

TOWNSHIP OF PRINCE
By-law 2003-4

A by-law to prescribe the form and manner and times for the provision of notice

WHEREAS the *Municipal Act 2001, S.O. 2001, c. 251*, provides that where a municipality is required to give notice under a provision of this Act, the municipality shall give the notice in a form and in the manner and at the times that the Council considers adequate to give reasonable notice under the provision;

AND WHEREAS it is deemed advisable to set out the minimum notice requirements for those actions for which the notice requirements are not prescribed under the provisions of the Municipal Act or its regulations;

NOW THEREFORE the Council of the Corporation of the Township of Prince enacts as follows:

1. In this by-law

“Act” means the Municipal Act, 2001, S.O. 2001, c. 25

“Administrator” mean the Administrator Clerk Treasurer of the Township of Prince

“Newspaper” 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 sold to the public and to regular subscribers

“Township Newsletter” means the monthly newsletter circulated within the municipality and produced by the municipal office

NOTICE OF INTENTION TO PASS BY-LAW - NOTICE OF PUBLIC MEETING

Manner and Time of Notice

2. Where notice is required to be given under any of the respective provisions of the *Municipal Act 2001* referred to in Schedule “A” to this by-law, the Administrator shall cause such notice to be published in a newspaper not less than five clear days prior to the taking of the action or the holding of the meeting in respect of which the notice relates.

3. Where notice is required to be given under any of the respective provisions of the *Municipal Act 2001* referred to in Schedule "B" to this by-law, the Clerk shall cause such notice to be published in the Township newsletter not less than five clear days prior to the taking of the action or the holding of the meeting in respect of which the notice relates.
4. If the proposed by-law is not passed at the council meeting specified in a notice in Section 2 or 3, but consideration of the matter is deferred, no further notice is required under Section 2 or 3, if a public statement is made at the meeting that the matter has been deferred and that the municipality now intends to adopt or amend the by-law at a later council meeting specified in the public statement. This section applies to any further deferrals of the matter.

Form of Notice

5. Unless otherwise prescribed in the 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 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) The name and address of the person who will receive written comments on the issue that is the subject of the meeting and the deadline for receiving such comments.

FINANCIAL

Adoption of Annual Budget

6. The notice provisions set out in sections 3 and 4 shall apply to the adoption of the annual budget in total.

Amendments to 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, notice of such amendment to the budget shall be included in a staff report and included on the Council Agenda with the notation "Amendment to Budget", which shall constitute sufficient notice.

8. New projects 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 on the Council Agenda with the notation "Amendment to Budget", which shall constitute sufficient notice.

Operating Costs Incurred Prior to 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 ratified upon the adoption of the annual budget.

Improvements to Service

10. 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 published in the Township newsletter within sixty days after receiving the audited financial statements of the municipality for the previous year.

GENERAL

11. 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.
12. 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.
13. Nothing in this by-law shall prevent the Clerk from using more comprehensive methods of notice or providing for a longer notice period.

EMERGENCY PROVISION

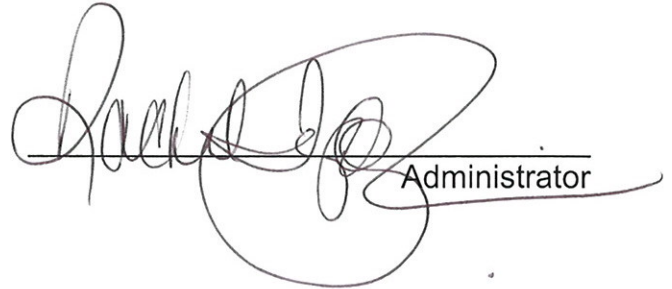
14. If a matter arises which in the opinion of the Administrator, in consultation with the Reeve, is considered to be of an urgent or time sensitive nature, or which could affect the health or well-being of the residents of the Township of Prince, or if a State of Emergency is declared, or if so advised by a Provincial Ministry, the Administrator shall make her best efforts to provide as much prior notice as is reasonable under the circumstances or will provide notice of the action as soon as possible following the action and will present a report to Council for ratification.

EFFECTIVE DATE

15. This by-law comes into force on the date of its final passing.

PASSED in open Council this 25th day of February, 2003.


Reeve


Administrator

SCHEDULE "A"

REQUIREMENTS UNDER THE *MUNICIPAL ACT 2001*
WITH RESPECT TO NOTICES OF INTENTION TO PASS
CERTAIN BY-LAWS AND TAKE CERTAIN OTHER ACTIONS

NOTICE TO BE PUBLISHED IN A NEWSPAPER

Section	Description
34	Highway closing and alterations
36	Controlled access
37	Private road closing
40	Toll Road
99	Advertising devices
173	Restructuring proposal
187	Change of name
217	Council composition
222	Establish wards
268	Sale of land procedures

SCHEDULE "B"

REQUIREMENTS UNDER THE *MUNICIPAL ACT 2001*
WITH RESPECT TO NOTICES OF INTENTION TO PASS
CERTAIN BY-LAWS AND TAKE CERTAIN OTHER ACTIONS

NOTICE TO BE PUBLISHED IN TOWNSHIP NEWSLETTER

Section	Description
34	Highway closing and alterations
36	Controlled access
37	Private road closing
40	Toll Road
47	Naming highways
48	Naming private roads
99	Advertising devices
150	General business licensing powers
157	Registry of business
173	Restructuring proposal
187	Change of name
216	Dissolving joint local boards
217	Council composition
222	Establish wards
238	Procedural by-law
247	Language of by-laws
251	Giving of notice
268	Sale of land procedures
291	Adopt budget
295	Financial Statements - notice that the information is available
300	Improvements in Service
400	Fees and charges