

THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER

BY-LAW 2007-35

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

WHEREAS the Municipal Act, S.O. 2001, Chapter 25, Section 270 (1)4., (the “Act”) provides that a municipality shall adopt and maintain policies with respect to the circumstances in which the municipality shall provide notice to the public and, if notice is provided, the form, manner and times notice shall be given;

AND WHEREAS the Municipal Act, S.O. 2001, Chapter 25, Section 238 (2.1) provides that the procedural by-law shall provide for notice of meetings;

AND WHEREAS it is deemed expedient to implement a policy with respect to the giving of reasonable notice to the public from time to time;

THEREFORE the Council of the Corporation of the Municipality of French River enacts as follows:

- 1) The “Procedure Schedules” attached hereto and forming part of this By-law will be and are adopted as reasonable notice to the public as required under the policy.
- 2) The Public meeting shall not be held or the by-law shall not be passed less than ten (10) days after the requirements for giving notice have been complied with, and Council at their discretion may allow persons who attends the meeting the opportunity to make representation.
- 3) Unless otherwise provided, the form of the notice will be at the discretion of the CAO, but shall as a minimum provide a brief description of the action to be considered, as well as the date, time and place it will be considered by Council.
- 4) This By-law is intended to provide minimum standard of notice that Council considers adequate to give reasonable notice to the public, however, nothing in this By-law shall prevent the CAO from using additional means of notice or providing for a longer Notice Period.
- 5) This By-law provides that the CAO or Council may by resolution determine “emergency” situations and give notice as soon as is practicable. In dealing with matters of an urgent or time sensitive nature, or a matter which might affect the health or well-being of the residents of the Municipality of French River, or if a State of Emergency is declared, or if so advised by a Provincial Ministry, efforts will be made to provide as much notice as is reasonable under the circumstances.
- 6) By-law 2003-03 and all its amendments are hereby repealed.
- 7) That this By-law shall come into force and effect on the date of passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED
this 18th day of July, 2007.**

Index of Schedules 1 – 16

| Schedule | Notice of Intent | Action/By-law |
|----------|--------------------------|---|
| 1 | Highway / Bridge Closing | Before passing a By-law for permanently closing a highway, the municipality shall give public notice of its intention to pass the By-law. |
| 2 | Private Road Closing | 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 owner of the land personally or by prepaid registered mail to the last known address of the owner. |
| 3 | Naming Highways | Before passing a By-law naming a highway or changing the name of a highway, the municipality shall give public notice of its intention to pass the by-law. |
| 4 | Naming Private Roads | Before passing a By-law naming a private road or changing the name of a private road, the municipality shall give public notice of its intention to pass the by-law. |
| 5 | Licensing by-law | 151(1) Before passing a by-law under this section, the council of the municipality shall, except in the case of emergency, 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. |
| 6 | Change of name | Before passing a by-law changing its name, the municipality shall give notice of its intention to pass the bylaw and shall hold a least one public meeting to consider the matter. |
| 7 | Procedure bylaw | 238(2) Before passing a by-law under this section, the municipality and local board shall give notice of its intention to pass the by -law. |
| 8 | Council composition | 217. Before passing a by-law under this section, the municipality shall give notice of its intention to pass the bylaw and shall hold a least one public meeting to consider the matter |
| 9 | Adoption of budget | Before adopting all or part of a budget under section 289 or 290, or amending such a budget, the municipality shall give public notice of its intention to adopt or amend the budget at a council meeting specified in the notice. |

