

**CITY OF YORKTON
BYLAW NO. 8/2003**

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**CITY OF YORKTON
SASKATCHEWAN**

BYLAW NO. 8/2003

**A BYLAW OF THE CITY OF YORKTON IN THE PROVINCE OF SASKATCHEWAN
TO PROVIDE FOR THE MINIMUM NOTICE REQUIREMENTS FOR THE
SECTIONS OF *THE CITIES ACT* WHICH REQUIRE PUBLIC NOTICE**

The Council of the City of Yorkton intends to set forth the minimum notice requirements for the sections of *The Cities Act* which require public notice, along with the method of providing such notice, including time requirements and the method of notice required;

The Council of the City of Yorkton in the Province of Saskatchewan Council assembled enacts:

1. Title

This bylaw may be cited as The Public Notice Bylaw No. 8/2003.

2. Purpose

The purpose of this bylaw is to provide the method of public notice, which will be utilized by the City of Yorkton, including the necessary time requirements for such notice respecting any matter for which public notice is required to be given by Council.

3. Application

The public notice procedure and time lines established in this bylaw shall apply with respect to all sections of *The Cities Act* which require Public Notice, unless a different procedure is otherwise specified in another bylaw or legislation.

4. Definitions

- (a) “affected parties” shall mean those members of the public who are, in the sole discretion of the City, directly and uniquely affected by a matter under consideration by Council, to an extent greater than other members of the general public;
- (b) “city news ad” shall mean the newspaper of which the City of Yorkton has chosen a tender for the supplying of a weekly publication of items of importance and/or interest to the citizens of the City of Yorkton;
- (c) “clear day” shall mean the number of calendar days, including the day of the original posting, publishing or mailing, as the case may be, but excluding the day of the Council meeting.

- (d) “interested party” shall mean any person who has communicated in writing to the City Council or the City Clerk respecting a matter.

5. Matters for Which Notice Must Be Given

Public Notice in accordance with this bylaw shall take place before Council initially considers the following matters:

- (a) prohibiting or limiting the number of businesses of a particular type in an area of the City 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) permanently closing a median opening;
- (e) borrowing money, lending money or guaranteeing the repayment of a loan;
- (f) moving capital moneys to an operating budget or reserve;
- (g) imposing a special tax or determining the use to which excess revenue from a special tax is to be put;
- (h) establishing an investment policy;
- (i) selling or leasing land for less than fair market value and without a public offering;
- (j) selling or leasing park lands and dedicated lands except where the land is covered by public notice provisions in an Act other than *The Cities Act*;
- (k) establishing a purchasing policy;
- (l) establishing a business improvement district;
- (m) setting remuneration for Council or Committee members;
- (n) increasing or decreasing the number of Councillors on Council;
- (o) amending or repealing a bylaw for which public notice was a requirement at the time the bylaw was passed;
- (p) any matter where holding a public hearing is required under *The Cities Act* or any other Act except where the Act contains its own public notice provisions;
- (q) discussing a matter at a public meeting held as a result of a petition signed by the required number of electors; and

- (f) an amendment or repeal of a bylaw or resolution when the resolution or bylaw was passed as a result of a vote of the electors.

6. Notice to the General Public and Affected Parties

Notice shall be given to the general public for all matters set out in section 5 in accordance with this section:

- (a) notice of the matter shall be published in the City News Ad on at least two (2) occasions prior to the meeting at which Council will initially consider the matter; and
- (b) notice of the matter shall be posted at City Hall at least ten (10) clear days prior to the meeting at which Council will initially consider the matter; and
- (c) notice of the matter shall be posted on the City's web site at least ten (10) clear days prior to the meeting at which Council will initially consider the matter.

7. Additional Notice for Some Matters

7.1 In addition to the general notice requirements of section 6, **additional** notice shall be given in accordance with sub-section 7.2 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 City or specifying separation distances between business 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) permanently closing a median opening;
- (e) imposing a special tax or determining the use to which excess revenue from a special tax is to be put; and
- (f) establishing a business improvement district.

7.2 **Additional** notice of the matters listed in subsection 7.1 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 ten (10) 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 ten (10) clear days prior to the Council meeting at which the matter will initially be considered.

8. Additional Notice – Sale or Lease of Park Lands and Dedicated Lands

- 8.1 In addition to the general notice requirements of section 6, **additional** notice shall be given to all affected parties when Council is initially considering selling or leasing park lands and dedicated lands except where the land is covered by public notice provisions in an Act other than *The Cities Act*.
- 8.2 **Additional** notice of the matter listed in subsection 8.1 shall be given to all affected parties by:
- (a) posting a notice on the land to be sold or leased at least ten (10) days prior to the Council meeting at which the matter will initially be considered; **and**
- using either of the following methods:
- (b) by mailing notice of the matter to all affected parties by ordinary mail which is to be postmarked no later than ten (10) days prior to the Council meeting at which the matter will initially be considered; **or**
 - (c) by leaving notice of the matter in a mail receptacle at the address of the affected party at least ten (10) days prior to the Council meeting at which the matter will initially be considered.

9. Notice of Further Dealings Respecting a Matter

- (a) Notice will be given in accordance with this policy only when Council initially considers a matter. Unless otherwise directed by Council, no notice will be given of any subsequent meeting of Council at which the matter will be considered.
- (b) Where possible the City Clerk shall provide at least four (4) hours notice to any interested party of any further proceedings by or before City Council involving a matter for which such party has expressed an interest.

10. Discretion of Council

The notice requirements set forth in this bylaw are minimum requirements, which must be complied with by the City when Council initially considers a matter. Council may at its discretion, decide to provide additional or the repeating of a notice, utilizing any method as may be deemed appropriate by City Council.

11. Responsibilities

- 11.1 (a) The Department Head or his/her designate will be responsible for providing the City Clerk's with the required notices in time to meet the publishing and posting requirements of this policy.

- (b) The Department Head or his/her designate of the applicable department will be responsible for completing the notices required to be given by mail or left in the mail receptacles and advising the City Clerk that they have been completed.
- (c) The Department Head or his/her designate of the applicable department will be responsible for posting any site signs and advising the City Clerk that they have been posted.

11.2 The City Clerk will be responsible for ensuring that items are not placed on the Council agenda unless notice has been given in accordance with this bylaw.

12. Effective date of Bylaw

This bylaw shall come into force and take effect on the day of final passing thereof.

MAYOR

CITY CLERK

Introduced and read a first time this 13th day of January, A.D., 2003.

Read a second time this 13th day of January, A.D., 2003.

Read a third time and adopted this 13th day of January, A.D., 2003.