



CORPORATION OF THE MUNICIPALITY OF MORRIS-TURNBERRY

BY-LAW NO. 89-2019

Being a by-law to establish a policy prescribing the form, manner and times for the provision of notice.

WHEREAS Section 270(1)(4) of the Municipal Act, S.O. 2001, c. 25, as amended, requires municipalities to adopt and maintain policies with respect to 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;

AND WHEREAS the provisions in By-law 79-2007 were established under the provisions of Section 251 of the Municipal Act, S.O. 2001, c. 25;

AND WHEREAS it is deemed expedient to set out reasonable minimum notice requirement for those actions by the municipality for which the notice requirements are not prescribed under the provision of the Act or its regulations;

NOW THEREFORE, the Council of the Corporation of the Municipality of Morris-Turnberry enacts as follows:

1. SHORT TITLE

- 1.1. This by-law may be referred to as the "Notice Policy"

2. DEFINITIONS

- 2.1. **Act:** the Municipal Act, 2001 as amended;
- 2.2. **Clerk:** the Clerk of the Municipality of Morris-Turnberry;
- 2.3. **Council:** the Council of the Municipality of Morris-Turnberry;
- 2.4. **Days:** the number of calendar days to include Saturday, Sundays and holidays;
- 2.5. **Municipality:** the Corporation of the Municipality of Morris-Turnberry;
- 2.6. **Newspaper:** a printed publication in sheet form, intended for general circulation in the Municipality of Morris-Turnberry, published regularly at intervals of not longer than one week, consisting in great part of news or current events of general interest that may or may not be sold to the public and to regular subscribers;
- 2.7. **Notice:** a written, printed, published or posted notification or announcement;
- 2.8. **Published:** 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;
- 2.9. **Website:** the Municipality of Morris-Turnberry's website.

3. APPLICATION

- 3.1. Where the Municipality 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 by-law unless:
 - 3.1.1. The Act, another statute or a regulation prescribes or permits otherwise;

3.1.2. The requirements of notice are prescribed in another policy, resolution or by-law;

3.1.3. 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.

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

3.3. The notices are to be produced and published/posted in clear language and in such a way to be in an accessible format thereby reducing barriers to the public.

4. NOTICE OF SUBSEQUENT MEETINGS

4.1. If a decision is not made at the meeting specified in the Public Notice, a statement should be made by the Chair at the meeting specifying the date, time and location of any subsequent meeting, at which consideration of the matter will ensue.

4.2. No additional prescribed notice will be required for subsequent meetings where a matter has been deferred to a subsequent meeting by the Municipal Council or by a Committee of Council unless otherwise determined by Council.

5. EMERGENCY PROVISION

5.1. 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 Municipality of Morris-Turnberry, or if a state of emergency is declared or if so advised by the 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.

6. CONTENT OF PUBLIC NOTICES

6.1. Notice to the Public shall contain the following information when applicable unless otherwise prescribed:

6.1.1. A general description of the subject matter under consideration or otherwise involved;

6.1.2. 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;

6.1.3. The purpose of any meeting of which notice is required to be given or the purpose and effect of the proposed action;

6.1.4. Identification of the authority under which the notice is being given;

6.1.5. Date, Time and Location of any meeting at which the subject matter will be considered of which notice is required to be given;

6.1.6. 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;

6.1.7. That the notice is given by the Corporation of the Municipality of Morris-Turnberry or by the Clerk on its behalf;

6.1.8. The notice shall contain a notice indication "alternative formats are available upon request".

7. RESPONSIBILITY

- 7.1. 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 Municipality's accessibility requirements.

8. AMENDMENTS

- 8.1. Additional notice requirements may be determined over time. In such cases, Schedule "A" shall be amended and updated if required. Delay in amending Schedule "A" does not preclude the implementation of notice requirements as determined by Council, staff or legislation. Schedule "A" can be amended by resolution of Council.

9. POLICY MANAGEMENT

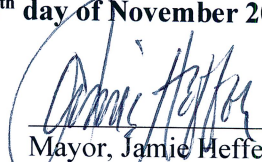
- 9.1. Staff are authorized and directed to take the necessary action to give effect to this policy.
- 9.2. The Clerk, Deputy Clerk or designates are delegated the authority to make administrative changes to this policy that may be required from time to time due to legislative changes or if, in the opinion of both of them, the amendments do not change the intent of the policy.

10. REPEAL PREVIOUS BY-LAWS

- 10.1. By-law 79-2007 and all previous by-laws, resolutions and policies and parts of by-laws, resolutions and policies inconsistent with the provisions of this by-law regarding the provision of Public Notice are hereby repealed.

Read a FIRST and SECOND time this 5th day of November 2019

Read a THIRD time and FINALLY PASSED this 5th day of November 2019



Mayor, Jamie Heffer



Clerk, Trevor Hallam

Schedule "A" to By-law No. 89-2019

Subject	Public Meeting Requirement	Provision and Time of Notice
Permanent Closure of Highway	n/a	post on website 2 days prior to meeting, public notice of intent to pass by-law in newspaper once 14 days prior to enactment of by-law
Temporary Closure of Highway for Construction	n/a	Update web site as necessary, signage posted as soon as practical
Changing Name of Highway	n/a	Post on web site 2 days prior to meeting, signage posted as soon as practical, public notice of intent to pass by-law in newspaper once 14 days prior to enactment of by-law
Naming or Changing the Name of Private Roads	n/a	Post on web site 2 days prior to meeting, signage posted as soon as practical, public notice of intent to pass by-law in newspaper once 14 days prior to enactment of by-law
Proposal to Restructure	Yes	Post on web site 2 days prior to meeting, media release as soon as practical, notice of public meeting in newspaper once 21 days prior
Change of Municipal Name	Yes	Post on web site 2 days prior to meeting, notice of public meeting in newspaper 21 days prior, media release as soon as practical, copy of by-law to the Director of Titles appointed under the Land Titles Act and to the Minister promptly after its passage
Dissolution of Local Boards	n/a	Post on web site 2 days prior to meeting, notice of public meeting in newspaper once 21 days prior, media release as soon as practical
Composition of Council	Yes	Post on web site 2 days prior to meeting, notice of public meeting in newspaper once 21 days prior, media release as soon as practical
Establishment of Council	Yes	Post on web site 2 days prior to meeting, public notice of intent to pass by-law in newspaper once 14 days prior to enactment of by-law, media release as soon as practical
Schedule of Meetings	n/a	Post on website in accordance with the Procedural By-law
Financial Statements	n/a	Public notice in newspaper that statements available upon request
Fees and Charges Bylaw	n/a	Post on web site 2 days prior to meeting