



Hemmingford

PUBLIC NOTICE REQUEST TO PARTICIPATE IN A REFERENDUM

To persons interested in the second draft of By-law No. 309-14 amending Zoning By-law No. 309

PUBLIC NOTICE is given of the following:

1. Following the public consultation held on December 5th, 2022, the Municipal Council on the same day adopted the second draft of BY-LAW No. 309-14 AMENDING ZONING BY-LAW No. 309 ("By-law 309-14").
2. This second draft by-law contains a provision that may be subject to an application by interested persons to have the draft by-law submitted to certain qualified voters for approval pursuant to the *Act Respecting Elections and Referendums in Municipalities (chapter E-2.2)*;

3. The purpose of this provision is to:

<u>By-law article</u>	<u>Object of the article</u>	<u>Zone(s) concerned</u>
Art. 3	Amendment to Annex A of Zoning By-law NO. 309 by moving the border between zone C2 and C3	<u>Zone(s) concerned</u> : C2 et C3 <u>Contiguous zones</u> : AF17, AF19, C1, C4, H1,

may be the subject of such an application.

4. The application may originate in zone C-12 and/or any zone contiguous thereto, and seeks approval of By-law 309-14 by the qualified voters of that zone, as well as those of any contiguous zone from which an application originates.

5. To be valid, an application must:

- a) clearly identify the provision that is the subject of the application
- b) identify the area from which the application originates;
- c) state the area in respect of which the application is made;
- d) be received at the office of the municipality on or before the 8th day after the day on which the notice is published;

6. Interested persons in a zone are all qualified voters entitled to be registered on the referendum list of the municipality or, as the case may be, of the zone from which an application may originate. Interested persons must, on the reference date, which is the date of adoption of the second draft by-law, i.e. December 5, 2022

- a) be a natural person domiciled in a zone from which an application may originate and, for at least six (6) months, in Quebec;
- b) be of full age, a Canadian citizen and not under curatorship;
- c) not have been convicted, in the five (5) years preceding the present reference date, of an offence constituting a corrupt electoral practice;

OR

- a) be a person or corporation who, for at least twelve (12) months, has been:
 - i. sole owner of an immovable, as defined in the Municipal Taxation Act, located in a zone from which an application may originate, provided that he or she is not domiciled in that zone;
 - ii. sole occupant of a business establishment, within the meaning of the Act respecting municipal taxation, located in a zone from which an application may be made, provided that he or she is not domiciled or a sole owner of an immovable located in that zone;
 - iii. a undivided co-owner of an immovable or a co-occupant of a commercial establishment located in an area from which an application may be made, provided that the co-owner or co-occupant is designated by a power of attorney signed by a majority of the co-owners or co-occupants;
 - iv. In the case of a natural person, of full age, a Canadian citizen and not under curatorship;

Additional condition for undivided co-owners of an immovable and co-occupants of a place of business: to be designated, by means of a power of attorney signed by the majority of the co-owners or co-occupants, as the person entitled to sign the application on their behalf and to be entered on the referendum list if applicable. This power of attorney must be filed before or at the same time as the application.

An additional condition to the right to sign an application by a corporation: the corporation must have designated, by resolution, one of its members, directors and employees who, on the date of the adoption of the second draft by-law, is of full age, a Canadian citizen, not under curatorship and not disqualified from voting under section 524 of the *Act Respecting Elections and Referendums in Municipalities* (chapter E-2.2). This resolution must be filed before or at the same time as the application.

Special case of a worker or student who has temporarily left his domicile:

A person who temporarily leaves his or her domicile to work or study in the territory of another municipality may be considered as domiciled either in the territory where his or her actual domicile is located or in the territory where he or she resides for the purposes of his or her work or studies.

Special case of a person living in a specialized establishment:

A person who is lodged in a facility maintained by an institution that operates a hospital center, a residential and long-term care center or a

rehabilitation center within the meaning of the *Act Respecting Health Services and Social Services* (chapter S-4.2) or that operates a hospital center or a reception center within the meaning of the *Act Respecting Health Services and Social Services for Cree Native Persons* (chapter S-5) may be considered to be domiciled either at his or her actual domicile or at that facility or center.

