

The Corporation of the City of Port Colborne

By-Law No. _____

A By-Law to Provide Procedural, Financial, Governance and Operating Guidelines to the Downtown Business Improvement Area Board of Management

Whereas Section subsection 204(1) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended (the "*Municipal Act, 2001*"), provides that a local municipality may designate an area as an improvement area and may establish a local board of management to oversee the improvement, beautification and maintenance of municipally-owned lands, buildings and structures beyond City standard levels provided at the expense of the municipality generally and to promote the area as a business and shopping area;

Whereas subsection 204(2.1) of the *Municipal Act, 2001*, provides that a board of management is a local board of the municipality for all purposes;

Whereas section 11 of the *Municipal Act, 2001* authorizes a lower-tier municipality to pass by-laws respecting the governance structure of a local board of a municipality;

Whereas it is deemed necessary to establish the mandate, composition, duties and responsibilities, practices and procedures, referred to as "Downtown Governance and Operating Guidelines" for the Downtown Business Improvement Area Board of Management;

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. That the Downtown Governance and Operating Guidelines for the Downtown Business Improvement Area Board of Management shall be in accordance with Schedule "A", attached to this By-Law.
2. That in the event any By-Law conflicts with the provisions herein, this By-Law shall prevail.
3. That pursuant to the provisions of Sections 23.1 to 23.5 inclusive of the *Municipal Act, 2001*, as amended the Clerk of the City of Port Colborne is hereby authorized to effect any minor modifications or corrections solely of an administrative, numerical, grammatical, semantical or descriptive nature or kind to this By-Law or its schedules as such may be determined to be necessary after the passage of this By-Law.

Enacted and passed this 5th day of September, 2023.

William C. Steele
Mayor

Saima Tufail
Acting City Clerk