| Schedule | Notice of Intent | Action/By-law |
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| 10 | Financial statements | <p>295.(1) Within 60 days after receiving the audited financial statements of the municipality for the previous year, the treasurer of the municipality,</p> <p>a) shall publish in a newspaper having general circulation in the municipality,</p> <p>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</p> <p>ii) a notice that the information described in sub clause (i) will be made available at no cost to any taxpayer or resident of the municipality upon request; and</p> <p>b) may provide the information described in sub-clause (a)(i) or (ii) to such persons and in such other manner as the treasurer considers appropriate.</p> |
| 11 | Advertising/ signs | <p>Before passing a by-law to regulate advertising devices including signs, the municipality shall give public notice of its intention to pass the by-law.</p> |
| 12 | Dissolve or change the local board – notice to board | <p>216 Before passing a by-law under this section, the municipality shall give notice of its intention to pass the bylaw to the board.</p> |
| 13 | Wards – public meeting | <p>222(1) Despite any Act, a Municipality may divide or redivide the municipality into wards or dissolve the existing wards</p> <p>222(3) Within 15 days after a by-law is passed under subsection (1) the municipality shall give notice to the passing of the by -law to the public specifying the last date for filing a notice of appeal under subsection (4)</p> |

| Schedule | Notice of Intent | Action/By-law |
|----------|--|---|
| 14 | Notice with respect to fees and charges Local Improvements | 400. The Minister may make regulations providing for any matters which, in the opinion of the Minister, are necessary or desirable for the purposes of the Part, including f) requiring a Municipality or local board to give the prescribed notice of its intention to pass a by-law imposing the fees and charges which have priority lien status under clause (d) to the prescribed person in the manner and form and at the times prescribed |
| 15 | Restructuring proposal- public meeting | 173(3) Before the council of a municipality votes on whether to support or oppose a restructuring proposal, the council shall or may, as applicable , do the following things when the proposal is being developed or after is developed: 1. Council shall consult with the public by giving notice of, and by holding, at least one public meeting |
| 16 | Registry of Business – By-law public meeting notice | Before passing any by-law to establish a registry of businesses the municipality shall, except in the case of emergency, a) hold at least one public meeting at which any person who attends has an opportunity to make representation with respect to the matter; |
| 17 | Public Meetings | 238(2.1) The procedure By-law shall provide for public notice of meetings. |

SCHEDULE "1"
Procedures for Notice - Highway / Bridge Closings

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| Before passing a By-law for permanently closing a highway/ bridge the municipality shall give public notice of its intention to pass the By-law. |
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Content of Notice

- Explanation of road / bridge closing, including location and mapping
- Section of Act, including requirements
- Date/Time/Place of Council meeting for consideration of By-law
- Written comments and/or verbal comments will be considered at the Council meeting where By-law is to be enacted
- Contact information and address information where to respond with comments prior to the Council meeting

Manner of Notice

- Published 1 day, at least 10 days prior to scheduled Council meeting in the Sudbury Star and Le Voyageur
- Notice to abutting municipality, if applicable
- Libraries, Post Offices and Caisse Populaires within the boundaries of the Municipality of French River
- Municipal Website

SCHEDULE “2”
Procedures for Notice - Private Road Closings

If a 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 owner 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
- Section of Act, including requirements
- Date/Time/Place of Council meeting for consideration of By-law
- Written comments and/or verbal comments will be considered at the Council meeting where By-law is to be enacted
- Contact information and address where to respond with comments prior to the Council meeting

Manner of Notice

- Notice to all ratepayers fronting the private road either personally or by prepaid registered mail to the last known address of the owner
- Libraries, Post Offices and Caisse Populaires within the boundaries of the Municipality of French River
- Notice to abutting municipality, if applicable
- Municipal Website

SCHEDULE “3”
Procedures for Notice - Naming Highways

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| Before passing a By-law naming a highway or changing the name of a highway, the municipality shall give public notice of its intention to pass the by-law. |
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Content of Notice

- Explanation of highway naming, including location and mapping
- Section of Act, including requirements
- Date/Time/Place of Council meeting for consideration of By-law
- Written comments and/or verbal comments will be considered at the Council meeting where By-law is to be enacted
- Contact information and address where to respond with comments prior to the Council meeting

