

CITY OF PRINCE ALBERT

BYLAW NO. 24 OF 2015



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OFFICE CONSOLIDATION

PUBLIC NOTICE BYLAW

BYLAW NO. 24 OF 2015

Including the Following Amendments:

<u>AMENDMENTS</u>	<u>DATE PASSED</u>
Bylaw No. 5 of 2016	April 5, 2016
Bylaw No. 23 of 2018	July 16, 2018

CITY OF PRINCE ALBERT BYLAW NO. 24 OF 2015

A Bylaw of The City of Prince Albert to set out matters for which Public Notice is required, including the minimum time and requirements, and methods for giving notice.

WHEREAS, pursuant to Section 102 of The Cities Act, a Council shall by bylaw, adopt a Public Notice Policy that sets out matters for which public notice is to be given, including the minimum notice requirements, methods of notice to be followed and any prescribed matters;

AND WHEREAS, pursuant to Section 24 of The Planning and Development Act, 2007, allows a Council which has been designated as an approving authority to adopt a Public Notice Policy for giving notice with respect to any matters for which public notice is required to be given under The Planning and Development Act, 2007;

AND WHEREAS, The City of Prince Albert desires to adopt a comprehensive Public Notice Policy;

NOW THEREFORE, THE COUNCIL OF THE CITY OF PRINCE ALBERT
IN OPEN MEETING ASSEMBLED ENACTS AS FOLLOWS:

PART I INTERPRETATION

Short Title

1. This Bylaw may be cited as "The Public Notice Bylaw".

Purpose

2. The purpose of this Bylaw is to establish a Policy setting out the minimum notice requirements, the methods of notice to be followed and the minimum time for giving notice with respect to any matters for which public notice is required to be given by Council.

Definitions

3. (1) In this Bylaw:
 - (a) “Affected Parties” means those members of the public who, in the sole discretion of the City, may be specially affected by the matter under consideration by Council.
 - (b) “Seven Days” means seven (7) days will be calculated using calendar days and including the day it is posted, but excluding the day of the Council meeting.
- (2) A reference in this Bylaw to an enactment of the Legislative Assembly of Saskatchewan is a reference to the enactment as amended from time to time.

PART II THE CITIES ACT

Matters for which Notice Must be Given

4. Public Notice in accordance with this Part shall be given 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) borrowing money, lending money or guaranteeing the repayment of a loan;
- (d) moving capital moneys to an operating budget or reserve;
- (e) imposing a special tax or determining the use to which excess revenue from a special tax is to be put;
- (f) establishing an investment policy;
- (g) selling or leasing land for less than fair market value and without a public offering;
- (h) 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;
- (i) establishing a purchasing policy;
- (j) establishing a business improvement district;
- (k) setting remuneration for council or committee members;
- (l) increasing or decreasing the number of councilors on Council;
- (m) appointing a wards commission and dividing the City into wards;
- (n) amending or repealing a bylaw, policy or resolution for which public notice was a requirement at the time the bylaw, policy or resolution was passed;
- (o) 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;
- (p) discussing a matter at a public meeting held as a result of a petition signed by the required number of electors;
- (q) 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; and,
- (r) establishing general procedures to be followed in conducting business at council meetings.

(5/2016, s.1)

Notice to the General Public

5. (1) Notice shall be given to the general public for all matters set out in section 4, except for the permanent closure of a walkway pursuant to Subsection 4(b), in accordance with this section at least seven (7) days prior to the meeting at which Council will initially consider the matter:
 - (a) published in a local newspaper circulated in the City;
 - (b) posted on the bulletin board at City Hall; and,
 - (c) posted on the City's website.
- (2) Notice for consideration of the permanent closure of a walkway shall be given in accordance with this subsection:
 - (a) by mailing to assessed owners of property within two hundred (200) meters of the walkway by ordinary mail postmarked no later than ten (10) days prior to the meeting or leaving in mailboxes of affected parties at least ten (10) days prior to meeting; and,
 - (b) At the discretion of the Director of Planning and Development Services, applications for walkway closures may first be discussed at a public meeting with representation from The City, and the applicant, prior to formal City Council consideration.

(23/2018, s.1)

Discretion of Council

6. (1) The notice requirements of this bylaw are the minimum requirements that must be complied with by the City. Council may at its discretion require additional notice in specific cases.
- (2) Additional notice at the discretion of Council as described in subsection (1) shall be given by any 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) days prior to the Council meeting at which the matter will initially be considered;

- (b) by leaving notice of the matter in a mail receptacle at the address of the affected party at least seven (7) days prior to the Council meeting at which the matter will initially be considered;
- (c) posting a notice on the land to be sold or leased at least seven (7) days prior to the Council meeting at which the matter will initially be considered;
- (d) by publishing in a local newspaper circulated in the City, not less than seven (7) days prior to the Council meeting at which the matter will be considered; and,
- (e) A public meeting may be held at the land in question prior to the Council meeting which the matter shall be considered.

