



**CITY OF EDMONTON**

**BYLAW 7968 (AS AMENDED)**

**EDMONTON DOWNTOWN BUSINESS IMPROVEMENT AREA BYLAW**

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

**THE CITY OF EDMONTON**

**BYLAW 7968 (AS AMENDED)**

**EDMONTON DOWNTOWN BUSINESS IMPROVEMENT AREA BYLAW**

(S.2(a), Bylaw 17781, 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 10968, 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 mailed to every person who was shown on the then current assessment roll of the City as being assessed for business taxes within the boundaries of the Business Revitalization Zone;

(S.1(b), Bylaw 10968, June 6, 1995)

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

(S.1(c), Bylaw 10968, June 6, 1995)

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

**PART I - PURPOSE, DEFINITIONS AND INTERPRETATION**

**PURPOSE**

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 Downtown 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 13914, April 19, 2005)

(S.2(b), 3, 4,(a), Bylaw 17781, December 13, 2016)

**DESIGNATION OF THE ZONE**

2 The area of downtown Edmonton, the boundaries of which are outlined in red on the map appended hereto and forming Appendix “B” to this Bylaw and are more particularly described in Appendix “C” to this Bylaw, is hereby designated as the “Edmonton Downtown Business Improvement Area”.

(S.4, Bylaw 13914, April 19, 2005)

(S2(c), Bylaw 17781, December 13, 2016)

**ESTABLISHMENT OF ASSOCIATION**

- 3 (1) The Board of Directors of the Edmonton Downtown Business Improvement Area is hereby established as a corporation under the name “Downtown Business Association of Edmonton”.
- (2) The Corporation, hereby established, shall consist of Directors appointed from time to time in accordance with s.4.

(S.5, Bylaw 13914, April 19, 2005)

(S4(b), Bylaw 17781, December 13, 2016)

**PURPOSES OF THE ZONE**

4 The objects or purposes for which the Edmonton Downtown Business Improvement Area are established are:

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

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

(S4(c), Bylaw 17781, 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 Downtown 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 Downtown Business Improvement Area the power to borrow money or otherwise pledge its assets without the express direction of Council.

(S.4(d), Bylaw 17781, December 13, 2016)

**DIRECTORS**

- 6 (1) The Board of the Edmonton Downtown 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 Downtown 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 Downtown 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.4(e), Bylaw 17781, 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 Edmonton Downtown Business Improvement Area.  
(S.4(f), Bylaw 17781, 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 Edmonton Downtown 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 Downtown 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 Downtown Business Improvement Area shall appear.

- (5) The banking business of the Edmonton Downtown 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 Downtown 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 Downtown Business Improvement Area.
- (7) The books of account of the Edmonton Downtown 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 Downtown 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 Downtown 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 Downtown 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 Downtown 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 17781, December 13, 2016)

**ANNUAL GENERAL  
MEETINGS AND  
SPECIAL MEETINGS OF**

- 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

**THE BOARD**

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 13914, April 19, 2005)

**ANNUAL REPORT**

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

(S. 4(h), Bylaw 17781, December 13, 2016)

**PART II - GENERAL**

<b>EFFECTIVE DATE</b>	13	This bylaw takes effect beginning on the date on which this bylaw is passed and signed.
	14	Bylaw 7968 is hereby consolidated into one Bylaw by incorporating this amendment and Amendment Bylaw 8085, 8201,8583, 10203, 10814, and 10968.

(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. 7968 passed by Council November 26, 1985:

Amendments:

Bylaw No. 8085 - January 28, 1986

Bylaw No. 8201 - April 23, 1986

Bylaw No. 8583 - October 13, 1987

Bylaw No. 10203 - December 8, 1992

Bylaw No. 10814 - July 12, 1994

Bylaw No. 10968 - June 6, 1995

Bylaw No. 13920 - April 19, 2005

Bylaw 17781, December 13, 2016



**III. PETITION TO COUNCIL FROM BUSINESS COMMUNITY TO ESTABLISH A ZONE**

ENCLOSURE II

CITY CENTRE  
ASSOCIATION



614 Royal Trust Tower  
Edmonton Centre  
Edmonton, Alberta T5C 1Z2  
Telephone (403) 424-4085

August 21, 1985.

His Worship Mayor Laurence Decore,  
Members of City Council,  
2nd Floor, City Hall,  
1 Sir Winston Churchill Square,  
EDMONTON, Alberta.  
T5J 2R7

Dear Mayor Decore:

**RE: REQUEST TO ESTABLISH A DOWNTOWN BUSINESS REVITALIZATION ASSOCIATION  
- PURSUANT TO SECTIONS 171.1 - 171.9 OF THE MUNICIPAL GOVERNMENT ACT**

Attached please find a formal request to establish a Business Revitalization Zone Association (BRZ), signed by the authorized representatives of twenty (20) firms paying business tax within the proposed BRZ area, together with attachments describing the boundary of the area.

