

**CORPORATION OF THE MUNICIPALITY OF STRATHROY-CARADOC**

**BYLAW NO. 76-07**

**BEING A BYLAW TO ADOPT A POLICY TO PROVIDE FOR NOTICE TO THE PUBLIC AS REQUIRED UNDER THE *MUNICIPAL ACT, 2001***

**WHEREAS** Section 270 of the *Municipal Act, 2001*, as amended, states that a municipality is required to adopt and maintain a policy with respect to the circumstances in which the municipality shall provide notice to the public and if notice is to be provided, the form, manner and times notice shall be given;

**AND WHEREAS** it is deemed expedient to adopt a policy to set out minimum notice requirements for those actions for which the notice requirements are not prescribed under the provisions of the *Municipal Act* or its regulations;

**NOW THEREFORE** the Council of the Corporation of the Municipality of Strathroy-Caradoc **HEREBY ENACTS AS FOLLOWS:**

Definitions

1. In this Bylaw:

**“Act”** means the Municipal Act, 2001, as amended.

**“Chief Administrative Officer”** means the Chief Administrative Officer, or designate, of the Municipality of Strathroy-Caradoc.

**“Clerk”** means the Director of Corporate Services/Clerk, or designate, of the Municipality of Strathroy-Caradoc.

**“Newspaper”** means a printed publication in sheet form, intended for general circulation, published regularly at intervals of not longer than one week, consisting in great part of news of current events of general interest and sold to the public and to regular subscribers, and in the opinion of the Clerk has sufficiently general circulation to give the public reasonable notice.

**“Municipality”** means the Corporation of the Municipality of Strathroy-Caradoc.

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

**“Notice to the Public”** or **“Public Notice”** means Notice given to the public generally, but does not include notice given only to specified persons.

“*Website*” means the ‘Public Notices’ page of the website of the Municipality of Strathroy-Caradoc which address is [www.strathroy-caradoc.ca](http://www.strathroy-caradoc.ca)

## **NOTICE OF INTENTION TO PASS A BYLAW AND NOTICE OF PUBLIC MEETING**

### **Manner of Notice**

2. Where notice of intention to pass a bylaw or notice of a public meeting is required to be given, the Clerk shall cause such notice to be published in a newspaper and inserted on the website.

### **Time of Notice**

3. Where notice of intention to pass a bylaw or notice of a public meeting is required to be given, such notice shall be provided in the time frame prescribed in the *Act* or its regulations, and if the time frame is not so prescribed, notice shall be given at least once, not less than five (5) days or more than thirty (30) days prior to the proposed action being taken.
4. If a proposed bylaw is not passed at the Council meeting specified in the notice in Section 2, and consideration of the matter is deferred, no further notice is required under Section 2.

### **Form of Notice**

5. Unless otherwise prescribed in the *Act* or its regulations, where notice of intention to pass a bylaw or notice of a public meeting is required to be given, the form of the notice shall include the following information:
  - i) A description of the purpose of the meeting or the purpose and effect of the proposed bylaw;
  - ii) The date, time and location of the meeting;
  - iii) Where the purpose of the meeting or proposed bylaw is related to specific lands within the Municipality of Strathroy-Caradoc, a key map showing the affected lands shall be included. If the map for the notice is too small to clearly define the affected lands, it shall be noted that the map is available at the office of the Municipality and at other locations as deemed appropriate by the Clerk.
  - iv) The name and address of the person who will receive written comments on the issue that is the subject of the meeting and the deadline for receiving such comments.

## **FINANCIAL**

### **Adoption of Annual Budget**

6. The notice provisions set out in Sections 2, 3 and 4 shall apply to the adoption of the total annual budget, as if notice is required under the *Act*.

### **Amendments to the Budget**

7. Where expenditure estimates approved in the budget have been subject to quotations or tenders, including quoting an amount greater than the estimated expenditure for that item, the approval process set out under the Municipality's procurement and purchasing policy shall apply, and notice of any amendment to the budget shall be included in the report and the printing of this item on the Council Agenda, with the notation "*Amendment to Budget*" shall constitute sufficient notice.
8. 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 Agenda, with the notation "*Amendment to Budget*" shall constitute sufficient notice.

### **Operating Costs Incurred Prior to Budget Approval**

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

## **GENERAL**

10. Where separate bylaws have been enacted in accordance with provisions contained in the *Act*, the notice provisions set out in such bylaws shall prevail.
11. No notice shall be required under this bylaw, where the provision of notice will interfere with the ability of Council to conduct business with respect to a matter permitted for a closed session under Section 239 of the *Act*.
12. Nothing in this bylaw shall prevent the Clerk from use of more comprehensive methods of notice or provide for a longer notice period.
13. Notwithstanding the notice requirements specified by this bylaw, where the giving of notice to persons and the public is required by legislation or regulation, Council may reduce or

amend such requirements upon passage of a motion at a duly called meeting of Council, provided the motion specifies an alternative method of giving notice deemed to be in a form and manner adequate to the circumstances. Where the giving of notice to persons or the public is not required by legislation, Council may waive the notice requirements specified in this Policy by passage of a motion at a duly called meeting of Council.

14. It is the responsibility of the appropriate Director, in conjunction with the Clerk, to ensure that the manner, time and form of notice requirements applicable to his/her department are met.

### **EMERGENCY PROVISION**

15. If a matter arises, which in the opinion of the Chief Administrative Officer, in consultation with the Mayor, 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 Clerk shall make his/her best efforts to provide as much prior notice as is reasonable under the circumstances or will provide notice of the action as soon as possible following the action and will present a report to Council for ratification.

### **REPEAL**

16. This bylaw repeals Bylaw 67-04 of the Township of Strathroy-Caradoc.

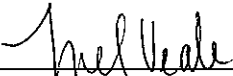
### **EFFECTIVE DATE**

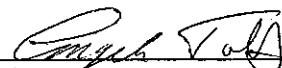
17. This bylaw shall come into full force and effect on the date of final passing thereof.

**Read a first time this 5<sup>th</sup> day of November, 2007.**

**Read a second time this 5<sup>th</sup> day of November, 2007**

**Read a third time and passed in Open Council this 5<sup>th</sup> day of November, 2007.**

  
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Mayor

  
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Clerk