

## Appendix A – Municipal Act Public Notice Requirements

Pursuant to Section 270 (1) of the *Municipal Act*, a municipality shall adopt and maintain policies concerning 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 as well as 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.

The information below sets out the minimum notice requirements for a number of matters the town is involved in and outlines the form and manner in which notice is to be given, and the minimum time for giving such notice.

There are two types of notice contained within this appendix:

- Notice prescribed directly by the *Municipal Act, 2001*
- Notice required in the *Municipal Act, 2001* but the town decides on the form, manner and timing

All other types of notice and public engagement undertaken by the town shall be provided based on the town's public notice and engagement guidelines in Appendix B.

### **Notice Requirements**

No deviations are permitted from the prescribed notice where required by the *Municipal Act, 2001*. When the form, time, and manner of notice is not prescribed by the *Municipal Act 2001*, deviations shall be brought to the attention of Council.

The following tables list all the notice requirements as per the *Municipal Act*, along with the form, manner and timing in which the notice is to be given and the town representative responsible. For those matters where discretion is given to the town to determine the form, manner and time, the tables indicate the town's minimum requirements. Form refers to the tool to be used (what will be used). Manner refers to the how the tool will be shared. Time refers to the number of consecutive days for which the notice is to be posted before the meeting or event, not including the day of the meeting or event.

#### **Business Improvement Areas**

<b>Subject of notice</b>	<b>F-Form / M-Manner / T-Time</b>	<b>Responsibility</b>
<b>Business Improvement Areas</b> Section 204-210, <i>Municipal Act</i>  A municipality may designate an area as an improvement area and	<b>Establishing or Restructuring of Boundaries</b> F - As required by the Act M - As required by the Act	Town Clerk

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<p>may establish a board of management.</p> <p><b>Repeal of By-law</b> Section 211, <i>Municipal Act</i></p> <p>Council shall give notice of a proposed by-law to repeal a by-law establishing a business improvement area.</p>	<p>T - Written notice of the proposed by-law sent at least 60 days prior to passage of by-law</p> <p><b>Repeal of By-law</b> F - As required by the Act M - As required by the Act T - As required by the Act</p>	Town Clerk

### Council

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<p><b>Composition of Council of Local Municipality</b> Section 217, <i>Municipal Act</i></p> <p>A municipality may change the composition of its Council.</p>	<p>F - Town website M - Post on Internet T - 14 days prior to consideration of by-law</p>	Town Clerk

### Enforcement

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<p><b>Conditions Governing Power of Entry</b> Section 435, <i>Municipal Act</i></p> <p>A municipality may exercise a power of entry under the Act.</p>	<p>F - As required by the Act M - As required by the Act T - As required by the Act</p>	Relevant department director

### Finance (Administration)

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<p><b>Yearly Budget, Local Municipalities</b> Section 290, <i>Municipal Act</i></p>	<p>F - Town website M - Post on Internet</p>	Town Treasurer, or designate

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<b>Multi Year Budget</b> <i>Section 291(1), Municipal Act</i>  <b>Other Years, Mandatory Review of Annual Budget</b> <i>Section 291 (4), Municipal Act</i>  Advertising a budget or amending the budget.	T - 14 days prior to Council consideration of the matter  <b>Amendments to budget over \$1 Million</b> F - Town website M - Post on Internet T - 14 days prior to Council consideration of the matter	Town Treasurer, or designate
<b>Publication of Financial Statements, etc.</b> <i>Section 295 (1), Municipal Act</i>  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.	F - As required by the Act M - As required by the Act T - As required by the Act	Town Treasurer, or designate

#### Finance (Debt and Investment)

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<b>Debt</b> <i>Section 401, Municipal Act</i>  <b>Notice</b> <i>Section 402, Municipal Act</i> A municipality may apply to the Ontario Land Tribunal to incur a debt beyond the obligation limits. Upon receipt of application of a municipality to incur a debt, the Ontario Land Tribunal may direct the municipality to give notice of the application to such persons and in such manner as the Board determines.	F - As required by the Act M - As required by the Act T - As required by the Act	Town Treasurer, or designate

