

THE CITY OF MELFORT
BYLAW NO. 2019-13
The Public Notice Policy Bylaw

The Council of the City of Melfort, in the Province of Saskatchewan, in open assembly, enacts as follows:

Short Title

1. This Bylaw may be cited as The Public Notice Policy Bylaw.

Purpose

2. The purpose of this bylaw is to establish a policy setting out the minimum notice requirements, the methods of notice to be followed and the minimum time for giving notice with respect to any matters for which public notice is required to be given by Council.

Public Notice Policy

3. The City will provide public notice as required in accordance with the Public Notice Policy attached as Schedule "A"

Coming Into Force

4. This bylaw comes into force on the day of its final passing.

Read a first time this 6th day of May, 2019.

Read a second time this 6th day of May, 2019.

Read a third time and passed this 6th day of May, 2019.

Mayor

SEAL

City Clerk

CERTIFIED a true copy of Bylaw No. 2019-13 adopted by resolution of Council on the 6th day of May, 2019.

City Clerk

Schedule "A"
to Bylaw 2019-13

CITY OF MELFORT
PUBLIC NOTICE POLICY

POLICY TITLE Public Notice Policy	ADOPTED BY: City Council	EFFECTIVE DATE May 6, 2019
ORIGIN/AUTHORITY Legislative & Finance Department	CITY FILE NO.	PAGE NUMBER 1 of 5

1. PURPOSE

The Cities Act requires Council to adopt a Public Notice Policy. This policy sets out the minimum notice requirements, the methods of notice to be followed 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 Affected Parties – For the purposes of this policy, affected parties will be those members of the public who, in the sole discretion of the City, may be specially affected by the matter under consideration by Council.

2.2 Ten Days – For the purposes of this policy, ten days will be calculated using calendar days and including the day it is posted but excluding the day of the Council meeting.

3. MATTERS FOR WHICH NOTICE MUST BE GIVEN

Public notice in accordance with this policy shall be given before Council initially considers the following matters:

- a) prohibiting or limiting the number of businesses of a particular type in an area of the City 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) permanently closing a median opening;

- e) borrowing money, lending money or guaranteeing the repayment of a loan;
- f) moving capital moneys to an operating budget or reserve;
- g) imposing a special tax or determining the use to which excess revenue from a special tax is to be put;
- h) establishing an investment policy;
- i) selling or leasing land for less than fair market value and without a public offering;
- j) selling or leasing park lands and dedicated lands except where the land is covered by public notice provisions in an Act other than The Cities Act;
- k) establishing a purchasing policy;
- l) establishing a business improvement district;
- m) setting remuneration for council or committee members;
- n) increasing or decreasing the number of councilors on Council;
- o) appointing a wards commission and dividing the City into wards;
- p) amending or repealing a bylaw for which public notice was a requirement at the time the bylaw was passed;
- q) any matter where holding a public hearing is required under The Cities Act or any other Act except where the Act contains its own public notice provisions;
- r) discussing a matter at a public meeting held as a result of a petition signed by the required number of electors; and
- s) 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.

4. NOTICE TO THE GENERAL PUBLIC

Notice shall be given to the general public for all matters set out in section 3 in accordance with this section:

- a) notice of the matter shall be published in a newspaper circulating in the municipality on the two Tuesdays immediately prior to the meeting at which Council will initially consider the matter; and

- b) notice of the matter shall be posted at City Hall at least ten days prior to the meeting at which Council will initially consider the matter; and
- c) notice of the matter shall be posted on the City's website at least ten days prior to the meeting at which Council will initially consider the matter.

5. ADDITIONAL NOTICE – FOR SOME MATTERS

5.1 In addition to the general notice requirements of section 4, **additional** notice shall be given in accordance with subsection 5.2 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 City 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) permanently closing a median opening;
- e) imposing a special tax or determining the use to which excess revenue from a special tax is to be put; and
- f) establishing a business improvement district.

5.2 **Additional** notice of the matters listed in subsection 5.1 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 10 days prior to the Council meeting at which the matter will initially be considered; **or**
- b) by personal delivery to the last known address of the affected party at least 10 days prior to the Council meeting at which the matter will initially be considered.

6. ADDITIONAL NOTICE – SALE OR LEASE OF PARK LANDS AND DEDICATED LANDS

6.1 In addition to the general notice requirements of section 4, **additional** notice shall be given to all affected parties when

Council is initially considering selling or leasing park lands and dedicated lands except where the land is covered by public notice provisions in an Act other than The Cities Act.

6.2 **Additional** notice of the matter listed in subsection 6.1 shall be given to all affected parties by:

- a) posting a notice on the land to be sold or leased at least 10 days prior to the Council meeting at which the matter will initially be considered; **and**

using either of the following methods:

- b) by mailing notice of the matter to all affected parties by ordinary mail which is to be postmarked no later than 10 days prior to the Council meeting at which the matter will initially be considered; **or**
- c) by personal delivery to the last known address of the affected party at least 10 days prior to the Council meeting at which the matter will initially be considered.

7. DISCRETION OF COUNCIL

The notice requirements of this policy are the minimum requirements that must be complied with by the City. Council may at its discretion require additional notice in specific cases.

8. NO NOTICE OF SUBSEQUENT MEETINGS

Notice will be given in accordance with this policy only when Council initially considers a matter. Unless otherwise directed by Council, no notice will be given of any subsequent meeting of Council at which the matter will be considered.

9. RESPONSIBILITIES

9.1 Department Managers

- a) The Department Manager of the applicable department will be responsible for providing the City Clerk's Office with the required notices in time to meet the publishing and posting requirements of this policy.

- b) The Department Manager of the applicable department will be responsible for completing the notices required to be given and will make sure they are promptly filed with the City Clerk.
- c) The Department Manager of the applicable department will be responsible for posting any site signs and advising the City Clerk that they have been posted.

9.2 City Clerk

The City Clerk will be responsible for ensuring that items are not placed on the Council agenda unless notice has been given in accordance with this policy.