THE CITY OF WINNIPEG

BY-LAW NO. 128/2020

A By-law of THE CITY OF WINNIPEG to establish the Winnipeg COVID-19 Economic Support Grant Program

WHEREAS restrictions imposed by the Province of Manitoba on November 12, 2020 and subsequently have negatively impacted many small businesses in the city of Winnipeg;

AND WHEREAS the City of Winnipeg recognizes the value and importance of small businesses to the well-being of Winnipeg;

NOW THEREFORE, THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

Short title

1 This By-law may be cited as the "Winnipeg COVID-19 Economic Support Grant Program By-law".

Definitions

2(1) In this By-law

"business" means a for-profit or not-for-profit enterprise and includes share capital and non-share capital corporations, partnerships, sole proprietorships, and trusts;

"Charter" means The City of Winnipeg Charter;

"Chief Financial Officer" means the individual appointed as the Chief Financial Officer pursuant to section 96 of the Charter or the person acting in that capacity;

"City" means The City of Winnipeg continued under section 8 of the Charter;

"eligible small business" means a small business that meets the eligibility criteria set out in section 4;

"grant" means a grant applied for or issued pursuant to this By-law;

"Program" means the Winnipeg COVID-19 Economic Support Grant Program established by this By-law;

"public health orders" means orders issued pursuant to *The Public Health Act*;

"small business" means a business that employs fewer than 100 employees.

Winnipeg COVID-19 Economic Support Grant Program established

3 The Winnipeg COVID-19 Economic Support Grant Program By-law is hereby established in order to provide grants of $1500 each to small businesses that have been forced to prohibit access by the public to their premises by the public health orders effective November 12, 2020 and thereafter.

Eligibility for grant

4 A small business is eligible for a grant of $1500.00 under the Program if

(a) it has completed and submitted prior to February 28, 2021 an on-line application form approved by the Chief Financial Officer;

(b) it has provided information or documentation requested by the Chief Financial Officer that is reasonably required to verify the business' eligibility for the grant;

(c) with the exception of take-out or pick-up services, access by the public to its physical premises has been prohibited by public health orders effective November 12, 2020 or thereafter;

(d) it was engaged in business and its physical premises were open for public access immediately prior to November 12, 2020;

(e) it provides a statement concerning the business expenses to which the grant will be applied; and

(f) it consents to the City publishing its name and the business expenses to which it intends to apply the grant.

Chief Financial Officer to administer grant program

5(1) Subject to this By-law, the Chief Financial Officer shall issue a grant of $1500.00 to each eligible small business sequentially in the order in which applications from eligible small businesses are received by the City until the funds directed to the Program are exhausted.

5(2) Prior to issuing a grant, the Chief Financial Officer is authorized to request information or documentation from an applicant which is in addition to the information provided in an application and which is reasonably required in order to verify its eligibility for a grant. When the Chief Financial Officer has requested additional information or documentation, the applicant's position in the sequential order referred to in subsection (1) shall be maintained for a period of 10 days following the request in order to allow the business to provide the information or documentation. If the business fails to provide the information or documentation within 10 days of the request, the application shall be rejected.

5(3) The Chief Financial Officer must not issue more than one grant to a business, even if public health orders have prohibited public access to more than one of its premises.

5(4) The Chief Financial Officer must not issue more than one grant to an individual who is a sole proprietor, even if the individual operates more than one sole proprietorship.

5(5) The Chief Financial Officer is authorized to take all reasonable actions to administer the Program. In particular, without limiting this authority, the Chief Financial Officer is authorized to

(a) design and approve an application form;

(b) require that applicants provide information and attestations reasonably required to determine their eligibility for the Program;

(c) verify information and attestations provided in an application;

(d) pursue the recovery of any grants issued in error or due to false or erroneous information on an application form; and

(e) enforce the prohibition against false applications.

Offence to make false application

6 Any individual who or business which submits an application with false information or attestations under the Program is guilty of an offence punishable by a fine of $1500.

DONE AND PASSED this day of , 2020.

Mayor

City Clerk

Approved as to content:

Chief Financial Officer

Legally reviewed and certified as to form:

Harold Dick – December 15, 2020
for Director of Legal Services
and City Solicitor