

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 s51

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.