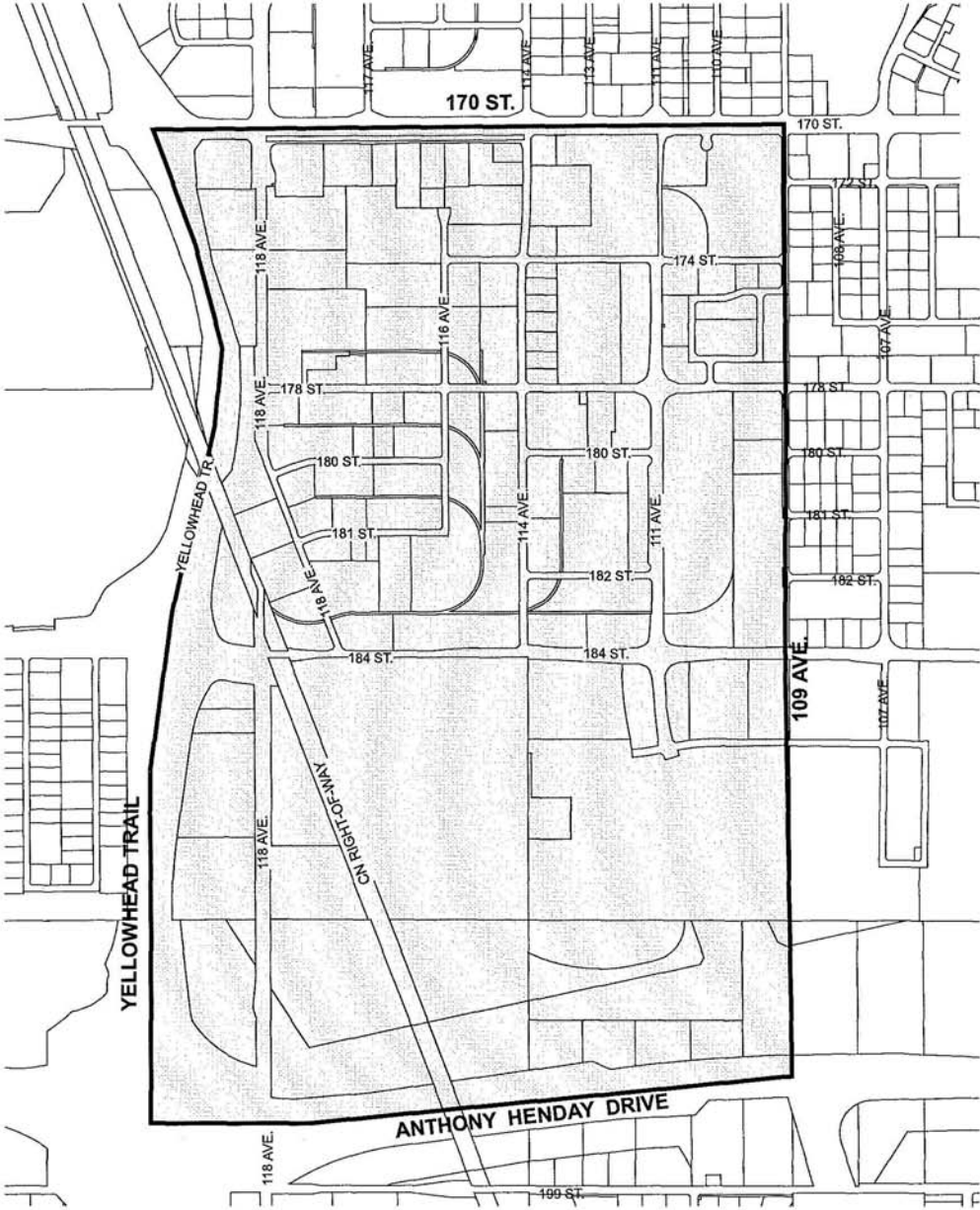
The committee to establish the Northwest Industrial Business Revitalization Zone and all the signatories in the application, officially request the City of Edmonton to designate the area described in the following documents as a Business Revitalization Zone.

Sincerely,



Bob Carwell
Committee Chair
Chairman and CEO,
MTE Logistix

NORTHWEST INDUSTRIAL BUSINESS IMPROVEMENT AREA



(S.2(c), Bylaw 17782, December 13, 2016)

BOUNDARIES OF THE NORTHWEST INDUSTRIAL BUSINESS IMPROVEMENT AREA

The Northwest Industrial Business Improvement Area shall consist of all lots lying within the following boundaries:

- On the North Originating at the intersection of Anthony Henday Drive and the northwest corner of the 1st lot north of 118 Avenue, east along Yellowhead Trail to 170 Street.

- On the East Originating at the intersection of 170 Street and the northeast corner of the 1st lot north of 118 Avenue, south along 170 Street to 109 Avenue.

- On the South Originating at the intersection of 170 Street and the southeast corner of the 1st lot north of 109 Avenue, west along 109 Avenue to the southeast corner of the 1st lot west of 175 Street, west along this south boundary to 178 street, west along 109 Avenue to the northeast corner of the 1st lot west of 181 Street, west along this north boundary to the northeast corner of the 1st lot west of 182 Street, west along this north boundary to 184 street, west along the north boundary of the 1st lot west of 184 street to the southeast corner of the 1st lot west of 185 street, west along this south boundary to Anthony Henday Drive.

- On the West - Originating at the southwest corner of the 6th lot south of the CN right-of-way, north along the Anthony Henday Drive to the northwest corner of the 1st lot north of 118 Avenue.

(S.2(d), Bylaw 17782, December 13, 2016)