

BYLAW NO. 7/2005

A BYLAW OF THE RURAL MUNICIPALITY OF ROSEDALE NO. 283 TO PROVIDE FOR A PUBLIC NOTICE POLICY AS REQUIRED BY THE MUNICIPALITIES ACT.

The Council of the Rural Municipality of Rosedale No. 283, in the Province of Saskatchewan, enacts as follows:


1. The municipality will provide public notice as required in accordance with the Public Notice Policy attached to this Bylaw as Schedule "A".
2. This Bylaw comes into force January 1, 2006.

Reeve



Administrator



Certified a true copy of Bylaw No. 7/05
adopted by resolution of the council of the
Rural Municipality of Rosedale No. 283 on
the 6 day of December, 2005

Administrator



**RURAL MUNICIPALITY OF ROSEDALE NO. 283
PUBLIC NOTICE POLICY**

1. PURPOSE

- 1.1 *The Municipalities Act* requires Council to adopt a Public Notice Policy. 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.

2. DEFINITIONS

- 2.1 For the purpose of this policy, the following terms and words shall have the following meanings;
- (a) the term “**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;
 - (b) the term “**Council**” shall mean the elected officials of the R.M. of Rosedale No. 283;
 - (c) the term “**Administrator**” shall mean the person appointed as the Administrator for the R.M. of Rosedale No. 283;
 - (d) the term “**clear days**” shall mean the number of calendar days, including the day of original posting or mailing, as the case may be but excluding the day of the Council meeting;

3. MATTERS FOR WHICH NOTICE MUST BE GIVEN

- 3.1 Public notice in accordance with this policy shall be given before Council initially considers the following matters:
- (a) permanently closing and selling or closing and leasing a road or road allowance;
 - (b) disposition of municipal lands or buildings
 - (c) selling or leasing land for less than fair market value and without a public offering
 - (d) borrowing or lending money or guaranteeing the repayment of a loan;
 - (e) sale or lease of mines and minerals owned by a municipality



- (f) setting remuneration for council or committee members and other bodies established by Council
- (g) amending or repealing a bylaw for which public notice was a requirement at the time the bylaw was passed;
- (h) 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
- (i) discussing a matter at a public meeting held as a result of a petition signed by the required number of electors; and
- (j) the amendment or repeal of a bylaw or resolution when the resolution or bylaw was passed as a result of a vote of the voters.

4. **NOTICE TO THE GENERAL PUBLIC AND AFFECTED PARTIES**

4.1 Notice shall be given to the general public for all matters set out in subsection 3.1(a to j) in accordance with this section:

- (a) notice of the matter shall be posted at the Municipal Office at least seven(7)clear days prior to the meeting at which Council will initially consider the matter.

4.2 Notice shall be given to the general public for the matter set out in subsection 3.1(j)in accordance with this section:

- (a) notice of the matter shall be posted at the Municipal Office at least twenty-one(21)clear days prior to the meeting at which Council will initially consider the matter.

4.3 In addition to the general notice requirements of section 4.1, **additional** notice shall be given in accordance with subsection 4.4 to all affected parties when Council is initially considering the following matters:

- (a) prohibiting or limiting the number of businesses of a particular type in an area of the municipality or specifying separation distances between businesses if a particular type;
- (b) permanently closing and selling or closing and leasing a road or road allowance.

4.4 **Additional** notice of the matters listed in subsection 4.3 shall be given :



- (a) 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 Council meeting at which the matter will initially be considered.

5. NOTICE FOR FURTHER DEALINGS RESPECTING A MATTER

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

6. DISCRETION OF COUNCIL

- 6.1 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.

7. RESPONSIBILITIES OF ADMINISTRATOR

- 7.1 The Administrator shall be responsible to Council for ensuring compliance with this policy and may, in his/her absolute discretion:
 - (a) 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
 - (b) 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.

Reeve

Dandeneau Walker
Administrator

Handwritten initials