

**Corporation of the Township of Killaloe, Hagarty and Richards**

**By-Law #21-2008**

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

WHEREAS the Municipal Act, 2001, Section 270(1) requires a municipality to adopt and maintain policies with respect to certain matters, and;

WHEREAS it is deemed advisable to set out the circumstances, form, manner and times for which the municipality shall provide notice to the public;

NOW THEREFORE the Council of the Corporation of the Township of Killaloe, Hagarty and Richards enacts as follows:

**DEFINITIONS:**

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

“Act” shall mean the Municipal Act, 2001;

“CAO/Clerk-Treasurer” shall mean the CAO/Clerk-Treasurer of the Township of Killaloe, Hagarty and Richards;

“Newspaper” shall mean 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 is sold to the public and to regular subscribers;

“Published” shall mean published in a newspaper, that, in the opinion of the CAO/Clerk-Treasurer, has such circulation within the municipality as to provide reasonable notice of those affected thereby, and “publication” has a corresponding meaning;

“Municipal Office” shall mean the municipal office for the Township of Killaloe, Hagarty and Richards.

“Municipality” shall mean the Municipal Corporation of the Township of Killaloe, Hagarty and Richards.

**NOTICE OF INTENTION TO PASS BY-LAW AND/OR NOTICE OF PUBLIC MEETING:**

**Manner of Notice:**

2. Where notice of the intention to pass a by-law or notice of a public meeting is required to be given under the Act, the CAO/Clerk-Treasurer shall cause such notice to be given using any one or all of the following methods:
  - i. Publication in a local newspaper
  - ii. Posted at the Municipal Office,
  - iii. Posted on the municipal website.

**Time of Notice:**

3. Where notice of the intention to pass a by-law or notice of a public meeting is required to be given under the Act, 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 during the fourteen days prior to the proposed action being taken.

**Form of Notice:**

- 4. Unless otherwise prescribed in the Act or its regulations, where notice of the 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;
  - 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.

**General:**

- 5. 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.
- 6. No notice shall be required under this by-law, where the provision of such notice will interfere with the ability of Council to conduct business with respect to a matter permitted for in a closed session under Section 239 of the Act.
- 7. Nothing in this by-law shall prevent the CAO/Clerk from using more comprehensive methods of notice or providing a longer notice period.

**EMERGENCY PROVISION:**

- 8. If a matter arises which in the opinion of the CAO/Clerk, in consultation with the Mayor, 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 Killaloe, Hagarty and Richards, 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 CAO/Clerk shall make his/her best efforts to provide as much notice as is reasonable under the circumstances.

**EFFECTIVE DATE:**

- 9. This by-law shall come into force and take effect on the date of final passing thereof, and shall replace By-Law 27-2002.

Read a first and second time this            day of    2008.

Read a third time and finally passed this            day of    2008.

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Mayor

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CAO/Clerk-Treasurer