

Excerpts from the Current Municipal Government Act and the *Business Improvement Area Regulation*, AR 93/2016

**SECTIONS 50-53 MUNICIPAL GOVERNMENT ACT, RSA 2000, c M-26**  
**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 u 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

**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**

**Definitions**

**1** In this Regulation,

- (a) “board” means the board of a business improvement area;
- (b) “capital property” means a capital property as defined in section 241(c) of the Act;
- (c) “disestablishment” in respect of a business improvement area includes the dissolution of the area’s board;
- (d) “taxable business” means a business in a business improvement area whose operator is a taxpayer;
- (e) “taxpayer” means a person who operates a business and is liable to pay business improvement area tax in respect of that business.

**Business improvement area bylaw**

- 5(1)** If a sufficient petition is not received, the council may pass a business improvement area bylaw that is based on the request.
- (2)** A business improvement area bylaw must
- (a) designate an area as a business improvement area,
  - (b) designate a name for the area,
  - (c) describe the purposes for which the area is established,
  - (d) establish a board for the area, and
  - (e) specify the number of board members, the term of office of board members and the method of filling vacancies.

**Transitional**

**32(1)** In this section, “previous regulation” means the *Business Revitalization Zone Regulation* (AR 377/94).

- (2)** On the coming into force of this Regulation,

- (a) a business revitalization zone established under the previous regulation is deemed to be a business improvement area established under this Regulation;
- (b) a board of a business revitalization zone established under the previous regulation is deemed to be a board of a business improvement area;
- (c) a business revitalization zone bylaw passed under the previous regulation is deemed to be a business improvement area bylaw passed under this Regulation
- (d) a business revitalization zone tax bylaw passed under the previous regulation is deemed to be a business improvement area tax bylaw passed under this Regulation;
- (e) a business revitalization zone tax rate bylaw passed under the previous regulation is deemed to be a business improvement area tax rate bylaw passed under this Regulation.

### **Commencement**

#### **Coming into force**

**33** This Regulation comes into force on July 1, 2016.