

**TOWNSHIP OF SOUTH FRONTENAC
BY-LAW 2016-73**

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

WHEREAS Council wishes to establish the form, manner and time line for giving reasonable notice;

AND WHEREAS it is deemed advisable to set out the minimum notice requirements for specific actions;

NOW THEREFORE the Council of the Corporation of the Township of South Frontenac enacts as follows:

DEFINITIONS:

1. In this by-law:

“Council” means the Council of the Corporation of the Township of South Frontenac

“Clerk” means the Clerk of the Township of South Frontenac

“Deputy Clerk” means the Deputy Clerk of the Township of South Frontenac

“Notice” means a written or printed notification/announcement provided in a form and in the manner and at the times that Council considers adequate and reasonable

“Published” means printed in a daily or weekly newspaper(s) that, in the opinion of the Clerk, has such circulation within the municipality as to provide a reasonable notice to those affected thereby and/or posted on the township website and “publication” has a corresponding meaning.

GENERAL

2. That Schedules 1-11 attached hereto and forming part of this by-law are adopted as reasonable notice to the public
3. Where separate by-laws have been enacted the notice provisions set out in such by-laws shall prevail.
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 of Council.
5. Nothing in this by-law shall prevent the Clerk from using more comprehensive methods of providing notice or a longer notice period.
6. Where notice of intention to pass a by-law or notice of a public meeting is required to be given and the time frame for such notice is not already prescribed in an Act, or its Regulations, or otherwise addressed in this by-law, notice shall be given at least once, no less than fourteen days prior to the proposed activity to be undertaken.

EMERGENCY PROVISION

7. 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 time sensitive nature, or which could affect the health or well-being of the residents of the Township of South Frontenac, 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. Council shall, as soon as it is practical, be advised of such decision.

VALIDITY

8. It is declared that, notwithstanding that any part or parts of this by-law, or sections thereof, may be found by any court of law to be invalid or illegal or beyond the power of the Township to enact, such part or parts thereof shall be deemed to be severable and that all other parts or sections of this by-law are separate and independent therefrom and enacted as such.

REPEAL

9. By-laws 2002-92, 2002-100, 2004-33 are hereby repealed.

EFFECTIVE DATE

10. This by-law shall come into force and take effect on the 1st day of January 2017.

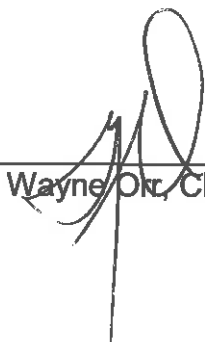
Dated at the Township of South Frontenac this 6th day of December, 2016.

Read and first and second time this 6th day of December, 2016:

Read a third time and finally passed this 6th day of December, 2016.



Ron Vandewal, Mayor



Wayne Orr, Chief Administrative Officer

Schedule "1" to By-law 2016-73
Procedures for Notice – Highway Closings

Before passing a By-law for permanently closing a highway, the municipality shall give public notice of its intention to pass the By-law

Content of Notice

- Explanation of road closing, including location and mapping
- Date/Time/Place of public meeting for consideration of by-law
- Written comments and/or verbal comments will be considered at a public meeting where By-law is to be considered
- Address where to respond with comments prior to the public meeting
- Contact information for the Administration Office
- Clerk or Deputy Clerk's Name/Title

Manner of Notice

1. The full notice shall be published at least four weeks in advance of the meeting on the Township website.
2. A summary of the Notice shall be published in the weekly banner advertising directing readers to the website four weeks in advance of the meeting. A subsequent notice shall be published one week in advance of the meeting.
3. Posted on site for at least four weeks in the most public place or in the immediate neighbourhood of the proposed closure
4. Notice to all ratepayers fronting the highway by prepaid mail, mailed four weeks in advance of the meeting.
5. Notice to abutting municipality/upper tier municipality if applicable.

Schedule "2" to By-law 2016-73
Procedures for Notice – Private Road Closings

If the municipality requires the owner of any land to permanently close up any private road, entrance, gate or other structure that is constructed or is being used as a means of access to a controlled-access highway or other highway in contravention of a by-law, it shall give notice to the owners of the land personally or by prepaid registered mail to the last known address of the owner.

Content of Notice

- Explanation of private road closing, including location and mapping
- Date/Time/Place of public meeting for consideration of By-law
- Written comments and/or verbal comments will be considered at a public meeting where By-law is to be considered
- Address where to respond with comments prior to the public meeting
- Contact information for the Administration Office
- Clerk or Deputy Clerk's Name/Title

Manner of Notice

1. The full notice shall be published at least four weeks in advance of the meeting on the Township website.
2. A summary of the Notice shall be published in the weekly banner advertising directing readers to the website four weeks in advance of the meeting. A subsequent notice shall be published one week in advance of the meeting.
3. Posted on site for at least four weeks in the most public place or in the immediate neighbourhood of the proposed closure
4. Notice to all ratepayers fronting the private road by prepaid mail mailed four weeks in advance of the meeting.
5. Notice to abutting municipality/upper tier municipality if applicable.

