

THE CORPORATION OF THE TOWNSHIP OF JOCELYN
By-law #07-1138

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

WHEREAS the Municipal Act, 2001, Section 270 provides a municipality is required to adopt and maintain a policy detailing the circumstances in which the municipality shall provide notice to the public and if notice is provided, the form, manner and times that notice shall be given;

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 regulations;

NOW THEREFORE the Council of the CORPORATION OF THE TOWNSHIP OF JOCELYN:

1. DEFINITIONS

In this by-law:

Agenda: the agenda prepared for each meeting of Council, detailing the matters to be discussed;

Minutes: the records of each Council meeting as prepared by the Clerk;

Notice: a written, printed, published, or posted notification or announcement;

Publication: 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;

Web site: the municipality's web site - www.hiltonbeach.com

2. NOTICE OF INTENTION TO PASS BY-LAW OR OTHER NOTICE IS REQUIRED

Manner of Notice

Where notice of intention to pass a by-law or notice is required to be given, the Clerk shall cause such notice to be included in one or more of the following: the Agenda (posted at the Township Office), the Minutes (circulated monthly to residents as well as on the Municipality's web site), public poster, a publication or on the Municipality's web site.

Time of Notice

Where notice of intention to pass a by-law or notice is required to be given, 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, not less than five days or more than thirty days prior to the proposed notice of intention to pass a by-law or notice of a public meeting being taken.

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By-law #07-1138

Page 2

If the proposed by-law is not passed at the Council meeting specified in a notice in Section 2, but consideration of the matter is deferred, no further notice is required under Section 2, if a public statement is made at the meeting that the matter has been deferred and that the municipality now intends to adopt or amend the by-law at a later council meeting specified in the public statement. This section applies to any further deferrals of the matter.

Form of Notice

Unless otherwise prescribed in the Act or its regulations, where notice of intention to pass a by-law or notice is required to be given, the form of the notice shall include the following information;

- A description of the purpose of the meeting, or the purpose and effect of the proposed bylaw;
- The date, time and location of the meeting;
- Where the purpose of the meeting or proposed by-law is related to specific lands within the Municipality, a key map or other description showing the affected lands;
- 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.

3. GENERAL

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.

No notice shall be required under this by-law, where the provisions 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.

Nothing in this by-law shall prevent the Clerk from using more comprehensive methods of notice or providing for a longer notice period.

4. EMERGENCY

If a matter arises, which in the opinion of the Clerk, in consultation with the Reeve, is considered to be of an urgent and time sensitive nature, or which could affect the health and well being of the residents of the Township of Jocelyn, or if a State of Emergency is declared, or if so advised by a Provin

cial Ministry, the Clerk shall 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.

5. EFFECTIVE DATE

This by-law shall come into force and effect on day of passing.

All other notice by-laws are hereby rescinded.

Read a first, second and third time and finally passed this 4th day of December, 2007.

TOWNSHIP OF JOCELYN


REEVE MARK HENDERSON


CLERK JANET BOUCHER