



**THE CORPORATION OF THE TOWNSHIP OF TAY
APPROVED COUNCIL POLICIES MANUAL**

SUBJECT: Administration Provision of Notice	EFFECTIVE DATE: June 10, 2009
REVISION DATE: August 26, 2015 (By-law 2015-89)	PAGE: 1 of 6

1. PURPOSE/APPLICATION:

- 1.1 The *Municipal Act, 2001, as amended* (the Act) requires that all municipalities adopt and maintain a policy with respect to 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”.

2. POLICY STATEMENT:

- 2.1 While this policy is a requirement of the Act, this policy in conjunction with other Township by-laws and regulations establishes the Township’s standards for giving reasonable notice.

3. RESPONSIBILITY

- 3.1 It is the responsibility of the appropriate Department Head in coordination with the Clerk, to ensure notice requirements applicable to their Department are met and that the notices meet the Township’s accessibility requirements.
- 3.2 The requirement to give reasonable notice to the public shall be deemed to be fulfilled upon completion of the actions dictated in this policy. In addition, the manner and form of notice dictated in this policy shall be deemed minimum requirements. Additional methods of giving notice may be undertaken at the discretion of the Clerk, or Director or as directed by Council.
- 3.3 This policy applies to all Committees of Council, departments and staff.



THE CORPORATION OF THE TOWNSHIP OF TAY
APPROVED COUNCIL POLICIES MANUAL

SUBJECT: Administration Provision of Notice	EFFECTIVE DATE: June 10, 2009
REVISION DATE: August 26, 2015 (By-law 2015-89)	PAGE: 2 of 6

4. **DEFINITIONS:**

"Act" means the *Municipal Act, 2001, as amended*;

"Clerk" means the Clerk of the Corporation of the Township of Tay or designate.

"Council" means the Council of the Corporation of the Township of Tay.

"Days" mean the number of calendar days to include Saturday, Sundays and holidays.

"Form" means the format of the notice to include, but not limited to the name of the Township, a description of the subject matter and the date of consideration, passage, public meeting or compliance.

"Manner" means the mode of acting.

"Newspaper" means a publication in sheet form, intended for general circulation, published regularly at intervals of not longer than one week, consisting in great part of news of current events of general interest and sold, or distributed free of charge to the public.

"Notice" means a published or posted notification or announcement.

"Prepaid Mail" means registered mail that requires the recipient to sign for it and is delivered by Canada Post or a courier service.

"Published" means published in a daily or weekly newspaper that, in the opinion of the Clerk, has such circulation within the municipality as to provide reasonable notice to those affected thereby, and "publication" has a corresponding meaning.



THE CORPORATION OF THE TOWNSHIP OF TAY APPROVED COUNCIL POLICIES MANUAL

SUBJECT: Administration Provision of Notice	EFFECTIVE DATE: June 10, 2009
REVISION DATE: August 26, 2015 (By-law 2015-89)	PAGE: 3 of 6

“Registered Mail” means prepaid mail that requires the recipient to sign for it and is delivered by Canada Post or a courier service.

“Township” means the Corporation of the Township of Tay.

“Website” means the official Township of Tay website.

5. **APPLICATION**

- 5.1 Where the Township is required to give Public Notice under a provision of the *Municipal Act*, the notice shall be given in a form and manner and at times indicated in this Policy unless;
- The Act, another statute, or a regulation prescribes or permits otherwise;
 - The requirements of notice are prescribed in another policy, resolution or by-law;
 - Council directs that other public notice is to be given as the Council considers necessary in the circumstances, upon adoption of a resolution of Council.

The form, manner and timing for giving of notice as set out in this Policy shall be deemed to be the minimum requirement and nothing in this Policy shall prevent the use of more comprehensive methods of Notice or for providing for a longer notice period.



