

BYLAW 01/2006

**A BYLAW OF THE RESORT VILLAGE OF COTEAU BEACH TO ESTABLISH
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 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) the term "affected parties" shall mean those members of the public who are, in the opinion of the Administrator, directly or uniquely affected by a matter under consideration by Council, to an extent greater than other members of the general public;
 - (b) the term "Council" means the elected officials of the Resort Village of Coteau Beach
 - (c) the term "Administrator" means the person appointed as the Administrator for the Resort Village of Coteau Beach
 - (d) the term "clear days" shall mean 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 if the Council initially considers the following matters:
- (a) permanently closing or blocking off a street, lane or driveway;
 - (b) disposition of municipal lands and 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 nature;
 - (e) borrowing money, lending money or guaranteeing the repayment of a loan;
 - (f) imposing a special tax or determining the use to which excess revenue from a special tax is to be put;
 - (g) establish a purchasing policy;
 - (h) establish a business improvement district;
 - (i) setting remuneration for council or committee members and other bodies established by council;
 - (j) increasing or decreasing the number of councillors on Council
 - (k) amending or repealing a bylaw for which public notice was a requirement at the



time the bylaw was passed;

- (l) 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;
- (m) 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 that 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 p) in accordance with 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.

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.

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 driveway;
- (c) permanently modifying an intersection with the use of physical barriers;
- (d) imposing a special tax or determining the 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 matters listed in subsection 4.3 shall be given using the following method:

- (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.

5. NOTICE OF FURTHER DEALINGS 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 affected parties, will be given at any subsequent meeting of Council at which the matter will be considered.

6. DISCRETION OF COUNCIL

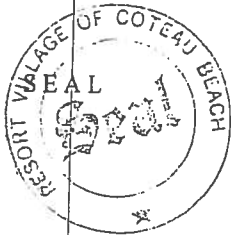
6.1 The notice requirements set forth in this policy are minimum requirements and are not intended to limit Council's discretion to provide additional notice, utilize different or additional methods or repeating notice, as may be deemed appropriate by Council.


7. RESPONSIBILITIES OF ADMINISTRATOR

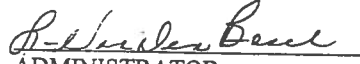
7.1 The Administrator shall be responsible to Council for ensuring compliance with this policy and may, in his/her absolute discretion:

- (a) refuse to place any item on the agenda of Council, where there has been substantive non-compliance with the notice requirements of this policy; or
- (b) where there have been deficiencies in meeting the notice requirements provided by 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.

8. This Bylaw shall come into force on January 01, 2006




MAYOR


ADMINISTRATOR

Read a third time and adopted
this 02 day of May, 2006


ADMINISTRATOR