

THE CORPORATION OF THE TOWNSHIP OF THE NORTH SHORE

POLICY MANUAL

POLICY TITLE:	SUBJECT:
Provision of Notice	Form and Manner
POLICY SECTION:	POLICY NO:
N	1
EFFECTIVE DATE:	ENACTED BY:
May 5, 2021	By-Law No. 09-10 Resolution

1. PURPOSE/APPLICATION

The *Municipal Act 2001* (the Act), Section 270 (1) requires that a municipality adopt and maintain a policy with respect to 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.

The purpose of this policy is to provide guidance for the delivery of notice.

2. NOTICE

Notice shall be given for the purposes of any of the following:

- Road Closings
- Naming Roads
- Sale of Land
- Adoption of Budget and Budget Amendments
- Service Fees and Charges
- Council Vacancy Declaration
- Publication of Financial Statements
- Any other matter that may arise that Council identifies as warranting public notice

3. METHOD OF NOTICE

Notice shall be given in the following manner no less than five (5) days prior to the consideration or occurrence of the subject matter:

- (a) posting at the local municipal posting sites (bulletin boards);
- (b) posting on the Township website at www.townshipofthenorthshore.ca ; and
- (c) if time permits, posting in the municipal newsletter which is published on a monthly basis.

4. CONTENT OF NOTICES

A “notice to the public” shall contain the following information when applicable:

- A general description of the subject matter under consideration;
- Purpose of any meeting of which notice is required to be given or the purpose and effect of the proposed action;
- Identification of the authority under which notice is being given;
- Date, time and location of any meeting at which the subject matter will be considered of which notice is required to be given;

- General provisions guiding the submission of information by delegation to any meeting referred to in the notice;
- Instruction on obtaining any additional information which may be made available by the Township, including name, address, email, phone number and fax number of any office providing notice;
- Details on required actions and timeframes; and
- Be clearly identified as a notice given by the Township of The North Shore

5. **NOTICE FOR COUNCIL MEETINGS**

The notice for council meetings shall be in the form of an Agenda which shall refer to the day, time and place for the meeting.

6. Where the municipality is required to give notice under a provision of any Act or regulation, the notice shall be given in a form and manner and at the times as indicated unless:
- (a) The applicable Act or regulation prescribes or permits otherwise;
 - (b) The requirements for notice are prescribed in another by-law or resolution; or
 - (c) Council directs by resolution a method by which notice is to be given that Council considers adequate to give reasonable notice under the provision.
7. Where there is a conflict between this policy/by-law and provision of an Act or of another by-law, the Act or the other by-law shall apply.
8. Where a notice does not strictly comply with the provisions hereof but would substantially inform a reasonable person of the subject matter to which the notice relates, the notice shall be deemed to be adequate and in compliance with this by-law.
9. Where a notice is required under any Act but is not provided for specifically in this by-law, a notice which would substantially inform a reasonable person of the subject matter to which the notice relates, shall be deemed to be adequate and in compliance with this policy/by-law.

10. **ADDITIONAL NOTICE**

- i. If the matter is deferred at the open meeting of which notice has been given, no additional notice is required, except where an Act or by-law provides otherwise or the Council directs otherwise.
- ii. If the matter is considered at a subsequent open meeting, no additional notice is required, except where an act or by-law provides otherwise or the Council provides otherwise.

11. **EMERGENCY PROVISIONS**

- i. In the event of a circumstance, which in the opinion of the Mayor, is considered to be of an urgent or time sensitive nature, and which may affect the health, safety or physical security of residents of the Township of The North Shore, or if a State of Emergency is declared, the requirements of this by-law may be suspended by the Mayor, and best efforts shall be made by the Clerk to provide as much notice as is reasonable under the circumstances.
- ii. The public notice requirements of this by-law may be waived by the Mayor or designate in consultation with the Clerk where a matter is considered to be of an urgent or emergency nature affecting the health, safety and well being of the residents of the Township of The North Shore and best efforts shall be made to provide as much notice as is reasonable under the circumstances.