

	Council & By-Law		
	Notice Policy		
	Policy Number	2-002	
	Approval Date		Revision Date
	Schedules	Schedule A – Public Notice Requirements	

A. POLICY STATEMENT

In accordance with the *Municipal Act, 2001*, a municipality shall adopt and maintain policies with respect to providing notice to the public and the form, manner and timing that it shall be provided.

B. PURPOSE

To provide for the form, manner and timing in which the Town of Tillsonburg shall provide notice to the public and/or its stakeholder where notice is appropriate and/or prescribed pursuant to the *Municipal Act, 2001*.

C. SCOPE

This policy applies to public notices issued by the Town of Tillsonburg.

D. POLICY

1. DEFINITIONS

"**Act**" shall mean the *Municipal Act, 2001, as amended*;

"**Clerk**" shall mean the Town Clerk of the Corporation of the Town of Tillsonburg or his or her designate;

"**Council**" shall mean the Council of the Corporation of the Town of Tillsonburg;

"**Days**" shall mean the number of calendar days to include Saturdays, Sundays and holidays;

"**facebook**" an online social networking website in which the Town of Tillsonburg has an account to share information to the public.

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“Newspaper” shall mean a printed publication in sheet form, intended for general circulation in the Town of Tillsonburg, published regularly at intervals of no longer than one week, consisting in great part of news of current events or general interest that may or may not be sold to the public and to regular subscribers;

“Notice” shall mean a written, printed, published or posted notification or announcement;

“Prepaid Mail” shall mean registered mail that requires the recipient to sign for it and is delivered by Canada Post or a courier service;

“Published” shall mean published in a daily or weekly newspaper that, in the opinion of the Town Clerk, has such circulation within the municipality as to provide reasonable notice to those affected thereby, and “publication” has a corresponding meaning;

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

“Town” shall mean the Corporation of the Town of Tillsonburg;

“Website” shall mean posting notification or announcement on the Corporation of the Town of Tillsonburg’s website.

2. APPLICATION

Where the Town 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;

- 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 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.

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3. FORM OF NOTICE

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

- 1) A description of the subject matter under consideration;
- 2) The purpose and effect of the proposed by-law, if applicable;
- 3) The date, time and location of any meeting at which the subject matter will be considered;
- 4) Where the matter relates to a defined location, reference to a municipal address, street intersection, legal description, plan or key map shall be provided;
- 5) The authority under which the notice is being given;
- 6) Applicable staff contact information with a deadline for receiving written submissions and comments
- 7) That the Notice is given by the Corporation of the Town of Tillsonburg, or by the Town Clerk on its behalf;
- 8) The Notice shall contain a statement indicating “alternative formats are available upon request”

The notice shall be given pursuant to Schedule A as attached.

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

4. MANNER OF NOTICE

Where a by-law is to be passed or a public meeting is required under this policy, the Town Clerk shall cause such notice to be published in a printed and/or electronic format.

Where public notice is desired but not legislated through this procedure or other legislative means, the notice undertaken by the Town should reflect the magnitude and complexity of the issue/initiative and desired goal or outcome. In selecting the appropriate notice beyond the scope of this procedure the following four recognized types of public engagement will be considered:

- To inform-provide information to assist in understanding the initiative, alternatives, opportunities or solutions;
- To consult-obtain feedback on analysis, alternatives and/or decisions;
- To involve-work directly with the community throughout the process to ensure concerns and aspirations are understood; and
- To collaborate-partner with the community in the development of a decision to seek alternatives and/or a preferred solution.

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To determine the appropriate notice beyond the scope of this procedure the Town’s Public Engagement Policy will be used.

5. TIME OF NOTICE

Where a by-law is to be passed or a public meeting is required under this policy, notice shall be provided in the time frame prescribed in the legislation or its regulations and if it is not prescribed, notice shall be given pursuant to Schedule A as attached. Notices required under the Planning Act shall be in accordance with the time frames set out in the Planning Act.

6. 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.

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

7. POLICY MAINTENANCE

Every effort will be made to maintain this policy within currently prescribed requirements and schedule A will be amended to reflect those changes.

This policy will be reviewed a minimum of once every five years.

8. EMERGENCY PROVISIONS

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, or which could affect the health or well-being of the residents of the Town of Tillsonburg, or if a State of Emergency is declared, or if so advised by a Provincial Ministry, the notice requirements of this by-law may be waived and the Town Clerk shall make his/her best efforts to provide as much notice as is reasonable under the circumstances.

9. GENERAL PROVISIONS

Where separate by-laws and policies have been enacted related to provisions of notice in accordance with the Act, the provisions in such by-law and policies shall prevail.

