

Summary of the Business Revitalization Zone Enabling Legislation

SECTIONS 50-53 MUNICIPAL GOVERNMENT ACT Division 5: Business Revitalization Zones

Purpose

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

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

1994 cM-26.1 s50

Board

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

- (2) The board is a corporation.

1994 cM-26.1 s1

Civil liability of board members

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

- (2) A member of a board of a business revitalization zone 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 revitalization zone tax imposed in the business revitalization zone.

1994 cM-26.1 s52;1995 c24 s7

Regulations

53 The Minister may make regulations

- (a) respecting the establishment of a business revitalization zone;
- (b) setting out what must be included in a business revitalization zone bylaw;
- (c) respecting the appointment, term and renewal of members of the board of a business revitalization zone;
- (d) respecting the powers and duties of the board and the board’s annual budget;
- (e) respecting the disestablishment of a zone 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.

1994 cM-26.1 s53

(Consolidated up to 84/2011)

ALBERTA REGULATION 377/94
Municipal Government Act
BUSINESS REVITALIZATION ZONE REGULATION

Establishment

Procedure for establishment

- 2** A business revitalization zone may only be established in accordance with this Regulation.

Request for establishment

3(1) The process for establishing a business revitalization zone begins with a request to council signed by persons who

- (a) would be taxpayers if a zone was established, and
- (b) represent at least 25% of the businesses that would be taxable businesses if a zone was established.

(2) The request must ask that a zone be established and describe the proposed purposes and boundaries of the zone.

(3) Within 30 days of receiving a request that meets the requirements of subsections (1) and (2), the municipality must take reasonable steps to ensure that a notice of the request is mailed or delivered to every business in the proposed zone that would be a taxable business if a zone was established.

Petition objecting to establishment

4(1) Persons who would be taxpayers if a proposed zone was established may petition the council objecting to the establishment of the zone.

(2) The petition is not sufficient unless

- (a) it is signed by persons referred to in subsection (1) who represent more than 50% of the businesses that would be taxable businesses if the proposed zone was established, and
- (b) it is filed with the chief administrative officer within 60 days of the last date on which notice of the request was mailed or delivered.

(3) If the chief administrative officer declares a petition to be sufficient, council may not pass a bylaw establishing a business revitalization zone set out in the request until 2 years have passed from the day the petition was declared to be sufficient.

AR 377/94 s4;264/95

Business revitalization zone bylaw

5(1) If a sufficient petition is not received, the council may pass a business revitalization zone bylaw that is based on the request.

(2) A business revitalization zone bylaw must

- (a) designate an area as a business revitalization zone,
- (b) designate a name for the zone,
- (c) describe the purposes for which the zone is established,
- (d) establish a board for the zone, and
- e) specify the number of board members, the term of office of board members and the method of filling vacancies.

Board

6(1) A board established for a business revitalization zone must consist of individuals nominated by one or more taxpayers in the zone.

(2) A council may also appoint one or more councillors to be members of a board.

(3) A council may only revoke the appointment of a board member who was nominated by a taxpayer if the revocation is recommended by the board.