

THE CORPORATION OF THE
CITY OF WHITE ROCK
CORPORATE REPORT



DATE: September 9, 2024
TO: Mayor and Council
FROM: Tracey Arthur, Director, Corporate Administration
SUBJECT: White Rock Public Notice Bylaw, 2024, No. 2848

RECOMMENDATIONS

THAT Council receive the corporate report dated September 9, 2024, from the Director of Corporate Administration, titled “White Rock Public Notice Bylaw, 2024, No. 2848”.

EXECUTIVE SUMMARY

The *Community Charter* and *Local Government Act* require local governments to give advance public notice on matters of public interest, like Public Hearings, Public Meetings, road closure bylaws, etc. In February 2022, Bill 26 updated Section 94.1 of the *Community Charter* regarding the requirements for public notice. Although the notification timeline remains the same, the method of notifying the public has been changed. Previously, according to Section 94.1, notification had to be provided in the local newspaper. Bill 26 introduces revised public notice requirements, allowing local governments to establish alternative notice methods through a bylaw, such as providing online notice. Due to surrounding changes in the local media landscape, staff have brought forward the *White Rock Public Notice Bylaw, 2024, No. 2848* for Council consideration regarding public notice requirements.

INTRODUCTION/BACKGROUND

Section 94.1 of the *Community Charter* outlines the default publication requirements for statutory ads if a local government does not have a bylaw specifying an alternative statutory advertising process. The default publication method for statutory ads is to place print ads in a local newspaper once each week for two (2) consecutive weeks.

In February 2022, the *Community Charter* was amended to allow for alternative methods of statutory advertising. If a local government adopts a bylaw that specifies two (2) means of publishing a notice (excluding the Public Notice Posting Place), notices are no longer required to be published in local newspapers. It is believed that this amendment was made due to some local governments and regional districts in British Columbia being unable to comply with the required advertising due to a lack of print newspaper circulation in their areas.

Last year several newspapers in smaller municipalities and regional districts in British Columbia have shifted to online publications only or have ceased publication altogether. In August 2023, the cities of Burnaby, New Westminster, Coquitlam, Port Coquitlam, Port Moody, Anmore and Belcarra were given nine days' notice that the local newspapers distributed in their areas were

ceasing print editions. This caused notification problems for already scheduled Public Hearings in Burnaby, as using an online news service did not meet the requirements of the *Community Charter*. As a result, Burnaby had to move the required ads to a regional paper at a significantly increased cost, as the mailouts had already been completed, and they were unable to use local papers to meet the advertising requirements.

White Rock are serviced by the Peace Arch News who themselves moved to publishing weekly in 2020 from previously having two (2) weekly printed editions on Wednesdays and Fridays. They now only publish on Thursdays, this has provided fewer options for readers to see statutory ads. They have also made changes resulting in tighter timelines for staff to submit content for ads.

Within the draft City of White Rock Public Notice Bylaw, staff are proposing to provide public notice through the City website, on the City's official Facebook page and posting a hard copy on the Public Notice Posting Place outside the front door at City Hall. The Communications Department has confirmed that City Website and Facebook page are the City's most utilized platforms. At this time, it is not intended that the City will cease publication in the Peace Arch News. It is the intent that this will continue to take place as long as Peace Arch News is producing hardcopy newspapers. The Public Notice Bylaw is being proposed to ensure that statutory deadlines for advertisements are met and to address any issues that may arise with printed notices in the future. Council have been provided with options within this corporate report as outlined below and staff are seeking their direction on this matter.

FINANCIAL IMPLICATIONS

Advertising published through the Peace Arch news does have a financial implication. Each public notice ad, depending on the size, costs the city approximately \$900. As an example, in 2023 there were 14 legislated hearing ads that must be placed in two (2) consecutive issues. This was at an approximate cost of \$25,200. These are required to be larger ads where a map is to be included thus more expensive than our typical acknowledgement ads.

LEGAL IMPLICATIONS

The implementation of a Public Notice Bylaw will ensure that the city meets all statutory deadlines for advertising public notices.

If Council were to direct the continued use of the Peace Arch news for as long as it provides hardcopy newspapers, in future should there be any changes regarding these publications this bylaw will guarantee the city still can immediately comply with the requirements of the *Community Charter*.

OPTIONS / RISKS / ALTERNATIVES

The following options are available for Council's consideration (Option 1 has been recommended to Council):

1. Adopt the City of White Rock Public Notice Bylaw for an alternative advertising method and continue with hardcopy newspaper notice of legislated advertising within the Peace Arch News;
2. Adopt the City of White Rock Public Notice Bylaw whereby Public Notice will be conducted through the City website, on the City's official Facebook page and posting a hard copy on the Public Notice Posting Place outside the front door at City Hall and stop local newspaper advertising of public notice;

3. Continue with status quo (advertising in the Peace Arch News as the primary notification), this does pose a risk in business operations should there be a sudden change in newspaper operations and with the associated cost of approximately \$900 per advertisement.

CONCLUSION

Following an amendment to Section 94.1 of the *Community Charter* many municipalities have adopted a Public Notice Bylaw. This bylaw will set the City's means of public notice. This will include the requirement that public notices will be posted electronically on the City website, on the official City of White Rock Facebook page as well as a hardcopy being placed on the City's Public Notice Posting Place (situated outside front doors at City Hall). All of these will be immediately incorporated into City procedure. In addition advertising of legislated items will continue to be done within the Peace Arch News for as long as they publish hardcopy newspapers. Should the Peace Arch News no longer provide an option for hard copy newspapers the City will be ready and prepared by having the notice requirements in place and in practice.

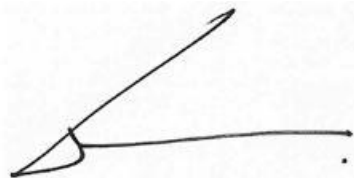
Respectfully submitted,



Tracey Arthur
Director, Corporate Administration

Comments from the Chief Administrative Officer

This corporate report is for Council's consideration and direction to staff.



Guillermo Ferrero
Chief Administrative Officer