

CITY OF BURNABY

BYLAW NO. 10943

A BYLAW to merge Hastings West Business Improvement Area and Hastings East Business Improvement Area into one business improvement area

The Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as **BURNABY BUSINESS IMPROVEMENT AREA MERGER BYLAW 1999.**
  
2. In this Bylaw
  - (a) "Association" means the association of business persons known as The Heights Merchant Association;
  
  - (b) "business improvement scheme" means
    - (i) carrying out studies and making reports respecting the Hastings Business Improvement Area,
    - (ii) the improvement, beautification or maintenance of streets, sidewalks or municipally owned land, buildings or structures in the Hastings Business Improvement Area, subject to the approval of the Director Engineering for the City of Burnaby,
    - (iii) the encouragement of business in the Hastings Business Improvement Area;
  
  - (c) "Hastings Business Improvement Area" means the business area created by the

merger of Hastings West Business Improvement Area and Hastings East Business Improvement Area pursuant to section 3 of this Bylaw.

3. Hastings West Business Improvement Area, as established by Burnaby Business Improvement Area (Hastings West) Bylaw 1999, and Hastings East Business Improvement Area, as established by Burnaby Business Improvement Area (Hastings East) Bylaw 1999, are hereby merged, pursuant to sections 252(8) and 650 of the *Municipal Act* into a single business improvement area for the purpose of consolidating and completing the works provided for under those bylaws.

4. Monies granted to the Association under the bylaws referred to in section 3 or under this Bylaw must be expended only by the Association and only for the purpose of the business improvement scheme in accordance with the terms and conditions set out in this Bylaw.



5. All monies granted to the Association in any year shall be recovered in that year from the owners of the land or improvements, or both, listed in Schedule "B" to each of the bylaws referred to in section 3, and for that purpose Council may levy a rate on land or improvements, or both, that fall or would fall within Class 5 or 6 of the Assessments - Classes and Percentages Levels Regulation, B.C. Reg. 438/81.

6. (1) The Association shall submit a budget to Council for approval each year on or before the 1st day of May in the manner and form required by the Director Finance for the City, and Council shall pay the approved amount after the 15th day of July each year.

(2) The Association shall provide to the Director Finance for the City a revenue and expense statement each year on or before the 1st of May during the term of this Bylaw in a form acceptable to the Director Finance, and, on one week's notice, shall provide access to source documents to allow verification of the information presented in the statements.

7. The Association shall continue to maintain in force during the seven year term established by the bylaws referred to in section 3 a policy of insurance in accordance with the specifications set out in Schedule "A" attached hereto, and shall deliver a certified copy of each policy to the Director Finance for the City on or before the 15th day of July each year of the term.

Read a first time this	21 <sup>st</sup>	day of	JUNE	1999
Read a second time this	21 <sup>st</sup>	day of	JUNE	1999
Read a third time this	21 <sup>st</sup>	day of	JUNE	1999
Reconsidered and adopted this	28 <sup>th</sup>	day of	JUNE	1999

  
MAYOR  
  
CLERK

## **SCHEDULE "A"**

### **INSURANCE SPECIFICATIONS**

1. The applicant shall provide and maintain Comprehensive General Liability insurance acceptable to the City and subject to limits of not less than ONE MILLION DOLLARS (\$1,000,000) inclusive per occurrence for bodily injury, death and damage to property including loss of use thereof. The insurance shall cover anyone employed directly or indirectly by the applicant as well as any contractor or subcontractors hired by the applicant.
2. The City shall be added as an additional named insured under the Comprehensive General Liability policy and the policy shall contain a cross liability clause.
3. The applicant shall provide the City with a copy of its Comprehensive General Liability insurance policy prior to the City providing funding under Section 4 of this Bylaw.
4. The applicant's Comprehensive General Liability policy shall contain an endorsement to provide that the policy shall not be cancelled, lapsed or materially altered without giving 30 days notice in writing to the City.