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## **CITY OF KELOWNA**

### **MEMORANDUM**

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**Date:** September 4, 2003  
**File No.:** Bylaw No. 9042  
**To:** City Manager  
**From:** City Clerk  
**Subject:** Kelowna Downtown Business Improvement Area Bylaw No. 9042

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#### **RECOMMENDATION:**

THAT Council receive the Certificate of Sufficiency dated August 27<sup>th</sup>, 2003 pertaining to the Kelowna Downtown Business Improvement Area Bylaw No. 9042;

AND THAT Kelowna Downtown Business Improvement Area Bylaw No. 9042 be advanced for adoption consideration.

#### **BACKGROUND:**

On July 21<sup>st</sup>, 2003 Council gave first three readings to Bylaw No. 9042, which authorizes the renewal of the Kelowna Downtown Business Improvement Area (the "BIA") for a five year period from January 1<sup>st</sup>, 2004 to December 31<sup>st</sup>, 2008.

Under the provisions of the *Local Government Act* notice of Council's intention to renew the BIA was advertised in the Kelowna Daily Courier on July 25<sup>th</sup>, 2003, and notices were mailed to 367 affected property owners, representing 306 properties, on July 23<sup>rd</sup>, 2003, giving a deadline of 4:00 p.m. August 26<sup>th</sup>, 2003 for receipt of petitions against Bylaw No. 9042.

As of the deadline date the City Clerk's Office had received 7 valid petitions or letters and 2 invalid petitions or letters. Petitions or letters were determined to be invalid, in accordance with the *Local Government Act*, when they were only signed by one owner when two or more owners were listed on the certificate of title, or when a related corporate entity had submitted the petition or letter rather than the actual corporate owner.

As insufficient petitions against Bylaw No. 9042 were received by the City Clerk's Office prior to the petition deadline, Council may consider adoption of the bylaw.

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A.M. Flack, City Clerk

**CITY OF KELOWNA**

**CERTIFICATE OF SUFFICIENCY**

I HEREBY CERTIFY that sufficient petitions **HAVE NOT** been received against Kelowna Downtown Business Improvement Area Bylaw No. 9042 as detailed below.

Dated this 27<sup>th</sup> day of August, 2003.

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A.M. Flack, City Clerk

Bylaw No.	Description Of Work	No. of Parcels	Majority Required to Defeat Project (50% + 1)	No. of Petitions Received	Assessed Value Required to Defeat Project (50% of Total)	Total Petitioners' Assessment
9042	Kelowna Downtown BIA (2004-2008)	306	154	7	\$105,555,300.50	\$4,427,000.00