**THE CORPORATION OF THE TOWNSHIP OF TAY
APPROVED COUNCIL POLICIES MANUAL**

SUBJECT: Administration Provision of Notice	EFFECTIVE DATE: June 10, 2009
REVISION DATE: August 26, 2015 (By-law 2015-89)	PAGE: 4 of 6

6. CONTENTS OF NOTICE:

6.1 At minimum, unless otherwise prescribed in the Act or Regulations, a notice should include the following information:

- identification of the authority under which the notice is being given;
- A general description of the subject matter under consideration or otherwise involved;
- the date, time and location of the meeting at which the matter will be considered (if applicable);
- Where written submissions may be made, or where delegations for the purpose of providing a verbal submission can be registered, the name and title of the person to whom they are to be sent, together with the address of the official and the deadline for receipt of such submissions (if applicable);
- Where the matter relates to a defined location, sufficient particulars of the location to identify it generally, such as reference to a municipal address or street intersection, or a legal description or plan or key map (if applicable);
- The Notice shall contain a notice indicating "alternative formats are available upon request".

7. PROVISIONS:

7.1 That public notice for meetings of Council, Local Boards and Committee, per Section 238 of the Act, shall be as outlined in the Council Procedural By-law.

7.2 That public notice of the intent to dispose of surplus land, per Section 270 of the Act, shall be as outlined in the applicable Sale of Land Policy.



**THE CORPORATION OF THE TOWNSHIP OF TAY
APPROVED COUNCIL POLICIES MANUAL**

SUBJECT: Administration Provision of Notice	EFFECTIVE DATE: June 10, 2009
REVISION DATE: August 26, 2015 (By-law 2015-89)	PAGE: 5 of 6

- 7.3 That public notice related to the procurement of goods and services, per Section 270 of the Act, shall be as outlined in the applicable Procurement Policy.
- 7.4 That public notice for Sale of Land for Tax Arrears shall be as outlined in Part XI (Section 371 to 389) of the Act.
- 7.5 That unless otherwise stipulated by legislation, policy or by-law, notice under the Act shall be deemed to have been given by any combination of the following:
- Posting on the Township's website;
 - Posting on the Notice Board located in the lobby at the Municipal Office, 450 Park Street, Victoria Harbour;
 - Posting on the outdoor notice boards.
- 7.6 Where notice is required as stipulated in the various sections of the Act, notice shall be provided as outlined on the attached Schedule "A".
- 7.7 In the event that the standards established on Schedule "A" conflict with the standards established by the Act or any successor regulation, the standards of the Act or regulations shall take precedence.
- 7.8 The standards established on Schedule "A" shall be deemed to be the minimum standards of notice and therefore may be augmented by the Township, so long as the minimum standard is applied.



**THE CORPORATION OF THE TOWNSHIP OF TAY
APPROVED COUNCIL POLICIES MANUAL**

SUBJECT: Administration Provision of Notice	EFFECTIVE DATE: June 10, 2009
REVISION DATE: August 26, 2015 (By-law 2015-89)	PAGE: 6 of 6

8. EMERGENCY PROVISION:

If a matter arises, which in the opinion of the Clerk, 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 Township of Tay, or if a State of Emergency is declared, or if so advised by a Provincial Ministry, the Notice requirements of this policy may be waived and the Clerk shall make best efforts to provide as much notice as is reasonable under the circumstances using all means at their disposal.

Schedule 'A' - Notice Provisions – Statutory Notices (By-law 2015-89):

Section	Subject Matter	When Notice is Required	Time Limits Prescribed	Notice Requirements (minimum)
Section 48	Change / 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.		Written notice published in newspaper and on website 2 consecutive weeks prior to meeting at which the matter is being considered
Section 81 (1)	Shut off of Public Utilities	Upon proposed shut-off by municipality of a public utility	reasonable notice	prepaid mail, personal service or by posting the notice on the land in a conspicuous place
Section 110 (8)	Tax Exemption By-law	<p>Upon the passing of a By-law under subsection (6), the Clerk of the municipality shall give written notice of the contents of the By-law to:</p> <ul style="list-style-type: none"> a) the assessment corporation b) the Clerk of any other municipality that would, but for the By-law, have had authority to levy rates on the assessment for the land exempted by the By-law; and c) the secretary of any school board if the area of jurisdiction of the board includes the land exempted by the By-law. 		Written Notice upon passing to the appropriate parties (MPAC, School Board, County of Simcoe)