Schedule "3" to By-law 2016-73
Procedures for Notice – Naming Highways

Before passing a By-law to name a highway, private lane, private road, changing the name of a highway or adding additional names to the adopted list of acceptable names. The municipality shall give notice of its intention to pass the by-law.

Content of Notice

- Explanation of proposed name including location and mapping
- Date/Time/Place of public meeting for consideration of by-law
- Written comments and/or verbal comments will be considered at a public meeting where By-law is to be considered
- Address where to respond with comments prior to the public meeting
- Contact information for the Administration Office
- Clerk or Deputy Clerk's Name/Title

Manner of Notice

1. The full notice shall be published at least four weeks in advance of the meeting on the Township website.
2. A summary of the Notice shall be published in the weekly banner advertising directing readers to the website four weeks in advance of the meeting. A subsequent notice shall be published one week in advance of the meeting.
3. Posted on site for at least four weeks in the most public place or in the immediate neighbourhood.
4. Where changing the name of a road or lane, notice to all ratepayers fronting the road or lane by prepaid mail, mailed four weeks in advance of the meeting.
5. Notice to abutting municipality/upper tier municipality if applicable.
6. If the number of properties affected by the name change is greater than 25, notice will only be in the form of advertisement in the local newspaper, having general circulation in the Municipality

Schedule "4" to By-law 2016-73
Procedures for Notice – Licensing By-law

Before passing a licensing by-law, the municipality will hold at least one public meeting at which any person who attends has an opportunity to make representation with respect to the matter; and ensure that notice of the public meeting is given.

Content of Notice

- Explanation of licensing by-law
- Date/Time/Place of public meeting for consideration of by-law
- Written comments and/or verbal comments will be considered at a public meeting where By-law is to be considered
- Address where to respond with comments prior to the public meeting
- Contact information for the Administration Office
- Clerk or Deputy Clerk's Name/Title

Manner of Notice

1. The full notice shall be published at least four weeks in advance of the meeting on the Township website.
2. A summary of the Notice shall be published in the weekly banner advertising directing readers to the website four weeks in advance of the meeting. A subsequent notice shall be published one week in advance of the meeting.
3. Where there are less than 10 licenses, notice shall be mailed to the last address as indicated on the previous license.

**Schedule "5" to By-law 2016-73
Procedures for Notice – Procedure By-law**

Before passing or amending the procedural by-law the municipality will give notice of its intention to pass the by-law.

Content of Notice

- Explanation of procedure by-law
- Date/Time/Place of public meeting for consideration of by-law
- Written comments and/or verbal comments will be considered at a public meeting where By-law is to be considered
- Address where to respond with comments prior to the public meeting
- Contact information for the Administration Office
- Clerk or Deputy Clerk's Name/Title

Manner of Notice

1. The full notice shall be published at least four weeks in advance of the meeting on the Township website.
2. A summary of the Notice shall be published in the weekly banner advertising directing readers to the website four weeks in advance of the meeting. A subsequent notice shall be published one week in advance of the meeting.

Schedule "6" to By-law 2016-73
Procedures for Notice – Sale of Municipal Land

Before selling any land, the municipality and local board shall give notice to the public of the proposed sale.

Content of Notice

- Explanation of municipal land sale, including location and mapping
- Date/Time/Place of public meeting for consideration of by-law
- Written comments and/or verbal comments will be considered at a public meeting where By-law is to be considered
- Address where to respond with comments prior to the public meeting
- Contact information for the Administration Office
- Clerk or Deputy Clerk's Name/Title

Manner of Notice

1. The full notice shall be published at least four weeks in advance of the meeting on the Township website.
2. A summary of the Notice shall be published in the weekly banner advertising directing readers to the website four weeks in advance of the meeting. A subsequent notice shall be published one week in advance of the meeting.
3. Posted on site for at least four weeks on the most prominent place on the property or immediate neighbourhood of the proposed sale.

Schedule "7" to By-law 2016-73
Procedures for Notice – Budget Delegations

Before debating the budget Council will receive delegations and/or written comments from the public.

Content of Notice

- Explanation of budget process
- Date/Time/Place and process for budget delegations
- Written comments and/or verbal comments will be considered
- Contact information for the Administration Office
- Clerk or Deputy Clerk's Name/Title

Manner of Notice

1. The full notice shall be published at least four weeks in advance of the Committee of the Whole meeting following the budget being tabled on the Township website.
2. A summary of the Notice shall be published in the weekly banner advertising directing readers to the website four weeks in advance of the meeting.

