

The Corporation of the Township of Matachewan

By-Law No. 2013-08

Being a by-law to prescribe the form and manner and times for the provision of notice.

WHEREAS, the Municipal Act, 2001, R.S.O. 2001, chapter 25, subsection 251 provides that where a municipality is required to give notice under a provision of the Act, the municipality shall give the notice in a form and in the manner and at the times that the council considers adequate to give reasonable notice under the provision;

AND WHEREAS, it is deemed advisable to set out the minimum notice requirements for those actions for which the notice requirements are not prescribed under the provisions of the Municipal Act or its regulation;

NOW THEREFORE, the Council of the Corporation of the Township of Matachewan enacts as follows;

DEFINITIONS

1. In this by-law

“Act” means the Municipal Act, 2001, R.S.O. 2001, Chapter 25;

“Clerk” means the CAO-Clerk-Treasurer of the Corporation of the Township of Matachewan;

“newspaper” means a printed publication in sheet form, intended for general circulation, published regularly at intervals of not longer than a week, consisting in great part of news of current events of general interest and sold to the public and to regular subscribers;

“published” means published in a daily or weekly newspaper that, in the opinion of the CAO-Clerk-Treasurer, such circulation within the municipality as to provide reasonable notice to those affected thereby, and “publication” has a corresponding meaning;

“posted” means affixed in a manner visible to the general public at various predetermined publicly accessible locations within the Township of Matachewan further provided for within this by-law;

NOTICE OF INTENTION TO PASS A BY-LAW – NOTICE OF PUBLIC MEETING

Manner of Notice

2. Where notice of intention to pass a by-law or notice of a public meeting is required to be given, the CAO-Clerk-Treasurer shall cause such notice to be either published in a local newspaper having broad coverage through out the area and/or the notice shall be posted in the Town Office and/or the post office

and/or put in the immediate Council agenda prior to the public meeting or notice.

Time of Notice

3. Where notice of intention to pass a by-law or notice of a special public meeting is required, the minimum notice given shall be forty-eight (48) hours. Such notice shall be provided for in the time frame prescribed in the "Act" or its regulations, or by the minimum notice stated herein.

Form of Notice

4. Unless otherwise prescribed in the Act or its regulations, where notice of intention to pass a by-law or notice of a public meeting is required to be given, the form of the notice may include the following information:

- (1) A description of the purpose of the meeting, or the purpose and effect of the proposed by-law;
- (2) The date, time and location of the meeting;
- (3) Where the purpose of the meeting or proposed by-law is related to specific lands within the township, a key map showing the affected lands.
- (4) The name and address of the person who will receive written comments on the issue which is the subject of the meeting and the deadline for receiving such comments.

FINANCIAL

Adoption of Annual Budget

5. The notice provisions set out in Sections 2, 3 and 4 shall apply to the adoption of the annual budget in total.

Amendments to Budget

6. Where expenditure estimates approved in the budget have been subject to quotations or tenders quoting an amount greater than the estimated expenditure for that item, the approval process set out under the Corporation of the Township of Matachewan Procurement By-Law 2005-11 shall apply, and notice of such amendment to the budget shall be included in the report and the printing of this item on the Council and/or Committee Agenda, with the notation "*Amendment to Budget*", shall constitute sufficient notice.

7. New projects that have not been included in the annual budget shall be detailed in a staff report and notice of such amendment to the budget shall be included in the report and the printing of this item on the Council and/or Committee Agenda, with the notation "*Amendment to Budget*", shall constitute sufficient notice.

Operating Cost Incurred Prior to Budget Approval

8. Normal operating costs incurred prior to the adoption of the annual budget do not require notice, and approval of such expenditures shall be deemed ratified upon the adoption of the annual budget.

Improvements to Service

9. Unless otherwise designated by regulation, notice of improvements in the efficiency and effectiveness of the delivery of services by the Municipality and its local boards; and barriers identified by the Municipality and its local boards to achieving improvements in the efficiency and effectiveness of the delivery of services by them, shall be published and/or posted at the same time as prescribed in the Act for the publication of the Financial Statements of the Municipality.

General

10. Where separate by-laws have been enacted in accordance with provisions contained in the Act, the notice provisions set out in such by-laws shall prevail.
11. No notice shall be required under this by-law, where the provision of notice will interfere with the ability of Council to conduct business with respect to matters permitted for a closed session under Section 239 of the Act.
12. Nothing in this by-law shall prevent the CAO-Clerk-Treasurer from using more comprehensive methods of notice or providing for a longer notice period.

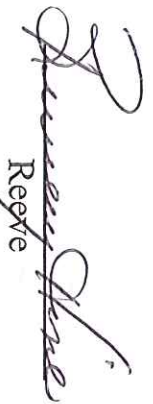
EMERGENCY PROVISION

13. If a matter arises, which in the opinion of the Chief Administrative Officer, in consultation with the Reeve, is considered to be of an urgent or time sensitive nature, or which could affect the health or well-being of the residents of the Municipality, or if a State of Emergency is declared, or if so advised by a Provincial Ministry, the notice requirements of this by-law may be waived and the CAO-Clerk-Treasurer shall make his/her best efforts to provide as much notice as is reasonable under the circumstances.

EFFECTIVE DATE

14. This by-law shall come into full force and effect upon passing.

READ a first, second and third time and finally passed in open council this 18th day of March 2005. Signed, sealed and numbered 2013-08.



Gregory Reeve

Reeve



W. Merivell

CAO-Clerk-Treasurer

Deputy