



## **BY-LAW NO. 2021-010**

BEING A BY-LAW TO PRESCRIBE THE FORM AND MANNER AND TIMES FOR THE PROVISION OF NOTICE.

WHEREAS the Municipal Act, 2006, c.32, Sch. A, s. 102 (3) provides the 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 at times that the Council considers adequate to give reasonable notice under the provision.

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;

BE IT ENACTED AS A BY-LAW of the Corporation of the Municipality of Mattawan as follows:

### DEFINITIONS:

1. In this By-Law;
  - “Act” means the Municipal Act, 2006, c.32, Sch. A, s. 102 (3)
  - “Clerk” means the Clerk Treasurer of the Corporation of the Municipality of Mattawan
  - “Public Announcement Board” means the board(s) on the outside wall by the front entrance of the Corporation of the Municipality of Mattawan hall located at 947 Hwy 533 Mattawa ON POH 1V0

### NOTICE OF INTENTION TO PASS A BY-LAW – NOTICE OF PUBLIC MEETING

#### Manner of Notice

2. Where notice of intention to pass a by-law or notice of a public meeting is required to be given, the Clerk shall cause such notice to be posted on the public announcement board and on the Municipality’s web page.

#### Time of Notice

3. (a) Where notice of intention to pass a by-law or notice of a public meeting 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 no less than (5) days prior to the proposed action being taken, subject to paragraph (b) following;  
  
(b) Where public notice and subsequent by-law related to a road closing is required, such notice shall be provided by publishing a notice for at least two consecutive weeks in a local newspaper, posted on the Municipality’s web page and on the public announcement board prior to any final considerations of the proposed closing by Council.

#### Form of Notice

4. Unless otherwise prescribed in the Act or its regulations, where notice of 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, or a reference plan which shall be on deposit with the Clerk; and
  - (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 Sections 2, 3 and 4 shall apply to the adoption of the annual budget in total.

##### Purchasing By-Law

6. Where the total of the expenditure estimates, as approved in the budget, are to be increased above the total budget, then the approval process set out under the Corporation of the Municipality of Mattawan purchasing by-law shall apply.
7. Notices of such an increase to the budget shall be included in a staff report and the printing of this item on the Council Meeting Agenda, with the notation "Amendment to Budget", shall constitute sufficient public notice thereof.

##### Operating Costs Incurred Prior to Budget Approval

8. 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

9. Unless otherwise designated by regulation, notice of improvements in the efficiency and effectiveness of the delivery of services by The Corporation of the Municipality of Mattawan; and barriers identified by The Corporation of the Municipality of Mattawan.

#### GENERAL

10. Where separate by-laws have been enacted in accordance with the provisions contained in the Act, the notice of provisions set out in such by-laws shall prevail.
11. No notice shall be required under this by-law, where the provision 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.
12. Nothing in this by-law shall prevent the Clerk from using more comprehensive methods of notice for providing for a longer notice period or additional notices.

#### EMERGENCY PROVISIONS

13. If a matter arises, which in the opinion of the Clerk, in consultation with the Mayor, is considered to be of an urgent or time sensitive nature, or which could effect the health or well-being of the residents of the municipality, or if a State of Emergency is declared, or if so advised by a Provincial Ministry, the notice Requirements of the by-law may be waived by the Clerk and the Clerk shall make his/her best efforts to provide such notice as is reasonable under the circumstances.
14. By-law 2006-007, 2004-010 and 2003-005 are hereby revoked.

#### EFFECTIVE DATE

15. This by-law shall come into full force and effect on the 8<sup>th</sup> day of July 2021.

READ A FIRST, SECOND AND THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 8<sup>TH</sup> DAY OF JULY 2021.

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MAYOR

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CLERK TREASURER