

Notice Policy

Policy Number: CORP.1-02

Sub-Topic: n/a

Topic: Public Notice

Applies to: All Employees

Council Adoption Date: December 17, 2007

Revision No: 1

Revision Date: October 2, 2017

Policy Statement and Strategic Plan Linkages

The Municipal Act, 2001 as amended requires that a municipality shall adopt and maintain a policy with respect to the circumstances in which the municipality shall provide notice to the public and the form, manner and times notice shall be given.

Purpose

This policy will outline the circumstances of notice and the form, manner and times that notice shall be given on matters where there is statutory notice required pursuant to the Municipal Act, 2001, the Ontario Heritage Act, and the Planning Act as amended. This policy does not intend to address notice requirements that may be required by other legislation or policy.

Definitions

In this policy:

Newspaper means a printed publication having general circulation in the municipality.

Notice means a written, published or printed notification

Town means the Corporation of the Town of Newmarket

Town Website means the official Town of Newmarket website

Procedures

1. The minimum public notice requirements and times are set out in Schedule "A" attached.
2. Notices that are to be published on the Website shall be the responsibility of the appropriate Town staff member (ie. affected department).
3. Notices shall be written in plain language and in an accessible manner.
4. Notices shall include the following information as appropriate:

- 4.1. A description of the proposed action or the purpose and effect of the proposed by-law;
 - 4.2. The date, time and location of the meeting;
 - 4.3. The name and contact information of the person who will receive written comments on the issue that is the subject of the meeting and the deadline for receiving such comments;
 - 4.4. The name and contact information of the person who can provide additional information related to the issue.
5. Staff may choose to provide additional or more comprehensive methods of notice at their discretion.
 6. If a matter for which notice was given under this policy is deferred, adjourned or continued to a future Committee of the Whole or Council meeting, no further notice is required, unless there is a statutory requirement requiring otherwise, if:
 - 6.1. A public statement is made at the meeting advising that the matter has been deferred, adjourned or continued to a future meeting specified in the statement, or
 - 6.2. A written statement is posted at the meeting location advising that the matter has been deferred, adjourned or continued to a future meeting specified in the statement.

Urgency Provision

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, the notice requirements of this policy shall be waived and the appropriate staff shall make best efforts to provide as much notice as is reasonable under the circumstances.

Amendments

Schedule 'A' to this policy may be amended from time to time upon in order to add to or enhance the notice provisions.

Cross-References

Accountability and Transparency Policy
Road Closure Policy (upon adoption or as amended)
Procedure By-law 2015-50 (as amended)
Sale of Land Policy Legal.1-01
Community Engagement Policy
Delegation By-law 2016- 17

Appendix A – Notice Policy

Subject	Reference	Minimum Public Notice Requirements
Meetings of Town Council and Committee of the Whole	N/A	As noted in the Procedure By-law
Statutory Public Meetings (Committee of the Whole)	See legislated requirements in Planning Act See also the Procedure By-law	See legislated requirements in Planning Act See also the Procedure By-law
Mail outs – Notices Planning	See legislated requirements in Planning Act	See Planning Act for details of notice – dependent on type of planning matter.
Change in Composition of Council and Changes to Ward Boundaries	N/A	Notice will be provided prior to adoption or amendment at a public meeting. See notice requirements in the Procedure Bylaw for meetings of Council and Committee of the Whole.
Sign by-law	N/A	Notice will be provided prior to adoption or amendment at a public meeting. See notice requirements in the Procedure Bylaw for meetings of Council and Committee of the Whole.
Dissolution of Local Boards	Section 216 of the Municipal Act	Notice will be provided prior to adoption or amendment at a public meeting. See notice requirements in the Procedure Bylaw for meetings of Council and Committee of the Whole.
Adoption or Amendment of the Budget	N/A	Notice will be provided prior to adoption or amendment at a public meeting. See notice requirements in the Procedure Bylaw for meetings of Council and Committee of the Whole.

Subject	Reference	Minimum Public Notice Requirements
Fees and Charges bylaw	Section 391, of the Municipal Act	<p>Notice will be provided prior to adoption or amendment at a public meeting.</p> <p>See notice requirements in the Procedure Bylaw for meetings of Council and Committee of the Whole</p>
Procedure by-law	Section 238 of the Municipal Act	<p>Notice will be provided prior to adoption or amendment at a public meeting.</p> <p>See notice requirements in the Procedure Bylaw for meetings of Council and Committee of the Whole</p>
Temporary closure of a public highway	N/A	<p>Notice of planned infrastructure works or temporary closure due to events will be posted to the website, and may also be provided by hand delivering written notice to those individuals who in staff's opinion, will be directly affected by the closure, and/or notice published by general advertising wherever possible.</p> <p>See Delegation By-law for notice requirements in case of road closure due to emergency.</p>
Permanent altering of a public highway	Section 34 of the Municipal Act	Notice in writing will be provided by regular mail to those affected.
Notice of intent to designate a property as having cultural heritage value or interest	Section 26 (4) Ontario Heritage Act	Notice in writing to the owner of the property and the Ontario Heritage Trust, and Notice to be published in local newspaper.