#### Finance (Fees and Charges)

Subject of notice	F-Form / M-Manner / T-Time	Responsibility

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<p><b>By-laws re: Fees and Charges</b> Section 391, <i>Municipal Act</i></p> <p><b>Regulations</b> Section 400, <i>Municipal Act</i></p> <p>Section 391 gives the municipality the authority to impose fees and charges. Under Section 400, the Minister may make regulations regarding fees and charges.</p>	<p>F - As required by the Act M - As required by the Act T - As required by the Act</p>	<p>Relevant department director and/or Town Treasurer, or designate</p>

## Local Boards

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<b>Power to dissolve or change local boards.</b> Section 216, <i>Municipal Act</i>  Power to dissolve or change Local Boards	F – Written notice M - By mail T - 14 days prior to Council consideration	Town Clerk

## Municipal Restructuring

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<b>Proposal to Restructure</b> Section 173(1), <i>Municipal Act</i>  <b>Consultation</b> Section 173(3), <i>Municipal Act</i>  The Council of a municipality votes on whether to support or oppose a restructuring proposal.	F - Town website M - Post on Internet T - 14 days prior to public meeting  <b>and</b> F - Written notice M - Mail to persons prescribed by Minister T - 14 days prior to consideration of by-law	Town Clerk

## Municipal Restructuring (Change of Name)

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<b>Change of Name</b> Section 187 (1), <i>Municipal Act</i>	F - Town website M - Post on Internet T - 14 days prior to public meeting	Town Clerk
<b>Notification</b> Section 187(3), <i>Municipal Act</i>  Changing the name of a municipality.	<b>Notification of Passing</b> F - As required by the Act M - As required by the Act T - As required by the Act	Town Clerk

## Policies and Procedures

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<b>Adoption of Policies</b> Section 270, <i>Municipal Act</i> A municipality shall adopt and maintain policies with respect to: <ul style="list-style-type: none"> <li>• Sale and other disposition of land</li> <li>• Hiring of employees</li> <li>• Procurement of goods and services</li> <li>• Public Notice (form, manner, time)</li> <li>• Accountability and transparency</li> <li>• Delegation of powers and duties</li> </ul>	F - Town website M - Post on Internet T - Upon adoption of policy  Where the subject matter of a policy requires public notice it shall be provided in accordance with the adopted policy	Town Clerk

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<b>Procedure By-Law</b> Section 238(1), <i>Municipal Act</i> <b>Procedure By-laws Respecting Meetings</b> Section 238(2), <i>Municipal Act</i>  A municipality shall pass a procedure by-law for governing the calling, place, proceedings and providing public notice of meetings of Council and Committees of Council.	F - Town website M - Post on Internet T - 14 days prior to its passage	Town Clerk
<b>Notice</b> Section 238(2.1), <i>Municipal Act</i>  The Procedure by-law shall provide for public notice of meetings.	F - Town website M - Post on Internet T - 48 hours prior to consideration of matter	Town Clerk

## Roads and Highways

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<b>Temporary Road Closings</b> Section 23(2) of the <i>Municipal Act</i>	F - Town website and written notice M - Post on Internet and personal delivery or by mail to abutting owners	Director, Transportation and Engineering

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
Temporary road closings for maintenance and/or construction of roads	T - 14 days prior to temporary road closures <b>And</b> F - Information sign M - Post on property T - 14 days prior to temporary road closures	
<p><b>Temporary Road Closings</b> By-law 2007-135, under section 23.2 of the <i>Municipal Act</i></p> <p>Temporary road closings for community events, street parties and/or filming</p>	<p><b>Community Events</b> F - Town website and information sign M - Post on Internet and sign posted in a location determined by the Director of Transportation and Engineering T - 14 days prior to event *****</p> <p><b>Filming and street parties</b> F - Town website and written notice M - Post on Internet and personal delivery or by mail to affected area T - 7 days prior to filming start date or street party</p>	Director, Transportation and Engineering
<p><b>Highway Closing Procedures</b> Section 34(1) – <i>Municipal Act</i></p> <p>Before passing a by-law for permanently closing a highway, a municipality shall give public notice of its intention to pass the by-law.</p>	<p>F - Information sign M - Sign to be posted on side of highway and visible to all traffic using the highway T - 14 days prior to consideration of by-law</p>	Director, Transportation and Engineering
<p><b>Permanently Altering a Highway</b> Subsection 34(2), <i>Municipal Act</i></p> <p>Before passing a by-law for permanently altering a highway, if the alteration is likely to deprive any person of the sole means of motor vehicle access to and from the person's land over any</p>	<p>F - Town website and written notice M - Post on Internet and personal delivery or by mail to abutting owners T - 14 days prior to consideration of the by-law <b>And</b> F - Information sign</p>	Director, Transportation and Engineering

