

DOS AND DON'TS OF FORMING A BIA

- 1) BIA sponsor group must be a registered non-profit society. A legal name for the Society will not be approved without a corporate name search /reservation. Constitution and By-laws must be passed by the general membership, and must conform with the Society Act, BIA provisions of the Vancouver Charter (or Community Charter outside the City of Vancouver), and municipal requirements. Start with examples from established BIAs, retain legal advice, and check with City Hall re local requirements. All By-laws must be approved by the Corporate Registry (Victoria).
- 2) Constitution and By-laws may be established by the founding Directors (sponsor group) and pre-approved by the Registrar. Otherwise, they must be approved by the wider membership at a General Meeting held after Council approves the BIA. All Class 5 and 6 property owners and tenants within the BIA boundary are eligible for voting membership.
- 3) Where the BIA sponsor is an established business association with pre-existing Constitution and By-laws, these will likely need to be amended to accord with general BIA requirements, the BIA's geographic mandate, and the local requirements in 1. BIA funding can be delayed if necessary amendments have not been made prior to BIA approval.
- 4) Determine a geographic boundary that makes sense - - Is there a common interest, type of business, or character that unites the area? What is a solid area of support? What blocks/areas are likely to be unsupportive? Who will benefit/not benefit? How many properties are needed to spread the proposed budget? Be prepared to change the proposed boundaries as a result of input you receive.
- 5) Determine a budget amount. Review the budgets of existing BIAs to get a sense of possible BIA activities and their costs. Consider retaining a consultant or student to do analysis of your area's needs and prepare a strategy. A coherent strategy is essential to winning support for the BIA. Develop a business improvement proposal that addresses your priorities while being realistic about the amount that your members will be capable or willing to pay. Larger BIA boundaries help spread costs among more owners, but don't lose sight of where your support is likely to be. Be prepared to amend your budget proposal. Consider 'going public' with options that are later narrowed down by surveys and other outreach activities.
- 6) Sponsor group should make every effort to contact all property owners and merchants regarding the BIA proposal and the amount they would likely pay under the proposed levy. Although time consuming, direct personal contact with property and business owners is essential, preferably face-to-face, or at least by telephone. It is essential that the sponsor group be very explicit about the annual cost of the proposal. People may support the BIA in principle, but when the municipal government sends out the formal notices showing the actual cost to the property owner, they may oppose the BIA if the cost is significantly higher than they anticipated.

- 7) Never talk as if the BIA proposal is cast in stone, or the product of a small closed group. You need to reach out, and be seen as reaching out, to your colleagues. Their needs and priorities should be clearly reflected in the BIA proposal. If the process is seen as open, inclusive and consultative, it is more likely to be supported. Outreach should take place over at least 6 months, and be conducted in a way that builds consensus for the proposal. Nothing will more effectively erode support for a BIA than the perception that a proposal is being 'rammed through'. Take extra care to reach specific interests and ethnic groups within the proposed BIA. Enlist respected individuals ('champions') to reach out to others within their ethnic communities.
- 8) In Vancouver, the 'outreach' process consists of direct contact, public information meetings held by the sponsor group (and attended by City's representative), mailout/ hand delivery of meeting notices, information flyers, newsletters, and written / oral surveys. The sponsor keeps copies of all material produced and forwards it to City Council as documentation of its outreach efforts.
- 9) When distributing material to businesses, give it to the actual business owner. If this is not possible, make sure the person receiving your material will draw it to the owner's attention. Follow up by telephone or direct contact.
- 10) The City of Vancouver asks the sponsor group to distribute an informal survey, at the end of the Outreach phase, to all the owners and businesses. The survey asks if they support the BIA proposal. The results of the survey help City Council to determine whether the proposal seems to be generally supported. If the proposal appears to be supported, Council proceeds to the next step (Council Initiative). For the sponsor group, this may be a good 'reality check' before moving to the next step. Likewise, a poor survey return rate may indicate low awareness of the proposal or its implications.
- 11) The Council Initiative process requires a negative response from those who oppose the BIA application. Therefore, low participation / apathy can benefit the applicant where a proposal does not have strong support. But remember, low participation can also be a sign of quiet opposition evident only after the formal City notices are received. If widespread opposition is registered at this late stage in the process, there is usually little that can be done to stem the tide.
- 12) If there are concentrations of opposition on or near the proposed BIA boundary, consider requesting Council to approve a reduced boundary which would exclude the area(s) of non-support and permit the BIA to proceed in the core area(s) where it is supported.

If the BIA is approved, you will need to have a general meeting to approve your year 1 budget. All Class 5 and 6 property owners and tenants must receive notice of the meeting. The notice must comply with the Society Act, and the By-laws of the non-profit society which will manage the BIA. Generally, 21 days notice is required for mailed notices. The notice must clearly state the purpose of the meeting, and should include a copy of the proposed budget and a membership form. Vancouver BIA society by-laws state that, for a person to be a (voting) member in good standing, the person must return the enclosed application form, with nominal fee if applicable, by the stated deadline.