

THE CORPORATION OF THE TOWNSHIP OF TAY

BY-LAW NO. 2024-44

Being a By-law to establish a Provision of Notice Policy for the Corporation of the Township of Tay

WHEREAS pursuant to Section 270 (1) of the Municipal Act, 2001, a municipality or local board shall adopt and maintain policies with respect to the provision of notice;

AND WHEREAS the Council of the Corporation of the Township of Tay seems it necessary to enact a by-law establishing a policy for the provision of notice;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF TAY ENACTS AND BE IT ENACTED AS FOLLOWS;

1. That the Provision of Notice Policy, attached substantively as Schedule 'A' to this By-law, be adopted as the Corporation's policy with respect to the Provision of Notice.
2. This By-Law shall come into force and take effect immediately upon the final passing thereof.
3. That By-law 2015-89 be repealed.

THAT BY-LAW NO. 2024-44 BE ENACTED AS A BY-LAW OF THE TOWNSHIP OF TAY THIS 26th DAY OF JUNE, 2024.

THE CORPORATION OF THE TOWNSHIP OF TAY

MAYOR, Ted Walker

CLERK, Katelyn Johns



THE CORPORATION OF THE TOWNSHIP OF TAY CORPORATE POLICY MANUAL

Policy/Program: Provision of Notice	
Administrator: Municipal Clerk	Approved by: Council
Date Last Reviewed: June 26, 2024	Date Last Revised: June 26, 2024

1. Purpose

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”.

The purpose of this policy is to establish procedures for public notice and engagement that promote open and transparent governance of the Township of Tay.

2. Policy Statement

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

It is the responsibility of the appropriate member of the Leadership Team 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.

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 CAO, or as directed by Council.

This policy applies to all Committees of Council, departments, and staff.



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4. Scope

This policy applies to all types of public notice and engagement, which may be influenced by legislation, cost, emergency situation, timeframes, geographic area of impact, types of notification and degree of potential impact on affected parties.

This policy shall apply except where:

- The subject matter is deemed minor in nature and Council has not authorized that public notice is required;
- Where authorized, Council directs an alternative form of non-statutory public notice as Council considers appropriate to give reasonable notice under the provision of any statute or regulation; or,
- The Mayor, in consultation with the CAO, determines that notice should be waived due to emergency, urgency or time sensitive situations or situations which could affect the health and well being of the residents of Tay, or if a State of Emergency is declared, or if so advised by a provincial ministry.

5. Definitions

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

"CAO" means the Chief Administrative Officer for the Corporation of the Township of Tay.

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

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

"Days" means 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.



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"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.

"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.

"Social Media" means the Corporation of the Township of Tay's official accounts on internet-based technologies and sites specifically designed for public dissemination of information, news, opinion, and other matters of interest in a freely available manner. These include, but are not limited to, Facebook, X, and YouTube.

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

"Website" means the official Township of Tay website.

5. Application

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 Council considers necessary in the circumstances, upon adoption of a resolution of Council.

Wherever possible, public notice should be written in plain language in a manner that promotes openness and engagement from members of the public.

6. Notice Requirements and Methods

Statutory: Public notice that is required to be provided based on statutory/legislative regulations, shall be provided at minimum, in the form



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and method outlined in the statute and shall follow the provisions of this Policy.

Non-Statutory: For public notice being provided outside statutory requirements, direction provided either by Council, or the CAO and Clerk can determine the appropriate public notice requirements and methods pursuant to this Policy.

At minimum for non-statutory notices, the Township will use the following methods:

- Website
- Social Media
- Notice Board
- Tay Township Newsletter

7. Provision of Notice

Where notice is required for the intention of passing a by-law or notice of a public meeting, the notice shall be given pursuant to the requirements outlined in the applicable legislation and this Policy. If there is a conflict between legislation and this Policy, legislation prevails.

The provision of notice shall primarily be by publishing on the website, however, notice may also be provided in the form of direct delivery, including hand delivery, direct mail, facsimile and email, newspapers, news releases and location signs.

Where other Township Policies and By-laws, outline notice provisions, such as in the Procedural By-law, Sale of Land Policy and Procurement Policy, this Provision of Notice Policy shall dictate the standard of notice required.

8. Time of Notice

Where notice of intention to pass a by-law or notice of public meeting is required to be given, such notice shall be provided in the time frame prescribed in the legislation or its regulations. If it is not prescribed, notice shall be given pursuant to direction provided either by Council, or the CAO and Clerk. When determining time of notice outside of statutory obligations, consideration shall be given to providing a reasonable opportunity for the public to attend or provide comments. At minimum, at least two (2) weeks (14 days) notice shall be provided.



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9. Contents of Notice

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 email 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, street intersection, legal description, plan, or key map (if applicable);
- The Notice shall contain a notice indicating "alternative formats are available upon request".

10. Minimum Requirements

This policy sets out the minimum requirements for providing notice. Nothing in this policy shall prevent the use of additional methods of Public Notice.

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.

11. Additional Public Notice

No additional notice shall be required for subsequent meetings where a matter has been deferred to a subsequent meeting by Council, or Committee.

12. Emergency Provision

If a matter arises which in the opinion of the CAO, in consultation with the Mayor, is considered to be of an urgent or time sensitive nature, or which could affect the health, safety or well-being of the public, impact the welfare or security of public or private property or Township infrastructure, seriously



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impact service delivery, if a State of Emergency is declared, or when so advised by a Provincial or Federal Ministry, the Public 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.

13. Alternative Notice Methods

Instances where notice cannot be provided in the form that has been established pursuant to this Policy or legislation due to unforeseen circumstances, or reasons beyond the control of the Township, to maintain business continuity, the municipality will make every effort to utilize the methods that are available to ensure adequate notice to the public.

For public notice required under the Planning Act, R.S.O. 1990, c. P.13, alternative procedures for notice is permitted to be established in the Township's current Official Plan.

14. Amendments

From time to time, additional notice requirements may be determined. In such cases, the requirements contained in this Policy shall be amended and updated as required. Delay in amending the Notice Requirements does not preclude the implementation of these updated requirements as determined by Council, staff, or legislation.

15. Approval

Approved by the CAO, or their designate:

Name – Print

Signature

Date (yyyy-mm-dd)

16. Revision Record

Rev.	Description of Revision	Admin	Effective	Circulation Date
0	Initial Release	K. Johns	2024-06-26	2024-06-26