

A BYLAW TO ESTABLISH A PUBLIC NOTICE POLICY

WHEREAS, pursuant to Subsection 128(3) of *The Municipalities Act*, a Council shall adopt a bylaw setting out minimum procedures relating to the provision of public notice;

AND WHEREAS, pursuant to Section 127 of *The Municipalities Act*, a Council shall provide public notice relating to a number of topics that are the responsibility of Council to determine;

AND WHEREAS, the Council of the Village of Lang desires to ensure that all individuals are properly informed of the business being considered by Council;

NOW THEREFORE, the Council for the Village of Lang in the Province of Saskatchewan enacts as follows:

1. Short Title

1.1. This bylaw shall be referred to as the "Public Notice Bylaw".

2. Purpose

2.1. 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.

3. Definitions

3.1. For the purpose of this policy, the following terms and words shall have the following meanings:

3.1.1. "Administrator" means the person appointed as the Administrator for the Village of Lang or his/her duly authorised representative or designate;

3.1.2. "Affected parties" shall mean those members of the public who are, in the opinion of the Administrator, directly and uniquely affected by a matter under consideration by Council, to an extent greater than other members of the general public;

3.1.3. "Clear days" shall mean the number of calendar days, excluding the day of original posting, publishing or mailing, as the case may be, and excluding the day of the Council meeting;

3.1.4. "Council" means the elected officials of the Village of Lang; and

3.1.5. "Village" means the Village of Lang.

4. Matters for which Notice must be given

4.1. Public notice in accordance with this policy shall be given before Council initially considers the following matters:

4.1.1. Permanently closing or blocking off a street, lane or walkway;

4.1.2. Disposition of municipal lands or buildings;

4.1.3. Selling or leasing land for less than fair market value and without a public offering;

4.1.4. Prohibiting or limiting the number of businesses of a particular type in an area of the Village or specifying separation distances between businesses of a particular type;

4.1.5. Borrowing money, lending money or guaranteeing the repayment of a loan;

- 4.1.6. Imposing a special tax or determining the use to which excess revenue from a special tax is to be put;
- 4.1.7. Establishing a purchasing policy;
- 4.1.8. Sale or lease of mines and minerals owned by the Village;
- 4.1.9. Establishing a business improvement district;
- 4.1.10. Setting remuneration for Council or Committee members and other bodies established by the Council;
- 4.1.11. Increasing or decreasing the number of Councillors on Council;
- 4.1.12. Appointing a wards commission and dividing the Village into wards;
- 4.1.13. Amending or repealing a bylaw for which public notice was a requirement at the time the bylaw was passed;
- 4.1.14. Any matter where holding a public hearing is required under *The Municipalities Act* or any other Act except where the Act contains its own public notice provisions;
- 4.1.15. Discussing a matter at a public meeting held as a result of a petition signed by the required number of electors;
- 4.1.16. Establishing, altering, or dissolving an additional service area;
- 4.1.17. Enacting or amending a Council Procedures bylaw;
- 4.1.18. Availability of a financial audit or management audit pursuant to subsection 140.1(11) of *The Municipalities Act*;
- 4.1.19. The establishment of a tax cancellation or abatement policy;
- 4.1.20. 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;
- 4.1.21. An unscheduled regular meeting of Council or Council Committee, including a rescheduled regular meeting of Council or Council Committee;

- 4.1.22. A special meeting of Council; and
- 4.1.23. Notification that one or more members of Council or Council Committee intends to participate through electronic means at a regular or special meeting of Council or Council Committee.

5. Notice to the General Public and Affected Parties

- 5.1.** Notice shall be given to the general public for all matters set out in Subsection 4.1.1 to Subsection 4.1.19 by posting notice of the matter:
 - 5.1.1. At the Village Administration Office at least seven (7) days prior to the meeting at which Council will initially consider the matter;
 - 5.1.2. On the Village website at least seven (7) days prior to the meeting at which Council will initially consider the matter; and
 - 5.1.3. In a conspicuous place in the Village at least seven (7) days prior to the meeting at which Council will initially consider the matter.
- 5.2.** Notice shall be given to the general public for the matter set out in Subsection 4.1.20 by posting notice of the matter:
 - 5.2.1. At the Village Administration Office at least twenty-one (21) days prior to the meeting at which Council will initially consider the matter;
 - 5.2.2. On the Village website at least twenty-one (21) days prior to the meeting at which Council will initially consider the matter; and
 - 5.2.3. In a conspicuous place in the Village at least twenty-one (21) days prior to the meeting at which Council will initially consider the matter.
- 5.3.** Notice shall be given to the general public for the matters set out in subsections 4.1.21 to 4.1.23 by posting notice of the matter:
 - 5.3.1. In the Village Administration Office at least twenty-four (24) hours prior to the meeting at which Council will initially consider the matter; and

- 5.3.2. On the Village website at least twenty-four (24) hours prior to the meeting at which Council will initially consider the matter.
- 5.4. In addition to the general notice requirements of Section 5.1, additional notice shall be given in accordance with Section 5.5 to all affected parties when Council is initially considering the following matters:
- 5.4.1. Prohibiting or limiting the number of businesses of a particular type in an area of the Village or specifying separation distances between businesses of a particular type;
 - 5.4.2. Permanently closing or blocking off a street, lane or walkway;
 - 5.4.3. Permanently modifying an intersection with the use of physical barriers;
 - 5.4.4. Imposing a special tax or determining the use to which excess revenue from a special tax is to be put; and
 - 5.4.5. Establishing a business improvement district.
- 5.5. Additional notice of the matters listed in subsection 5.4 shall be given using either of the following methods:
- 5.5.1. 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 day of the Council meeting at which the matter will initially be considered; or
 - 5.5.2. 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 day of the Council meeting at which the matter will initially be considered.

6. Notice of further dealings respecting a matter

- 6.1. The notice requirements provided for in this policy shall only be applied when Council initially considers a matter.
- 6.2. 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.

7. Discretion of Council

- 7.1. 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.

8. Responsibilities of Administrator

- 8.1. The Administrator shall be responsible to Council for ensuring compliance with this policy and may, in his/her absolute discretion:
 - 8.1.1. Refuse to place any item on the agenda of Council, where there has been substantive non-compliance with the notice requirements of this Policy; or
 - 8.1.2. 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 Policy.

9. Repeal Bylaw

- 9.1. Bylaw No. 2012-3, adopted on August 23, 2012, is hereby repealed.

10. Effective Date

10.1. This Bylaw becomes effective on date of its adoption by the Council of the Village of Lang.



Mayor

A stylized, cursive signature in dark ink, written over a horizontal line.

Michelle Anne Petchen
Administrator



Certified a true copy of Bylaw No. 2020-02 adopted by
the Council of the Village of Lang on the 15th day of
January, 2020.

Michelle Anne Petchen
Administrator

