

The Corporation of The City of North Bay

By-Law No. 2023-33

A By-Law to provide for the levy and collection of special charges in respect of certain Business Improvement Areas

Whereas section 204(1) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended (the "Act") provides that a local municipality may designate an area as an improvement area and may establish a board of management, (a) to oversee the improvement, beautification and maintenance of municipally-owned land, buildings and structures in the area beyond that provided at the expense of the municipality generally; and, (b) to promote the area as a business or shopping area;

And Whereas subsection 208(1) of the *Act*, provides that the municipality shall annually raise the amount required for the purposes of a board of management, including any interest payable by the municipality on money borrowed by it for the purposes of the board of management;

And Whereas section 208(2)(b) of the *Act*, provides that the municipality may establish a special charge for the amount referred to in subsection 208(1), by levy upon rateable property in the improvement area that is in a prescribed business property class and that, in council's opinion, derives special benefit from the improvement area, which levy may be calculated using different percentages of the assessment for one or more separately assessed properties or categories of separately assessed properties in the prescribed class if the resulting levy is equitable in accordance with the benefits that, in council's opinion, accrue to the properties from the activities related to the improvement area;

And Whereas section 208(3)(b) provides that the municipality may establish a minimum or maximum charge or both, expressed for one or more separately assessed properties or categories of separately assessed properties in a prescribed class, as dollar amounts;

And Whereas by Resolution No. 2023-98 passed by Council at its Regular Meeting held on Tuesday, the 28th day of February 2023 the Council approved the 2023 budget for the Board of Management for the Downtown Improvement Area in the amount of \$181,488.00 with a resultant tax levy of \$137,441.00, and authorized the necessary by-law to provide for the levy and collection of special charges in respect to certain business improvement areas be prepared;

And Whereas notice of the passing of this by-law was sent by pre-paid mail to the Board of Management of the Downtown Improvement Area and to every person who, on the last returned roll, is assessed for rateable property that is in a prescribed business class which is located in the improvement area;

And Whereas no letters of objection were signed by at least one-third of the total number of persons entitled to notice under section 210(1) and 210(2)(a) of the *Act* ;

And Whereas the municipality may pass By-law No. 2023-33 pursuant to section 210 of the *Act*.

Now therefore the Council of The Corporation of the City of North Bay hereby enacts as follows:

1. For the purpose of levying \$137,441.00 for the purposes of The Board of Management of the Downtown Improvement Area, there is hereby levied, rated and imposed the special rates set out on Schedule "A" for the prescribed business property classes and subclasses, namely, the Commercial Full, Commercial Vacant Unit, Commercial Vacant Land and Industrial Full Assessment, to every person who, on the last returned roll, is assessed for rateable property that is in a prescribed business class which is located in the improvement area.
2. Schedule "A" attached hereto shall be and form a part of this By-Law.
3. Notwithstanding Section 1 hereof and pursuant to By-Law No. 2011-74, being a

By-law to amend By-law No. 1977-144:

- (i) no person with a business assessment address on Main Street shall pay a special charge levied by the Board of Management of more than \$2,665.00 in one calendar year;
 - (ii) no person with a business assessment address which is not on Main Street shall pay a special charge levied by the Board of Management of more than \$1,600.00 in one calendar year.
4. The special charge rated and imposed pursuant to the provisions of the By-Law shall become due and payable in one instalment, namely on the 30th day of June, 2023.
5. The Manager of Revenues & Taxation and the Treasurer of The Corporation of the City of North Bay are hereby authorized to collect the said special charges in the same manner and with the same remedies as provided in the *Act* for the collection of taxes upon business assessment.
6. This by-law comes into force and effect as of and from the 24th day of May, 2023.

Read a First Time in Open Council this 23rd day of May, 2023.

Read a Second Time in Open Council this 23rd day of May, 2023.

Read a Third Time in Open Council and Enacted and Passed this 23rd day of May, 2023.

Mayor Peter Chirico

City Clerk Karen McIsaac

This Is Schedule "A" To By-Law No. 2023-33 of The Corporation of the City of North Bay

Property Assessment Class	Special Rate Percentage
Commercial – Full	0.5017
Commercial – Vacant Unit	0.3513
Commercial – Vacant Land	0.3513
Industrial – Full	0.4666