PUBLIC NOTICE POLICY BYLAW

Village of Meath Park

Bylaw No. 07-2020

A BYLAW TO ESTABLISH A PUBLIC NOTICE POLICY

The Council of the Village of Meath Park in the Province of Saskatchewan, enacts as follows:

This bylaw shall be referred to as the "Public Notice Bylaw".

1. PURPOSE

1.1 The purpose of this Policy is to set out the minimum notice requirements, the methods of notice to be followed in providing such notice, and the minimum time for giving notice with respect to any matters for which public notice is required to be given by Council.

2. DEFINITIONS

2.1 For the purpose of this policy, the following terms and words shall have the following meanings:

(a) the term "affected parties" shall mean those members of the public who are, in the opinion of the Administrator, directly and uniquely affected by a matter under consideration by Council, to an extent greater than other members of the general public;

(b) the term "Council" means the elected officials of the (name of municipality);

(c) the term "Administrator" means the person appointed as the Administrator for the Village of Meath Park or his/her duly authorised representative or designate; and

(d) the term "clear days" shall mean the number of calendar days, excluding the day of original posting, publishing or mailing, as the case may be, and excluding the day of the Council meeting;

3. MATTERS FOR WHICH NOTICE MUST BE GIVEN

3.1 Public notice in accordance with this policy and the *Municipalities Act,* (Appendix A) shall be given before Council initially considers the following matters[1]:

(a) permanently closing or blocking off a street, lane or walkway;

(b) disposition of municipal lands or buildings;

(c) selling or leasing land for less than fair market value and without a public offering;

(d) prohibiting or limiting the number of businesses of a particular type in an area of the municipality or specifying separation distances between businesses of a particular type;

(e) borrowing money, lending money or guaranteeing the repayment of a loan;

(f) imposing a special tax or determining the use to which excess revenue from a special tax is to be put;

(g) establishing a purchasing policy;

(h) sale or lease of mines and minerals owned by a municipality;

(j) establishing a business improvement district;

(j) setting remuneration for council or committee members and other bodies established by the council;

(k) increasing or decreasing the number of councilors on Council;

(l) appointing a wards commission and dividing the municipality into wards;

(m) amending or repealing a bylaw for which public notice was a requirement at the time the bylaw was passed;

(n) any matter where holding a public hearing is required under *The Municipalities Act* or any other Act except where the Act contains its own public notice provisions;

(o) discussing a matter at a public meeting held as a result of a petition signed by the required number of electors;

(p) establishing, altering, or dissolving an additional service area;

(q) enacting or amending a council procedures bylaw;

(r) availability of a financial audit or management audit pursuant to subsection 140.1(11) of *The Municipalities Act*;

(s) the establishment of a tax cancellation or abatement policy;

(t) the amendment or repeal of a bylaw or resolution when the resolution or bylaw was passed as a result of a vote of the electors where at least three years have passed from the date that the bylaw or resolution was passed and a vote of the voters is not being held regarding the proposed current action;

(u) an unscheduled regular meeting of council or council committee, including a rescheduled regular meeting of council or council committee;

(v) a special meeting of council; and

(w) notification that one or more members of council or council committee intends to participate through electronic means at a regular or special meeting of council or council committee

4. NOTICE TO THE GENERAL PUBLIC AND AFFECTED PARTIES

4.1 Notice shall be given to the general public for all matters set out in subsection 3.1 (a to s) in accordance with this section:

(a) notice of the matter shall be posted at the Municipal Office at least seven (7) days prior to the meeting at which Council will initially consider the matter; and

(b) notice of the matter shall be posted in a conspicuous place in the municipality (*or other location specified by council outside the municipality*)[2] at least seven (7) days prior to the meeting at which Council will initially consider the matter.

4.2 Notice shall be given to the general public for the matter set out in subsection 3.1(t) in accordance with this section:

(a) notice of the matter shall be posted at the Municipal Office at least twenty-one (21) days prior to the meeting at which Council will initially consider the matter; and

(b) notice of the matter shall be posted in a conspicuous place in the municipality (*or other location specified by council outside the municipality*)[3] at least twenty-one (21) days prior to the meeting at which Council will initially consider the matter.

4.3 Notice shall be given to the general public for the matters set out in subsections 3.1(u to w) by posting the notice in the municipal office (*or by any other method specified by council*)[4].

