

CORPORATION OF THE TOWNSHIP OF EAST ZORRA-TAVISTOCK

Notice Policy

As required under Section 270(1) of the Municipal Act, 2001

Excerpt from the Municipal Act

270. (1) A municipality shall adopt and maintain policies with respect to the following matters:
4. The circumstances in which the municipality shall provide notice to the public and, if notice is to be provided, the form, manner and times notice shall be given.

Date Approved: 2007-12-19

Purpose

1. The Municipal Act, 2001 (the "Act") requires that all municipalities adopt and maintain a policy with respect to the manner in which the municipality will provide notice to the public and, if notice is to be provided, the form, manner and times notice shall be given. The purpose of this policy is to provide direction to staff and guidance to the public on when and how notice will be given for certain actions. This policy has been developed to comply with the provisions of Section 270 of the Act.

Policy

2. The requirement to give reasonable notice to the public shall be deemed to be fulfilled upon completion of the actions dictated in this policy.
3. The manner and form of notice set out in Schedule "A" attached shall be deemed minimum requirements. Additional methods and timeframes may be undertaken at the discretion of the Clerk or as directed by Council.
4. All notices must include information that will easily allow the public to understand the reason for the notice and make contact the appropriate department or staff member responsible for the notice for more information. This information would typically include items such as:

Explanation of the matter
Date, time and location of the meeting (if applicable)
Contact Information including:
Name
Position

Phone Number
Fax Number
Email Address
Mailing Address

5. If a matter arises, which in the opinion of the Chief Administrative Officer in consultation with the Mayor, is considered to be of an urgent or time sensitive nature, or which could affect the health or well-being of the residents of the municipality, or if a state of emergency is declared, or if so advised by a Provincial Ministry, the notice requirements of this by-law may be waived and the Clerk shall make his/her best efforts to provide as much notice as is reasonable under the circumstances. If the matter pertains to a licensing by-law passed under the authority of Section 150 of the Act, the Council shall, in accordance with Subsection 150(5) of the Act, hold the required meeting and give the required notice, as soon as is practicable after the passage of the by-law.
6. No notice shall be required where the provision of notice will interfere with the ability of Council to conduct business with respect to matter permitted for a closed session under Section 239 of the Act.

Section/Subject Matter	Requirement in the Act	Policy
<p>34(1) Permanent Closure of a Highway</p>	<p>Notice not required</p>	<p>Notice of intent to persons and agencies directly affected by the by-law to be provided at least 2 weeks prior to enactment of the by-law:</p> <ul style="list-style-type: none"> ▪ Personal service or prepaid first class mail to all property owners within 120 metres of the subject property; ▪ Publication within a newspaper having general circulation in the area; ▪ Township website
<p>34(2) Permanent Altering of a Highway</p>	<p>Notice not required</p>	<p>Notice of intent to persons and agencies directly affected by the by-law to be provided at least 2 weeks prior to enactment of the by-law:</p> <ul style="list-style-type: none"> ▪ Personal service or prepaid first class mail to all property owners within 120 metres of the subject property; ▪ Publication within a newspaper having general circulation in the area; ▪ Township website
<p>47 Change – Naming of Highway</p>	<p>Section Repealed Notice not required</p>	<p>Notice of intent to persons and agencies directly affected to be provided at least 2 weeks prior to enactment of the by-law:</p> <ul style="list-style-type: none"> ▪ Personal service or prepaid first class mail to all persons who abut the affected highway; ▪ Publication within a newspaper having general circulation in the area; ▪ Township website.

Section/Subject Matter	Requirement in the Act	Policy
48 Naming of Private Roads	A local municipality may name or change the name of a private road after giving public notice of its intention to pass the by-law	Notice of intent to persons and agencies directly affected to be provided at least 2 weeks prior to enactment of the by-law: <ul style="list-style-type: none"> ▪ Personal service or prepaid first class mail to all persons who abut the affected highway; ▪ Township website.
99(1) By-Law – Advertising Devices, including signs	Notice not required	Notice of Council’s intent to pass a By-Law to be provided at least 2 weeks prior to enactment of the by-law: <ul style="list-style-type: none"> ▪ Publication within a newspaper having general circulation in the area; ▪ Township website
150 (4) (b) General Licensing Powers	Notice and public meeting not required	Notice of Council’s intent to be provided at least 2 weeks prior to the meeting: <ul style="list-style-type: none"> ▪ Publication within a newspaper having general circulation in the area; ▪ Township website
150 (5) Emergency – Public Meeting – Licensing Power (Post Activity)	Notice and public meeting not required	Notice of By-Law passing to be provided once a week for 2 weeks within 10 days of passing of the By-Law prior : <ul style="list-style-type: none"> ▪ Publication within a newspaper having general circulation in the area; ▪ Township website

Section/Subject Matter	Requirement in the Act	Policy
<p>173 (3) Restructuring Proposal</p>	<p>Before the Council of a municipality votes on whether to support or oppose a restructuring proposal, the Council shall or may, as applicable, do the following things when the proposal is being developed or after it is developed:</p> <ul style="list-style-type: none"> ▪ Council shall consult with the public by giving notice of at least one public meeting; ▪ Council shall consult with such persons or bodies as the Minister may prescribe; and, ▪ Council may consult with such other persons and bodies as the municipality considers appropriate. 	<p>Notice of public meeting to be provided:</p> <ul style="list-style-type: none"> • Publication within a newspaper having general circulation in the area for two (2) consecutive weeks prior to the meeting; • Township website <p>Personal service or prepaid first-class mail to those persons who request further notice following the public meeting</p>
<p>187 (2) Change of Name</p>	<p>Notice and public meeting not required</p>	<p>Notice of public meeting to be provided:</p> <ul style="list-style-type: none"> • Publication within a newspaper having general circulation in the area for two consecutive weeks prior to the meeting; • Township website <p>Personal service or prepaid first-class mail to those persons who request further notice following the public meeting</p>

