

Notice Policy

Policy Number: Corp. 1-02

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:

Digital Newsletter means an online publication that the Town uses to communicate information.

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

Notice means a digital or printed notification available to the public.

Town means the Corporation of the Town of Newmarket.

Website means the official Town of Newmarket website.

Provisions

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 (i.e., 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 (if required).
- 4.3. Instruction on obtaining additional information, submitting comments, or attending a public meeting.
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:
 - 6.1. All statutory requirements for notice of the future meeting will be complied with, if required.
 - 6.2. For non-statutory matters a public statement will be made at the meeting 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 and in the manner that is reasonable under the circumstances.

Cross-References

Accountability and Transparency Policy
Procedure By-law 2020-12 as amended.
Sale of Land Policy
Community Engagement Policy
Delegation By-law 2016-17 as amended.

Contact

Legislative Services, clerks@newmarket.ca

Details

Approved by: Council
Approval Date:
Policy Effective Date:
Last Revision Date: December 7, 2017
Revision No: 002

Appendix A – Notice Standards

1. Council and Committee of the Whole meetings

Legislative requirement per the Municipal Act, 2001, s. 238 (2.1): The procedure by-law shall provide for the public notice of meetings.

Town’s Notice Standard: The Procedure By-law will provide the form, manner and time for notice of public meetings.

2. Planning Act notices

Legislative requirement per the Planning Act: There are various requirements under the Planning Act for public notice depending on the matter.

Town’s Notice Standard: Notice will be provided in the form, manner and time required by the Planning Act. Where the Planning Act requires public notice in a newspaper, notice shall be given in accordance with the definition of Notice in this policy.

3. Change in composition of Council and changes to ward boundaries

Legislative requirement per the Municipal Act, 2001, s. 222 (3): Notice must be provided of the passing of a by-law within 15 days after adoption specifying the last date for filing of an appeal.

Town’s Notice Standard: Notice will be provided in writing, on the Town’s website and in the Town’s Digital Newsletter within 15 days after adoption of a by-law to change the composition of Council or to the ward boundaries.

4. Financial statements

Legislative requirement per the Municipal Act, 2001, s. 295 (1) (a) (ii): Within 60 days after receiving the audited financial statements for the previous year the treasurer shall publish a notice in a newspaper having general circulation in the municipality that the audited financial statements for the previous year are available.

Town’s Notice Standard: Notice will be provided in writing, on the Town’s website and in a Digital Newsletter within 60 days after receiving them.

5. Tax sales

Legislative requirement per the Municipal Act, 2001, s. 351 (8): Public notice must be given by the treasurer or their agent of the time and place of the auction, and the name of the person whose personal property is to be sold.

Town’s Notice Standard: Notice will be provided in writing, on the Town’s website and in any other manner as appropriate within 30 days.

6. Changing the name of a private road

Legislative requirement per the Municipal Act, 2001, s. 48: Public notice must be given of the intention to pass a by-law changing the name of a private road.

Town's Notice Standard: Notice will be provided when a written agenda, containing the change in private road name, is published on the Town's website and within the timeframe as established by the Town's Procedure By-law.

7. Intent to designate a property as having cultural heritage value or interest.

Legislative requirement per the Ontario Heritage Act, s. 26 (4): Where a municipality is required by this Part to publish a notice in a newspaper having general circulation in the municipality, notice given in accordance with a policy adopted by the municipality under section 270 of the Municipal Act, 2001 is deemed to satisfy the requirement of this Part to publish notice in a newspaper.

Town's Notice Standard: A notice required under the Ontario Heritage Act will be provided in writing, on the Town's website for a period of 30 days. The notice will comply in all other respects with the requirements of the Ontario Heritage Act including a description of the property, statement of heritage value, and timeline for a notice of objection.