

**TOWN OF OSLER
BYLAW 2015-10
A BYLAW TO ESTABLISH
PUBLIC NOTICE PROCEDURES**

The Council of the Town of Osler, in the Province of Saskatchewan, enacts as follows:

PART I – SHORT TITLE

1. This bylaw shall be cited as “Public Notice Bylaw”

PART II - PURPOSE

2. The purpose of this Bylaw 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.

PART III - DEFINITIONS

3. For the purpose of this Bylaw, the following terms and words shall have the following meanings:
 - I. “AFFECTED PARTIES” shall mean those members of the public who are, in the opinion of the Chief Administrative Officer (CAO), directly and uniquely affected by a matter under consideration by Council, to an extent greater than other members of the general public;
 - II. “CAO” or “ADMINISTRATOR” shall refer to the Chief Administrative Officer of the Town of Osler;
 - III. “CLEAR DAYS” shall mean the number of calendar days, including the day of original posting, publishing or mailing, as the case may be, but excluding the day of the Council meeting.
 - IV. “COUNCIL” shall refer to the Council of the Town of Osler;
 - V. “DESIGNATED OFFICER” shall mean the person authorized by Council to act in accordance with or enforce any or all portions of this bylaw;
 - VI. “MUNICIPALITY” shall refer to the Town of Osler;
 - VII. “PROPERTY” shall mean a parcel of land located within the boundaries of the Town of Osler and on which a building or buildings (commercial or residential) may or may not be situated, whether such buildings are occupied or unoccupied.

PART IV - MATTERS FOR WHICH NOTICE MUST BE GIVEN

- 4.1 Public notice, in accordance with this Bylaw, shall be given before Council initially considers the following matters:
 - I. permanently closing or blocking off a street, lane or walkway;

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BYLAW 2015-10
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- II. disposition of municipal lands or buildings;
- III. selling or leasing land for less than fair market value and without a public offering;
- IV. prohibiting or limiting the number of businesses of a particular type in an area of the municipality or specifying separation distances between businesses of a particular type;
- V. borrowing money, lending money or guaranteeing the repayment of a loan;
- VI. imposing a special tax or determining the use to which excess revenue from a special tax is to be put;
- VII. establishing a purchasing Bylaw;
- VIII. sale or lease of mines and minerals owned by a municipality;
- IX. establishing a business improvement district;
- X. setting remuneration for council or committee members and other bodies established by the council;
- XI. increasing and decreasing the number of councilors on Council;
- XII. amending or repealing a bylaw for which public notice was a requirement at the time the bylaw was passed;
- XIII. 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;
- XIV. discussing a matter at a public meeting held as a result of a petition signed by the required number of electors; and,
- XV. 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 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.

PART V - NOTICE TO THE GENERAL PUBLIC AND AFFECTED PARTIES

- 5.1 Notice shall be given to the general public for all matters set out in Part 4 Subsections I to XIV in accordance with this section:
- I. 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; and,

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BYLAW 2015-10
A BYLAW TO ESTABLISH
PUBLIC NOTICE PROCEDURES**

- II. Notice of the matter shall be posted in at least one other conspicuous place in the municipality at least seven (7) clear 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 Part 4 Subsection XV in accordance with this section:

- I. 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; and,
- II. Notice of the matter shall be posted in a conspicuous place in the Municipality at least twenty one (21) clear days prior to the meeting at which Council will initially consider the matter.

5.3. In addition to the general notice requirements of Section 5.1, additional notice shall be given in accordance with this section, to all affected parties when Council is initially considering the following matters:

- I. prohibiting or limiting the number of businesses of a particular type in an area of the municipality or specifying separation distances between businesses of a particular type;
- II. permanently closing or blocking off a street, lane or walkway;
- III. permanently modifying an intersection with the use of physical barriers;
- IV. imposing a special tax or determining the use to which excess revenue from a special tax is to be put; and,
- V. establishing a business improvement district.

5.4 Additional notice of the matters listed in Subsection 5.3 shall be given using either of the following methods:

- I. 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; or,
- II. 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 Council meeting at which the matter will initially be considered.

PART VI - NOTICE OF FURTHER DEALINGS RESPECTING A MATTER

6 The notice requirements provided for in this Bylaw 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.

**TOWN OF OSLER
BYLAW 2015-10
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PUBLIC NOTICE PROCEDURES**

PART VII - NOTICE TO OWNERS OF LAND WITHIN THE TOWN BOUNDARIES

7. The financial statements, or a summary of them, and the auditor's report of the financial statements will be published as indicated in the Annual Financial Statements and Auditor's Report Section *in the Municipalities Act*.

PART VIII - DISCRETION OF COUNCIL

8. The notice requirements set forth in this Bylaw 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.

PART IX - RESPONSIBILITIES OF CAO

9. The CAO shall be responsible to Council for ensuring compliance with this bylaw and may, in his/her absolute discretion:
- I. refuse to place any item on the agenda of Council, where there has been substantive non-compliance with the notice requirements of this bylaw; or,
 - II. where there have been deficiencies in meeting the notice requirement 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 bylaw.

PART X – REPEALING OF PREVIOUS BYLAW(S)

10. Bylaw 2005-12 is hereby repealed.

PART XI – COMING INTO FORCE AND EFFECT

11. This bylaw shall come into force upon adoption by Council.

Read a first time this 18th day of August, 2015

Read a second time this 18th day of August, 2015

Read a third time and adopted this 18th day of August, 2015

SEAL

Mayor

Chief Administrative Officer