By-Law No. A-2024-010

Being a By-Law to Establish a Notice Requirements Policy for the Corporation of the Township of Joly and to repeal By-Law No. 2006-15

Legal Authority

Scope of Powers

Section 224 of the *Municipal Act, 2001,* as amended, provides that it is the role of Council to ensure the accountability and transparency of the operations of the Municipality, including the activities of the senior management of the Municipality.

Section 270(1) of the *Municipal Act, 2001,* as amended, provides that municipalities shall adopt and maintain policies with respect to matters including the circumstances in which the municipality shall provide notice to the public and, if notice is to be provided, the manner and times notice shall be given.

Section 270(1) of the *Municipal Act, 2001*, as amended, provides the manner in which the Municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the Municipality will try to ensure that its actions are transparent to the public.

Preamble

Council for the Corporation of the Township of Joly is interested and committed to ensuring an accountable and transparent Corporation through the provision of reasonable notice to enable citizens to be aware of the business of the Municipality.

Direction

Council of the Corporation of the Township of Joly deems it expedient to set out the minimum notice requirements that Council considers will provide adequate and reasonable notice. The purpose of the policy is to establish standards for the giving of reasonable notice to the public. The Council of the Corporation of the Township of Joly hereby approves the Notice Requirements Policy by means of By-Law No. A-2024-010

Decision

Council of the Corporation of the Township of Joly enacts as follows:

1. The Notice Requirements Policy, attached hereto as Schedule "A" and forms part of this By-Law is hereby adopted.

2. That By-Law# 2006-15 is hereby repealed.

3. That, this By-Law shall come into force and take effect immediately upon the Third and Final Reading thereof.

This By-Law takes effect on the day of its final passing

Read and adopted by Resolution 2024-0150 this 14th day of May, 2024.

_____
Mayor

_____
Clerk

SCHEDULE "A" TO BY-LAW NO. A-2024-010

1.0 POLICY STATEMENT

The Corporation of the Township of Joly is interested and committed to ensuring an accountable and transparent corporation.

2.0 PURPOSE

Accountability, transparency and openness are standards of good government that enhances public trust. The Township of Joly is committed to accountable and transparent governance through the provision of notice thereby enabling citizens to be aware of the business of the Municipality. The purpose of this policy is to establish standards for the giving of reasonable notice to the public.

3.0 SCOPE

This policy shall apply to all members of Council and Staff of the Corporation of the Township of Joly.

4.0 DEFINITIONS

"Act" means the *Municipal Act, S.O. 2001, C. 25*, as amended.

"Information Board" means the information board located in the interior lobby of the Township of Joly Office at 871 Forest Lake Road, Joly Township, Ontario and may also include the front entrance window area of the Township office.

"Clerk" means the Clerk of the Corporation of the Township of Joly.

"Council" means the municipal Council of The Corporation of the Township of Joly.

"Days" means the number of calendar days to include Saturdays, Sundays and holidays.

"Local Radio Station" means a radio station which can be received locally using AM or FM frequencies.

"Mail" means mail that is sent by the Municipality and is delivered by Canada Post or a courier service.

"Municipality" shall mean The Corporation of the Township of Joly.

"Newsletter" means a bi-annual information bulletin published by the Municipality approved by Council which is mailed/emailed to taxpayers with the Interim and Final tax billings, and is posted on the municipal website.

"Notice" means a written, printed, electronic, published or posted notification or announcement.

"Plain Language" means written in such a way as to be clearly understood by members of the general public, avoiding the use of jargon or complicated language wherever possible.

"Published" means published in the Municipal newsletter.

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

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

"Township" means the Corporation of the Township of Joly.

"Website" means posting notification or announcement on the Corporation of the Township of Joly website at www.townshipofjoly.com

5.0 APPLICATION

Where the Township is required to give Notice under a provision of the *Municipal Act* or the *Planning Act,* the notice shall be given in a form and manner and at times indicated in this By-Law unless:

a) The Act, another state, or a regulation prescribes or permits otherwise;
b) The requirements for notice are prescribed in another policy or resolution; or
c) 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 period.

Wherever possible, public notice should be written in plain and clear language in a manner that promotes openness and engagement from members of the public and in an accessible format thereby reducing barriers to the public.

