

# Report to Council



**Date:** December 11, 2017  
**File:** 0600-30  
**To:** City Manager  
**From:** City Clerk  
**Subject:** Uptown Rutland Business Improvement Area – BL11504  
Report Prepared by: C. Boback, Legislative Coordinator

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## **Recommendation:**

THAT Council receives for information, the Certificate of Sufficiency from the City Clerk dated December 11, 2017 pertaining to the establishment of the Uptown Rutland Business Improvement Area.

AND THAT Bylaw No. 11504 being the Uptown Rutland Business Improvement Area Bylaw be forwarded for adoption.

## **Purpose:**

To submit the Certificate of Sufficiency for the Uptown Rutland Business Improvement Area and to advance Bylaw No. 11504 for adoption.

## **Background:**

At the Regular Council Meeting on October 23, 2017, three readings were given to the Uptown Rutland Business Improvement Area Bylaw No. 11504, which authorizes the continuation of a Business Improvement Area ("BIA") in Central Rutland over a 5-year period (January 1, 2018 through December 31, 2022) inclusive.

Under the provisions of the *Community Charter*, notice was advertised in the Daily Courier on October 27 and November 2, 2017 and was posted on the Notice Board at City Hall on October 27, 2017. Notices were mailed to the owners of the 124 affected parcels on October 24, 2017 giving a deadline of 4:00 p.m. Monday, December 4, 2017 for receipt of petitions against Bylaw No. 11504.

As of the deadline date, the Office of the City Clerk had not received any petitions.

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

**Internal Circulation:**

**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:**

**Personnel Implications:**

**External Agency/Public Comments:**

**Communications Comments:**

**Alternate Recommendation:**

Submitted by:

S. 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. 11504 as detailed below.

Dated this 4<sup>th</sup> day of December, 2017.

  
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)	Total Petitioners' Assessment
Uptown Rutland Business Improvement Area Bylaw No. 11504	To create a business improvement area for central Rutland, implemented by the Uptown Rutland Business Improvement Association.	124	63	0	Total: \$151,266,200.00  50% and over \$75,633,100.00	0