

BYLAW NO. 02/2025

A BYLAW OF THE VILLAGE OF BUENA VISTA TO PROVIDE FOR PUBLIC NOTICE REQUIREMENTS

WHEREAS, Section 128 of *The Municipalities Act*, requires a Council to adopt a bylaw setting out the minimum notice requirements, the methods of notice to be used, and the procedures for giving public notice for matters where public notice is required by the *Act*;

NOW THEREFORE, the Council of the Village of Buena Vista, in the Province of Saskatchewan, enacts as follows:

SHORT TITLE

1. This Bylaw may be cited as the *Public Notice Bylaw*.

DEFINITIONS

2. Whenever in this Bylaw the following words or terms are used, they shall, unless the context provides otherwise, be held to have the following meanings:
 - 2.1. **Affected parties** means those members of the public who are, in the opinion of the CAO, directly or uniquely affected by a matter under consideration by Council, to an extent greater than other members of the general public;
 - 2.2. **Chief Administrative Officer (CAO)** means the Administrator of the Village appointed pursuant to Section 110 of *The Municipalities Act*;
 - 2.3. **Clear** days means the number of calendar days, excluding the day of original posting, publishing or mailing, as the case may be, and excluding the day of the applicable meeting;
 - 2.4. **Council** means the Mayor and Councillors of the Village of Buena Vista that have been duly elected by *The Local Government Elections Act*;
 - 2.5. **Municipality** means the municipal corporation of the Village of Buena Vista and the area of land over which it has jurisdiction;
 - 2.6. **Person** includes a natural individual, corporation, association or partnership;
3. Terms used in this Bylaw and not defined in this section have the meanings ascribed to them as in:
 - 3.1. *The Municipalities Act*
 - 3.2. *The Planning and Development Act, 2007*; and
 - 3.3. Any other relevant provincial or federal legislation that requires the issuance of public notice.

4. MATTERS FOR WHICH NOTICE SHALL BE GIVEN

4.1. Public notice in accordance with this Bylaw shall be given before Council initially considers the following matters:

- a) permanently closing or blocking off a street, lane or walkway;
- b) disposition of municipal lands or 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 type;
- 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) establishing a purchasing policy;
- h) sale or lease of mines and minerals owned by a municipality;
- i) establishing a business improvement district;
- j) setting remuneration for council or committee members and other bodies established by the council;
- k) increasing or decreasing the number of councilors on Council;
- l) appointing a wards commission and dividing the municipality into wards;
- m) amending or repealing a bylaw for which public notice was a requirement at the time the bylaw was passed;
- n) 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;
- o) discussing a matter at a public meeting held as a result of a petition signed by the required number of electors;
- p) establishing, altering, or dissolving an additional service area;
- q) enacting or amending a Council procedures bylaw;

- r) availability of a financial audit or management audit pursuant to subsection 140.1(11) of *The Municipalities Act*;
- s) the establishment of a tax cancellation or abatement policy;
- t) 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 (3) 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;
- u) an unscheduled regular meeting of council or council committee, including a rescheduled regular meeting of council or council committee; and
- v) a Special Meeting of Council.

5. NOTICE TO THE GENERAL PUBLIC AND AFFECTED PARTIES

5.1. Notice shall be given to the general public for all matters set out in subsection 4.1 (a to s) in accordance with this section:

- a) Notice of the matter shall be posted at the Municipal office at least seven (7) days prior to the meeting at which Council will initially consider the matter; and
- b) Notice shall be given by way of posting the notice:
 - At the Municipal Office;
 - On the Municipality's website;
 - On the Municipality's approved social media sites;
 - On the Municipality's broadcast communication system; and
 - On the Municipality's bulletin board.

5.2. Notice shall be given to the general public for the matter set out in subsection 4.1(t) in accordance with this section:

- a) Notice of the matter shall be posted at the Municipal Office at least twenty-one (21) days prior to the meeting at which Council will initially consider the matter; and
- b) Notice shall be given by way of posting the notice:
 - At the Municipal Office;
 - On the Municipality's website;
 - On the Municipality's approved social media sites;
 - On the Municipality's broadcast communication system; and
 - On the Municipality's bulletin board.

5.3. Notice shall be given to the general public for the matters set out in subsection 4.1(u to v) at least twenty-four (24) hours prior to the meeting by posting the notice:

- At the Municipal Office;
- On the Municipality's website;
- On the Municipality's approved social media sites;
- On the Municipality's broadcast communication system; and
- On the Municipality's bulletin board.

5.4. In addition to the general notice requirements of section 5.1, additional notice shall be given in accordance with subsection 5.5 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 walkway;
- 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.

5.5. Additional notice of the matters listed in subsection 5.4 shall be given using either 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 seven (7) clear days prior to the day of the Council meeting at which the matter will initially be considered; or
- b) By leaving notice of the matter in a mail receptacle at the address of the affected party at least seven (7) clear days prior to the day of the Council meeting at which the matter will initially be considered.

6. NOTICE OF FURTHER DEALING RESPECTING A MATTER

6.1. The notice requirements provided for in this Bylaw 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.

7. DISCRETION OF COUNCIL

- 7.1. Notice requirements set forth in this Bylaw 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.

8. RESPONSIBILITIES OF CAO

- 8.1. The CAO shall be responsible to Council for ensuring compliance with this Bylaw and may, in their 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 Bylaw; 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 Bylaw.

9. TRANSITIONAL, REPEAL AND COMING INTO FORCE

- 9.1. Bylaw No. 4/06, and any and all amendments thereto, be hereby repealed in their entirety.
- 9.2. This Bylaw shall come into force and take effect on the final reading by the Village of Buena Vista Council.





Mayor



Administrator

INTRODUCED AND READ a first time this 27th day of May, 2025.
READ a second time this 10th day of June, 2025.
READ a third time and adopted this 24th day of June, 2025.