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SCHEDULE 'A'		
PUBLIC NOTICE REQUIREMENTS		
Section of Municipal Act, 2001	Summary of Municipal Act, 2001	Type and frequency of Notice/Timing
Section 34: Road closure/permanent alteration if access is deprived to any person		<p>One notice published in a newspaper 7 days prior to the meeting</p> <p>One notice served personally or by prepaid mail upon owners of abutting land</p> <p>Signage posted</p> <p>Post on website and facebook</p>
Section 48: Change/naming of private roads	Public notice required for intention to pass by-law	<p>One notice published in a newspaper 7 days prior to enactment of by-law</p> <p>One notice served personally or by registered mail upon owners of abutting land</p> <p>Signage posted</p> <p>Post on website and facebook</p>
Section 81: Shut off of Public Utility	Reasonable notice will be provided if the municipality plans to shut off the supply of a public utility for outstanding fees.	One written notice shall be served personally or by prepaid mail to the land owner that includes total amount owing, the due date for payment of outstanding amount, the date of earliest disconnection of service, contact information for the Town
Section 173: Restructuring Proposal	Public notice required to advise of holding of public meeting before council votes on whether to support or oppose a restructuring proposal	<p>One notice published in a newspaper 7 days prior to public meeting</p> <p>Post on website and facebook</p>

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Section 187: Changing name of Municipality		One notice published in a newspaper 7 days prior to public meeting Post on website and facebook
Section 204-210: Business Improvement Areas	Before passing a by-law, notice shall be provided as required under the Act	As per the requirements stipulated in the Act
Section 211: Repeal of By-Law – Board of Management	Council shall give notice of a proposed by-law to repeal a by-law establishing a business improvement area	As per the requirements stipulated in the Act
Section 216: Dissolution of local boards		One notice by regular prepaid mail, mailed to local board 7 days prior to Council meeting
Section 217: Changes to composition of Council		One notice published in a newspaper 7 days prior to public meeting Post on website and facebook
Section 222: Establishment of Wards	After by-law passed, notice required on passing of by-law and specifying last date for filing a notice of appeal	One notice published in a newspaper within 7 days of enacting by-law specifying the deadline for filing an appeal Post on website and facebook
Section 238: New Procedural By-Law	The municipality shall provide notice of the public meeting	One notice published in a newspaper 7 days prior to public meeting Post on website and facebook
Section 238/240: Schedule of Regular, Special and Standing Council/Committee Meetings	The municipality shall provide notice of the public meeting	One notice published in a newspaper 7 days prior to public meeting Post on website and facebook
Section 270: Adoption of Policies	A municipality shall adopt and maintain policies with respect to: -sale and other disposition of land	Policies will be posted on the Town website once adopted. Where the subject matter if a policy requires public notice it shall be provided in accordance

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	<ul style="list-style-type: none"> -hiring of employees -relationship between council members and employees -procurement of goods and services -notice to the public -accountability and transparency -delegation of powers and duties 	with the adopted policy
Section 290: Adopting yearly budget		<p>Notice of intent to adopt the budget and any notice of public participation meetings will be posted in the newspaper one time, seven days before the meeting date</p> <p>Post on website and facebook</p>
Section 291: Adopting or amending budget		<p>If a proposed amendment to a budget will result in a change to the total tax-supported net levy or a change to any property tax rate: one notice published in a newspaper 7 days prior to public meeting</p> <p>If a proposed amendment to a budget will not affect the tax supported net levy or change any property tax rate: notice through posting the schedule of Council meetings on the website or through other Council agenda information</p>
Section 295: Publication of Financial Statements	Within 60 days after receiving the audited financial statements of the municipality for the previous year, the Treasurer shall publish in a newspaper having general circulation in	<p>As per the requirements stipulated in the Act</p> <p>One notice published in the newspaper within 60 days after receiving the audited financial</p>

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	the municipality: copy of audited financial statements, any notes, auditor's report, tax rate information for current and previous year as contained in the financial review	statements of the municipality for the previous year Post on website and facebook
Section 308: 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 the requirements stipulated in the Act
Section 331: Taxes on eligible property	Within 60 days of receiving the notice by MPAC, the municipality shall determine the taxes for municipal and school purposes for each eligible property for the year or portion of the year and shall provide notice as per the Act	As per stipulated in the Act
Section 342: Tax Collection- Ceasing of Alternative Installments and due dates of taxes	Treasurer gives written notice to taxpayer that alternative installments and due dates may no longer be used	One written notice provided to taxpayer if taxes remain unpaid after due date to inform them alternate instalments 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	Hard copy of tax bill mailed Tax bill may be sent electronically if chosen by the taxpayer Tax bills requested to be sent via registered mail will have the charge of the registered mail added to the amount owing
Section 348: Determination of Tax Status	The Treasurer shall by the last day in February of each year determine the position of every tax account as of	Hard copy printed and mailed to taxpayer (can be included with tax bill)

