

THE CORPORATION OF THE
TOWN OF PELHAM
BY-LAW #2442 (2002)

BEING A BY-LAW TO ESTABLISH PROCEDURES FOR
NOTICES IN ACCORDANCE WITH THE MUNICIPAL ACT,
2001, S.O., c. 25

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

AND WHEREAS the purpose of this by-law is to set out those procedures which are to be in effect to implement the requirements of the *Municipal Act*;

NOW THEREFORE the Council of the Corporation of the Town of Pelham enacts as follows:

DEFINITIONS:

1. In this by-law
 - “Act” – means the Municipal Act, S.O. 2001, c. 25 and includes regulations thereunder;
 - “Clerk” – means the Clerk of the Corporation of the Town of Pelham or his or her designate;
 - “Newspaper” – means a printed publication in sheet form, intended for general circulation, published regularly at intervals of not longer than one week, consisting in great part of news of current events of general interest and sold to the public and to regular subscribers;
 - “Publication” – means published in a daily or weekly newspaper that, in the opinion of the Clerk, has such circulation within the municipality as to provide reasonable notice to those affected thereby, and “publication” has a corresponding meaning;
 - “Notice” – means a written, printed, published or posted notification or announcement.

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

Manner, Time and Form 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 the Act, or its regulations. Where not specified in the Act, “Public Notice” shall be deemed to be as described in Section 3 of this By-law and shall be in the Form of Notice as described in Section 4 of this by-law.

3. For the purposes of Sections 34, 47, 48, 59, 99 and 291 of the *Municipal Act*, where notice of intention to pass a by-law or notice of a public meeting is required and not otherwise prescribed in the Act or regulations, "Public Notice" shall be given as follows:
- (1) Publication in newspaper no later than the Wednesday prior to the meeting at which the by-law is to be passed or the date of the proposed action for which notice is given or date of the public meeting;
- In addition, notice may be given as follows:
- (2) Notice be declared at an open meeting of Council that the subject will be placed on the next regularly scheduled meeting or specific meeting date; and/or
 - (3) Posting a notice on the Town's web-site.
4. The Form of Notice, unless otherwise prescribed in the Act or its regulations, shall include the following information:
- (1) A description of the purpose of the meeting, or the purpose and effect of the proposed by-law;
 - (2) The date, time and location of the meeting;
 - (3) Where the purpose of the meeting or proposed by-law is related to specific lands within the Town, a key map showing the affected lands;
 - (4) 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.

EMERGENCY PROVISION


5. 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 and the Clerk shall make his/her best efforts to provide as much notice as is reasonable under the circumstances.

EFFECTIVE DATE

6. This By-law shall come into full force and effect on January 1st, 2003.

READ A FIRST, SECOND AND THIRD TIME
AND FINALLY PASSED BY COUNCIL THIS
16th DAY OF DECEMBER, 2002 A.D.


MAYOR


CLERK