

RURAL MUNICIPALITY OF THE GAP NO. 39

BYLAW NO. 04/05

**A BYLAW 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 WITH RESPECT TO ANY MATTERS FOR WHICH PUBLIC NOTICE IS REQUIRED TO BE GIVEN BY COUNCIL.**

**THE COUNCIL OF THE RURAL MUNICIPALITY OF THE GAP NO. 39 IN THE PROVINCE OF SASKATCHEWAN ENACTS AS FOLLOWS:**

**1. DEFINITIONS**

1.1 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 and uniquely affected by a matter under consideration of Council, to an extent greater than other members of the general public;
- (B) the term "**Council**" means the elected officials of the Rural Municipality of The Gap No. 39;
- (C) the term "**Administrator**" means the person appointed as the Administrator for the Rural Municipality of The Gap No. 39 or his/her duly authorized representative or designate;
- (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.

**2. MATTERS FOR WHICH SEVEN CLEAR DAYS NOTICE MUST BE GIVEN AND THE METHOD OF NOTICE**

2.1 Public notice in accordance with this policy shall be given, before Council initially considers the following matters:

- (A) permanently closing or blocking off a street, land or walkway;
- (B) permanently modifying an intersection with the use of physical barriers;
- (C) disposition of municipal lands or buildings;
- (D) selling or leasing land for less than fair market value and without a public offering;
- (E) 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;
- (F) borrowing money, lending money or guaranteeing the repayment of a loan;
- (G) imposing a special tax or determining the use to which excess revenue from a special tax is to be put;
- (H) establishing a purchasing policy;
- (I) sale or lease of mines and minerals owned by the municipality;
- (J) establishing a business improvement district;
- (K) setting remuneration for council or committee members and other bodies established by the council;
- (L) increasing or decreasing the number of councillors on Council;
- (M) appointing a wards commission and dividing the municipality into wards;
- (N) amending or repealing a bylaw for which public notice was a requirement at the time the bylaw was passed;
- (O) 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;
- (P) discussing a matter at a public meeting held as a result of a petition signed by the required number of electors; and

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- 2.2 Notice shall be given to the general public for all matters set out in section 3.1 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.
  - (B) notice of the matter shall be posted in a conspicuous place in the Village of Ceylon at least seven (7) clear days prior to the meeting at which Council will initially consider the matter

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**3. NOTICE FOR WHICH TWENTY-ONE (21) CLEAR DAYS NOTICE MUST BE GIVEN AND THE METHOD OF NOTICE**

- 3.1 Public notice in accordance with this policy shall be given before Council initially considers the following matter;
- (A) 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.
- 3.2 Notice shall be given to the general public for the matter set out in subsection 3.1 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; and
  - (B) notice of the matter shall be posted in a conspicuous place in the Village of Ceylon at least twenty one (21) clear days prior to the meeting at which Council will initially consider the matter.

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**4. NOTICE OF FURTHER DEALINGS RESPECTING A MATTER**

- 4.1 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 of any subsequent meeting of Council at which the matter will be considered.

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**5. DISCRETION OF COUNCIL**

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

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**6. 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 for in 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.

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7. **REPEALED BYLAW**

7.1 Bylaw 01/05 is hereby repealed

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8. **COMING INTO FORCE**

8.1 This Bylaw shall come into force January 1, 2006.

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*Keith C. Kaf*  
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REEVE

*[Signature]*  
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ADMINISTRATOR

Certified a true copy of Bylaw No. 04/05 passed  
By resolution of Council of the R.M. of The Gap  
No. 39 on the 14 day of December, 2005.

*Keith C. Kaf*  
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Reeve

*[Signature]*  
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Administrator