4.4 In addition to the general notice requirements of section 4.1, additional notice shall be given in accordance with subsection 4.5 to all affected parties when Council is initially considering the following matters:

(a) prohibiting or limiting the number of businesses of a particular type in an area of the municipality or specifying separation distances between businesses of a particular type;

(b) permanently closing or blocking off a street, lane or walkway;

(c) permanently modifying an intersection with the use of physical barriers;

(d) imposing a special tax or determining the use to which excess revenue from a special tax is to be put; and

(e) establishing a business improvement district.

4.5 Additional notice of the matters listed in subsection 4.4 shall be given using either of the following methods:

(a) by mailing notice of the matter to all affected parties by ordinary mail which is to be postmarked no later than seven (7) clear days prior to the

day of the Council meeting at which the matter will initially be considered; or

(b) by leaving notice of the matter in a mail receptacle at the address of the affected party at least seven (7) clear days prior to the day of the Council meeting at which the matter will initially be considered.

5. NOTICE OF FURTHER DEALINGS RESPECTING A MATTER

5.1 The notice requirements provided for in this policy shall only be applied when Council initially considers a matter. For purposes of clarity, unless otherwise directed by Council, no notice, including notice to affected parties, will be given of any subsequent meeting of Council at which the matter will be considered.

6. DISCRETION OF COUNCIL

6.1 The notice requirements set forth in this policy are minimum requirements and are not intended to limit Council's discretion to provide additional notice, utilizing different or additional methods or repeating notice, as may be deemed appropriate by Council.

7. RESPONSIBILITIES OF ADMINISTRATOR

7.1 The Administrator shall be responsible to Council for ensuring compliance with this policy and may, in his/her absolute discretion:

(a) refuse to place any item on the agenda of Council, where there has been substantive non-compliance with the notice requirements of this Policy; or

(b) where there have been deficiencies in meeting the notice, requirements provided for in this Bylaw, place any item on the agenda of Council, with a caution to members of Council that the matter should be tabled pending full compliance with the notice requirements set forth in this Policy.

8. REPEAL OF PREVIOUS BYLAW

8.1 Bylaw No. 4/05 is hereby repealed.

_____
Mayor, Michael Hydamacka

{Seal}

_____
Acting Administrator, Rebecca Matthews

Read a third time and adopted
this 15th day of December, 2020.

_____
Acting Administrator

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Appendix A

Public Notice Obligations
The Municipalities Act

Section 13: Closure of streets and roads

Section 48: Disposition of municipal lands or buildings

Sections 48.1 – 48.3:
Creation, alteration or dissolution of additional services area

Sections 49 – 60:
Creation and alteration or restructuring of municipalities
NOTE: *Prescriptive requirements*

Section 80*: Number of councilors

Section 81.1: Council procedures bylaw

Section 83*: Division into wards

Section 85*: Establish wards
Section 86*: Review of wards
NOTE: *Section 87 requires that the Municipal Wards Commission (MWC) is required to hold public hearings and consultations; however the legislation is silent on the manner in which the public is to be notified. See subsection 128(2).*

NOTE: *Sections 80-86 denoted with an asterisk do not apply to rural municipalities*

Section 87: Availability of municipal wards commission report

Section 107: Amend or repeal a bylaw which originally required public notice

Sections 122 and 123:
Regular and special meetings of council and committees and other bodies
NOTE: *Does not apply with respect to regularly scheduled meetings established pursuant to subsection 122(1)*

Section 128:

- Any matter where holding a public hearing is required under this or any other Act (provided no other specific provisions are in the Act – e.g. Planning and Development Act)
- Borrow money, lend money or guarantee the repayment of a loan pursuant to sections 161 to 183
- Establish a purchasing policy
- The sale or lease of land for less than fair market value without a public offering
- The sale or lease of mines and minerals owned by a municipality
- Remuneration for members of council or council committees or other bodies established by council (e.g., board of revision)
- Establish a business improvement district
- Prohibit or limit the operation of a business or class of business

Section 129: Public meeting of voters

Section 140: Amend or repeal a bylaw or resolution which council was required to pass as the result of a vote of the voters where at least three years have passed from the date that the bylaw or resolution was passed and a vote of the voters is not being held regarding the proposed current action
NOTE: *Minimum notice period is 21 days*

Section 140.1: Availability of financial audit or management audit

Section 153.1: Theft or fraud of municipal funds or property
NOTE: *Applies if council has passed a bylaw to establish reporting policy*

Section 217: Assessment roll completion

Section 274: Policy or program respecting property tax compromises or abatements

Section 312: Special tax bylaw

Section 315: The use to which excess revenue from a special tax will be used

Section 315.1: The use to which excess revenue raised for an additional service area will be used