

BYLAW NO. 01-2006

PUBLIC NOTICE POLICY

1. PURPOSE

1.1 The purpose of this Policy 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.

2. DEFINITIONS

2.1 For the purpose of this policy, the following terms and words shall have the following meanings:

- a) **AFFECTED PARTIES** – shall mean those members of the public who are, in the opinion of the Administrator, directly and uniquely affected by a matter under consideration by Council, to an extent greater than other members of the general public;
- b) **COUNCIL** – means the elected officials of the Town of Kyle;
- c) **ADMINISTRATOR/CLERK** – means the person appointed as the Administrator/Clerk for the Town of Kyle or his/her duly authorized representative or designate;
- d) **CLEAR DAYS** – means 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;

3. MATTERS FOR WHICH NOTICE MUST BE GIVEN

3.1 Public notice in accordance with this policy shall be given before Council initially considers the following matters:

- a) Permanently closing or blocking off a street, lane or walkway;
- b) Disposition of municipal lands or buildings;
- c) Selling or leasing land for less than fair market value and without a public offering;
- d) 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;
- e) Borrowing money, lending money or guaranteeing the repayment of a loan;
- f) Imposing a special tax or determining the use of which excess revenue from a special tax is to be put;
- g) Establishing a purchasing policy;
- h) Sale or lease of mines and minerals owned by a municipality;
- i) Establishing a business improvement district;
- j) Setting remuneration for council for committee members and other bodies established by the council;
- k) Increasing or decreasing the number of councilors on council;
- l) Appointing a wards commission and dividing the municipality into wards;
- m) Amending or repealing a bylaw for which public notice was a requirement at the time the bylaw was passed;



- n) 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;
- o) Discussing a matter at a public meeting held as a result of a petition signed by the required number of electors; and
- p) 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 of the bylaw or resolution was passed and a vote of the voters is not being held regarding the proposed current action.

4 NOTICE TO THE GENERAL PUBLIC AND AFFECTED PARTIES:

4.1 Notice shall be given to the general public for all matters set out in subsection 3.1 (a to o) in accordance to this section:

- a) 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
- b) Notice of the matter shall be posted in a conspicuous place in the municipality at least seven (7) clear days prior to the meeting at which Council will initially consider the matter.

4.2 Notice shall be given to the general public for the matter set out in subsection 3.1(p) in accordance with this section:

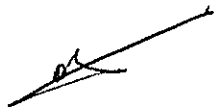
- a) Notice of the matter shall be posted at the Municipal Office at least twenty-one (21) clear days prior to the meeting at which Council will initially consider the matter; and
- b) Notice of the matter shall be posted in a conspicuous place in the municipality at least twenty-one (21) clear days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

4.3 In addition to the general notice requirements of section 4.1, **additional** notice shall be given in accordance with subsection 4.4 to all affected parties when Council is initially considering the following matters:

- a) 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;
- b) Permanently closing or blocking off a street, lane or walkway;
- c) Permanently modifying an intersection with the use of physical barriers;
- d) Imposing a special tax or determining to use to which excess revenue from a special tax is to be put; and
- e) Establishing a business improvement district.

4.4 **Additional** notice of the matters listed in subsection 4.3 shall be given using either of the following methods:

- a) 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
- b) 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 be initially be considered.



5 NOTICE OF FURTHER DEALING RESPECTING A MATTER

5.1 The notice requirements provided for in this policy shall only be applied when Council initially considers a matter. For purposes of clarity, unless otherwise directed by Council, no notice, including notice to affecting parties, will be given of any subsequent meeting of Council at which the matter will be considered.


6 DISCRETION OF COUNCIL

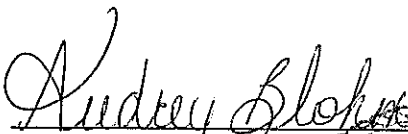
6.1 The notice requirements set forth in this policy are minimum requirements and are not intended to limit Council's discretion to provide additional notice, utilizing different or additional methods or repeating notice, as may be deemed appropriate by Council.

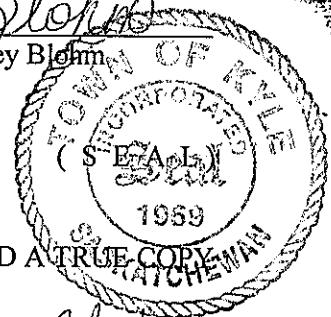
7 RESPONSIBILITIES OF ADMINISTRATOR/CLERK

7.1 The Administrator/Clerk shall be responsible to Council for ensuring compliance with this policy and may, in her/his absolute discretion:

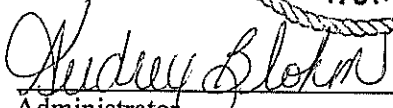
- a) Refuse to place any item on the agenda of Council, where there has been substantive con-compliance with the notice requirements of this Policy; or
- b) Where there have been deficiencies in meeting the notice requirements provided for in this Bylaw, place any item on the agenda of Council, with a caution to members of Council that the matter should be tabled pending full compliance with the notice requirements set forth in this Policy.


