

# Report to Council



**Date:** November 28, 2022  
**To:** Council  
**From:** City Manager  
**Subject:** Uptown Rutland Business Improvement Area – BL12427  
**Department:** Office of the Service Clerk

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## **Recommendation:**

THAT Council receives for information, the Certificate of Sufficiency from the City Clerk dated November 28, 2022 pertaining to the establishment of the Uptown Rutland Business Improvement Area.

AND THAT Bylaw No. 12427 being the Uptown Rutland Business Improvement Area Bylaw be forwarded for adoption consideration.

## **Purpose:**

To submit the Certificate of Sufficiency for the Uptown Rutland Business Improvement Area and to advance Bylaw No. 12427 for adoption.

## **Background:**

At the Regular Council Meeting on September 26, 2022, three readings were given to the Uptown Rutland Business Improvement Area Bylaw No. 12427, which authorizes the continuation of a Business Improvement Area ("BIA") in Central Rutland over a 5-year period (January 1, 2023 through December 31, 2027).

Under the provisions of the *Community Charter*, notice was advertised in the Daily Courier on October 7 and 12, 2022 and was posted on the Notice Board at City Hall on October 11, 2022. Notices were mailed to the owners of the 124 affected parcels on October 11, 2022 giving a deadline of 4:00 p.m. Monday, November 14, 2022 for receipt of petitions against Bylaw No. 12427.

As of the deadline date, the Office of the City Clerk had received four petitions against.

As an insufficient number of valid petitions were received prior to the petition deadline, Council may now consider adoption of the bylaw.

**Internal Circulation:**

**Considerations applicable to this report:**

***Legal/Statutory Authority:***

*Community Charter, Sections 94, 211, 212 and 215*

***Legal/Statutory Procedural Requirements:*** Under the *Community Charter*, notices must be mailed to affected property owners, and advertisements must be placed in a local newspaper and on a public notice board. Petitions against the proposed bylaw must be received by the Officer responsible for Corporate Administration (the City Clerk) by the deadline set by Council, and must be certified as sufficient or not, according to the requirements of the legislation.

**Considerations not applicable to this report:**

***Existing Policy:***

***Financial/Budgetary Considerations:***

***External Agency/Public Comments:***

***Communications Comments:***

Submitted by:

Stephen Fleming, City Clerk

cc: Revenue Supervisor

**CITY OF KELOWNA**

**CLERK'S CERTIFICATE OF SUFFICIENCY**

I hereby certify that sufficient petitions **HAVE NOT** been received in relation to the Uptown Rutland Business Improvement Area Bylaw No. 12427 as detailed below.

Dated this 22nd day of November, 2022.

  
S. Fleming, City Clerk

Bylaw No.	Description of Proposal	No. of Parcels	No. Required to Defeat Proposed Establishment of BIA (+50%)	Total No. of Valid Petitions Received	Assessed Value Required to defeat Proposed Establishment of BIA (*50% of Total)  (More than 50% of Total)	Total Petitioners' Assessment
Uptown Rutland Business Improvement Area Bylaw No. 12427	To create a business improvement area for central Rutland, implemented by the Uptown Rutland Business Improvement Association	124	63	4	\$125,891,350  (more than 50%)	\$17,634,000