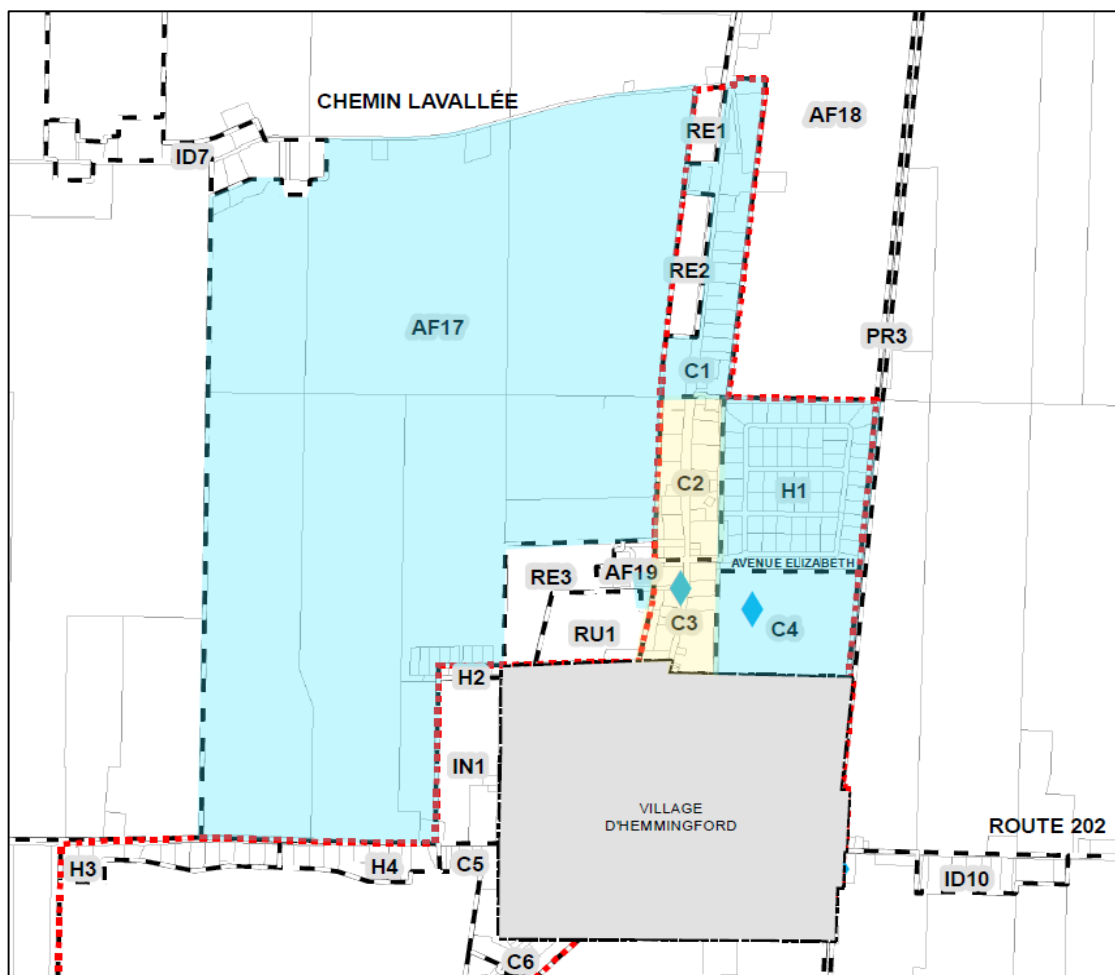
7. An illustration of the zones relevant to the present case is attached (Annex I) to this notice and forms an integral part of it.
8. The provisions of this second draft by-law for which no valid application has been made may be included in a by-law that does not require the approval of those entitled to vote.
9. The second draft of By-law No. 309-14 may be consulted at the Town Hall at 505 Frontier Street, Local 3, Hemmingford, Quebec J0L 1H0 on Mondays and Wednesdays from 9:00 a.m. to 12:00 p.m. and from 1:00 p.m. to 4:00, and on demand at : 4560-247-2050 or canton.township@hemmingford.ca

Sylvie Dubuc

Directrice générale et greffière trésorière

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ANNEX I – Description or concerned zones



* In yellow: zones C2 et C3.
 ** In blue: contiguous zones.