

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2020-79

**BEING A BY-LAW TO ESTABLISH A NOTICE POLICY
AND TO REPEAL CITY OF NORTH BAY BY-LAW NO. 2007-190**

Whereas section 270(1)(4) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, requires that a municipality shall adopt and maintain a policy with respect to the circumstances in which the municipality shall provide notice to the public and, if the notice is to be provided, the form, manner and times notice shall be given;

And Whereas section 270(1)(5) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides the manner in which the Municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the Municipality will try to ensure that its actions are transparent to the public;

And Whereas Council approved the Notice Policy By-Law setting out the minimum notice requirements by Council Resolution No. 2020-344 at its Regular Meeting held on Tuesday, November 10th, 2020.

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

DEFINITIONS

1. In this By-Law:

“**City**” shall mean The Corporation of the City of North Bay.

“**Clerk**” shall mean the City Clerk or designate of the City.

“**Highway**” shall mean all road allowances, highways, streets and lanes shown on a registered plan of subdivision;

“**Municipal Act**” shall mean the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, and any successor legislation thereto.

“**Newspaper**” shall mean a printed publication in sheet form, intended for general circulation, published regularly at intervals of no 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.

“**Notice to the Public**” shall mean notice given to the public generally, but does not include notice given to specified persons.

“**Planning Act**” shall mean the *Planning Act*, R.S.O. 1990, c P.13, as amended, and any successor legislation thereto.

“**Public Notice**” shall mean a page on the City’s website identified as “Public Notices”.

“**Published**” shall mean published on the City’s website or in the alternative in a daily or weekly newspaper that, in the opinion of Clerk, has such circulation within the City as to provide reasonable notice to those affected thereby, and “publication” has a corresponding meaning.

“**Website**” shall mean the official internet website of the City.

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

Manner of Notice

2. (1) 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 on the Public Notice page on the City's Website, unless:
 - (a) notice is otherwise prescribed by statute or regulation, in which case notice shall be given in accordance with the statute or regulation; or
 - (b) notice is otherwise prescribed in another by-law, in which case notice may be given either in accordance with this By-Law or with the other by-law.

Time of Notice

- (2) 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 any statute or its regulations, and if not so prescribed, notice shall be given at least once, no less than 14 days prior to the proposed action being taken, with the exception of:
 - (a) adoption of annual operating budget, for which notice shall be given no less than seven days prior to adoption; and
 - (b) by-laws relating to an enactment of a fee or charge, for which notice shall be given at least once no less than 14 days prior to proposed action being taken.

Form of Notice

- (3) Unless otherwise prescribed in any statute 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) 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) 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
 - (d) 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 (if applicable).

General

- (4) 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 *Municipal Act*.
- (5) Notice provisions prescribed under the *Municipal Act* are set out in Schedule "A" attached hereto.

- (6) 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

3. 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

4. This By-Law shall come into full force and effect upon passing.

REPEAL

5. By-Law No. 2007-190 is repealed upon this By-Law coming into full force and effect.

Read a First Time in Open Council this 24th day of November, 2020.

Read a Second Time in Open Council this 24th day of November, 2020.

Read a Third Time in Open Council and Enacted and Passed this 24th day of November, 2020.

Mayor Allan McDonald

City Clerk Karen McIsaac

THIS IS SCHEDULE "A" TO BY-LAW 2020-79
OF THE CORPORATION OF THE CITY OF NORTH BAY

Subject Matter	Timing of Notice and Manner of Giving	Legislation
Annual Operating Budget	As set out in sections 2(1), (2)(a), and (3) of this By-Law	N/A
Business Improvement Areas	As set out in sections 206, 210(1), and 211(1)	<i>Municipal Act</i>
Capital Facilities	As set out in sections 110(5) and 110(8)	<i>Municipal Act</i>
Debt and Investments	As set out in section 402(1)	<i>Municipal Act</i>
Enactment of a Fee or Charge By-Law	As set out in section 2(1), 2(b) and 3 of this By-Law	N/A
Enforcement	As set out in sections 435(1), 447.1(3) and 441(1)	<i>Municipal Act</i>
Establishment of Wards	As set out in section 222(3)	<i>Municipal Act</i>
Financial Statements	As set out in section 295(1)	<i>Municipal Act</i>
Highway - Permanently Closing	As set out in sections 2(1),(2) and (3) of this By-Law	N/A
Highway - Permanently Altering	As set out in sections 2(1),(2) and (3) of this By-Law	N/A
Local Improvement By-Law	As set out in sections 4 and 6 of O. Reg. 586/06, and sections 2(1),(2) and (3) of this By-Law	<i>Municipal Act</i>
Municipal Restructuring	As set out in section 173(3), 174(10) and 187(3) of the Act, and sections 2(1),(2) and (3) of this By-Law	<i>Municipal Act</i>
Name or Change Name of Private Road	As set out in section 48	<i>Municipal Act</i>
Procedure By-Law	As set out in section 238(2.1) of the Act, and sections 2(1),(2) and (3) of this By-Law	<i>Municipal Act</i>
Sale of Land	As set out in sections 2(1), (2) and (3) of this By-Law, and section 2.9.2 of City of North Bay Real Estate Policy By-Law 2019-81	N/A

Subject Matter	Timing of Notice and Manner of Giving	Legislation
Taxation	As set out in sections 318(15), 331(10), 342(5), 348(2), 350(1), 351(8), 356(4), 356(5), 357(5), 357(6), 358(8), 358(9), 358(10), 359(3), 359(4), 359(13), 361(10.1), 365(2), 365.2(5), 365.2(6) of the Act, and sections 2(1),(2) and (3) of this By-Law as applicable	<i>Municipal Act</i>
Tax Sales	As set out in sections 374(1), 374(2), 374(5), 379(1), 379(2), 379(4), 380(3), 380.1, 385.1(5), 386.2(1), 386.3	<i>Municipal Act</i>
Utilities	As set out in sections 81(1), 81(2), and 81(3) of the Act, and section 2(2) of this By-Law	<i>Municipal Act</i>