Public notices provided by means of social media should be written in accordance with the provisions of the Township of Joly Social Media Guidelines for Employees.

6.0 CONTENT OF PUBLIC NOTICES

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

- A general description of the subject matter under consideration or otherwise involved;
- Reference to the applicable legislation, regulation or Township By-Law under which the Notice is being given;

- 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;
- The purpose of any meeting of which notice is required to be given or the purpose and effect of the proposed action;
- Date, time and location of any meeting at which the subject matter will be considered of which Notice is required to be given;
- 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/address of the official and the deadline for receipt of such submissions;
- That the Notice is given by The Corporation of the Township of Joly, or by the Clerk on its behalf;
- That Notices direct the public to the Township Website for additional information. For example: “For more information about this matter or other public services delivered by the Township of Joly see www.townshipofjoly.com
- The Notice shall contain a notice indicating “**alternative formats are available upon request”.**

The notice for council meetings shall be in the form of an Agenda which shall first make mention of the day, time and place for the meeting and is posted on the Township website.

7.0 NOTICE OF SUBSEQUENT MEETINGS

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 and such statement will be recorded in the Minutes of the meeting at which it was made.

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

8.0 EMERGENCY PROVISION

Upon the declaration of a state of emergency by the Township or the Province of Ontario under the *Emergency Management and Civil Protection Act,* or any other circumstances that is considered to be of an urgent or time sensitive nature, or which could reasonably be construed to affect the health or well-being of the residents of the Township, the notice requirements will be as is deemed reasonable under the circumstances.

9.0 RESPONSIBILITY

It is the responsibility of the appropriate Department in coordination with the Clerk to ensure notice requirements applicable to their Department are met, and that the notices meet the Town's accessibility requirements.

10.0 ACCESSIBILITY

It is the responsibility of the Department Head in coordination with the Clerk to ensure notice requirements applicable to their Department meet the Township's commitment to accessibility requirements. If requested, staff are to provide materials in an alternative format.

11.0 GENERAL

Where separate By-Laws have been enacted in accordance with provisions contained in the Act, the notice provisions set out in such By-Laws will prevail.

12.0 NOTWITHSTANDING PROVISION

Where notice of intention to pass a By-Law or notice of a public meeting is required to be provided and the timeframe for such notice is not prescribed in the *Act* or its Regulations or otherwise addressed in this By-Law, notice shall be given at a minimum on the Township Website at by means of posting of the relevant Council meeting agenda.

13.0 AMENDMENTS

Over time, additional notice requirements may be determined. In such case, the attached Schedule "B" Appendix 1 shall be amended and updated, if required. Delay in amending Schedule "B" Appendix 1 does not preclude the implementation of notice requirements as determined by Council or staff or legislation. Schedule "B" and Appendix 1 can be amended by means of resolution of Council.

14.0 UPDATING POLICY AND PROCEDURE

The Clerk is hereby authorized to update this policy with changes to by-law and policy/procedure references for those by-laws and policies listed in this policy. Any additions or deletions to the policy shall be endorsed by Council.

15.0 REVIEW PERIOD

This By-Law shall be reviewed every five (5) years by the Clerk and will be revised as a result of any changes in legislation.

SCHEDULE:

In the event that Schedule "A" – Appendix 1, as attached, does not include all instances where the Township of Joly is required to provide notice and where the provision of notice and term of notice is not identified in the *Act* or its regulations, the following shall apply:

Provision of Notice: Post on the Township of Joly website at www.townshipofjoly.com

Term of Notice: Five (5) days prior to passing the by-law and seven (7) days prior to holding a public meeting.

