

## **CITY OF NIAGARA FALLS**

### **By-law No. 2003 - 02**

A by-law to establish procedures for the giving of notice.

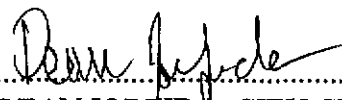
WHEREAS section 251 of the *Municipal Act, 2001* S.O. 2001, Chap. 25 (the "Act") provides that a municipality, when so required to give notice under the Act, shall give notice in a form and in the manner and at the times that the Council considers adequate to give reasonable notice.

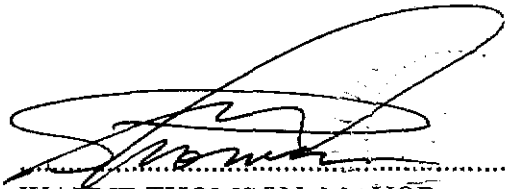
### **NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NIAGARA FALLS ENACTS AS FOLLOWS:**

1. Where notice is required to be given under the Act for a public meeting or the passage of a by-law, except as otherwise provided in the Act, the notice shall include the following:
  - (a) the date, time and location of the public meeting;
  - (b) a brief explanation of the purpose of the public meeting or the passage of the by-law; and
  - (c) if applicable, the name of a contact person who could provide more information regarding the proposed public meeting or the proposed by-law.
2. The public meeting shall not be held or the by-law shall not be passed less than six days after the requirements for giving notice have been complied with and any person who attends the meeting shall be given the opportunity to make representation.
3. Notice under section 1 shall be given in compliance with clauses (a), (b) or (c) but need not be given in compliance with more than one of these clauses:
  - (a) publication in a newspaper that, in the opinion of the City Clerk, is of sufficiently general circulation in the municipality that it would give the public reasonable notice of the public meeting or passage of the by-law;
  - (b) by by-law or resolution passed by Council at a Council meeting held prior to the Council meeting at which the public meeting will be held or the by-law passed; or
  - (c) by listing the public meeting or the passage of the by-law on the Council agenda at a Council meeting held prior to the Council meeting at which the public meeting will be held or the by-law passed.

4. If a by-law is passed in the case of an emergency without complying with the provisions of this By-law, the Council shall, as soon as is practicable after its passage, hold the meeting and give the notice referred to in section 3 and may, after that meeting, amend or repeal the by-law without the requirement of a further meeting.
5. The Council hereby declares and confirms its intent that should any provision or any part of any provision of this By-law be held by a court of competent jurisdiction to be invalid, or of no force and effect, it is the intent of the Council in enacting this By-law, that each and every other provision of this By-law, and every part of any provision, authorized by law, stand and be applied and enforced in accordance with its terms to the extent possible according to law.

Passed this thirteenth day of January, 2003.

  
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DEAN IORFIDA, CITY CLERK

  
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WAYNE THOMSON, MAYOR

First Reading: January 13, 2003.  
Second Reading: January 13, 2003.  
Third Reading: January 13, 2003.

By-law No. 2003-02

Passed: January 13, 2003

**CORPORATION OF THE  
CITY OF NIAGARA FALLS**

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