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<p>highway, a municipality shall give public notice of its intention to pass the by-law.</p>	<p>M – Post on property T - 14 days prior to consideration of by-law</p>	
<p><b>Closing of Private Roads</b> Subsection 34 (3), <i>Municipal Act</i></p> <p>If a municipality requires the owner of any land to permanently close up any private road, entrance, gate or other structure that is constructed or is being used as a means of access to a controlled access highway or other highway in contravention of a by-law, it shall give notice.</p>	<p>F - Town website and written notice M - Post on Internet and personal delivery or by mail to land owner and abutting owners T - 14 days prior to consideration of by-law <b>And</b> F - Information sign M - Post on property T - 14 days prior to consideration of by-law</p>	<p>Director, Transportation and Engineering</p>
<p><b>Changing the Name of a Highway</b> Section 37, <i>Municipal Act</i></p> <p>Before passing a by-law changing the name of a highway, a municipality shall give public notice of its intention to pass the by-law.</p>	<p>F - Town website and written notice M - Post on Internet and personal delivery or by mail to land owner and abutting owners T - 14 days prior to consideration of the by-law <b>And</b> F - Information sign M - Post on property T - 14 days prior to consideration of by-law</p>	<p>Director, Transportation and Engineering</p>



Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<p><b>Naming or Changing the Name of Private Roads</b> Section 48, <i>Municipal Act</i></p> <p>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.</p>	<p><b>Naming of a Private Road</b> F - Town website notice and email to registered interested parties M - Post on Internet and email to registered interested parties T - 14 days prior to naming</p> <p>.....</p> <p><b>Changing the Name of a Private Road</b> F - Town website and written notice M - Post on Internet and personal delivery or mail to land owner and abutting owners T - 14 days prior to naming</p> <p><b>And</b> F - Information sign M - Post on property T - 14 days prior to naming</p>	<p>Director, Transportation and Engineering</p> <p>Director, Transportation and Engineering</p>

### Tax Collection

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<p><b>Notice of Tax Exemption by-law</b> Section 110(8), <i>Municipal Act</i></p> <p>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).</p>	<p>F - As required by the Act M - As required by the Act T - As required by the Act</p>	Town Clerk
<p><b>By-laws re: Installments</b> Section 342, <i>Municipal Act</i></p> <p><b>Tax Bill</b> Section 343, <i>Municipal Act</i></p>	<p>F - As required by the Act M - As required by the Act T - As required by the Act</p>	Town Treasurer, or designate

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
Payment of taxes. The treasurer shall send a tax bill to every taxpayer.		
<b>Determination of Tax Status</b> Section 348, <i>Municipal Act</i>  Notification to each taxpayer that owes taxes from a preceding year.	F - As required by the Act M - As required by the Act T - As required by the Act	Town Treasurer, or designate
<b>Obligations of Tenant</b> Section 350(1), <i>Municipal Act</i>  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.	F - As required by the Act M - As required by the Act T - As required by the Act	Town Treasurer, or designate
<b>Division Into Parcels</b> Section 356, <i>Municipal Act</i>  Upon application by the treasurer of a 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.	F - As required by the Act M - As required by the Act T - As required by the Act	Town Treasurer, or designate
<b>Cancellation, Reduction, Refund of Taxes</b> Section 357, <i>Municipal Act</i>  Upon receipt of an application, and subject to certain conditions, the	F - As required by the Act M - As required by the Act T - As required by the Act	Town Treasurer, or designate

