



OBIAATM

Municipal Act Session

OBIAA's Advocacy Government Relations Team

April 19, 2023



Your Feedback

[illegible]

Membership

- Municipal Act
 - (4) Members of an improvement area consist of persons who are assessed, on the last returned assessment roll, with respect to rateable property in the area that is in a prescribed business property class and tenants of such property. 2001, c. 25, s. 204 (4).
 - A business improvement area has members. Those members are persons who own land that is subject to municipal taxation in a prescribed business property class as well as tenants of that property.
 - Section 1(1) of the MA defines “rateable property” as “land that is subject to municipal taxation”. [3]
- Plain Language
 - A business improvement area has members. Those members are persons who own land that is subject to municipal taxation in a prescribed business property class as well as tenants of that property.
 - Section 1(1) of the MA defines “rateable property” as “land that is subject to municipal taxation”. [3]

Mandate

- Municipal Act
- 204 (1) 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. 2001, c. 25, s. 204 (1).

- Plain Language
- This provision gives a municipality the power to establish a business improvement area and board of management.
- The purpose of doing so can be “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 “to promote the area as a business or shopping area”.
- Per s. 1(1) of the MA, “‘municipality’ means a geographic area whose inhabitants are incorporated”.^[1]

Budget and Funding

- Municipal Act
- (2) A board of management is a corporation consisting of the number of directors established by the municipality. 2001, c. 25, s. 204 (2).

- Plain Language
- This provision establishes that a board of management is a corporation. A board of management consists of “the number of directors established by the municipality”.
- The board must have at least one director and has no maximum size.

In 2021, pre-Election

The Government of Ontario stated:

Supporting Ontario's Business Improvement Areas

- Business Improvement Areas (BIAs) play a critical role in the promotion of main street businesses in their respective communities. As part of the government's ongoing commitment to reduce unnecessary red tape, Ontario will work together with its municipal partners and other stakeholders to explore changes to the Municipal Act, 2001 and City of Toronto Act, 2006 that could provide the BIA with greater access to grants and funding resources.

Local Board Status

- Municipal Act
- (2.1) A board of management is a local board of the municipality for all purposes. 2006, c. 32, Sched. A, s. 89.
- Composition
- (3) A board of management shall be composed of,
 - (a) one or more directors appointed directly by the municipality; and
 - (b) the remaining directors selected by a vote of the membership of the improvement area and appointed by the municipality. 2001, c. 25, s. 204 (3).
- Plain Language
- A board of management is a local board. Consequently, provisions about local boards apply to a board of management. For example, s. 216 provides for the dissolution and change of local boards.
- Additionally, s. 223.2(1), which states that “[a] municipality shall establish codes of conduct for members of the council of the municipality and of its local boards”, would presumably apply to a BIA board of management.
- Section 1(1) of the MA defines ‘local board’ as “a municipal service board, transportation commission, public library board, board of health, police services board, planning board, or any other board, commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities, excluding a school board and a conservation authority”. [2]

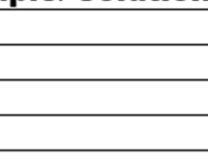
Nominee

- Municipal Act
- (7) A corporate member of an improvement area may nominate in writing one individual to vote on behalf of the corporation. 2001, c. 25, s. 204 (7).

- Plain Language
- A corporate member of the BIA can nominate in writing an individual to vote on their behalf.



Your Feedback

OBIAA - Municipal Act Review		
Your BIA name:		
Has your BIA ever been challenged with the wording of the Municipal Act?		Yes/ No
What is your specific example/ solution?		
Any other Municipal Act Issues?		
 Link to Ontario Municipal Act ← SCAN HERE		



Next Steps

Share our Municipal Act Update with key partners:

- Association of Municipalities of Ontario (AMO)
- Association of Municipal Clerks and Treasurers of Ontario (AMCTO)
- Ministry of Municipal Affairs and Housing
- Key Municipalities
- And you, OBIAA Members

Write up formal Municipal Act Update/Rewrite submission

Ask for letters of support from BIAs and Municipalities

A decorative header featuring a marbled paper pattern in shades of light blue, teal, and white. The pattern consists of organic, swirling shapes. Overlaid on this pattern is the text "Questions? Comments?" in a bold, black, sans-serif font.

Questions? Comments?

**We invite you to come to the Mic
with your Questions and Comments**



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Thank you!