Section	Subject Matter	When Notice is Required	Time Limits Prescribed	Notice Requirements (minimum)
Section 173 (3)	Restructuring Proposal	<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> <ol style="list-style-type: none"> 1. Council shall consult with the public by giving notice of, and by holding, at least one public meeting. 2. Council shall consult with such persons or bodies as the Minister may prescribe. 3. Council may consult with such other persons and bodies as the municipality considers appropriate 	Prior to Council voting	<p>Written notice published in newspaper and on website 2 consecutive weeks prior to meeting at which the matter is being considered</p> <p>Consultations with public by holding one public meeting or as prescribed by Minister</p>
Section 174 (10) & (12)	Commission on restructuring	The commission shall give notice to the public in the prescribed geographic area advising them of the opportunity to inspect the restructuring proposal	set by the Commission	shall give notice to the public in the prescribed geographic area advising them of the opportunity to inspect the restructuring proposal.
Section 206	Powers to establish Corporations (Improvement Areas) (BIA)	A board of management shall give reasonable notice to the general membership of the improvement area of a meeting to hold a vote under clause 204 (3) (b) or for the purposes of a discussion under subsection 205 (1).	date and time set my municipality	Personal notice by mail to general membership

Section	Subject Matter	When Notice is Required	Time Limits Prescribed	Notice Requirements (minimum)
Section 210	BIA Bylaw	Prior to passing a By-law and Prior to designating an area as an improvement area and establish a board of management and to set levy upon rateable property in the improvement area	Before passing the by-law	Prepaid mail to the Board of Management of improvement area...and every person assessed for rateable property within improvement area
Section 211	BIA - Repealing By-law	Council shall give notice to repeal a By-law (s.204) if municipality received resolution or request	Before passing the By-law	Prepaid mail to the Board of Management of improvement area...and every person assessed for rateable property within improvement area
Section 219	Upper-Tier Council Composition	Council of Upper Tier Municipality required to give notice of intention to pass by-laws as described in Section 218 and hold at least one public meeting	Before passing the By-law The By-law does not come into force until the day the new Council is organized	Written notice published in newspaper and on website 2 consecutive weeks prior to meeting at which the matter is being considered Public Notice & Public Meeting
Section 222	Establishment of Wards	A municipality shall give notice within 15 days after a by-law is passed specifying the last date for filing a notice of appeal	Within 15 days of passage	Written notice published in newspaper and on website 2 consecutive weeks
Section 238(2.1)	Giving of Notice	The Procedural By-law shall provide for public notice of meetings.	As approved by Council.	As per Procedural By-law
Section 295	Financial Statements - Publication	Within 60 days after receiving the audited financial statements of the municipality for the previous year.	60 days after receipt	Written notice published in newspaper and on website 2 consecutive weeks

Section	Subject Matter	When Notice is Required	Time Limits Prescribed	Notice Requirements (minimum)
Section 297	Auditor's right to attend - Right of Access	Auditor's entitlement to attend any meeting and receive all notices relating to the meeting and to make representation as required.	As requested	Reasonable Notice
Section 331	Taxes on Eligible Properties	The local municipality shall mail to the owner of each eligible property the list of the comparable properties and the determination made under subsection (2) with respect to that eligible property within 60 days after the date the list is received by the local municipality	Within 60 days	Prepaid mail or personal service List of comparable properties
Section 343	Notice of Tax Bill	The Treasurer shall send a tax bill to every taxpayer at least 21 days before any taxes shown on the tax bill are due.	21 days prior to due date	Prepaid mail or personal service
Section 348	Determination of Tax Status	Upon making the determination of every tax account as of December 31 st of the preceding year	By February 28 th in each year	Notice of Tax Arrears & related late payment charges
Section 350	Obligations of tenant - taxes owed	Taxes owed in respect of any land occupied by tenant		To tenant in writing requiring tenant to pay rent in respect of the land
Section 351	Seizure personal property - Public Auction	When Treasurer sells all or part of seized personal property to recover taxes & costs of seizure	at time set by Treasurer	Written notice published in newspaper and on website 2 consecutive weeks prior to meeting at which the matter is being considered
Section 356	Division of Parcels	Upon application by the Treasurer of a municipality or to the Treasurer by an owner of land, the municipality may divide land into two or more parcels; apportion unpaid taxes; and direct part payment of taxes to each of the parcels.	On or before September 30 th of the year following the year in which the application is made Within 14 days of decision	In writing to the person in respect of whom the application is made and landowner 14 days before meeting Notice & Public Meeting Within 14 days after decision, notice to applicant and landowner

