



The Corporation of the City of Courtenay

Staff Report

To: Council
From: Corporate Officer
Subject: Public Notice Bylaw No. 3210

File No.: 3900-01
Date: February 11, 2026

PURPOSE: To seek Council consideration of “Public Notice Bylaw No. 3210” which would establish alternative means of providing public notice.

BACKGROUND:

Under local government legislation, including the Community Charter and Local Government Act, public notice is required for many local government processes, including:

- Procedure Bylaws
- Leases/disposition of land
- Assistance to organizations
- Tax sales
- Public hearings
- Annual Council meeting schedule
- Elections and elector approval processes
- Road closure bylaws

If notice is required, it must typically be given in accordance with section 94 of the Community Charter. The City of Courtenay currently relies on the default newspaper publication requirement of the Community Charter to meet public notice obligations: publishing two consecutive times in a newspaper that is distributed locally. As communications habits have changed, this has become less practical and/or effective for some communities:

- Local newspapers have faced closures and reduced publication frequency in many Canadian communities. In some communities, newspapers that publish weekly now may do so on days that make timely notice publication difficult under the statutory timing rules.
- Electronic communications (websites, email, social media) now reach many residents, at times more effectively than print newspapers. The default requirements did not reflect how many people access news and information today.
- Different demographics may have different communications habits. Section 94.2 gives councils flexibility to design notice practices that fit modern communication realities while still meeting principles of transparency.

In response to changing communications habits, a reduced number of community newspapers, to improve the practicality of giving notice, and to improve the reach of public notice, the Province introduced amendments to public notice requirements in 2021. Section 94.2 of the Community Charter came into force in February 2022 and provides another public notice option. This provision allows a municipality to adopt a

bylaw specifying alternative means of publishing statutory public notices instead of being required to publish those notices in a newspaper under the default rules. Allowing alternative means, if done carefully and transparently, helps ensure that notice reaches a broader audience, which supports public awareness and engagement in local government decisions.

Under Section 94.2, a council may, by bylaw, specify two or more alternative methods for publishing public notices instead of using newspaper publication. Such alternative means must be set out in the bylaw and are used when statutory notice is required. The bylaw must specify at least two means of publication. This does not include the required posting at “public notice posting places”, which for Courtenay are courtenay.ca and the notice board at City Hall (established in the Council Procedure Bylaw). Public Notice Regulation requires councils to consider the principles of reliability, suitability and accessibility before adopting such a bylaw. Councils can choose any means of publication that meet these regulatory principles. Possible means of publication could include:

- Municipal website,
- Social media,
- Email distribution lists,
- Community newsletters, or
- Other electronic or print formats.

Establishing alternative means of publishing notices was first considered as part of the website replacement project beginning in 2024. The proposed methods of publishing in the draft Public Notice Bylaw are:

- Once on social media, at least seven days prior to consideration
- Once in the newspaper, at least seven days prior to consideration

Since providing public notice under Community Charter s. 94 requires that it be posted at the public notice posting places, the notice will also be posted on the City website and at the notice board at City Hall. While many initiatives and notices are already published on social media, this will ensure that residents can count on important notices being available in four locations. Publishing on social media, the website and in the newspaper is intended to allow the City to elaborate on services and initiatives by providing additional information beyond what is legislatively required, garnering broader interest and engagement. This will modernize our notification processes, without diminishing public access to information. Notices will still be published in the paper, but they will be published once rather than twice. The proposed Public Notice Bylaw No. 3210 aims to formalize the City’s public notice practices to support broader public access to Council and City decisions.

Some neighbouring municipalities are also using alternative means of providing public notice:

Local Government	Has alternative public notice bylaw?	Means of providing notice (in addition to public notice posting places)
Campbell River	Yes	<ul style="list-style-type: none">• Website

		<ul style="list-style-type: none"> • Social media • Newspaper notice
Comox	Yes	<ul style="list-style-type: none"> • Website • Facebook page
Comox Valley Regional District	No	
Cumberland	No	
Courtenay	Proposed	<ul style="list-style-type: none"> • Social media • Newspaper notice

DISCUSSION:

Application

According to s. 94.2 of the Community Charter, alternative means of public notice must be provided at least seven days prior to consideration. The local newspaper, the Comox Valley Record, is published on Wednesdays. This means that if Council is going to consider something at a Council meeting, the required newspaper notice will be published two weeks prior to the Council meeting to meet the seven-day deadline (see attached Public Notice Guidance Materials for more information about how days are calculated).

