

THE CORPORATION OF THE CITY OF KENORA

BY-LAW NUMBER 37-2000

**A BY-LAW TO ESTABLISH A BOARD OF MANAGEMENT FOR THE
MAINTENANCE AND OPERATION OF THE BUSINESS DEVELOPMENT
CENTRE**

WHEREAS a partnership agreement was established between the former Towns of Keewatin and Kenora for the operation of the Business Development Centre within the former Town of Keewatin; and

WHEREAS Section 14(1) of the Minister's Restructuring Order dated March 31, 1999 sets out that all by-laws of the former municipalities and their local boards remain in force until the earlier of the date they are amended or repealed and December 31, 2004; and

WHEREAS it is deemed expedient to repeal the partnership agreement between the former Towns of Keewatin and Kenora as it is now redundant due to amalgamation; and

WHEREAS a Board of Management must be established for the purposes of the maintenance and operation of the Business Development Centre;

NOW THEREFORE BE IT RESOLVED THAT the Corporation of the City of Kenora enacts as follows:-

1. THAT the partnership agreement between the former Towns of Keewatin and Kenora is no longer in effect;
2. THAT the new agreement establishing a Board of Management for the maintenance and operation of the Business Development Centre attached hereto forms Schedule "A" to this By-law;
3. THAT By-law Numbers 40-86, 11-89, 1211, and 89-014, are hereby repealed.

By-law read a First & Second Time this 28 day of February, 2000

By-law read a Third & Final Time this 28 day of February, 2000

THE CORPORATION OF THE CITY OF KENORA:

_____ **MAYOR**

_____ **CLERK**

SCHEDULE "A"
TO BY-LAW NUMBER 37-2000

1. **NAME OF CENTRE**

The name Centre is the **BUSINESS DEVELOPMENT CENTRE**

2. **LOCATION OF BUSINESS AND PROPERTY**

The Business Development Centre is located in Keewatin on Part 1, Plan 23R-6791, Parts 1, 2, 3, 4, and 5, subject to a sewer and water easement over Part 2 and Kenora Hydro easement over Part 4, Plan 23R-6791. The registered owner of the land and premises shall be the Corporation of the City of Kenora.

3. **BOARD OF MANAGEMENT**

A Management Board shall be set up, consisting of two (2) Members of Council and three (3) appointed members-at-large, with their powers to be defined by the City of Kenora.

4. **PURPOSE OF THE BOARD OF MANAGEMENT**

The purpose of the Board of Management shall be to carry on the operation of the Business Development Centre as an "Incubator Mall."

5. **APPOINTMENT OF MANAGER/AUDITOR/LEGAL COUNSEL**

The appointment of a Manager, Auditor and Legal Counsel shall be as determined by the City of Kenora on an annual basis, along with any other appointments that may be required.

6. **RECORDS OF BUSINESS**

The records of the business shall be kept by the Manager, with monthly activity reports and bank reconciliations being submitted to the City of Kenora Finance Department.

7. **BANKING ARRANGEMENTS AND SIGNING AUTHORITY**

The Royal Bank of Canada (Keewatin Branch), shall be the banking institution used by the Board of Management for the Business Development Centre.

The signing authority shall be determined from time to time by the City of Kenora for banking and legal documents, including leases.

8. **INSURANCE**

All Risk Insurance and Liability Insurance coverage on the building shall be the responsibility of the City of Kenora, however insurance on the contents shall be the responsibility of each tenant.

9. **DISPOSITION OF ASSETS**

(in keeping with Section 19(9) of The Restructuring Order

If the Business Development Centre assets are sold by the City on or before December 31, 2004, the proceeds of the sale, subject to the rights, if any, of any other person in the proceeds, and after any debts or other liabilities in respect of the partnership have been paid, shall be paid, in equal shares, into two reserve funds, to be established by the City. Until December 31, 2004, one of the two reserve funds shall be used only for the benefit of the ratepayers in the geographic area of the former Town of Keewatin and the former Town of Kenora.

For purposes of the above-noted paragraph, "Business Development Centre assets" means the former partnership assets, including the property, mentioned in Section 2 of this Schedule "A".