(23/2018, s.2)

No Notice of Subsequent Meetings

7. Notice will be given in accordance with this bylaw 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.

Responsibilities

8. (1) Administration of the applicable department shall be responsible for the following:
 - (a) publishing the required notice in accordance with the bylaw and providing the City Clerk with a copy of the notice as advertisement that the proper notification has taken place;
 - (b) 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) posting any site signs and advising the City Clerk that they have been posted; and,
 - (d) coordinating and holding any required public meetings and advising the City Clerk that they have been completed.

- (2) The City Clerk shall be responsible for ensuring that items are not placed on the Council agenda unless notice has been given in accordance with this bylaw.

(23/2018, s.3)

PART III

THE PLANNING AND DEVELOPMENT ACT, 2007

Matters for Which Notice must be Given

9. Public Notice in accordance with this Part shall be given before Council initially considers the following matters:
 - (a) the adoption, amendment or repeal of a bylaw for an official community plan, district plan or zoning bylaw;
 - (b) the adoption, amendment or repeal of a development levy bylaw;
 - (c) an application for discretionary use;
 - (d) the adoption, amendment or repeal of a bylaw authorizing the sale of a buffer strip or municipal reserve;
 - (e) the voiding of an agreement respecting the rezoning of land;
 - (f) the adoption, amendment or repeal of an interim development control bylaw; and,
 - (g) the passing of a resolution to adopt or amend a concept plan.

Notice Requirements

10. (1) Notice for all matters set out in section 9, except for discretionary uses pursuant to subsection 9(c), shall be given in accordance with this subsection:
 - (a) published in a local newspaper circulated in the City to the Council meeting at which that matter will be considered;
 - (b) the notice required under clause (a) must:

- (i) in the case of a proposed new official community plan, district plan or zoning bylaw, be published once at least four (4) weeks prior to the date on which the matter will be considered by Council; or,
 - (ii) in the case of all matters other than as provided in subclause (i), be published once at least ten (10) days prior to the date on which the matter will be considered by Council;
 - (c) posted on the bulletin board at City Hall at least seven (7) days prior to the date on which the matter will be considered by Council; and,
 - (d) posted on the City's website at least seven (7) days prior to the date on which the matter will be considered by Council.
- (2) Notice for consideration of an application for a discretionary use or amendment to an approved discretionary use permit shall be given in accordance with this subsection:
- (a) by mailing to assessed owners of property within seventy-five (75) meters of the area of the subject site by ordinary mail postmarked no later than ten (10) days prior to the meeting or leaving in mailboxes of affected parties at least ten (10) days prior to meeting; and,
 - (b) At the discretion of the Director of Planning and Development Services, applications for development permits may first be discussed at a public meeting with representation from The City, and the applicant, prior to formal City Council consideration.

(23/2018, s.4)

Public Hearing Requirements

11. With respect to matters referenced under subsections 9(a), 9(b) and 9(d), Council shall hold a public hearing following the first reading of a bylaw and before the second reading of the bylaw.

Contents of Notice

12. (1) The notice required by Section 10 must:
 - (a) include a detailed description of the proposal, including the intention and justification for it;
 - (b) specify any dates, places and times that Administration or Council will be holding a meeting with respect to the proposed bylaw, discretionary use or proposed resolution;
 - (c) outline the procedure by which submissions for the meeting will be accepted; and,
 - (d) describe the affected area by:
 - i. reference to street names and addresses or commonly understood area designations;
 - ii. publication of a map of the area; or,
 - iii. in the case of a bylaw of general application, the type of property affected, but not the specific location of the property affected.
- (2) The notice required by subsection 10(2) shall also include the regulations contained in Section 56(2) of The Planning and Development Act.”

(23/2018, s.5)

Application of Sections 6, 7 and 8

13. Sections 6, 7 and 8 of Part II of this bylaw apply to Part III of this bylaw.

PART IV
MISCELLANEOUS

Repeal of Bylaws

14. Bylaw No. 5 of 2003 and all amendments thereto are hereby repealed.

Coming Into Force

15. This Bylaw shall come into force and effect on, from and after the final passing thereof.

INTRODUCED AND READ A FIRST TIME THIS 15TH DAY OF JUNE, AD 2015.

READ A SECOND TIME THIS 27TH DAY OF JULY, AD 2015.

READ A THIRD TIME AND PASSED THIS 27TH DAY OF JULY, AD 2015.

"Greg Dionne"

MAYOR

"Sherry Person"

CITY CLERK