

Bill No. 37
2019

By-law No. C.P.-1528()-__

A by-law to amend By-law C.P.-1528-486 being "A by-law to designate an area as an improvement area and to establish the board of management for the purpose of managing the Hamilton Road Business Improvement Area".

WHEREAS subsection 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS subsection 10(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended provides that a municipality may provide any services or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended provides that a municipality may pass by-laws respecting: in paragraph 1, Governance structure of the municipality and its local boards; paragraph 2, Accountability and transparency of the municipality and its operations and of its local boards and their operations; paragraph 3, Financial Management of the municipality and its local boards; in paragraph 7, Services and things that the municipality is authorized to provide under subsection (1);

AND WHEREAS subsection 204(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended provides a local municipality may designate an area as an improvement area and may establish a board of management:

- (a) to oversee the improvement, beautification and maintenance of municipally-owned land, buildings and structures in the area beyond that provided at the expense of the municipality generally; and
- (b) to promote the area as a business or shopping area;

AND WHEREAS the Municipal Council enacted the "Hamilton Road Business Improvement Area Board of Management By-law" on October 2, 2018 to establish the board of management of the Hamilton Road Business Improvement Area;

AND WHEREAS the Municipal Council deems it appropriate to amend the "Hamilton Road Business Improvement Area Board of Management By-law" to provide further clarification with respect to quorum requirements for the Annual General Meeting, notice provisions with respect to the Annual General Meeting and membership of subcommittees of the Board;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Section 5.12 (2) is hereby amended by deleting the word and number "three (3)" and by replacing it with the word and the number "two (2)".

2. Section 8.2 (a) is hereby amended by deleting the section in its entirety and by replacing it with the following new section 8.2 (a):

“8.2 (a) Written or electronic notice of the Annual General Meeting shall be provided to Members not less than ten (10) days’ prior to the date of the holding of the Annual General Meeting. The accidental omission to provide notice to any member shall not affect the validity of the meeting or any action taken thereat.”

3. Section 8.6 is hereby amended by deleting the section in its entirety and by replacing it with the following new section 8.6:

“8.6 A minimum of twenty (20) Members, including a quorum of the Board of Management, shall constitute quorum at any meeting of the Members.”

4. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on January 15, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk