

CITY OF MARTENSVILLE  
PUBLIC NOTICE POLICY BYLAW  
BYLAW NO. 12-2016

A BYLAW OF THE CITY OF MARTENSVILLE TO ESTABLISH A PUBLIC NOTICE  
POLICY BYLAW

**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 notice as required in accordance with the Public Notice Policy attached as Schedule "A".

**Coming Into Force**

4. Bylaw 10-2006 is hereby repealed and this bylaw comes into force on the day of its final passing.

Read a first time this 20<sup>th</sup> day of September, 2016.

Read a second time this 20<sup>th</sup> day of September, 2016

Read a third and final time this 20<sup>th</sup> day of September, 2016.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk



**Schedule "A"**

**POLICY AND PROCEDURE**

**NAME: PUBLIC NOTICE POLICY**

**CITY OF MARTENSVILLE**

**NUMBER: 96/16**

**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 Council is required to give public notice.

**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;



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- 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 councillors on Council;
- o) appointing a wards commission and dividing the City into wards;
- p) amending or repealing a bylaw or policy for which public notice was a requirement at the time the bylaw or policy 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 the City's designated paper at least seven days 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



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#### 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 leaving notice of the matter in a mail receptacle at the 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*.



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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 leaving notice of the matter in a mail receptacle at the 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 which 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 Directors**

- a) The Director of the applicable department will be responsible for providing the City Clerk with the required notices in time to meet the publishing and posting requirements of this policy.
- b) The Director of the applicable department will be responsible for completing the notices required to be given by mail or left in the mail receptacles and advising the City Clerk that they have been completed.
- c) The Director of the applicable department will be responsible for posting any site signs and advising the City Clerk that they have been posted.



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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.