

# Frequently Asked Questions

## QUESTIONS ABOUT OBIAA

### Q. What is OBIAA?

**A.** OBIAA is an acronym for the Ontario *Business Improvement Area* Association. It is a provincial, non-profit corporation that provides support to business improvement areas in Ontario through several resources and services. Comprised of an elected Board of Directors with members from different BIAs, and full-time staff in Port Credit, the corporation works closely with the Province to sustain and advance the livelihood of small businesses in Ontario.



### Q. Who gets OBIAA services and what kind of services does OBIAA provide?

**A.** Members of OBIAA have access to its services. Members are BIAs that pay a fixed annual fee to OBIAA which is based on the levies they receive from their respective municipalities.

OBIAA mainly acts as a central resource for business improvement areas by connecting them together through Member Needs Assistance sessions, Best Practices calls, an annual conference and more. Furthermore, it provides opportunities for BIAs to learn and grow through regional workshops, webinars and other professional development sessions. OBIAA also represents its members at government meetings, lobbying on behalf of them to pursue their best interests.

### Q. Can OBIAA connect me or my BIA with other BIAs? How can I do so?

**A.** Connecting BIAs across Ontario with each other was a main reason for the formation of OBIAA. OBIAA offers several resources that provide BIAs an opportunity to engage with other BIAs. These include monthly Best Practices calls and Member Needs Assistance forums for those that are seeking advice and/or support. OBIAA also provides more sessions for learning and guidance with other BIAs such as the Community of Practice initiative, regional workshops, and the annual conference. These events are an excellent way to network as well.

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## Q. What happens at the annual OBIAA conference?

A. The conference serves as an excellent learning opportunity for BIAs with several leadership and professional development training events taking place. Each year, there is also a lineup of exceptional speakers who share their own expertise, experience, and knowledge. Additionally, it is an excellent networking opportunity for OBIAA members and non-members alike to gather, share, and learn with representatives from BIAs across the province. BIAs are recognized for their hard work and contribution to their local communities through the Awards Gala at conference as well. The conference plays host to a tradeshow too, with many vendors promoting their services and products that may be of use to specific business improvement areas.



## Q. How does OBIAA advocate on behalf of member BIAs when it comes to governmental relations?

A. OBIAA meets with the Planning, Environment, Resources and Land Deputies Committee of the provincial government annually to address the most pressing concerns of BIAs. These meetings provide OBIAA with a platform to speak with policy makers and lobby them in the best interests of Ontario downtowns. Furthermore, the Board at OBIAA is always working with liaisons to ensure that BIAs are represented in the work that several ministries conduct. Below are examples of work that OBIAA has performed with the Province in the past and currently.

- Concerns by BIAs on changes made to Municipal Act, 2001
- Accessibility initiatives in Ontario downtowns such as “Go On: Building Accessible Communities”
- “Digital Main Street” project to support small business digitization

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## GENERAL BIA INFO

### Q. How do I start a BIA?

**A.** Starting a BIA takes a lot of work, time, and commitment. Before doing so, one needs to be sure that they truly want to start one and is dedicated to seeing the process through to the end. With that being said, one must also ensure that other people and/or businesses are on board with the idea and have the same amount of interest and commitment as they do. Starting a BIA is a large task and requires a team to complete. Furthermore, you and your team must have the support of businesses in your community and that a BIA would benefit everyone involved.

Once you have taken care of the aforementioned items, you can look to the contents of the reference binder for detailed steps on establishing and maintaining a BIA. Section 3 – Establishing a BIA can get you started, as it contains the main tasks required for a BIA’s conception. Section 4 – Leadership and Management has important information on the governance of a BIA, including samples and templates of vital documents that are essential for a BIA’s operation. If you have further questions or concerns that are not covered in the binder, please do not hesitate to contact OBIAA.

### Q. What does the structure of a BIA look like?

**A.** A BIA consists of a Board of Management that oversees and is responsible for all the operations, activities, and decisions of a BIA. The Board consists of elected individuals from members of a BIA and municipal staff appointed from City Council. Under the Board are subcommittees that are dedicated to specific areas of work and carry out assigned tasks. They are led by Board members but are composed of people from Council, other municipal staff, and individuals in the community. There is also a manager or executive director position that keeps committees on track. At the bottom of the hierarchy are BIA members who can be entitled to participate in BIA meetings and voice themselves to the Board.

### Q. Is a BIA a not-for-profit organization?

**A.** No, a BIA is a local board of a municipality. It cannot make a profit but is not considered a not-for-profit organization.

# Frequently Asked Questions

## Q. How do I dissolve a BIA?

A. If your BIA is looking to be dissolved, we would like you to contact OBIAA first as dissolution may be drastic. OBIAA recommends that a BIA enters a dormant status first in case there is interest for a revival or until leadership can get a BIA back on track. For the detailed procedure of becoming dormant, please refer to Section 3 – “Dormant BIA Status Procedure” of the reference binder. During dormancy, a BIA can be determined to undergo dissolution with the support of its governing municipality. As a local board, a municipality must officially dissolve it for it to be rendered as disbanded. A report must be sent to City Council about a BIA’s dissolution. A BIA’s assets and liabilities will belong to its respective municipality after dissolution and any bylaws that were created for its governance will be repealed.

