BYLAW NO. 2-2005

A BYLAW TO ESTABLISH A PUBLIC NOTICE POLICY

The Council of the Rural Municipality of Moose Mountain No. 63,
in the Province of Saskatchewan, enacts as follows:

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 Rural Municipality of Moose Mountain No. 63;

(c) the term "**Administrator/Clerk**" means the person appointed as the Administrator/Clerk for the Rural Municipality of Moose Mountain No. 63, or his/her duly authorized representative or designate;

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

3. MATTERS FOR WHICH NOTICE MUST BE GIVEN

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

(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; and
(p) 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.

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 o) in accordance with this section:

(a) notice of the matter shall be posted at the Municipal Office at least seven (7) clear days prior to the meeting at which Council will initially consider the matter; and
(b) notice of the matter may be posted in a conspicuous place in the municipality at least seven (7) clear 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(p) in accordance with this section:

(a) notice of the matter shall be posted at the Municipal Office at least twenty one (21) clear days prior to the meeting at which Council will initially consider the matter; and
(b) notice of the matter may be posted in a conspicuous place in the municipality at least twenty one (21) clear days prior to the meeting at which Council will initially consider the matter.

4.3 In addition to the general notice requirements of section 4.1, **additional** notice may be given in accordance with subsection 4.4 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.

4.4 **Additional** notice of the matters listed in subsection 4.3 may 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 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 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/CLERK

7.1 The Administrator/Clerk 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. This Bylaw becomes effective January 1st, 2006.

[redacted]

Reeve

[redacted]

Administrator

(SEAL)

[redacted]

Reeve

Certified a True Copy of Bylaw No. 2-2005, Adopted by Resolution of Council on the 14th Day of December, 2005.

[redacted]

Administrator

(SEAL)