The Newsletter fully describes the legislation and the rationale for why the City Centre Association (CCA) is spearheading the establishment of the first BRZ in Edmonton, and we would ask that you read this carefully.

**SUMMARY:** The BRZ legislation provides the mechanism by which businesses can levy themselves to establish funds to promote business in their area. The Board of Directors of the BRZ Association will be downtown business people with one or more members of City Council. We have suggested, in our request, a slate of ten (10) downtown business tax payers, together with Alderman Lance White, to become the first directors of the Association. The affected downtown business people control the policies and the budget for the BRZ Association. The business people themselves set the goals, objectives and programs for the Association, and as all business tax payers within the area participate, the establishment of a downtown BRZ will truly be an equitable, self-help mechanism by which businesses can effectively promote the downtown. The BRZ will tie its promotional programs with the City of Edmonton, which we would hope will continue to promote the downtown, with their many City-sponsored special events and festivals. There will be no cost to the City other than input at the Board level, supportive efforts in joint promotions, and collection of funds.

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His Worship Mayor Laurence Decore,  
Members of City Council,  
Edmonton, Alberta.  
August 21, 1985.

We would like to thank Mr. Frost of the City Solicitor's Department for working with us on this very important proposal.

We understand that upon receipt of our request, the City Clerk will forward this on to Mr. Frost, who will expedite the legal process to ensure its early passage.

We believe that this is the most important initiative of the CCA to date, and it is critical to the ongoing success of downtown revitalization. Only through private sector participation will downtown revitalization be possible.

Thank you. Please call us if you have any questions.

Yours very truly,

CITY CENTRE ASSOCIATION

John R. Hickey,  
Executive Director.

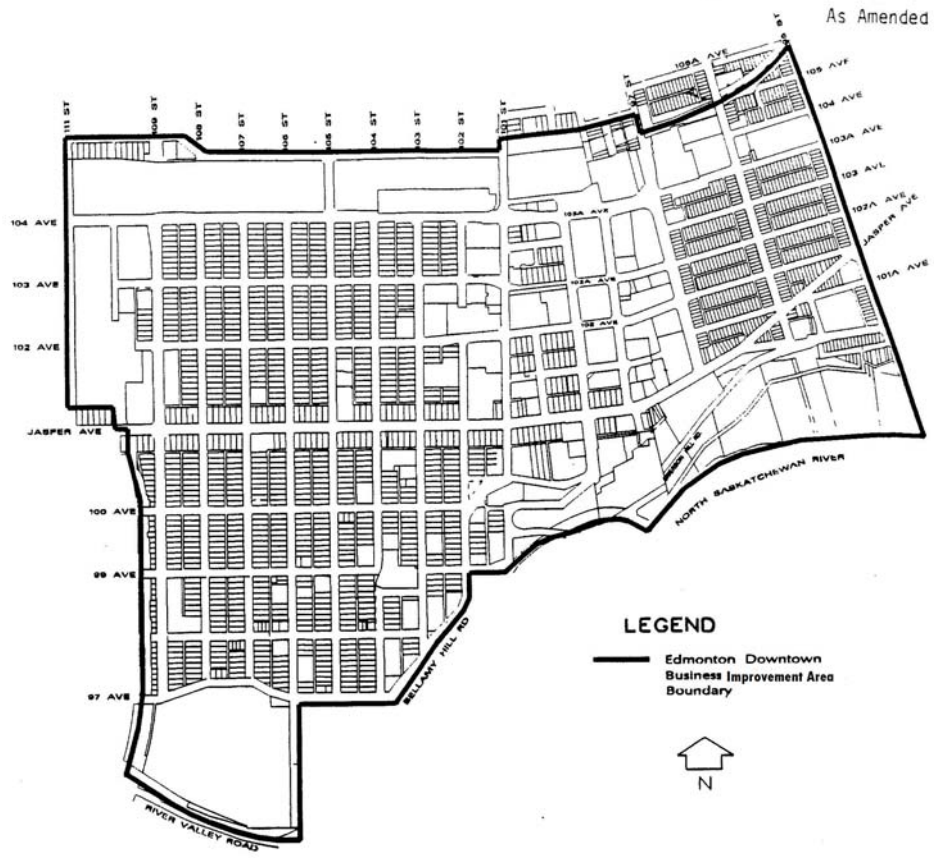
JRH/mm

Encls.



