

THE CORPORATION OF THE TOWN OF SMITHS FALLS
BY-LAW NUMBER 8062-2007
(as amended via 8253-2009)

BEING A BY-LAW TO ESTABLISH A PUBLIC NOTICE POLICY

WHEREAS the *Municipal Act 2001*, as amended, provides that a municipality shall adopt and maintain a policy with regard to 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 Town of Smiths Falls enacts as follows;

1. THAT the Notice of Intention to Pass By-law – Notice of Public Meeting Policy, as outlined in Schedule “A” attached hereto is adopted by Council.
2. THAT the Clerk shall be responsible for the administration of this By-law.
3. THAT By-law 7723-2002 be hereby repealed in its entirety.
4. THAT this By-law shall come into force and take effect on the date of its passing and be known as the Notice Policy By-law.

Read a first and second time this 4th day of June, 2007

Read a third time and passed this 18th day of June, 2007

Mayor

Clerk

SCHEDULE “A” - BY-LAW NUMBER 8062-2007
(as amended via 8253-2009)

POLICY: NOTICE OF INTENTION TO PASS BY-LAW – NOTICE OF PUBLIC MEETING

POLICY STATEMENT:

In accordance with the *Municipal Act 2001*, as amended, the municipality must adopt a policy for public notification.

PROCEDURE:

Manner of Notice

1. Where notice of intention to pass a by-law or notice of a public meeting is required to be given, the staff member responsible for the project shall cause such notice to be published in a local publication and on the Town website.

Time of Notice

2. 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 *Municipal Act 2001*, as amended, 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

3. Unless otherwise prescribed in the *Municipal Act 2001*, as amended 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:
 - 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 Town, 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.

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FINANCIAL

Adoption of Annual Budget

4. The notice provisions set out in Sections 1, 2 and 3 shall apply to the adoption of the annual budget in total.

Operating Costs Incurred Prior to Budget Approval

5. Normal operating 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.

GENERAL

6. 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 *Municipal Act 2001*, as amended.
7. Nothing in this by-law shall prevent the Clerk or appropriate staff member from using more comprehensive methods of notice or providing for a longer notice period.

EMERGENCY PROVISION

8. If a matter arises, which in the opinion of the Chief Administrative Officer or Clerk, in consultation with the Head of Council, 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 Town of Smiths Falls 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 Chief Administrative Officer or Clerk shall make his/her best efforts to provide as much notice as is reasonable under the circumstances.

PERMAMENT ROAD CLOSURES

9. Public utility companies are required to provide a service to the public (legislated under various Acts) and road closures may impact their ability to provide such service. As such, all public utilities shall be circulated with the Notice of Road Closure and given the opportunity to comment. Public utilities shall be deemed to be: Hydro One, Bell Canada, Enbridge Gas