

ELECTION PROCEDURES FOR THE CREEMORE BUSINESS IMPROVEMENT AREA

1.0 DEFINITIONS

“Board of Management” is a corporation consisting of the number of directors established by the municipality.

“Council” means the Council of the Township of Clearview.

“Member” means the individuals 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.

“Tenant” means the tenant of commercial or industrial property with a gross lease including a portion of taxes with respect to rateable property in the area.

2.0 DESIGNATION OF BUSINESS IMPROVEMENT AREA BOUNDARIES

The Business Improvement Area is comprised of the following civic addresses:

3 Caroline Street West	4 Caroline Street West	6 Caroline Street West
186 Mill Street	197 Mill Street	2 Francis Street East
187 Mill Street	181 Mill Street	179 Mill Street
171 Mill Street	157 Mill Street	153 Mill Street
151 Mill Street	145 Mill Street	143 Mill Street
141 Mill Street	137 Mill Street	113 Mill Street
190 Mill Street	182 Mill Street	180 Mill Street
178 Mill Street	176 Mill Street	172 Mill Street
166 Mill Street	158 Mill Street	154 Mill Street
150 Mill Street	148 Mill Street	146 Mill Street
142 Mill Street	1 Elizabeth Street West	134 Mill Street
124 Mill Street		

A map defining the geographic boundaries of the Business Improvement Area is attached to this policy in Appendix A.

3.0 BOARD COMPOSITION

3.1 The Board of Management shall consist of six (6) directors as follows:

- (a) One (1) member of council and the past president; and
- (b) The remaining directors selected by a vote of the membership of the improvement area and appointed by the municipality. (section 204(3))

3.2 Council may refuse to appoint a Member selected under section 3.1 in which case Council may:

- (a) Leave the position vacant; or

ELECTION PROCEDURES FOR THE CREEMORE BUSINESS IMPROVEMENT AREA

- (b) Direct that a meeting of the Members be held to select another candidate for Council's consideration. (Section 204 (9))
- 3.3 Directors shall serve for a term that is the same as the term of the Council that appoints them or until their successors are appointed. (Section 204 (10))
- 3.4 The seat of a director becomes vacant if a director is absent from the meeting(s) of the Board of Management for three (3) consecutive meetings without being authorized to do so by a resolution of Council. (Constitution)
- 3.5 If a seat of a director becomes vacant for any reason, the Council may fill the vacancy for the remainder of the vacant director's term and may seek the Board of Management's recommendation. (Section 204(12))
- 3.6 A director may be reappointed to the Board of Management. (Section 204(11))
- 3.7 Directors shall serve without remuneration. (Constitution)

4.0 CALL OF AN ELECTION

- 4.1 The Board of Management at a General Meeting of the Membership shall call an election by resolution if the Director(s) term of office has expired.
- 4.2 The date and location of the election shall be announced at the General Meeting and recorded in the minutes.
- 4.3 A Nomination Committee shall be formed by resolution at the General Meeting and shall not include any persons seeking election to the Board of Management.

5.0 NOMINATIONS

- 5.1 At the call of the election as specified in section 4.1. the Nominating Committee shall advertise the call for nominations and election by email, direct mail, public advertisement and social media accounts.
- 5.2 Nomination forms shall be made available on the Township's website and at any other location specified by the Nominating Committee. These locations will be advertised in the call for nominations advertisements.
- 5.3 All nominations must be received and approved by the Nominating Committee.
- 5.4 Nominations filed by a property owner or tenant assessed commercially or industrially in the business improvement area may submit the specified nomination form, directly to the Nomination Committee.
- 5.5 Nominations filed by individuals not assessed commercially or industrially in the business improvement area must be nominated by two (2) Members assessed

ELECTION PROCEDURES FOR THE CREEMORE BUSINESS IMPROVEMENT AREA

commercially or industrially within the business improvement area prior to submitting their nomination to the Nomination Committee.

- 5.6 Nominations will be due at least three weeks prior to the election called by the Board of Management. The due date must be advertised in the call for nominations advertisement.
- 5.7 A person may withdraw his or her nomination by filing a written withdrawal with the Nominating Committee up to one week after the nomination deadline.
- 5.8 If at 4 p.m. on the Monday following nomination day, the number of certified candidates for an office is the same as or less than the number to be elected, the Nominating Committee shall immediately declare the candidate or candidates elected by acclamation.
- 5.9 Subject to 5.8, the Nominating Committee shall extend the nomination period by two weeks from the date of acclamation for additional nominations for the remaining seats. If the number of certified candidates still does not exceed the remaining number of vacancies, the Nominating Committee shall immediately declare the additional candidate or candidates acclaimed.
- 5.10 Immediately following the close of nominations, the Nominating Committee shall prepare a report to Council with respect to all nominations received and certified for the election or acclamation.

6.0 ELECTION

- 6.1 The Nomination Committee are the Returning Officers and are responsible for the election.
- 6.2 The Returning Officers may appoint, in writing, Assistant Returning Officers (ARO's) and such other officials required to assist in the Business Improvement Area Election.
- 6.3 The Business Improvement Area Election shall be conducted by vote by mail up to 4:30 p.m. on Election Day and paper ballot in person at the time and location specified by the Nominating Committee. No proxies will be permitted.
- 6.4 Each member has one vote regardless of the number of properties that the member may own or lease in the Improvement Area. A member must show proof of identification and business/property ownership.
- 6.5 Every member that is a corporation or partnership has one vote regardless of the number of shareholders or partners that the member has.
- 6.6 A Candidate may appoint a scrutineer to represent him or her during voting and the counting of votes, including a recount.

ELECTION PROCEDURES FOR THE CREEMORE BUSINESS IMPROVEMENT AREA

- 6.7 The Nominating Committee shall place the results of the election on the Township's website and indicate that all appointments are subject to Council approval.

7.0 OFFICERS

The Board, as soon as is practicable after its members are appointed, shall elect a Chairman, Vice-Chairman and shall appoint a Secretary and Treasurer and such other officers as it may deem necessary and as are lawfully authorized to properly conduct the business of the Board.