Witness	Name of Business	Signature of Authorized Representative(s)	Address of Business
Ray White	The N.G. Home	Per: [Signature] Per: [Signature]	76 Edmontan Dr
Ray White	Eric P. Johnson Associates Ltd.	Per: [Signature] Per: [Signature]	911-10310-102 AVE.
[Signature]	[Signature]	Per: [Signature] Per: [Signature]	[Signature]
[Signature]	F.S. L.D. [Signature]	Per: [Signature] Per: [Signature]	1025-101ST
John Peckey	COOPERS & LYBRAND	Per: [Signature] Per: [Signature]	2700 EXF-25 TOWER
[Signature]	John A. MacDonald Assoc.	Per: [Signature] Per: [Signature]	10619-102 AVE Edm.
[Signature]	Edmonton - Centre	Per: [Signature] Per: [Signature]	762 Royal Ten & Ten.
[Signature]	[Signature]	Per: [Signature] Per: [Signature]	700 Royal Ten & Ten
Ray White	Imperial	Per: [Signature] Per: [Signature]	10157-106 St
John Peckey	KEITH BRUCE FARM RISE	Per: [Signature] Per: [Signature]	441-10119-102 St
Ray White	THE MANUFACTURERS [Signature]	Per: [Signature] Per: [Signature]	580-10180-10. St
[Signature]	[Signature]	Per: [Signature] Per: [Signature]	[Signature]
[Signature]	[Signature]	Per: [Signature] Per: [Signature]	[Signature]
[Signature]	[Signature]	Per: [Signature] Per: [Signature]	[Signature]
[Signature]	[Signature]	Per: [Signature] Per: [Signature]	[Signature]
[Signature]	[Signature]	Per: [Signature] Per: [Signature]	[Signature]
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As Amended



(S.1(a), Bylaw 8583, October 13, 1987)  
(S.1(a), Bylaw 10203, December 8, 1992)  
(S.2(d), Bylaw 17781, December 13, 2016)

## **SCHEDULE "C"**

### **As Amended**

#### **BOUNDARIES OF EDMONTON DOWNTOWN BUSINESS IMPROVEMENT AREA**

The Edmonton Downtown Business Improvement Area shall consist of all lots abutting on, or lying within the following boundaries:

1. Commencing at the intersection of Jasper Avenue and 110 Street:
  - north to the lane immediately north of Jasper Avenue
  - west to 111 Street
  - north along 111 Street to 105 Avenue
  - east along 105 Avenue to 101 Street
  - north along 101 Street to the lane immediately south of 105A Avenue
  - east along the lane to the intersection of 100 Street and 105 Avenue
  - continuing east along 105 Avenue to 97 Street
  - south along 97 Street to the CNR right-of-way
  - northeast along the CNR right-of-way to 95 Street
  - south along 95 Street to the North Saskatchewan River
  - southwest along the North Saskatchewan River to the Low Level Bridge
  - northwest along Rossdale Road to its intersection with 99 Avenue
  - west along 99 Avenue to 102 Street/Bellamy Hill Road
  - south along 102 Street/Bellamy Hill Road to 97 Avenue
  - west along 97 Avenue to 106 Street
  - south along 106 Street to River Valley Road
  - northwest along River Valley Road to the High Level Bridge
  - north along the CPR right-of-way to the point of commencement at Jasper Avenue

(S.1(b), Bylaw 8583, October 13, 1987)

(S.1(b), Bylaw 10203, December 8, 1992)

(S.2(e), Bylaw 17781, December 13, 2016)

Appendix "D"

EDMONTON DOWNTOWN BUSINESS REVITALIZATION  
ZONE BOARD OF DIRECTORS

Address

Alderman Lance White	2nd Floor, City Hall, 1 Sir Winston Churchill Square, Edmonton, Alberta, T5J OR2
Eric Westing	Oxford Development Group, 700 Royal Trust Tower, Edmonton Centre, Edmonton, Alberta, T5J Z2
Hugh J. Botton	Coopers and Lybrand Limited, 2700 Oxford Tower, 10235 - 101 Street, Edmonton, Alberta, T5J 3G1
Barry French	The Manufacturers Life Insurance Company, #508, 10180 - 101 Street, Edmonton, Alberta, T5J 3S4
John Windwick	John Barrymore Clothiers, 10185 - 102 Street, Manulife Place, Edmonton, Alberta, T5J 3S4
Liam Lambert	Westin Hotel, 10135 - 100 Street, Edmonton, Alberta, T5J OW7
Hans Kuhnel	Your Choice Restaurant Group, 10237 - 104 Street, Edmonton, Alberta, T5J IBI
Dudley Wilson	Canadian Imperial Bank of Commerce, P.O. Box 460, 9990 - Jasper Avenue, Edmonton, Alberta, T5J 2K3
Denis Brown	Woodward Stores Limited, #1 Edmonton Centre, Edmonton, Alberta, T5J OE7
Norm Reid	Dach's Shoes, 10065 - Jasper Avenue, Edmonton, Alberta T5J 3B1
Robert Ergil	Chancellor Interiors, #36, Edmonton Centre, Edmonton, Alberta T5J 1X2