SCHEDULE "A" - Appendix 1 to By-Law No. A-2024-010

NOTICE REQUIREMENTS

***Municipal Act Section*/Requirement And/or Subject Matter of Notice**	**Township Notice Requirement Form, Manner and Time**
PART III – SPECIFIC MUNICIPAL POWERS	
Section 34 – Permanent Closure of a Highway No public notice requirement	Mail Notice of Intent to all persons who abut the affected Municipal Roadway closure prior to passing of By-Law. Notice to be posted on website and on the Municipal office lobby information board 21 days prior to the matter being considered by Council or Committee.
Permanently Altering a Highway If the alternation is likely to deprive any person of the sole means of motor vehicle access to and from the person's land over any highway. No public notice requirement	Mail Notice of Intent to all persons who abut the affected Municipal Roadway closure prior to passing of By-Law. Notice to be posted on website and on the Municipal office lobby information board 21 days prior to the matter being considered by Council or Committee.
Naming or Changing the Name of a Highway No public notice requirement	Mail Notice of Intent to all persons who abut the affected Municipal Roadway prior to passing of By-Law. Notice to be posted on website and on the Municipal office lobby information board 14 days prior to the matter being considered by Council.
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.	Mail Notice of Intent to all persons who abut the affected Municipal Roadway prior to passing of By-Law. Notice to be posted on website and on the Municipal office lobby information board 14 days prior to the matter being considered by Council.
Section 99 – Advertising Devices No public notice requirements	Notice is given to the public through the posting of the Council or Committee meeting agenda on the website
Section 110 – Agreements for Municipal Capital Facilities A municipality may enter into agreements for the provision of municipal capital facilities by any	As per requirements stipulated in the *Municipal Act, 2001, as amended.*

person, including another municipality. Upon passing the by-law, the municipality shall give notice.	
Section 110 – Notice of Tax Exemption By-law The municipality may exempt from taxation for municipal and school purposes land or a portion of it on which municipal capital facilities are or will be located (under specific conditions). Upon passing of the by-law, the municipality shall give notice.	Written notice in accordance with the requirements stipulated in the *Municipal Act, 2001, as amended.*
Section 150 – General Licensing Powers A municipality may pass a by-law to provide for a system of licenses with respect to any business wholly or partially carried on with the municipality. No public meeting requirement No public notice requirement.	Notice is given to the public through the posting of the Council or Committee meeting Agenda on the website.
PART V – MUNICIPAL REORGANIZATION	
Section 173 – Municipal Restructuring Proposal The Council of a municipality votes on whether to support or oppose a restructuring proposal. Council shall consult with public by giving notice; hold at least one public meeting; consult with Minister prescribed bodies/persons; consult with other persons Town considers appropriate.	Council shall hold at least one public meeting. Notice to be posted on website – 14 days prior to the public meeting. May include other notice prescribed by the Minister. Notice to be posted on Municipal office lobby information board As per requirements stipulated in the *Municipal Act, 2001, as amended.*
Section 187 – Change Changing the name of a municipality. Notice of intention required to pass by-law and hold at least one public meeting.	Council shall hold at least one public meeting prior to passing by-law. Notice to be posted on website – 14 days prior to public meeting. Notice to be posted on Municipal office lobby information board
Section 216 – Dissolution of Local Boards Power to dissolve or change Local Boards No Public notice requirement	Notice is given to the public through posting the Council agenda, at which the matter will be considered, on the website.

Section 217-219 – Composition of Council A municipality may change the composition of its Council. Before passing a by-law described in Section 218, the municipality shall give notice of its intention to pass the by-law and shall hold at least one public meeting to consider the matter.	Council shall hold at last one public meeting. Notice on website 14 days prior to the public meeting. Posting of notice on Municipal office lobby information board
Section 222 – Establishment of wards A municipality may divide or re-divide the municipality into wards or dissolve existing wards. No requirement for public meeting.	Council shall hold at last one public meeting. Notice on website 14 days prior to the public meeting. Posting of notice on Municipal office lobby information board
Within 15 days after a by-law is passed, the Municipality shall give notice of the passing of the by-law to the public specifying the last date or filing a notice of appeal.	Website posting within 15 days passing of by-law.
PART VI – PRACTICES AND PROCEDURES	
Section 238 – Procedural By-Law A municipality shall pass a procedure by-law for governing the calling, place, proceedings and providing public notice of meetings of Council and its Committees. Public notice requirement prior to passage of a procedural by-law.	Any change to the procedural by-law or the introduction of a new procedural by-law will require public notice. Notice is given to the public through the posting of the Council or Committee meeting Agenda on the website
Section 238 (2.1) – Notice of Public Meetings The Procedure By-Law shall provide for public notice of meetings.	Notice is given to the public through the posting of the Council or Committee meeting Agenda and Council on the website Notice may be given at each Council meeting of upcoming meetings.
Section 270.1 – Sale of Land A municipality shall adopt and maintain policies with respect to the sale and other disposition of land. Reasonable notice shall be provided to those who are most likely expected to be affected.	Notice on website 14 days prior to the selling of the land by means of posting on the website the Council agenda at which the matter will be considered. Sale to be undertaken in accordance with Sale of Surplus Property policies and procedures.

