

**THE CORPORATION OF THE TOWNSHIP OF MAPLETON**

**BY-LAW NUMBER 2008-024**

Being a by-law to prescribe the form and manner  
and times for the provision of notice and to repeal  
By-law 2003-47

**WHEREAS** Section 270 of the Municipal Act, S.O. 2001 Chapter 25 as amended, provides that a municipality is required to adopt polices outlining the circumstances in which the municipality shall provide notice to the public and, if notice is to be provided, the form, manner and times notice shall be given.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF MAPLETON ENACTS AS FOLLOWS:**

**GENERAL:**

**Definitions**

1. In this by-law
  - 1.1. "Act" means the Municipal Act, 2001, S.O. 2001 c. 25;
  - 1.2. "Clerk" means the Clerk of the Corporation of the Township of Mapleton;
  - 1.3. "Notice" means a written, printed, published or posted notification/announcement;
  - 1.4. "Publication" means a printed publication in sheet form, intended for general circulation published regularly at intervals of not longer than a week, consisting in great part of news of current events of general interest and in the opinion of the Clerk, has such distribution/circulation within the municipality as to provide reasonable notice to those affected thereby;

**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 hold a public meeting is required to be given, the Clerk shall cause such notice to be printed in a publication and shall appear on the Council Agenda.

**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 a minimum of fourteen days prior to the proposed action being taken.

**Form of Notice**

4. Unless otherwise prescribed in any 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 as printed in a publication shall include the following information:
  - 4.1. A description of the purpose of the meeting, or the purpose and effect of the proposed by-law;
  - 4.2. The date, time and location of the meeting;
  - 4.3. 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;
  - 4.4. 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;
  - 4.5. The notice as it appears on the Council Agenda shall be set out under the heading "Notice Provision" and shall include a brief outline pertaining to the matter and a circulation as it pertains to the item.
  - 4.6. If a meeting is cancelled prior to the date as published, pursuant to the "Notice Provisions" then further notice must be given as set out in section 3.

- 4.7 If a matter under the "Notice Provision" is deferred or an additional meeting is required, then the date of such meeting(s) shall be announced in public by the Chair at the original meeting and no further published notice shall be required or given.

### **EMERGENCY PROVISIONS**

5. If a matter arises, which in the opinion of the Clerk, in consultation with the Mayor, is considered urgent or extraordinary occasions arise, or which could affect the health and well being of the residents of the Township of Mapleton, or if a state of Emergency is declared, or is 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.

### **FINANCIAL**

#### **Adoption of the Annual Budget**

6. The "Notice Provisions" set out in Sections 2, 3 and 4 shall apply to the adoption of the annual budget in total.

#### **Amendments to the Budget**

7. Where expenditure estimates approved in the budget have been subject to quotations or tenders quoting an amount greater than the estimated expenditure for that item, the approval process set out in the municipality's purchasing policy # 1 shall apply.
8. New projects under \$10,000.00 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 this item on the Council and/or Committee Agenda, with the notation "*Amendment to Budget*" shall constitute sufficient notice. New projects over \$10,000.00 that have not been included in the annual budget shall be detailed in a staff report and the printing of this item on the Council and/or Committee Agenda with the notation "*Amendment to Budget*", **AND** notice must be published in the paper 2 weeks in advance

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

9. Normal operating costs incurred prior to the adoption of the annual budget shall not require notice, and approval of such expenditures shall be deemed to be ratified upon the adoption of the annual budget.

#### **User Fees-Imposing a fee or charge**

10. When introducing a new user fee or changing the user fee previously established by the municipality, the Clerk must provide Notice of a Public meeting. The "Notice Provisions" set out in Sections 2, 3, and 4 shall apply. At the public meeting any person who attends the meeting has an opportunity to make representation with respect to this matter, provided they have notified the Clerk no later than 5:00 p.m. on the Wednesday preceding the Council meeting in order that the delegation(s) will appear on the agenda.

### **MUNICIPAL PERFORMANCE MEASURES**

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

### **PROCEDURAL**

#### **"Notice Provisions"**

12. Where notice of intention to consider a Procedural By-law or an amendment thereto is required to be given the "Notice Provisions" set out in Sections 2, 3 and 4 shall apply.

### **GENERAL PROVISIONS**

13. Where separate by-laws have been enacted in accordance with provisions contained in the Act, the "Notice Provisions" set out in such by-law shall prevail.

- 14. 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.
- 15. Nothing in this by-law shall prevent the Clerk from using more comprehensive methods of notice or providing for a longer notice period.

**LICENSING**

- 16. Where notice of intention to consider a Licensing By-law or an amendment thereto is required to be given, the "Notice Provisions" set out in Sections 2, 3 and 4 shall apply. Notices shall be mailed to affected businesses personally or by prepaid mail at the last known address, if a specific class of business is affected


**EFFECTIVE DATE OF BY-LAW**


- 17. This by-law shall take effect upon its passing.

**REPEAL OF BY-LAW**


- 18. By-law 2003-47 is hereby repealed.

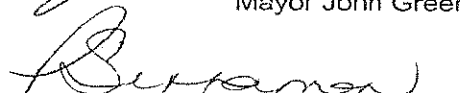
READ a first and second time this 8<sup>th</sup> day of April, 2008

  
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Mayor John Green

  
\_\_\_\_\_  
CAO/Clerk Patty Sinnamon

READ a third time and passed this 13<sup>th</sup> day of May, 2008

  
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Mayor John Green

  
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CAO/Clerk Patty Sinnamon