



**CITY OF EDMONTON**

**BYLAW 9747**

**EDMONTON FORT ROAD AND AREA BUSINESS  
IMPROVEMENT AREA BYLAW**

**(CONSOLIDATED ON DECEMBER 13, 2016)**

**THE CITY OF EDMONTON**

**BYLAW 9747**

**EDMONTON FORT ROAD AND AREA BUSINESS IMPROVEMENT AREA BYLAW**

(S.2(a), Bylaw 17778, December 13, 2016)

WHEREAS the Municipal Council of the City of Edmonton received a request, appended hereto and forming Appendix “A” to this Bylaw, pursuant to the Municipal Government Act, R.S.A. 1980, c. M-26, as amended, to

- (a) designate an area as a Business Revitalization Zone and prescribe its boundaries;
- (b) establish a Board of Directors for the Business Revitalization Zone and incorporate the said Board of Directors;

(S.1(a), Bylaw 10964, June 6, 1995)

AND WHEREAS pursuant to Section 171.2 (2) of the Municipal Government Act, R.S.A. 1980, c. M-26, notice of the intention of Council to pass this Bylaw was been 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;

(S.1(b), Bylaw 10964, June 6, 1995)

AND WHEREAS a petition objecting to the passing of this Bylaw was received by the Municipal Council of the City but the Petition did not represent at least 1/3 of the business assessment in the Business Revitalization Zone area;

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 Edmonton Fort Road and Area 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 13916, April 19, 2005)  
 (S.2(b), 3, 4(a), Bylaw 17778, December 13, 2016)

**DESIGNATION OF THE ZONE**

2 That area, the boundaries of which are outlined and shaded on the map attached hereto as Appendix “B” and forming part of this Bylaw, and which are more particularly described in Appendix “C” attached, hereto and forming part of this Bylaw, is hereby designated as the “Edmonton Fort Road and Area Business Improvement Area”.

(S.4, Bylaw 13916, April 19, 2005)  
 (S.2(c), Bylaw 17778, December 13, 2016)

**ESTABLISHMENT OF ASSOCIATION**

- 3 (1) The Board of Directors of the Edmonton Fort Road and Area Business Improvement Area is hereby established as a corporation under the name “Fort Road Business and Community Association”
- (2) The Corporation hereby established shall consist of Directors appointed from time to time in accordance with Section 6 hereof.

(S.5, Bylaw 13916, April 19, 2005)  
 (S.4(b), Bylaw 17778, December 13, 2016)

**PURPOSES OF THE ZONE**

4 The objects or purposes for which the Edmonton Fort Road and Area Business Improvement Area are established are:

- (a) improving, beautifying and maintaining property in the Edmonton Fort Road and Area Business Improvement Area;

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

(S.4(c)Bylaw 17778, 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 Edmonton Fort Road and Area 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 Edmonton Fort Road and Area Business Improvement Area the power to borrow money or otherwise pledge its assets without the express direction of Council.

(S.4(d), Bylaw 17778, December 13, 2016)

#### **DIRECTORS**

- 6 (1) The Board of the Edmonton Fort Road and Area 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 Edmonton Fort Road and Area 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 Edmonton Fort Road and Area Business Improvement Area, and
  - (b) has consented to act as a Director, in writing submitted to the Board prior to that person's appointment.

(S.4(e), Bylaw 17778, December 13, 2016)

- (5) A majority of existing, appointed members constitutes quorum.