Manner of Notice

- Published 1 day, at least 10 days prior to scheduled Council meeting in the Sudbury Star and Le Voyageur
- Notice to all ratepayers fronting the highway either personally or by prepaid mail to the last known address of the owner
- Libraries, Post Offices and Caisse Populaires within the boundaries of the Municipality of French River
- Notice to abutting municipality, if applicable
- Municipal Website

SCHEDULE “4”
Procedures for Notice - Naming Private Roads

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| A local municipality may name or change the name of a private road after giving public notice of its intention to pass the by-law |
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Content of Notice

- Explanation of private road naming, including location and mapping
- Section of Act, including requirements
- Date/Time/Place of Council meeting for consideration of By-law
- Written comments and/or verbal comments will be considered at the Council meeting where By-law is to be enacted
- Contact information and address where to respond with comments prior to the Council meeting

Manner of Notice

- Published 1 day, at least 10 days prior to scheduled Council meeting in the Sudbury Star and Le Voyageur
- Notice to all ratepayers fronting the private road either personally or by prepaid mail to the last known address of the owner
- Libraries, Post Offices and Caisse Populaires within the boundaries of the Municipality of French River
- Notice to abutting municipality, if applicable
- Municipal Website

SCHEDULE “5”
Procedures for Notice - Licensing By-law

- 151.(1) Before passing a by-law under this section, the council of the municipality shall, except in the case of emergency,
1. hold at least one public meeting at which any person who attends has an opportunity to make representation with respect to the matter; and
 2. ensure that notice of the public meeting is given.

Content of Notice

- Explanation of licensing by-law
- Section of Act/Regulation, including requirements
- Date/Time/Place of public meeting for consideration of By-law
- Written and/or verbal comments will be considered at the public meeting
- Contact information and address where to respond with comments prior to the public meeting

Manner of Notice

- Published 1 day, at least 10 days prior to scheduled Council meeting in the Sudbury Star and Le Voyageur
- Libraries, Post Offices and Caisse Populaires within the boundaries of the Municipality of French River
- Municipal Website

SCHEDULE “6”
Procedures for Notice – Change of Name

187. Before passing a by-law changing its name, the municipality shall give notice of its intention to pass the by-law and shall hold at least one public meeting to consider the matter.

Content of Notice

- Explanation of the by-law
- Section of Act, including requirements
- Date/Time/Place of public meeting for consideration of By-law
- Written and/or verbal comments will be considered at the public meeting
- Contact information and address where to respond with comments prior to the public meeting

Manner of Notice

- Published 1 day, at least 10 days prior to scheduled Council meeting in the Sudbury Star and Le Voyageur
- Libraries, Post Offices and Caisse Populaires within the boundaries of the Municipality of French River
- Municipal Website

After Passage of By-law

A copy of the by-law shall be sent to the Director of Titles appointed under the Land Titles Act and to the Minister of Municipal Affairs and Housing promptly after passing.

SCHEDULE “7”
Procedures for Notice - Procedure By-law

238. (2) Before passing a by-law under this section, the municipality shall give notice of its intention to pass the by-law.

Content of Notice

- Explanation of procedure by-law
- Section of Act, including requirements
- Date/Time/Place of Council meeting for consideration of By-law
- Written comments and/or verbal comments will be considered at the Council meeting where By-law is to be enacted
- Contact information and address where to respond with comments prior to the Council meeting

Manner of Notice

- Libraries, Post Offices and Caisse Populaires within the boundaries of the Municipality of French River
- Municipal Website

SCHEDULE “8”
Procedures for Notice - Council Composition

217. Before passing a by-law under this section, the municipality shall give notice of its intention to pass the by-law and shall hold at least one public meeting to consider the matter.