Section/Subject Matter	Requirement in the Act	Policy
216 (4) Dissolution of Local Boards (Exception of Police Service Boards)	Notice not required	Notice of intent to be provided at least two (2) weeks prior to enactment of the by-law to those persons directly affected: <ul style="list-style-type: none"> • Personal service or prepaid first-class mail to all board members • Township website
217 Council Composition – Local	Notice not required	Notice of public meeting to be provided at least two (2) weeks prior to the meeting: <ul style="list-style-type: none"> • Publication within a newspaper having general circulation in the area; • Township website
222 Establishment of Wards	Notice of Council's intention not required. Notice of by-law enactment required within 15 days of enactment.	Notice of public meeting to be provided at least two (2) weeks prior to the meeting: <ul style="list-style-type: none"> • Publication within a newspaper having general circulation in the area; • Township website Personal service or prepaid first-class mail to those persons who request further notice following the public meeting Notice of by-law passing not later than fifteen (15) days following enactment: <ul style="list-style-type: none"> • Publication within a newspaper having general circulation in the area; • Township website • Personal service or prepaid first-class mail to those persons who have requested notice

Section/Subject Matter	Requirement in the Act	Policy
238 Procedural By-law	Notice not required	Changes to the Procedural By-law require notice of the proposed amendment or appeal at a previous regular meeting of Council
260 & 262 Council member resignation	Notice in writing filed with the Clerk; however, it is not effective if it would reduce the number of members to less than a quorum.	Council shall declare the vacancy at its next meeting following their resignation declare the vacancy. If the vacancy occurs as a result of death, the declaration may be made at the next two meetings. Vacancy must be filled within 60 days of the declaration. If vacancy occurs within 90 days of an election, the municipality is not required to fill the vacancy and in accordance with the <i>Municipal Elections Act</i> .
268 Sale of land	Notice not required (to be addressed in sale of land policy)	posting a notice on the subject property for at least 20 days, and; publication of a notice in a newspaper having general circulation in the area where the property is located once a week for two consecutive weeks

Section/Subject Matter	Requirement in the Act	Policy
<p>291 Budget – Adoption or Amendment</p>	<p>Section repealed – no notice required</p>	<p>Annual Budget Adoption Notice of public meeting to be provided at least two (2) weeks prior to the meeting:</p> <ul style="list-style-type: none"> ▪ Publication within a newspaper having general circulation in the area; ▪ Township website <p>Amendment to Budget</p> <ul style="list-style-type: none"> ▪ Included on Council Agenda and identified as "Amendment to Budget"; ▪ Township website <p>New Projects</p> <ul style="list-style-type: none"> ▪ New projects that have not been included in the annual budget shall be detailed in a staff report and notice of such amendment to the budget shall be included in the report and the printing of this item on the Council and/or Committee Agenda, with the notation "Amendment to Budget", shall constitute sufficient notice. <p>Operating Costs Incurred Prior to Budget Approval</p> <ul style="list-style-type: none"> ▪ Normal operating costs incurred prior to the adoption of the annual budget shall not require notice, and approval of such expenditures shall be deemed ratified upon the adoption of the annual budget.

Section/Subject Matter	Requirement in the Act	Policy
<p>295 Financial Statement – Publication</p>	<p>Within 60 days after receiving the audited financial statements of the municipality for the previous year, the Treasurer of the municipality a) shall publish in a newspaper having general circulation in the municipality (i) a copy of the audited financial statements, the notes to the financial statement, the auditor’s report and the tax rate information for the current and previous year as contained in the financial review; or (ii) a notice that the information in subclause (i) will be made available at no cost to any taxpayer or resident of the municipality upon request; and (b) may provide the information described in subclause (a)(i) or (ii) to such persons and in such other manner as the Treasurer considers appropriate.</p>	<p>Public notice to be published in a newspaper having general circulation in the municipality and on the Township Web Site within 60 days of receipt.</p>

Section/Subject Matter	Requirement in the Act	Policy
<p>297 (4) Auditors right to attend – Right of Access</p>	<p>The auditor may attend any meeting of Council or local board and is entitled to a) receive all notices relating to the meeting that any member is entitled to receive; and b) to make representation at that meeting on any matter that concerns him/her as auditor.</p>	<p>Auditor to be provided with a list of Council/Committee schedule together with agenda title pages for information purposes.</p>
<p>400 Regulations re Fees and Charges</p>	<p>The Minister may make regulations providing for any matters which, in the opinion of the Minister, are necessary or desirable for the purposes of this Part, including, f) requiring a municipality or local board to give the prescribed notice of its intention to pass a by-law imposing the fees and charges which have priority lien status under (d) which are added to the tax roll, to the prescribed persons in the manner and form and at the times prescribed.</p>	<p>Notice of intent to pass a By-Law in the manner and form and at the times as prescribed by the Minister.</p> <p>Notice of intent to pass a By-law to be provided at least two (2) weeks prior to the meeting:</p> <ul style="list-style-type: none"> • Publication within a newspaper having general circulation in the area; • Township website