**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 Edmonton Fort Road and Area Business Improvement Area.
- (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.
- (S.4(f), Bylaw 17778, December 13, 2016)

**FINANCIAL MATTERS**

- 9 (1) The financial year of the Board is the calendar year.
- (2) The Board may appoint such officers of the Edmonton Fort Road and Area 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 Edmonton Fort Road and Area 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 Edmonton Fort Road and Area Business Improvement Area shall appear.
- (5) The banking business of the Edmonton Fort Road and Area

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 Edmonton Fort Road and Area 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 Edmonton Fort Road and Area Business Improvement Area.
- (7) The books of account of the Edmonton Fort Road and Area 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 Edmonton Fort Road and Area 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 Edmonton Fort Road and Area 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 Edmonton Fort Road and Area 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 Edmonton Fort Road and Area 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.4(g), Bylaw 17778, 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 13916, April 19, 2005)

**ANNUAL REPORT**

11

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

(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. 9747 passed by Council August 20, 1991

Amendments:

Bylaw 10813 , July 12, 1994

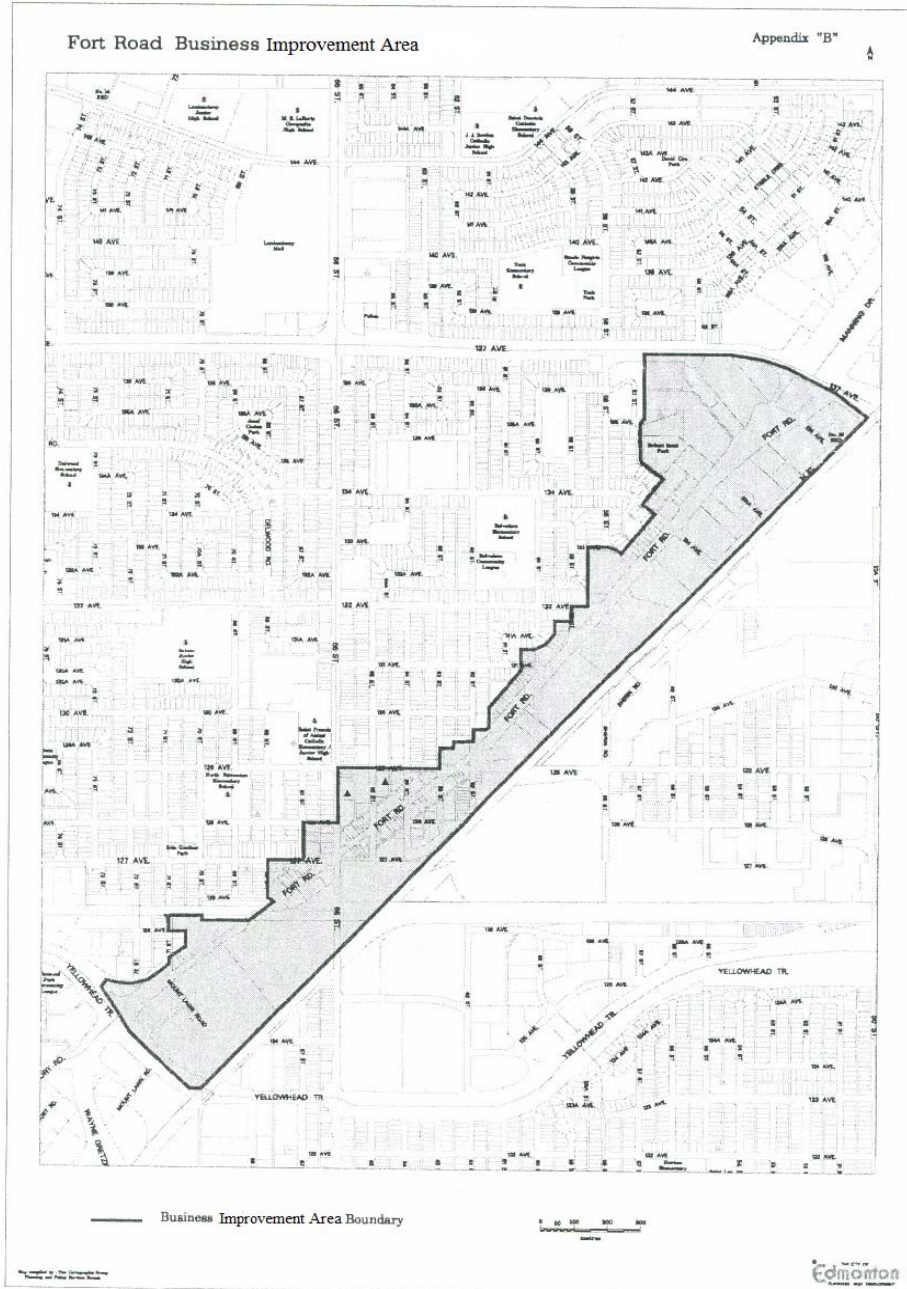
Bylaw 10964 , June 6, 1995

Bylaw 13916 , April 19, 2005

Bylaw 14431 , December 12, 2006

Bylaw 17778 , December 13, 2016





(S.1(a),Bylaw 14431, December 12, 2006)  
(S.2(d), Bylaw 17778, December 13, 2016)

**Appendix “C”****BOUNDARIES OF THE EDMONTON  
FORT ROAD BUSINESS IMPROVEMENT AREA**

The Edmonton Fort Road Business Improvement Area shall consist of all properties within the boundaries as illustrated in Schedule “A”. Such boundaries shall be described as follows:

1. All properties north of Fort Road and south of the following boundary:

Originating at the intersection of Yellowhead Trail and Fort Road;  
Northwest along the northernmost boundary of Yellowhead Trail, across Fort Road to the point where 125 Avenue connects to Yellowhead Trail westbound;  
Northeast along 125 Avenue to 71 Street;  
Northeast across 71 Street along the lane that runs parallel to Fort Road, turning north along the lane that runs parallel to 71 Street, connecting to 126 Avenue;  
