

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2009-40**

**BEING A BY-LAW TO PROVIDE FOR THE LEVY AND  
COLLECTION OF SPECIAL CHARGES IN RESPECT OF  
CERTAIN BUSINESS IMPROVEMENT AREAS**

**WHEREAS** subsection 208.(2) of the *Municipal Act, 2001* (S.O. 2001, c.25), provides that the council of a municipality shall in each year levy a special charge upon rateable property in a business improvement area which has been designated under subsection 204.(1); that is in a prescribed business property class sufficient to provide a sum equal to the sum of money provided for the purposes of the board of management for that area, together with interest on the sum at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum;

**AND WHEREAS** by Resolution No. 2009-137 passed by Council at its Regular Meeting held on the 2<sup>nd</sup> day of March, 2009 the Council approved the 2009 budget for the Board of Management for the Downtown Improvement Area in the amount of \$118,279.00 with a resultant tax levy of \$104,009.00, and that the 2008 surplus of \$5,590.00 be transferred to the Downtown Improvement Area Reserve Fund, 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 received from any person who, on the last returned roll, were assessed for rateable property that is in a prescribed business class which is located in the improvement area;

**AND WHEREAS** no letter of objections were received, the municipality may pass By-law No. 2009-40 pursuant to subsection 210.(4) of The Municipal Act, 2001 (S.O. 2001, c.25).

**THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY  
ENACTS AS FOLLOWS:**

1. There shall be levied and collected for the purposes of the Board of Management of the Downtown Improvement Area for the year 2009, amounts calculated for each prescribed business property class and subclass set out in Column II, on the assessment of real property in a prescribed business property class rateable for such purposes as set out in Column III, the special charge rate set out on Column IV which shall produce the total special charge for the business improvement area set out in Column V:

Column I (Business Improvement Area)	Column II (Prescribed Business Class/Subclass)	Column III (Rateable Assessment in Prescribed Business Class/Subclass)	Column IV (Special Charge Rate)	Column V (Total Special Charge)
Downtown Improvement Area	Commercial - Full	26,376,723	0.5017%	\$ 103,790
	Commercial - Vacant Unit	NIL	0.3513%	NIL
	Commercial - Vacant Land	62,325	0.3513%	219
	Industrial - full	NIL	0.4666%	NIL
				<b>\$104,009</b>

2. Notwithstanding Section 1 hereof and pursuant to By-Law No. 2004-39, 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 that \$2,600.00 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 \$1,560.00 in one calendar year.
3. 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 30<sup>th</sup> day of June, 2009.
4. The Tax Collector 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 *Municipal Act* for the collection of taxes upon business assessment.
5. This by-law comes into force and effect as of and from the 11<sup>th</sup> day of May, 2009.

READ A FIRST TIME IN OPEN COUNCIL THIS 11<sup>TH</sup> DAY OF MAY, 2009.

READ A SECOND TIME IN OPEN COUNCIL THIS 11<sup>TH</sup> DAY OF MAY, 2009.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 11<sup>TH</sup> DAY OF MAY, 2009.

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MAYOR VIC FEDELI

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CITY CLERK CATHERINE CONRAD