

Corporation of the Township of Killaloe, Hagarty and Richards

By-Law # 27-2002

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

WHEREAS the Municipal Act, 2001, S.O. 2001, c.25, S. 251 provides that where a municipality is required to give notice under a provision of this 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 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 Township of Killaloe, Hagarty and Richards enacts as follows:

DEFINITIONS:

1. In this by-law:

“Act” shall mean the Municipal Act, 2001, S.O. 2001, c.25;

“CAO/Clerk-Treasurer” shall mean the CAO/Clerk-Treasurer of the Township of Killaloe, Hagarty and Richards;

“Newspaper” shall mean a printed publication in sheet form, intended for general circulation, which is published at regular intervals and consists in great part of news of current events of general interest, and is sold to the public and to regular subscribers;

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

“Municipal Office” shall mean the municipal office for the Township of Killaloe, Hagarty and Richards.

“Municipality” shall mean the Municipal Corporation of the Township of Killaloe, Hagarty and Richards.

NOTICE OF INTENTION TO PASS BY-LAW AND/OR NOTICE OF PUBLIC MEETING:

Manner of Notice:

2. Where notice of the intention to pass a by-law or notice of a public meeting is required to be given under the Act, the CAO/Clerk-Treasurer shall cause such notice to be published in a newspaper and posted at the Municipal Office.

Time of Notice:

3. Where notice of the intention to pass a by-law or notice of a public meeting is required to be given under the Act, such notice shall be provided in the time frame prescribed in the Act or its regulations, and if not so prescribed, notice shall be given at least once during the fourteen days prior to the proposed action being taken.

Form of Notice:

4. Unless otherwise prescribed in the Act or its regulations, where notice of the intention to pass a by-law or notice of a public meeting is required to be given, the form of the notice shall include the following information:
 - a) A description of the purpose of the meeting, or the purpose and effect of the proposed by-law;
 - b) The date, time and location of the meeting;
 - c) Where the purpose of the meeting or proposed by-law is related to specific lands within the municipality, a key map showing the affected lands;
 - d) 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 Section 2, 3 and 4 shall apply to the adoption of the annual budget.

Amendments to the Budget:

6. 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 the item on the Council and/or Committee agenda, with the notation "Amendment to Budget", said notation constituting good and sufficient public notice of the proposed amendment.

Operating Costs Incurred Prior to Budget Approval:

7. 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.

Improvements to Service:

8. Unless otherwise designated by regulation, notice of improvements in the efficiency and effectiveness of the delivery of services in the Township of Killaloe, Hagarty and Richards and its local boards shall be published in the newspaper at the same time as prescribed in the Act for the publication of the Financial Statements of the Municipality.

General:

9. 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.
10. No notice shall be required under this by-law, where the provision of such notice will interfere with the ability of Council to conduct business with respect to a matter permitted for in a closed session under Section 239 of the Act.
11. Nothing in this by-law shall prevent the CAO/Clerk from using more comprehensive methods of notice or providing a longer notice period.

