

**THE CORPORATION OF THE CITY OF QUINTE WEST
BY-LAW 13-76**

**A BY-LAW TO PROVIDE NOTICE PROVISIONS AS REQUIRED
UNDER THE MUNICIPAL ACT, 2001, AS AMENDED.**

WHEREAS Section 270 (1) of the *Municipal Act, 2001*, as amended, states that a municipality shall adopt and maintain policies with respect to the circumstances in which the municipality shall provide notice;

AND WHEREAS a municipality is required to give notice under a provision of this Act, the municipality shall, except as otherwise provided, give the notice in a form and in the manner and at the times that the Council considers adequate to give reasonable notice under the provision;

NOW THEREFORE BE IT ENACTED BY THE COUNCIL FOR THE CORPORATION OF THE CITY OF QUINTE WEST AS FOLLOWS:

1. DEFINITIONS

As used in this by-law, the following terms shall have the meanings indicated:

CITY'S WEB SITE – The Official City of Quinte West Internet web site.

MUNICIPAL ACT – The *Municipal Act, 2001*, as amended.

LOCAL PRINT MEDIA – means a printed publication in sheet form, intended for general circulation consisting in great part of news of current events of general interest.

NOTICE TO THE PUBLIC or PUBLIC NOTICE – Notice given to the public generally, but does not include notice given only to specified persons.

NOTICES PAGE – The subdirectory on the City's web site where notices are posted.

2. APPLICATION

- a) Where the City is required to give notice to the public under a provision of the *Municipal Act*, the notice shall be given in a form and manner and at the times indicated in this by-law, unless:
 - (1) The *Municipal Act*, another Act or a regulation prescribes otherwise for the notice to the public;
 - (2) The requirements for notice to the public are prescribed in another by-law; or
 - (3) Council directs that other public notice is to be given that Council considers adequate to give reasonable notice under the provision.
- b) This by-law does not apply to notices that are otherwise provided for in the City of Quinte West Procedural By-Law, including a notice of motion that deals with the giving of public notice.

3. NOTICE TO THE PUBLIC

- a) The following are the general requirements for giving notice to the public by the City:
 - (1) The notice shall be published in local print media with general circulation in the City at least once within 14 days prior to a Council or Committee meeting at which the matter will be first considered and an opportunity is provided for members of the public to speak to the matter.

- (2) The notice shall be posted on the notices page of the City's web site for at least the two-week period immediately preceding the Council or Committee meeting described in Subsection A (1).
- (3) A notice given under Subsection A (1) and (2) is sufficient even if there are times during the two-week period when the City's web site is not accessible.
- (4) A notice given under Subsection A (1) and (2) shall contain the following information:
 - a) A general description of the matter.
 - b) Where the matter relates to a defined location, sufficient particulars of the location such as reference to a municipal address or street intersection, or to a legal description or key map.
 - c) The date at which the matter will be considered at a Council or Committee meeting.
 - d) Instructions on obtaining additional information, submitting comments or attending the Council or Committee meeting.
- (5) If the matter is deferred at the Council or Committee meeting no additional notice is required, except where the *Municipal Act* provides otherwise.
- (6) If the matter is considered at a subsequent Council or Committee meeting, no additional notice is required, except where the *Municipal Act* provides otherwise.
- (7) The requirements in Subsection a (1) to (6) are minimum requirements, and the City Clerk, is authorized to give notice to the public in an extended manner if, in the opinion of the City Clerk and the Director concerned with the matter, the extended manner is reasonable and necessary in the circumstances.

4. CLOSED SESSION

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 under Section 239 of the *Municipal Act*.

5. EMERGENCY PROVISION

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 or time sensitive nature, or which could affect the health or well-being of the residents of the City of Quinte West, or if a State of Emergency is declared, or is so advised by a Provincial Ministry, the notice requirements of this by-law may be waived and the City Clerk shall make best efforts to provide as much notice as is reasonable under the circumstances.

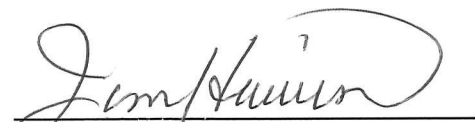
6. REPEAL OF PREVIOUS BY-LAW

By-laws 04-114 and 07-179 are hereby repealed in their entirety.

7. EFFECTIVE DATE

This by-law shall come into full force and effect upon final passing hereof.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS
21st DAY OF MAY, 2013.**


Jim Harrison, Acting Mayor


DonnaLee Craig, City Clerk