Content of Notice

- Explanation of new composition of Council
- Section of the Act, including requirements
- Date/Time/Place of public meeting for consideration of By-law
- Written and/or verbal comments will be considered at the public meeting
- Contact information and address where to respond with comments prior to the public meeting

Manner of Notice

- Published 1 day, at least 10 days prior to scheduled Council meeting in Sudbury Star and Le Voyageur
- Libraries, Post Offices and Caisse Populaires within the boundaries of the Municipality of French River
- Municipal Website

SCHEDULE “9”
Procedures for Notice - Adoption of Budget

Before adopting all or part of a budget under section 289 or 290, or amending such a budget, the municipality shall give public notice of its intention to adopt or amend the budget at a council meeting specified in the notice.

Content of Notice

- Explanation of budget public meeting
- Section of Act, including requirements
- Date/Time/Place of Council meeting for consideration of By-law
- Contact information and address where to respond with comments prior to the Council meeting

Manner of Notice

- Libraries, Post Offices and Caisse Populaires within the boundaries of the Municipality of French River
- Municipal Website
- Council will provide an update at the conclusion of each Budget meeting as to the status of adopting the budget, to serve as public notice of Council’s intention

NOTE

If the budget is not accepted at this meeting, the announcement of Council’s intention will serve as public notice for the following budget public meeting.

SCHEDULE "10"
Procedures for Notice - Financial Statements

- 295.(1) Within 60 days after receiving the audited financial statements of the municipality for the previous year, the treasurer of the municipality,
- a) shall publish in a newspaper having general circulation in the municipality,
 - 1) 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
 - 2) a notice that the information described in subclause (i) will be made available at no cost to any taxpayer or resident of the municipality upon request; and
 - b) may provide the information described in sub-clause (a)(i) or (ii) to such persons and in such other manner as the treasurer considers appropriate.

Content of Notice

- Explanation of financial notice in that the information will be made available at no cost to any taxpayer or resident of the municipality upon request
- Section of Act, including requirements
- Contact information at Administration Office where documents can be obtained

Manner of Notice

- Published 1 day, at least 10 days prior to scheduled Council meeting in Sudbury Star and Le Voyageur
- Libraries, Post Offices and Caisse Populaires within the boundaries of the Municipality of French River
- Municipal Website

SCHEDULE “11”
Procedures for Notice – Advertising / Signs

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| Before passing a by-law to regulate advertising devices including signs, the municipality shall give notice of its intention to pass the by-law |
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Content of Notice

- Explanation of by-law
- Section of the Act, including requirements
- Date/Time/Place of Council meeting for consideration of By-law
- Written and/or verbal comments will be considered at the Council meeting where Bylaw is to be enacted
- Contact information and address where to respond with comments prior to the Council meeting

Manner of Notice

- Published 1 week, at least 10 days prior to scheduled Council meeting in Sudbury Star and Le Voyageur
- Libraries, Post Offices and Caisse Populaires within the boundaries of the Municipality of French River
- Municipal Website

SCHEDULE “12”
Procedures for Notice – Dissolve or Change local board – Notice to Board

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| 216 Before passing a by-law under this section, the municipality shall give notice of its intention to pass the by-law to the board |
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Content of Notice

- Explanation of by-law
- Section of the Act, including requirements
- Date/Time/Place of Council meeting for consideration of By-law
- Written and/or verbal comments will be considered at the Council meeting where Bylaw is to be enacted
- Contact information and address where to respond with comments prior to the Council meeting

Manner of Notice

- Published 1 day, at least 10 days prior to scheduled Council meeting in Sudbury Star and Le Voyageur
- Libraries, Post Offices and Caisse Populaires within the boundaries of the Municipality of French River
- Municipal Website

SCHEDULE “13”
Procedures for Notice – Wards – Public Meeting

222(1) Despite any Act, a Municipality may divide or re-divide the municipality into wards or dissolve the existing wards

Before passing a by law under subsection (1) the municipality shall,

- give notice of its intention to pass the bylaw and hold at least one public meeting to consider the matter; and
- have regard to criteria for establishing ward boundaries prescribed by the Minister