## Q. What can I do to fill vacancies in my BIA?

A. There are many strategies that BIAs can use to fill vacancies. A list is below.

- Open house and/or providing a tour of vacant space and BIA itself
- Advertisements on the exterior of vacancies that:
  - Display them as business opportunities
  - Present past BIA successes
- “Win This Space” contests (for more information, please visit the “Win This Space” subsection of the binder)
- Pop-up shops (for more information, please visit the “Pop-up Shops” subsection of the binder)
- SpaceList Fusion vacant listing database for website
  - Allows you to post listings in your BIA on your website
  - Listings on your website automatically update whenever database itself is updated
  - Free of charge



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## ELECTIONS

### Q. Who gets a vote?

A. All property and business owners within the boundaries of a BIA receive a vote.

### Q. How many votes does a person get if they own multiple properties and/or businesses in the BIA?

A. The Municipal Act, 2001, states that each business and/or property owners only receives **one** vote, regardless of the number of businesses and/or properties they own in the BIA.

### Q. When should Board Elections take place?

A. Most BIAs have it at their annual general meeting (AGM) when members get together to receive a review of the BIA's performance over the past year and stay informed on future BIA plans and activities.

### Q. A municipal Councilor must sit on a BIA's Board of Management. Can the BIA influence who it is?

A. According to the Municipal Act, 2001, the municipality appoints a person from Council to be on the BIA's Board. Therefore, the municipality has ultimate power over this decision. However, in many municipalities, the mayor has control over who sits on boards so a BIA can attempt to lobby the mayor on this. Other municipalities appoint the representative from the same ward each election.

# Frequently Asked Questions

## MEETINGS

**Q. Do budgets and financial statements have to be discussed at an annual general meeting? Do members have to vote on the budget?**

**A.** No they do not have to be discussed at the annual general meeting specifically. However, the Municipal Act, 2001, requires the budget to be discussed at some point with members before Council approval at a meeting. Therefore, most BIAs will just do it at their AGM.

A vote by members on the budget is not required but if there is significant dissent, the Council may ask the BIA's Board to change it accordingly. A good practice is to have the budget align with a BIA's strategic plan so members can see where their money is going towards. This might assist in making them more supportive of the budget.

**Q. How can annual general meetings be more engaging for members?**

**A.** Meetings are more engaging for members if there are more opportunities for them to interact with each other and the Board. Having a period for networking and/or socializing may help. Acknowledging BIA successes and individual business accomplishments in the BIA is also a good practice while refreshments catered from local restaurants is another way of getting members involved.

**Q. How do I handle members who wish to attend Board meetings?**

**A.** Board meetings are open to the public so you must allow members to attend if they wish to. However, you may request them to follow a set of rules at the meeting. It is best practice to have guests at meetings only speak on issues that they were invited to speak on so that the Board can always maintain control. Furthermore, authority should be established so that when a guest speaks, they must be given permission by the Chair of the meeting first. They should also address the Chair of who they intend to speak to before speaking directly to that person(s). It is also suggested that the visitor sit in a different location from the Board members. This is not to alienate the visitor but to make them easily visible when speaking. The Board may also request that visitors give them notice of their attendance and what they would like to speak about or present before a specific time. This allows the Board to prepare for their attendance, make time for them on the agenda, and be ready to answer any questions, provide support, or respond to whatever they have to say.



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## GOVERNANCE

### **Q. What is a Memorandum of Understanding and how have they been used?**

**A.** A Memorandum of Understanding (MOU) is an official document drafted by two or more parties that details the specific roles and responsibilities of the parties over a common agreement. When it comes to the case of BIAs, Memorandums of Understanding are made between themselves and their respective municipalities so both parties know what each are responsible for when it comes to the operation of a BIA.

Memorandums of Understanding have been referred to by BIAs and municipalities alike when an issue in a BIA arises and it is unclear as to what party is responsible for handling it. Furthermore, a BIA may use them as tools for developing and maintaining relations with a municipality. Please see samples of MOUs in the “Relationship with Municipality” subsection.

### **Q. Is a BIA subject to codes of conduct? If so, what are they subject to?**

**A.** As a local board of its municipality, a BIA is subject to any bylaws that its municipality has developed for its governance and operation. Any memorandums of understanding and/or other agreements made with a municipality should be followed too. It must also adhere to the applicable legislation to BIAs in the Municipal Act, which governs all Ontario municipalities. Furthermore, a BIA needs to be held accountable to its own constitution and policies (e.g. purchasing/procurement, HR/personnel, board vacancy, etc.) so that it does right by what it was intended for in its formation. Other legislation BIAs are subject to is below.

- Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)
- Municipal Elections Act, 1996
- Municipal Conflict of Interest Act

The BIA handbook has many FAQs that may not have been covered here. Please see a link to the handbook below.

<http://www.mah.gov.on.ca/Asset7396.aspx>