**Schedule "8" to By-law 2016-73
Procedures for Notice – Financial Statements**

Within 60 days after receiving the audited financial statements of the municipality for the previous year, the treasurer of the municipality shall publish in a newspaper having general circulation in the municipality (i) a copy of the audited financial statements, the notes to the financial statements, the auditor's report and the tax rate information for the current and previous year as contained in the financial review, or (ii) a notice that the information described in sub clause (i) will be made available at no cost to the taxpayer or resident of the municipality upon request; and may provide the information described in sub clause (a)(i) or (ii) (2) to such persons and in such other manner as the treasurer considers appropriate.

Manner of Notice

1. The full statements shall be published on the Township website.
2. A summary of the Notice shall be published twice on alternative weeks in the weekly banner advertising, directing readers to the website.

Schedule "9" to By-law 2016-73
Procedures for Notice – Sewage System or Consumption of Water

Before passing a by-law imposing a fee or charge, the municipality shall hold at least one public meeting at which any person who attends has an opportunity to make representation with respect to the matter.

Content of Notice:

- Explanation of by-law imposing fee or charge
- Set out the detailed information available at no cost to any member of the public upon request. Said information shall include:
 - A description of the service or activity or other matter for which the fee or charge is being imposed
 - An estimate of the costs of providing the sewage system or the water system, in respect of which the fee or charge is being imposed.
 - The amount of the fee or charge; and
 - The rationale for imposing the fee or charge.
- Date/Time/Place of public meeting for consideration of the by-law
- Written comments and/or verbal comments will be considered at the public meeting where By-law is to be considered.
- Contact information for the Administration Office/where documents can be obtained
- Clerk or Deputy Clerk's Name/Title

Manner of Notice

1. The full notice shall be published at least four weeks in advance of the meeting on the Township website.
2. A summary of the Notice shall be published in the weekly banner advertising directing readers to the website four weeks in advance of the meeting. A subsequent notice shall be published one week in advance of the meeting.
3. Sent by prepaid registered mail to each property owner affected by the municipal sewage system or water system, which may be determined by the resolution of Council.
4. Notice by prepaid mail at least 21 days prior to the public meeting to every person or organization that has within five years before the day of the public meeting given the Clerk of the municipality or secretary of the Local Board, as the case may be, a written request for notice of the passing of the by-law containing a return address

Schedule "10" to By-law 2016-73
Procedures for Notice – Fees or Charges

Before passing a by-law imposing a fee or charge, the municipality shall hold at least one public meeting at which any person who attends has an opportunity to make representation with respect to the matter.

Content of Notice:

- Set out the intention of the municipality to pass the by-law and whether the by-law would impose any fee or charge which was not in effect on the day of the notice is given or change any fee or charge which was in force on the day the notice is given.
- Set out that detailed information will be made available at no cost to any member of the public upon request. Said information shall include:
 - A description of the service or activity or other matter for which the fee or charge is being imposed
 - The amount of the fee or charge; and
 - The rationale for imposing the fee or charge.
- Date/Time/Place of public meeting for consideration of the by-law
- Written comments and/or verbal comments will be considered at the public meeting where By-law is to be considered.
- Contact information for the Administration Office/where documents can be obtained
- Clerk or Deputy Clerk's Name/Title

Manner of Notice

1. The full notice shall be published at least four weeks in advance of the meeting on the Township website.
2. A summary of the Notice shall be published in the weekly banner advertising directing readers to the website four weeks in advance of the meeting. A subsequent notice shall be published one week in advance of the meeting.

Schedule "11" to By-law 2016-73
Procedures for Notice – Development

In addition to the requirements as set out in the Planning Act, the municipality shall:

For any subdivision or plan of condominium greater than 3 units:

- Bring to the attention of the public through a presentation to the Committee of the Whole any proposal for subdivision or plan of condominium greater than 3 units, after the developer has completed the pre consultation phase. This shall occur no later than 30 days before the notice for a statutory public meeting
- Provide six calendar weeks' notice of the statutory public meeting through the regulated means of advertising
- Have the developer install, at their expense, a durable sign, notifying the community of the public meeting at least six weeks in advance of the meeting date.
- Ensure that the sign for the proposed development is in a visible location at the edge of the property on the road abutting the property. The developer is to remove the signage 30 days after the public meeting.
- Ensure that the sign shall be at least 1 metre by 1.2 metres in size and contain the information specified by the Planning Department
- Have the developer provide photographic evidence that the sign is erected on the date required.
- Advertise a summary of the Notice in the weekly banner advertising directing readers to the website six weeks in advance of the meeting. A subsequent notice shall be published three weeks in advance and again one week in advance of the meeting.