222(3) Within 15 days after a by-law is passed under subsection (1) the municipality shall give notice of the passing of the by-law to the public specifying the last date for filing a notice of appeal under subsection (4)

Content of Notice

- Explanation of new ward composition
- Section of the Act, including requirements
- Date/Time/Place of public meeting for consideration of By-law
- Written and/or verbal comments will be considered at the public meeting
- Contact information and address where to respond with comments prior to the public meeting

Manner of Notice

- Published 1 day, at least 10 days prior to scheduled Council meeting in Sudbury Star and Le Voyageur
- Libraries, Post Offices and Caisse Populaires within the boundaries of the Municipality of French River
- Municipal Website

SCHEDULE “14”
Procedures for Notice – Fees and Charges Local Improvements

400. (f) requiring a Municipality or local board to give the prescribed notice of its intention to pass a by-law imposing the fees and charges which have priority lien status under clause (d) to the prescribed person in the manner and form and at the times prescribed

Content of Notice

- Explanation of fees or charges for service or activities provided
- Section of the Act, including requirements
- Date/Time/Place of Council meeting for consideration of By-law
- Written and/or verbal comments will be considered at the Council meeting where Bylaw is to be enacted
- Contact information and address where to respond with comments prior to the Council meeting

Manner of Notice

- Published 1 day, at least 10 days prior to scheduled Council meeting in Sudbury Star and Le Voyageur
- Libraries, Post Offices and Caisse Populaires within the boundaries of the Municipality of French River
- Notice to all ratepayers subject to the fees and charges either personally or by prepaid mail to the last known address of the owner
- Municipal Website

SCHEDULE “15”
Procedures for Notice – Restructuring Proposal – Public meeting

173(3) Before the council of a municipality votes on whether to support or oppose a restructuring proposal, the council shall or may, as applicable, do the following things when the proposal is being developed or after it is developed:

1. Council shall consult with the public by giving notice of, and by holding, at least one public meeting

Content of Notice

- Explanation of restructuring proposal
- Section of the Act, including requirements
- Date/Time/Place of public meeting for consideration of By-law
- Written and/or verbal comments will be considered at the public meeting
- Contact information and address where to respond with comments prior to the public meeting

Manner of Notice

- Published 1 week, at least 10 days prior to scheduled Council meeting in Sudbury Star and Le Voyageur
- Libraries, Post Offices and Caisse Populaires within the boundaries of the Municipality of French River
- Notice to abutting municipality, if applicable
- Municipal Website

SCHEDULE "16"

Procedures for Notice – Registry of Businesses – By-law public meeting notice

Before passing any by-law to establish a registry of businesses the municipality shall, except in the case of emergency,

- a) 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 registry of business and maintain its registry
- Section of the Act, including requirements
- Date/Time/Place of public meeting for consideration of By-law
- Written and/or verbal comments will be considered at the public meeting
- Contact information and address where to respond with comments prior to the public meeting

Manner of Notice

- Published 1 week, at least 10 days prior to scheduled Council meeting in Sudbury Star and Le Voyageur
- Libraries, Post Offices and Caisse Populaires within the boundaries of the Municipality of French River
- Notice to abutting municipality, if applicable
- Municipal Website

SCHEDULE “17”

Procedures for Notice – Public Meetings Including Council meetings – Procedural By-law public meeting notice

238(2.1) The procedure by-law shall provide for public notice of meetings.

Content of Notice

- General purpose of the meeting
- Section of the Act, including requirements
- Date/Time/Place of public meeting
- Contact information and address where to respond with comments prior to the public meeting

Manner of Notice

- The list of regular Council and committee of the whole meetings shall be posted at the municipal office at 17 Dollard St.
- Libraries, Post Offices and Caisse Populaires within the boundaries of the Municipality of French River if appropriate.
- Notice of Special Meetings of Council shall be posted on the bulletin board at the Municipal office at 17 Dollard Street.
- Municipal Website
- In accordance to the Municipal Procedure By-law