

**THE CORPORATION OF THE UNITED COUNTIES
OF PRESCOTT AND RUSSELL
BY-LAW NUMBER 2005-57**

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

WHEREAS the *Municipal Act, 2001*, S.O. 2001, c. 25, S. 251 provides that where a municipality is required to give notice under a provision of this Act, the municipality shall 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;

AND WHEREAS it is deemed advisable to set out the minimum requirements for those actions for which the notice requirements are not prescribed under the provisions of the *Municipal Act* or its regulations;

NOW THEREFORE BE IT ENACTED by the Council of the Corporation of the United Counties of Prescott and Russell that:

1. Definitions

In this by-law

"Act" means the *Municipal Act, 2001*, S.O. 2001, c. 25

"Clerk" means the Clerk of the United Counties of Prescott and Russell;

"Newspaper" means a printed publication in sheet form, intended for general circulation, published regularly at intervals of not longer than a week, consisting in great part of news of current events of general interest and sold to the public and to regular subscribers;

"Published" means published in a daily or weekly newspaper that, in the opinion of the Clerk, has such circulation within the municipality as to provide reasonable notice to those affected thereby, and "publication" has a corresponding meaning.

2. Manner of Notice

Where notice of intention to pass a by-law and/or notice of a public meeting and/or adoption of the annual budget and/or adoption of procedure by-law and/or improvements in service is required to be given, the Clerk shall cause such notice to be given in the manner prescribed in the Act or its regulations, and if not prescribed, notice shall be published in a newspaper and/or posted on the county's website.

3. Time of Notice

Where notice of intention to pass a by-law or notice of a public meeting is required to be given, such notice shall be provided in the time frame prescribed in the Act or its regulations, and if not so prescribed, notice shall be given at least once during the fourteen days prior to the proposed action being taken.

4. Form of Notice

Unless otherwise prescribed in the Act or its regulations, where notice of intention to pass a by-law or notice of a public meeting is required to be given, the form of the notice shall include the following information:

- (1) A description of the purpose of the meeting, or the purpose and effect of the proposed by-law;

- (2) The date, time and location of the meeting;
- (3) Where the purpose of the meeting or proposed by-law is related to specific lands within the County, a key map showing the affected lands;
- (4) The name and address of the person who will receive written comments on the issue which is the subject of the meeting and the deadline for receiving such comments.

5. General

- (1) Where separate by-laws have been enacted in accordance with provisions contained in the Act, the notice provisions set out in such by-laws shall prevail.
- (2) 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 Act.
- (3) Nothing in this by-law shall prevent the Clerk from using more comprehensive methods of notice or providing for a longer notice period.

6. Emergency Provision

If a matter arises, which in the opinion of the Chief Administrative Officer, in consultation with the Warden, 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 United Counties of Prescott and Russell, 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.

7. Effective Date

This by-law shall come into full force and effect on June 28, 2005.

8. Repeal

That By-law 2002-44 be and is hereby repealed.

READ a first, second and third time and finally passed this 28th day of June 2005.



Denis Pommerville, Warden



Stéphane P. Parisien, Clerk