

# By-Law No. 2017-90

*A by-law of the City of Ottawa establishing a Board of Management for the Kanata Central Area as an improvement area*

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**Enacted On:** 2017-03-08

**OttWatch Bylaw Reference:** <http://ottwatch.ca/bylaws/2017-90>

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BY-LAW NO. 2017 - 90

A by-law of the City of Ottawa to establish a Board of Management for the Kanata Central 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 2017- 89 entitled “A by-law of the City of Ottawa designating the Kanata Central area as an improvement area”, hereinafter called the “Area”, a Board of Management to be known as the “Kanata Central 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 a minimum of 9 members and a maximum of 12 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 Public Works 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 1<sup>st</sup> 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 8<sup>th</sup> day of March, 2017.

CITY CLERK

MAYOR