PART VII, VIII, IX, X, XI – FINANCIAL ADMINISTRATION AND TAXATION	
Section 290-291 – Budget - Adopt or Amend Advertising a budget or amending the budget. No public notice requirement No public meeting requirement	Notice on website 14 days prior to the public meeting by means of posting Council agenda on the website.
Section 295 – Publication of Financial Statements Audited financial statements, the notes to the financial statements, the auditor's report and the tax rate information for the current and previous year as contained in the financial review. Within 60 days after receipt, the Treasurer to public copy of statements and/or notice that statements are available upon request.	As per requirements stipulated in the *Municipal Act, 2001, as amended.* Notice to be posted on website within 60 days after receiving the audited financial statements of the municipality for the previous year.
Section 308 (22)(b) – Establishment of Tax Ratios The Minister may make regulations requiring municipalities that establish tax ratios to give notice of the tax ratios to such persons and in such manner as prescribed.	As per requirements stipulated in the *Municipal Act, 2001, as amended.*
Section 318 – Phase-in of Tax Changes Resulting from Reassessments A notice of demand of taxes payable in respect of which there is a phase-in shall indicate the amount of taxes that would have been payable without the phase-in, the amount of taxes that are payable and the difference.	As per requirements stipulated in the *Municipal Act, 2001, as amended.*
Section 331 – Taxes on Eligible Property Within 60 days of receiving the notice by the assessment corporation, the municipality shall determine the taxes for municipal and school board purposes for each eligible property for the year or portion of the year and shall provide notice as per the *Act.*	As per requirements stipulated in the *Municipal Act, 2001, as amended.*
Section 342 – Tax Collection – Ceasing of Alternative Installments and due dates of taxes	As per requirements stipulated in the *Municipal Act, 2001, as amended.*

Treasurer gives written notice to taxpayer that alternative installments and due dates may no longer be used.	
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.	As per requirements stipulated in the *Municipal Act, 2001, as amended.*
Section 348 – Determination of Tax Status The Treasurer shall by February 28 in each year determine the position of every tax account as of December 31 of the preceding year. In making this determination, the Treasurer shall send to every taxpayer who owes taxes from a preceding year a notice of those taxes and of the related late payment charges. The notice may be sent with a tax bill.	As per requirements stipulated in the *Municipal Act, 2001, as amended.*
Section 351 – Seizure Personal Property – Public Auction Subject to certain conditions, the Treasurer may seize personal property to recover the taxes and costs of the seizure. The Treasurer or the Treasurer's agent shall give the public notice of the time and place of the public auction and of the name of the person whose personal property is to be sold.	As per requirements stipulated in the *Municipal Act, 2001, as amended.* Written notice by mail, 21 days prior to auction, to sheriff, bailiff, assignee, liquidator, trustee or licensed trustee in bankruptcy. Notice to be posted on website – 14 days prior. Notice to be posted on Municipal office lobby information board – 14 days prior.
Section 356 – Division into Parcels Upon application by the Treasurer of the 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.	As per requirements stipulated in the *Municipal Act, 2001, as amended.*
Section 357 – Cancellation, Reduction, Refund of Taxes Upon receipt of an application, and subject to certain conditions, the municipality may cancel, reduce, refund all or part of taxes levied.	As per requirements stipulated in the *Municipal Act, 2001, as amended.*
Section 358 – Overcharges Caused by Gross or Manifest Error	As per requirements stipulated in the

