

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 26-95

BEING A BY-LAW TO AMEND PROCEDURAL BY-LAW  
NO. 100-84 TO REVISE PUBLIC MEETING  
PROCEDURES AND REAL PROPERTY SALES PROCEDURES

WHEREAS Bill 163 has been enacted to make amendments to the Municipal Act,  
effective January 1, 1995 regarding public meetings and the sale of real property.

AND WHEREAS the Council deems it desirable to revise the Procedural By-law to  
reflect such amendments;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH  
BAY HEREBY ENACTS AS FOLLOWS:

1. Section 23 of By-law 100-84 is hereby deleted and the following section 23 inserted in  
lieu thereof:

- "23 (a) Except as provided in this section, all Council meetings  
shall be open to the public.
- (b) A meeting or part of a meeting may be closed to the  
public if the subject matter being considered is,
- (i) the security of the property of the municipality or  
local board;
  - (ii) personal matters about an identifiable individual,  
including municipal or local board employees;
  - (iii) a proposed or pending acquisition of land for  
municipal or local board purposes;

- (iv) labour relations or employee negotiations;
  - (v) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
  - (vi) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
  - (vii) a matter in respect of which the council has authorized a meeting to be closed under another Act.
- (c) A meeting shall be closed to the public if the subject matter relates to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act if the council is acting as head of the institution for the purposes of the Act.
- (d) Before holding a meeting or part of a meeting that is to be closed to the public, a council or local board shall state by resolution,
- (a) the fact of the holding of the closed meeting; and
  - (b) the general nature of the matter to be considered at the closed meeting.

- (e) If a meeting is closed to the public, no resolution or record of the meeting shall disclose any information that the head of an institution is not permitted to disclose under the Municipal Freedom of Information and Protection of Privacy Act.
- (f) Despite this section, a meeting shall not be closed during the taking of a vote.

2. By-law 100-84 is hereby amended by adding the following section 80 (a) thereto:

"80a. (1) Before selling any real property council shall,

- (i) by resolution passed at a meeting open to the public declare the real property to be surplus;
  - (ii) obtain at least one appraisal of the fair market value of real property which is not prescribed by regulation as a class of real property for which an appraisal is not required; and
  - (iii) give notice to the public of the proposed sale by publication in a newspaper having a general circulation within the municipality at least once a week for two consecutive weeks.
- (2) The Clerk shall establish and maintain a public register listing and describing all the real property owned or leased by the municipality which is not prescribed by regulation to be property

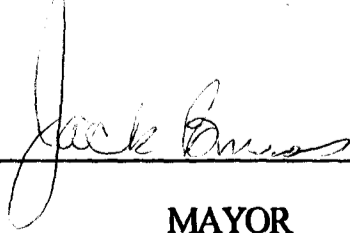
which is not required to be listed in the public register;

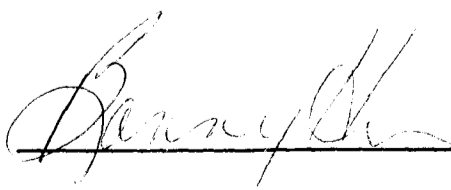
- (3) The Chief Administrative Officer shall be responsible for obtaining all appraisals of the fair market value of real property."
- (4) Real property shall be sold after a public tender is held for the property, save and except:
  - (i) where the real property is being sold to the abutting or adjacent landowner to a road allowance or lane;
  - (ii) where the real property is industrial land for which the Council has established a uniform price;
  - (iii) where the real property cannot be built on as a separate parcel and is being sold to the abutting landowner.
- (5) Council may establish fees from time to time for the consideration of applications to purchase, lease or otherwise encumber real property.

READ A FIRST TIME IN OPEN COUNCIL THE 27<sup>th</sup> DAY OF FEBRUARY, 1995.

READ A SECOND TIME IN OPEN COUNCIL THE 27 DAY OF FEBRUARY, 1995.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 27<sup>th</sup> DAY OF FEBRUARY, 1995

  
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 MAYOR

  
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 CITY CLERK