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	<p>December 31 of the preceding year. On making this determination, the Treasurer shall send to every taxpayer who owes taxes and of the related late payment charges. The notice may be sent with a tax bill</p>	<p>Tax status may be sent electronically if chosen by the taxpayer</p> <p>Tax status requested to be sent via registered mail will have the charge of the registered mail added to the amount owing</p>
<p>Section 350: Obligations of Tenant</p>	<p>Where taxes are owed in respect of any land occupied by a tenant, the Treasurer may give the tenant notice in writing requiring the tenant to pay the rent in respect of the land to the treasurer as it becomes due up to the amount of the taxes due and unpaid plus costs, and the tenant shall comply with the notice.</p>	<p>Written notice hand delivered or mailed to the tenant</p>
<p>Section 351: Seizure personal property- Public Auction</p>	<p>Subject to certain conditions, the Treasurer may seize personal property to recover the taxes and costs of the seizure. The Treasurer or their delegate 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.</p>	<p>One notice published in a newspaper 14 days prior to public meeting</p> <p>One notice by regular, prepaid mail, mailed to sheriff, bailiff, assignee, liquidator, trustee or licensed trustee in bankruptcy 21 days prior to auction</p>
<p>Section 356: Division into Parcels</p>	<p>Upon application by the Treasurer of a municipality 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.</p>	<p>As per the requirements stipulated in the Act</p>

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<p>Section 357: Cancellation, Reduction, Refund of Taxes</p>	<p>Upon receipt of an application, and subject to certain conditions, the municipality may cancel, reduce or refund all or part of taxes levied</p>	<p>As per the requirements stipulated in the Act</p>
<p>Section 358: Overcharges</p>	<p>Upon receipt of an application, and subject to certain conditions, the municipality may cancel, reduce or refund all or part of taxes which where overcharges due to a gross or manifest error in the preparation of the assessment roll.</p>	<p>As per the requirements stipulated in the Act</p> <p>One written notice mailed to applicant</p> <p>Notify applicant of meeting by mail sent at least 7 days before the meeting</p> <p>Within 7 days after making its decision, notify the applicant of the decision by mailing one written notice</p>
<p>Section 359: Increase of Taxes</p>	<p>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.</p>	<p>As per the requirements stipulated in the Act</p> <p>Notify the Treasurer and affected person by mailing one written notice at least 7 days before the meeting</p> <p>Within 7 days after making its decision, notify the Treasurer and affected person by mailing one written notice</p>
<p>Section 374: Notice of Registration</p>	<p>Tax arrears certificate</p> <p>Notice require, within 60 days after the registration of a tax arrears certification</p>	<p>As per the requirements stipulated in the Act</p>
<p>Section 379 & 380: Public Sale (Tax Arrears Certificate)</p>	<p>Sale of property for tax arrears</p>	<p>As per the requirements stipulated in the Act</p> <p>Any notice required to be sent may be given by personal</p>

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		delivery or be sent by certified or registered mail
Section 391: Fees & Charges		<p>Council shall hold one public meeting annually prior to adopting consolidated Fees & Charges By-Law; notice to be provided prior to meeting</p> <p>Notice is given through posting on Council agendas on the website</p> <p>Notice of intent to consider adopting/amending fees and charges by-law to be published in the newspaper at least once 7 days prior to the meeting in which the matter is considered</p> <p>Notice to be posted on website- 7 days prior</p>
Section 401 & 402: Debt & Notice	Upon receipt of application of a municipality to incur a debit the Local Planning Appeal Tribunal may direct the municipality to give notice of the application to such persons and in such manner as the Board determines	One written notice mailed to give notice of the application to such persons and in such manner as the Tribunal determines
Section 435: Conditions Governing Power of Entry	<p>Reasonable time before proposed entry</p> <p>Notice to occupier of land by personal service or prepaid mail, or by posting notice on land in conspicuous place</p>	As per the requirements stipulated in the Act
Section 441: Collection of Unpaid Licensing Fines	If any part of a fine for a contravention of a business licensing by-law remains unpaid after the fine becomes due and payable	Written notice mailed to person whom fine is against with a due date of not less than 21 days after the date of the notice

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	under the Provincial Offences Act, the authorized officer may give the person against whom the fine was imposed a written notice	
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, shall give notice of the proceedings in accordance with the rules of the court	As per the requirements stipulated in the Act