

CORPORATION OF THE TOWNSHIP OF WHITEWATER

BY-LAW NO. 02-12-91

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

WHEREAS the *Municipal Act*, 2001, S.O. 2001, c. 25, S. 251 provides that 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 and at the times that the council considers adequate to give reasonable notice under the provision; and

WHEREAS it is deemed advisable to set out the minimum 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 Whitewater Region enacts as follows:

DEFINITIONS

1. **In this By-law:**

“Act” means the *Municipal Act*, 2001, S.O. 2001, c. 25;

“Clerk” means the Clerk of the Corporation of the Township of Whitewater Region;

“newspaper” means a printed publication in sheet form, intended for general circulation, which is published at regular intervals and consists in great part of news of current events of general interest and sold to the public and to regular subscribers;

“published” means published in a newspaper, that, in the opinion of the Clerk, has such circulation within the municipality as to provide reasonable notice of those affected thereby, and “publication” has a corresponding meaning;

“Township” shall mean the Corporation of the Township of Whitewater Region.

NOTICE OF INTENTION TO PASS 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 published at least once in a newspaper.

Time of Notice

3. 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 seven (7) days prior to the proposed action being taken.

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:
1. A description of the purpose of the meeting, or the purpose and effect of the proposed by-law;
 2. The date, time, and location of the meeting;

3. Where the purpose of the meeting or proposed by-law is related to specific lands within the Township, a key map showing the affected lands;
4. 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.

Amendments to Budget

6. Where expenditure estimates approved in the annual budget have been subject to quotations or tenders quoting an amount greater or less than 10% of the estimated expenditure for that item, the approval process set out under the Purchasing By Law 02-12-90 shall apply, and notice of such amendment to the budget shall be included in the report and the printing of this item on the Council and/or Committee agenda, with the notation "*Amendment to Budget*", said notation constituting good and sufficient public notice of the proposed amendment.
7. Where actual revenues are 10% greater or less than the approved budget estimate, notice of such amendment to the budget shall be included in the report and the printing of this item on the Council and/or Committee agenda, with the notation "*Amendment to Budget*", said notation constituting good and sufficient public notice of the proposed amendment.
8. New projects that have not been included in the annual budget shall be detailed in a staff report and notice of such amendment to the budget shall be included in the report and the printing of the item on the Council and/or Committee agenda, with the notation "*Amendment to Budget*", said notation constituting good and sufficient public notice of the proposed amendment.

Costs Incurred Prior to Budget Approval

9. 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

10. Unless otherwise designated by regulation, notice of improvements in the efficiency and effectiveness of the delivery of services by the Township and its local boards and barriers identified by the Township and its local boards to achieving improvements in the efficiency and effectiveness of the delivery of services by them, shall be published in the newspaper at the same time as prescribed in the Act for the publication of the Financial Statements of the Township.

GENERAL

11. 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.
12. 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.
13. Nothing in this By-law shall prevent the Clerk from using more comprehensive methods of notice or providing a longer notice period.

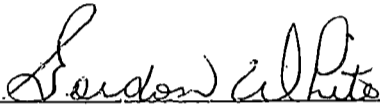
EMERGENCY PROVISION

14. If any matter arises which is considered to be of an urgent or time sensitive nature, or which could affect the health or well-being of the residents of the Township of Whitewater Region, or if a State of Emergency is declared, or if so advised by a Provincial Ministry, the notice requirements of this By-law may be waived and the Clerk shall make his/her best efforts to provide as much notice as is reasonable under the circumstances.

EFFECTIVE DATE

15. This By-law shall come into force on the 1st day of January, 2003.

READ a first, second and finally passed on the third reading this 18 Day of
December, 2002.



REEVE



CHIEF ADMINISTRATIVE OFFICER