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
municipality may cancel, reduce or refund all or part of taxes levied.		
<p><b>Overcharges</b> Section 358, <i>Municipal Act</i></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 were overcharged due to a gross or manifest error in the preparation of the assessment roll.</p>	<p>F - As required by the Act M - As required by the Act T - As required by the Act</p>	<p>Town Treasurer, or designate</p>
<p><b>Increase of Taxes</b> Section 359, <i>Municipal Act</i></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>F - As required by the Act M - As required by the Act T - As required by the Act</p>	<p>Town Treasurer, or designate</p>
<p><b>Rebates for Charities</b> Section 361(1), <i>Municipal Act</i></p> <p><b>Change of Assessment</b> Section 361(10.1), <i>Municipal Act</i></p> <p>Property assessment – tax collection</p>	<p>F - As required by the Act M - As required by the Act T - As required by the Act</p>	<p>Town Treasurer, or designate</p>
<p><b>Cancellation, Reduction or Refund of Taxes</b> Section 365 (1), <i>Municipal Act</i></p> <p><b>Notice to Upper-Tier Municipality, etc.</b>  Section 365 (2), <i>Municipal Act</i></p>	<p>F - As required by the Act M - As required by the Act T - As required by the Act</p>	<p>Town Treasurer, or designate</p>

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<p>.....</p> <p><b>Cancellation of Taxes, Rehabilitation and Development Period</b> Section 365.1, <i>Municipal Act</i></p>	<p>.....</p> <p>F - As required by the Act M - As required by the Act T - As required by the Act</p>	Town Treasurer, or designate

#### Taxes (limitations)

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<p><b>Taxes on Eligible Property</b> Section 331, <i>Municipal Act</i></p> <p>The municipality shall determine the taxes for municipal and school purposes for each eligible property for the year or portion of the year.</p>	<p>F - As required by the Act M - As required by the Act T - As required by the Act</p>	Town Treasurer, or designate

#### Taxes (municipal taxation)

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<p><b>Establishment of Tax Ratios</b> Section 308, <i>Municipal Act</i></p> <p><b>Regulations</b> Section 308 (22)(b), <i>Municipal Act</i></p> <p>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.</p>	<p>F - As required by the Act M - As required by the Act T - As required by the Act</p>	Town Treasurer, or designate

#### Taxes (sale of land for tax arrears)

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<p><b>Notice of Registration</b> Section 374 (1), <i>Municipal Act</i></p> <p><b>Spouse of Owner</b> Section 374 (2), <i>Municipal Act</i></p> <p><b>Limitation</b> Section 374 (5), <i>Municipal Act</i> Tax arrears certificate.</p>	<p>F - As required by the Act M - As required by the Act T - As required by the Act</p>	Town Treasurer, or designate

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<b>Public Sale</b> Section 379, <i>Municipal Act</i> Sale of property for tax arrears.	F - As required by the Act M - As required by the Act T - As required by the Act	Town Treasurer, or designate
<b>Application of Proceeds</b> Section 380 (1), <i>Municipal Act</i>  <b>Payment Into Court</b> Section 380 (2), <i>Municipal Act</i>  <b>Notice</b> Section 380 (3), <i>Municipal Act</i>  Proceeds from sale of property for tax arrears.	F - As required by the Act M - As required by the Act T - As required by the Act	Town Treasurer, or designate
<b>Power of Entry</b> Section 386.1 (1), <i>Municipal Act</i>  <b>Inspection without Warrant</b> Section 386.2, <i>Municipal Act</i>  A municipality may enter a property to carry out an inspection without a warrant.  ..... <b>Inspection Warrant</b> Section 386.3, <i>Municipal Act</i>  The municipality may apply to a provincial judge or a justice of the peace for a warrant authorizing a person named in the warrant to inspect land.	F - As required by the Act M - As required by the Act T - As required by the Act      ..... F - As required by the Act M - As required by the Act T - As required by the Act	Town Treasurer, or designate          Town Treasurer, or designate

## Wards

Subject of notice	F-Form / M-Manner / T-Time	Responsibility
<b>Establishment of Wards</b> Section 222, <i>Municipal Act</i>  A municipality may divide or re-divide the municipality into wards or dissolve existing wards.	<b>Before passing of the by-law</b> F - Town website M - Post on Internet T - 14 days prior to public meeting	Town Clerk
	<b>After passing of the by-law</b> F - Town website M - Post on Internet T - As required by the Act	Town Clerk