Section	Subject Matter	When Notice is Required	Time Limits	Notice Requirements (minimum)
Section 357 (6)	Cancellation, refund of taxes, reduction,	Upon receipt of an application, and subject to certain conditions, the municipality may cancel, reduce or refund all or part of taxes levied.	On or before September 30 th of the year following the year in which the application is made Within 14 days of decision	In writing to the person in respect of whom the application is made 14 days before meeting Notice & Public Meeting Within 14 days after decision, notice to applicant
Section 358	Overcharges caused by a gross or manifest error	Treasurer to send copy of application to the Assessment Corporation and Assessment Review Board; and to notify applicant of invalid application	On or before September 30 th of the year following the year in which the application is made Within 14 days of decision	In writing to the person in respect of whom the application is made 14 days before meeting Hold a meeting where applicant may make representation to the Council Within 14 days after decision, notice to applicant
Section 359	Increase of Taxes as a result of any undercharge caused by a gross or manifest error...but not an error in judgement in assessing the land	Upon application made by the Treasurer	Within the year in which the application is made	In writing to the person in respect of whom the application is made
Section 400 - O.Reg. 586/06, as amended	Local Improvement Charges – Fees and Charges imposed by a municipality on a person constitute a debt of the person ~ amount owing added to tax roll	Prior to passing a by-law imposing the fees and charges which have priority lien status which are added the tax roll.	none provided	Notice of intent to pass a Bylaw ~ In the manner and form and at the times As prescribed by the Minister

Section	Subject Matter	When Notice is Required	Time Limits Prescribed	Notice Requirements (minimum)
Section 402	Debt & Investment	Notice of application	Notice as directed by OMB	In writing to the persons as directed
Section 435(2)	Conditions Governing Power of Entry	When notice is required, the notice must satisfy the following requirements: 1. Be given to the occupier of the land in respect of which the power of entry will be exercised. 2. Must be given within a reasonable time before the power of entry is exercised. 3. Must be given by personal service in the case of a proposed exercise of a power of entry under section 79, 80 or 446 in respect of a room or place actually used as a dwelling. 4. In the case of a proposed exercise of a power of entry other than one described in paragraph 3, the notice must be given by personal service or prepaid mail or by posting the notice on the land in a conspicuous place. 2006, c. 32, Sched. A, s. 184	must provide reasonable notice of the proposed entry	inform occupier of the land by personal service or prepaid mail or by posting the notice on the land in a conspicuous place
Section 438	Inspection Pursuant to an Order	In the case of an order authorizing an inspection of a room or place actually being used as a dwelling, the occupier must be given notice concerning when inspection will be carried out	must provide reasonable notice of the proposed entry	inform occupier of the land by personal service or prepaid mail or by posting the notice on the land in a conspicuous place
Section 440	Collection of unpaid licensing fines	Whenever any part of a fine for a contravention of a licensing By-law passed under the <i>Municipal Act</i> remains unpaid after the fine becomes due and payable under section 6 of the <i>Provincial Offences Act</i> .	No date specified	Written notice specifying the amount of the fine payable and final date to pay (no less than 21 days after date of Notice)
Section 447(3)	Closing premises , Public Nuisance	Notice to the Attorney General....Upon the application of a municipality, where activities or circumstances constitute a public nuisance.... the Superior Court of Justice may make an order...be closed to any use...not to exceed two years.	15 days notice of its intention to make an application	Letter of application