

Summary of the Business Revitalization Zone Enabling Legislation

SECTIONS 50-53 MUNICIPAL GOVERNMENT ACT

**Division 5
Business Improvement Areas**

Purpose

50 A council may by bylaw establish a business improvement area for one or more of the following purposes:

- (a) improving, beautifying and maintaining property in the business improvement area;
- (b) developing, improving and maintaining public parking;
- (c) promoting the business improvement area as a business or shopping area.

RSA 2000 cM-26 s50;2015 c8 s5

Board

51(1) A business improvement area is governed by a board consisting of members appointed by council under the business improvement area bylaw.

(2) The board is a corporation.

RSA 2000 cM-26 s51;2015 c8 s6

Civil liability of board members

52(1) In this section, “approved budget” means a budget of the board of a business improvement area that has been approved by council.

(2) A member of a board of a business improvement area that makes an expenditure that is not included in an approved budget is liable to the municipality for the expenditure.

(3) If more than one member is liable to the municipality under this section in respect of a particular expenditure, the members are jointly and severally liable to the municipality for the expenditure.

(4) The liability may be enforced by action by

- (a) the municipality, or
- (b) a person who is liable to pay the business improvement area tax imposed in the business improvement area.

RSA 2000 cM-26 s52;2015 c8 s6

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Regulations

53 The Minister may make regulations

- (a) respecting the establishment of a business improvement area;
- (b) setting out what must be included in a business improvement area bylaw;
- (c) respecting the appointment, term and renewal of members of the board of a business improvement area;
- (d) respecting the powers and duties of the board and the board's annual budget;
- (e) respecting the disestablishment of a business improvement area and the dissolution of a board;
- (f) that operate despite Part 8, authorizing a municipality to lend money to a board and to borrow money on behalf of a board;
- (g) establishing restrictions on the municipality providing money to the board.

RSA 2000 cM-26 s53;2015 c8 s7

ALBERTA REGULATION 93/2016

Municipal Government Act

BUSINESS IMPROVEMENT AREA REGULATION

Change in boundaries

8(1) A council may not pass a proposed bylaw to amend a business improvement area bylaw that changes the boundaries of the area unless, before the proposed bylaw receives second reading,

- (a) the area's board consents to the change in boundaries, and
- (b) taxpayers in the area and people who would be taxpayers under the change in boundaries are provided with an opportunity to make representations concerning the change to council.

(2) Before the proposed bylaw receives a second reading, the municipality must take reasonable steps to ensure that a notice that meets the requirements of subsection (3) is mailed or delivered to every taxable business in the area and to every business that would be a taxable business under the change in boundaries.

(3) The notice must set out

- (a) a summary of the proposed bylaw, including a description of the change in boundaries,
- (b) a statement that taxpayers in the area and people who would be taxpayers under the change in boundaries may make representations concerning the proposed bylaw to council, and
- (c) the manner and time period for making those representations.