

**Constitution
(Beamsville Downtown Business Improvement Area -
BDBIA)**

NAME

The name of the organization is "Beamsville Downtown Business Improvement Area (BDBIA)"; or commonly referred to as Downtown Bench Beamsville BIA (DBBBIA) or Downtown Bench Beamsville.

The membership of the organization elects "the Board of Management for Beamsville Downtown Business Improvement Area (or BDBIA Board)" which is in turn appointed by the Council of the Town of Lincoln through By-law #78-81 and amending By-law 83-35 as amended by By-law 2019-16.

LEGISLATIVE DIRECTION

The direction provided by Council pursuant to Bylaw 2019-16 reads as follows:

“ THAT is entrusted to the Board, subject to the limitations hereinafter set out, the improvement, beautification and maintenance of the municipally owned lands, buildings and structures in the improvement area, beyond such improvement, beautification and maintenance as is provided at the expense of the municipality at large, and the promotion of the improvement area a business or shopping area.”

Provincial Legislation - Municipal Act, 2001, S.O. 2001, c.25

Designation of improvement area

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).

PURPOSE

The Council of the Town of Lincoln appoints the Board of Management of Beamsville Downtown Business Improvement Area to:

Plan and administer activities for the promotion and economic development of the Beamsville Downtown Business Improvement Area as an attractive business and shopping area as well as for the maintenance of the appearance of the downtown core (to develop, promote and protect commercial viability of the area);

Engage in strategic planning necessary to address Beamsville Downtown Business Improvement Area issues for its members;

Advocate on behalf of the interests of Beamsville Downtown Business Improvement Area catchment and its members;

Manage the money that is collected by the Town of Lincoln from the required special BIA levy for these activities;

To strive to ensure that each member of the Beamsville Downtown Business Improvement Area receives fair representation from the Board of Management, herein referred to as the “BDBIA”

BOUNDARIES – BDBIA AREA

The boundaries of Beamsville Downtown Business Improvement Area as established by Town Council under by-law 2019-16 are: of the East and West Main Streets, from Bartlett Street in the East, to Mountainview Street in the West, bordered on the North by John Street, and in the South by Beam Street *See Appendix 1 for specific details of Beamsville Downtown Business Improvement Area boundaries.*

All businesses within the designated area are assessed for a special levy that is collected by the Town of Lincoln support the activities of Beamsville Downtown Business Improvement Area.

MEMBERSHIP

Membership of the organization shall consist of all property owners and tenant businesses located and/or operating within the designated Beamsville Downtown Business Improvement Area boundaries.

Only members of Beamsville Downtown Business Improvement Area have the right to vote for representatives to the Board of Management of Beamsville Downtown Business Improvement Area and to vote on issues brought to a General Meeting of Beamsville Downtown Business Improvement Area.

Each member has the right to nominate an owner or employee of a business or property (or their designate) to stand for election to the Board of Management of Beamsville Downtown Business Improvement Area according to requirements set out in the Municipal Act 2002 s. 204 ss. 4 and 5 and The Town of Lincoln By-law #2019-16.

All members are entitled to voting privileges at the Annual General Meeting, one vote per member. Written proxies only are permitted. Each member has one vote regardless of the number of properties or businesses owned by any member.

Any member of Beamsville Downtown Business Improvement Area may ask that issues or items of interest be placed on the agenda of Beamsville Downtown Business Improvement Area for discussion and/or resolution. They may contact any Beamsville Downtown Business Improvement Area Board member or the BIA office for inclusion of an item on an upcoming. Additionally, with reasonable notice, any member may make a request in writing to make a deputation or presentation to Beamsville Downtown Business Improvement Area. Said request is to be directed to the Chair of the Board of Management.

Additional membership classifications may be added and/or deleted via "policies and procedures".

BOARD OF MANAGEMENT

The Board of Management of Beamsville Downtown Business Improvement Area is a standing committee of the Council of the Town of Lincoln.

Board of Management and sub-committee work is on a volunteer basis. Neither Board members nor sub-committee members or their relatives can receive payment for work related to the BDBIA or its sub-committees apart from budgeted and receipted expenses for materials.

Term of Office

The Board's Term of Office runs concurrently with that of the Municipal Council appointing it – four (4) years.

The Board has a minimum of seven (7) and a maximum of nine (9) members appointed to the Board. Municipal representatives appointed by Council number one (1) of the total number.

Responsibilities of the Board

The Board is responsible for:

1. Drafting and approving of Policies and Procedures to ensure the effective operation of Beamsville Downtown Business Improvement Area and for amending these Policies and Procedures as necessary.
2. Ensuring that Board Policies and Procedures are implemented effectively.
3. Acting as a legal entity to enter into contracts required by the activities of the Board, such as the maintenance, beautification, promotion, economic development as well as the marketing and advertising of the downtown designated area.
4. Electing an Executive who will also act as Signing Officers for the Board.
5. Drafting an annual budget for approval by quorum of the Board of Management; submitting the approved budget to the Town of Lincoln; requesting release of the levy and implementing the annual budget as approved by the Municipal Council and presentation of the approved budget to Beamsville Downtown Business Improvement Area membership at the Annual General Meeting.

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- a. The annual budget approved by the Board of Management and ratified by Town Council shall be presented to the BDBIA membership in attendance at the Annual General Meeting. Notification of this meeting shall be given to the membership not less than two weeks (fourteen days) prior to the meeting date.
 - b. At each Annual General Meeting audited financial statements for the previous year shall be presented to the membership.
6. The BDBIA Board shall have the authority to raise funds through events held, to supplement the budget for BDBIA programs.
7. Ensuring that financial transactions are appropriately carried out, that records of all financial transactions are maintained and that these records are audited annually by the auditing firm specified by the Town of Lincoln.
8. Ensuring that APPROVED minutes of all Board meetings are recorded and distributed to its members through the BDBIA websites and made available upon request.
9. Establishing sub-committees and appointing representatives to those sub-committees as required to deal with issues identified by the Board or as requested by The Town of Lincoln as well as ensuring committee minutes are recorded and kept on file at the office of the Board.
10. Hiring staff to carry out the Board's directives.
11. Maintain communication with the members regarding its activities, including but not limited to, arranging General Meetings of the membership.
12. All other activities necessary to the effective operation of the Board and Beamsville Downtown Business Improvement Area.

Coming Into Force

This Constitution shall come into force when approved by a majority of the membership of Beamsville Downtown Business Improvement Area.

Passed by the Board of Management on this day October 15, 2020.

Confirmed by the Members on this day November 19, 2020.

Passed by Town of Lincoln Council on this day December 7, 2020.