Where there are other requirements for publication, such as for public hearings, publication must meet the requirements of both the bylaw and the legislation. Public hearings have the requirement that one of the notices must be published not less than three days before the hearing and not more than ten days. The other means of notice would be subject only to the bylaw requirement of “at least seven days” prior. Since the newspaper notice cannot be published in the Comox Valley Record “not more than ten days” AND “at least seven days” prior to a public hearing which takes place on a Wednesday, this means that public hearing notices would be published:

- In the paper two weeks prior to the hearing
- On social media between 7-10 days prior to the hearing

If there was no local newspaper publishing in the Comox Valley, the City could still meet the notice requirements by publishing in a paper that is circulated locally and meets any other current statutory requirements, like the Vancouver Sun. If there was no longer a weekly newspaper in the Comox Valley, the City would also likely amend the procedure bylaw to remove the website as a public notice posting place, and amend the public notice bylaw to replace the newspaper publishing requirement with a requirement to publish on the website.

Communications Strategy

Public notices are typically not written in plain language, but rather seek to meet the legal requirements of the notice. Some of the time and cost savings can be allocated to more accessible communications for the same information, such as the new City newsletter. The 2025 resident survey identified that residents do still

look to the newspaper for information, which supports maintaining at least one newspaper notice. Staff note that when residents report they look to the newspaper for information, that includes both notices and news articles. Sharing notices more broadly increases the likelihood that important information reaches a wider audience, and supports the opportunity for important initiatives to be featured in news coverage. This proposed change aligns with the Communications Strategy's goals of effectively informing residents, meaningfully deploying resources to achieve the strongest impact, and building trust in City content by linking digital channels.

Subsequent Amendment Requirement – Development Procedures Bylaw

To reinforce and achieve the benefits of a consistent and clear public notification framework for statutory notices, an amendment to the Development Procedures Bylaw is required. By centralizing all statutory notification requirements within the Public Notice Bylaw, a consistent notification process builds a shared understanding of how notices will be provided, a practice that residents, developers and staff can all rely on.

It is important to note that while the Development Procedures Bylaw will be updated to reference the Public Notice Bylaw as the primary source for statutory notification requirements, certain sections will remain unchanged. Specifically, provisions related to radius notification standards and enhanced communication and engagement initiatives will continue to be in effect. These aspects are informed by the City's Communication Strategy and Engagement Framework, ensuring ongoing transparency and active participation in the development process.

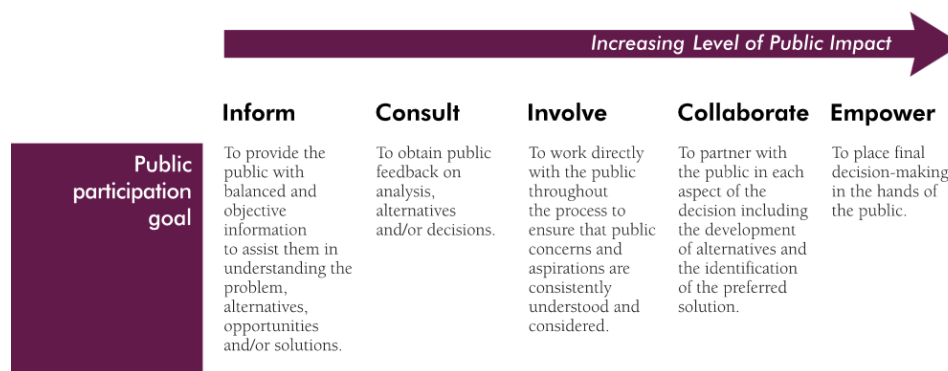
POLICY ANALYSIS:

Section 94.2 of the Community Charter and the Public Notice Regulation B.C. Reg. 52/2022 allow municipalities to adopt a bylaw setting out alternative means of providing public notice. The Public Notice Regulation requires that Councils consider the following before adopting a public notice bylaw:

- The means of publication should be reliable
 - Each means must provide factual information
 - Each means should be published at least once a month, or in the case of a website, must be updated at least once a month
- The means of publication should be suitable
 - Each means must allow all information to be displayed legibly
 - Each means must allow a notice to be published by the required date
 - Each means must allow a person to consult a notice more than once during the period from the date of publication until the date of the matter for which notice is required
- The means of publication should be accessible
 - Each means must be directed or made available to a diverse audience or readership
 - Each means must be easily found

PUBLIC ENGAGEMENT:

Staff would inform the public based on the IAP2 Spectrum of Public Participation:



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OPTIONS:

1. THAT Council give first, second, and third readings to "Public Notice Bylaw No. 3210"; and,

THAT Council direct staff to prepare an amendment to section 8 of the Development Procedures Bylaw to specify that where notice is required under Part 14 of the Local Government Act, it will be governed by the Public Notice Bylaw.
2. THAT Council provide amendments to "Public Notice Bylaw No. 3210":
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3. THAT Council provide alternative direction to staff.

ATTACHMENTS:

1. Public Notice Bylaw No. 3210
2. Public Notice Guidance Materials for BC Local Governments

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