West along 126 Avenue to 71 Street;  
North along 71 Street to the Canadian National Railway Right-of-Way;  
East along the southernmost boundary of the Canadian National Railway Right-of-Way to Fort Road;  
Northeast along Fort Road to 68 Street;  
North along 68 Street to 127 Avenue;  
East along 127 Avenue to 67 Street;  
North along 67 Street to 128 Avenue;  
East along 128 Avenue to 66 Street;  
North along 66 Street to 129 Avenue;  
East along 129 Avenue to 63 Street;  
North along 63 Street to the easterly intersecting lane between 129 Avenue and 130 Avenue;  
East along the lane to 62 Street;  
North along 62 Street to the northernmost boundary of the southernmost lot (legal description: Plan 0425555 Block 15 Lot 14A) of the easterly adjacent block;  
East along the northerly boundary of that lot (legal description: Plan 0425555 Block 15 Lot 14A) to the lane;  
North along the lane and following its easternmost divergence to 131 Avenue;  
North between the second lot (legal description: Plan 4800KS Block 40 Lot 16) and third lot (legal description: Plan 4800KS Block 40 Lot 18) east of 61 Street to the lane;  
East along the lane to 59 Street;  
North along 59 Street to 132 Avenue;  
East along 132 Avenue to the northerly intersecting lane between 59 Street and Fort Road;  
North along the lane to 133 Avenue;  
East along 133 Avenue to the northeasterly intersecting lane between 58 Street and Fort Road;  
Northeast along the lane to 134 Avenue;  
Northwest along 134 Avenue to 56 Street;  
Northeast along 56 Street to 134A Avenue;  
Northwest along 134A Avenue to 57 Street;

North along the east boundary of 57 Street to 135 Avenue and from this point continuing due north along the eastern boundary of that parcel (legal description: Plan 4851RS Block 13 Lot 10) which fronts onto 137 Avenue and abuts 58 Street to 137 Avenue;  
East along 137 Avenue to the Canadian National Railway Right-of-Way.

2. All properties south of Fort Road and north of the following boundary:

Originating at the intersection of 137 Avenue and the Canadian National Railway Right-of-Way;  
Southwest along the westernmost boundary of the Canadian National Railway Right-of-Way from 137 Avenue to Yellowhead Trail;  
Northwest along the northernmost boundary of Yellowhead Trail to the intersection with Fort Road, terminating at this point.

(S.1(b), Bylaw 14431, December 12, 2006) Effective January 1, 2007

(S.2(e), Bylaw 17778, December 13, 2016)