

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2003-01

**BEING A BY-LAW TO PRESCRIBE THE
FORM AND MANNER AND TIMES
FOR THE PROVISION OF NOTICE**

WHEREAS the *Municipal Act*, 2001, S.O., c. 25, S. 25.1 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 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;

AND WHEREAS Council approved the minimum notice requirements by Resolution No. 2002-669 passed at its meeting held on December 2, 2002;

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

DEFINITIONS

1. In this by-law:

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

“Clerk” means the Clerk of The Corporation of the City of North Bay;

“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;

“Published” means published in a daily or weekly newspaper that, in the opinion of Clerk, has such circulation within the municipality as to provide reasonable notice to those affected thereby, and “publication” has a corresponding meaning.

**NOTICE OF INTENTION TO PASS BY-LAW – NOTICE OF PUBLIC MEETING
Manner of Notice**

2. Where notice of intention to pass a by-law or notice of a public meeting is required to be given, the Clerk shall cause such notice to be published in the newspaper.

Time of Notice

3. 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 Act or its regulations, and if not so prescribed, notice shall be given at least once, no less than fourteen (14) days prior to the proposed action being taken.

Form of Notice

4. 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:

- (i) a description of the purpose of the meeting, or the purpose and effect of the proposed by-law;
- (ii) the date, time and location of the meeting;

- (iii) where the purpose of the meeting or proposed by-law is related to specific lands within the municipality, a key map showing the affected lands; and
- (iv) 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.

FINANCIAL

Adoption of Annual Budget

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

Purchasing By-law

- 6. Where the total of the expenditure estimates, as approved in the budget, are to be increased above the total budget then the approval process set out under The Corporation of the City of North Bay's Purchasing By-law shall apply,
- 7. Notices of such an increase to the budget shall be included in a staff report and the printing of this item on the Council and/or Committee Agenda, with the notation "*Amendment to Budget*", shall constitute sufficient public notice thereof,

Operating Costs Incurred Prior to Budget Approval

- 8. 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

- 9. Unless otherwise designated by regulation, notice of improvements in the efficiency and effectiveness of the delivery of services by The Corporation of the City of North Bay and its local boards; and barriers identified by The Corporation of the City of North Bay and its local boards to achieving improvements in the efficiency and effectiveness of the delivery of services by them, shall be published in the newspaper at the same time as prescribed in the Act for the publication of the Financial Statements of The Corporation of the City of North Bay.

GENERAL

- 10. Where separate by-laws have been enacted in accordance with the provisions contained in the Act, the notice provisions set out in such by-laws shall prevail.
- 11. 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.
- 12. Nothing in this by-law shall prevent the Clerk from using more comprehensive methods of notice for providing for a longer notice period or additional notices.

EMERGENCY PROVISION

- 13. If a matter arises, which in the opinion of the Chief Administrative Officer, in consultation with the Mayor, 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 municipality, 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 by the Chief Administrative Officer and the Clerk shall make his/her best efforts to provide such notice as is reasonable under the circumstances.

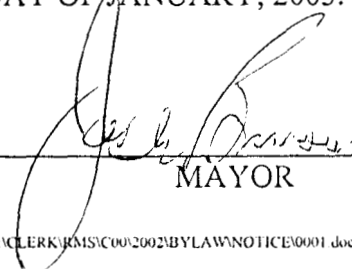
EFFECTIVE DATE

14. This by-law shall come into full force and effect on January 14, 2003.

READ A FIRST TIME IN OPEN COUNCIL THIS 13TH DAY OF JANUARY, 2003.

READ A SECOND TIME IN OPEN COUNCIL THIS 13TH DAY OF JANUARY, 2003.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 13TH DAY OF JANUARY, 2003.



MAYOR



CITY CLERK