Upon receipt of an application and subject to certain conditions, the municipality may cancel, reduce or refund all or part of taxes which were overcharged due to a gross or manifest error in the preparation of the assessment roll.	*Municipal Act, 2001, as amended.*
Section 359 – Increase of Taxes as a Result of any Undercharged Caused by a Gross or Manifest Error Upon receipt of an application by the Treasurer, the municipality may increase the taxes levied when the taxes were undercharged due to a gross or manifest error.	As per requirements stipulated in the *Municipal Act, 2001, as amended.*
Section 365.2 – Tax Reduction for Heritage Property If a local municipality passes a by-law to provide tax reductions or refunds to eligible heritage properties, the Minister of Finance shall be notified within 30 days after the by-law is passed.	As per requirements stipulated in the *Municipal Act, 2001, as amended.*
Section 374 – Notice of Registration Tax Arrears Certificate Notice required to be sent may be given personal delivery or be sent by certified or registered mail.	As per requirements stipulated in the *Municipal Act, 2001, as amended.*
Section 379 & 380 – Public Sale (Tax Arrears Certificate) Sale of property for tax arrears. Any notice required to be sent may be given by personal delivery or be sent by certified or registered mail.	As per requirements stipulated in the *Municipal Act, 2001, as amended.* Registered mail of Final Notice.
Section 386.2 – Tax Sales – Entering to Carry out Inspection without Warrant A municipality may enter a property to carry out an inspection without a warrant. At least 7 days before inspection, written notice to be provided.	As per requirements stipulated in the *Municipal Act, 2001, as amended.*
Section 386.3 – Tax Sales – Entering to Carry out Inspection with Warrant The Municipality may apply to a provincial judge or justice of the peace for a warrant authorizing a personal named in the warrant to inspect land. At least 7 days before application, written notice to	As per requirements stipulated in the *Municipal Act, 2001, as amended.*

be provided.	
PART XII – FEES & CHARGES	
Section 391 – Fees and Charges No public notice requirement No public meeting requirement	Notice is given to the public through posting the Council agenda at which the matter will be considered on the website. Amendments to be brought forward via Staff Report to Council.
Section 400 – Regulations Local Improvement Charges – Priority Lien Status Under Section 400, the Minister may make regulations regarding fees and charges with priority lien status, including a requirement that the municipality give notice of its intention to pass by-law imposing fees and charges which have priority lien status.	As per requirements stipulated in the *Municipal Act, 2001, as amended.*
Section 400 – Local Improvement By-Law Before passage, reasonable notice of intention to pass by-law to public and to owners of lots liable to be specifically charged	Reasonable notice. As per requirements stipulated in the *Municipal Act, 2001, as amended.*
Section 402 – Notice of Debt Upon receipt of application of a municipality to incur a debt the Ontario Municipal Board may direct the municipality to give notice of the application to such persons and in such manner as the Bord determines	As per requirements stipulated in the *Municipal Act, 2001, as amended.*
PART XIII - ENFORCEMENT	
Section 435 – Power of Entry onto Private Land Reasonable time before proposed entry. Notice to occupier of land by personal service or prepaid mail, or by posting notice on land in conspicuous place.	As per requirements stipulated in the *Municipal Act, 2001, as amended.* Notice to occupier of land in writing 7 days in advance.
Section 447 – Court Order to Close Premises The municipality that passed a licensing by-law in respect of which a closing order was made is a party to any proceedings in accordance with the rules of the court.	As per requirements stipulated in the *Municipal Act, 2001, as amended.*
***PLANNING ACT* NOTICE REQUIREMENTS**	
Section 17 – Official Plans	

O.Reg 543/06	As per the requirements stipulated in the *Planning Act, 1990, c.P. 13, as amended.*
Sections 34, 36, 38 – Zoning By-Laws, Hold By-Laws, Interim Control By-Laws O.Reg 545/06	As per the requirements stipulated in the *Planning Act, 1990, c.P. 13, as amended. (20 days prior notice)*
Section 45 – Minor Variance Applications O.Reg 200/96	As per the requirements stipulated in the *Planning Act, 1990, c.P. 13, as amended. (10 days prior notice)*
Sections 50,51 – Plans of Subdivision O.Reg 544/06	As per the requirements stipulated in the *Planning Act, 1990, c.P. 13, as amended.*
Section 53 – Consent Applications O.Reg 197/96	As per the requirements stipulated in the *Planning Act, 1990, c.P. 13, as amended. (14 days prior notice)*