

CITY OF KELOWNA

Bylaw No. 12723

Amendment No. 1 to Kelowna Downtown Business Improvement Area Bylaw No. 12575

WHEREAS the Community Charter, Section 154(1), empowers Council to delegate by bylaw its powers, duties and functions, including those specifically established by an enactment, to the extent provided, to an officer or employee of the municipality;

AND WHEREAS Council wishes to delegate to an officer or employee certain powers, duties and functions;

AND WHEREAS Council wishes to specify which officer or employee may set conditions and limitations on the receipt and expenditure of money on behalf of the City of Kelowna as it relates to a Business Improvement Area;

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the Kelowna Downtown Business Improvement Area Bylaw No. 12575 be amended as follows:

1. THAT **Section 2** be amended by deleting "One Million, Five Hundred and Three Thousand, and Seventy-Five Dollars (\$1,503,075.00) per annum" and replacing with "One Million, Seven Hundred and Thirty Eight Thousand, Nine Hundred and Seventy Three Dollars (\$1,738,973.00) per annum".
2. THAT the following new subsection be added after **Section 4**:

"4.1 The General Manager, People and Protective Services, may set an objective, priority or goal for a project in a service agreement, which may stipulate:

 - (a) Conditions and limitations on the receipt and expenditure of money that commensurate with DKA performance of the project objective, priority or goal.
 - (b) That DKA provide a written report to the City, as reasonably required, using City-approved metrics to demonstrate the progress on the implementation of a project objective, priority, or goal. It may be reasonable to require a written report as often as once a month."
3. THAT **Section 9** be deleted in its entirety and replaced with the following:

"9. There shall be levied annually against all taxable land and improvements within the designated Business Improvement Area which fall within Class 5 or 6 of the Assessments – Class and Percentage Levels Regulation, B.C. Re. 438/81 excluding Federal, Provincial and Municipal owned properties used for government purposes, and based on assessed values, rates sufficient to raise \$1,503,075.00 per annum or such lesser amount granted to DKA pursuant to the provisions of this bylaw."
4. This bylaw may be cited as "Bylaw No. 12723, being Amendment No. 1 to Kelowna Downtown Business Improvement Area Bylaw No. 12575".
5. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk