

**TOWN OF ST. WALBURG
BYLAW NO. 2017-07**

**A BYLAW OF THE TOWN OF ST. WALBURG IN THE PROVINCE OF SASKATCHEWAN
TO ESTABLISH A PUBLIC NOTICE POLICY**

The Council of the Town of St. Walburg, in the Province of Saskatchewan, enacts as follows:

PURPOSE

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.

DEFINITIONS

2. For the purpose of this policy, the following terms and words shall have the following meanings:
 - a. "Affected parties" shall mean those members of the public who are, in the opinion of the CAO, directly and uniquely affected by a matter under consideration by Council, to an extent greater than other members of the general public;
 - b. "Council" shall mean the Council of the Town of St. Walburg;
 - c. "Administrator" means the CAO of the Town of St. Walburg appointed pursuant to Section 110 of *The Municipalities Act*;
 - d. "CAO" shall mean the person appointed as Chief Administrative Officer pursuant to Section 110 of *The Municipalities Act*;
 - e. "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;
 - f. "Municipal Office" shall mean the Town Office located at 134 Main Street, St. Walburg, Saskatchewan, Canada; and
 - g. "Notice" shall mean a written or an oral statement that contains the particulars of holding a meeting, to include the time, place, date and agenda.

MATTERS FOR WHICH PUBLIC NOTICE SHALL BE GIVEN

3. Public *notice* in accordance with this policy shall be given before Council initially considers the following matters as per Section 127 of *The Municipalities Act*:
 - a. Its power or duty to hold a public hearing and decide a matter after a public hearing, pursuant to *The Municipalities Act* or any other Act;
 - b. Its power to borrow money, lend money or guarantee the repayment of a loan pursuant to Sections 161 to 183 of *The Municipalities Act*;
 - c. Its power to establish a purchasing policy pursuant to Section 184 of *The Municipalities Act*;
 - d. The sale or lease of land for less than fair market value and without a public offering;
 - e. The sale or lease of mines and minerals owned by a municipality;
 - f. Its power to set the remuneration for members of Council and for members of Council committees and other bodies established by the Council pursuant to Section 81 of *The Municipalities Act*;
 - g. Its power to establish a business improvement district pursuant to Section 38 of *The Municipalities Act*;
 - h. Its power to prohibit or limit the operation of a business or class of business pursuant to clause 8(3)(d) of *The Municipalities Act*;
 - i. Its power to increase or decrease the number of Councillors on Council;
 - j. Amending or repealing a bylaw for which public *notice* was a requirement at the time the bylaw was passed;
 - k. Any matter where holding a public meeting is required under Section 129 of *The Municipalities Act* or any other Act except where the Act contains its

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Chief Administrative Officer
Town of St. Walburg, Saskatchewan



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- l. Discussing a matter at a public meeting held as a result of a petition signed by the required number of electors; and
- m. 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 (3) 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.

NOTICE TO THE GENERAL PUBLIC AND AFFECTED PARTIES

- 4. *Notice* shall be given to the general public for all matters set out in subsection 3 (a-l) 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;
 - b. *Notice* of the matter shall 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; and
 - c. *Notice* of the matter shall be posted on the municipal website at least seven (7) *clear days* prior to the meeting at which *Council* will initially consider the matter.
- 5. *Notice* shall be given to the general public for the matter set out in subsection 3(m) 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;
 - b. *Notice* of the matter shall 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; and
 - c. *Notice* of the matter shall be posted on the municipal website at least twenty-one (21) *clear days* prior to the meeting at which *Council* will initially consider the matter.
- 6. In addition to the general *notice* requirements of Section 4 of this bylaw, *additional notice* shall be given in accordance with Section 7 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 distance 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.
- 7. Additional *notice* of the matter listed in Section 6 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 seven (7) *clear days* prior to the *Council* meeting at which the matter will be initially 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.

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NOTICE OF FURTHER DEALINGS RESPECTING A MATTER

8. 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.

DISCRETION OF COUNCIL

9. 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*.

RESPONSIBILITIES OF THE CAO

10. The CAO shall be responsible to *Council* for ensuring compliance with this policy and may, in their absolute discretion:
- Refuse to place any item on the agenda of *Council*, where there has been substantive non-compliance with the *notice* requirements of this Bylaw; or
 - 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 Bylaw.



Mayor

Chief Administrative Officer

This Bylaw given three readings and adoption at the March 23, 2017 Regular meeting of *Council*.

Chief Administrative Officer

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