Mayor – Ansgar Tynning


Administrator – Audrey Blohm



CERTIFIED A TRUE COPY


Administrator

Jan 1, 2006 - came into force.

K. Manshall

- 176/05 CROTEAU HARTMAN BYLAW:
THAT bylaw Number 01-2006 being a bylaw for a Public Notice Policy be introduced and read the first time.
Carried.
- 177/05 CROTEAU PIERCE THAT bylaw No. 01-2006 be given second reading.
Carried.
- 178/05 REID HOVLAND THAT bylaw No. 01-2006 be given three readings at this meeting.
Carried Unanimously.
- 179/05 HANNOUCH HARTMAN THAT bylaw No. 01-2006 being a bylaw for a Public Notice Policy be read a third time and brought into force January 01, 2006.
Carried.
- OTHER:
- 180/05 PIERCE REID ADJOURN
THAT the regular meeting of Council for the Town of Kyle now adjourn at 10:45 p.m.
Carried.


MAYOR SIGNATURE


ADMINISTRATOR SIGNATURE

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AGENDA
Town of Kyle, Saskatchewan

Regular Meeting of Council, to be held Wednesday, November 9, 2005 at 7:30 p.m. in Council Chambers.

01. CALL TO ORDER
02. ADOPTION OF AGENDA
03. ADOPTION OF MINUTES
Regular Meeting held October 12, 2005
04. DELEGATION
05. FINANCIAL STATEMENT
Statement of Revenues, Expenditures and Bank Reconciliation for the month of October 2005
06. ACCOUNTS FOR PAYMENT
To Ratify the following Accounts
(Cheques 7697 - 7715)

To approve the following accounts
(Cheques 7716 - 7747)
07. COMMITTEE REPORTS
 - Administration Committee
 - Community Services Committee
 - Public Works Committee
08. BOARD APPOINTMENT REPORTS
09. MAYORS REPORT
10. ADMINISTRATOR REPORT
 - Heritage Hunting and Fishing Act – Petition
 - Kyle and District Chamber of Commerce – 2006 Membership
 - Devon Estates Limited – Environmental Site Assessment Supplementary
 - 2005 Extravaganza / Royal Purple – use of town office building
11. BYLAWS
Bylaw 01-2006 Being a Public Notice Bylaw
12. OTHER
 - City of Swift Current – 2004 Annual Report
 - Kyle Library Board – Sept. 27 minutes
 - Eston-Elrose S.D. – September 19 minutes
13. ADJOURN

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A handwritten signature in blue ink is located at the bottom of the page, below the 'ADJOURN' item of the agenda.

WHEREAS the 3-month probationary period for office assistant Carol Argue will expire on October 31, 2005. It is the recommendation of the Administration Committee to honor the motion of 136/05 in that effective November 01, 2005 the office assistant salary be increased to \$9.00 per hour, THEREFORE:

159/05 CROTEAU
PIERCE

THAT office assistant, Carol Argue receive an hourly salary of \$9.00 per hour effective November 01, 2005.

Carried

Let the records show that discussion regarding the Tax Incentive Policy through Economic Development was brought to this table. The Administrator was requested to locate this information and return it during the next regular meeting slated for November 9th, 2005.

160/05 CROTEAU
HARTMAN

THAT the Administrators report be accepted as presented.

Carried.

BYLAW:

161/05 CROTEAU
HARTMAN

THAT Bylaw No. 2-2005 Being a Bylaw to Provide for the Entering into an Agreement Respecting the Exemption of land and improvements from Taxation for purposes of Economic Development be introduced and read a first time.

Carried.

162/05 HOVLAND
PIERCE

THAT Bylaw No. 2-2005 be given a second reading.

Carried.

163/05 REID
CROTEAU

THAT bylaw No. 2-2005 be given three readings at this meeting.

Carried Unanimously.

164/05 HARTMAN
HOVLAND

THAT bylaw No. 2-2005 being a Bylaw to Provide for the Entering into an Agreement Respecting the Exemption of land and improvements from Taxation for purposes of Economic Development be read a third time and adopted.

Carried.

Let the records show that Bylaw No. 01-2006 Being a Public Notice Policy be tabled until the next regular meeting of council.

OTHER:

COPY

ADJOURN

165/05 HARTMAN
CROTEAU

THAT the regular meeting of Council for the Town of Kyle now adjourn AT 10:50 p.m.

Carried.


MAYOR SIGNATURE


ADMINISTRATOR SIGNATURE