

# **THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS**

## **BY-LAW NO. 23-033**

**BEING** a bylaw to establish a Public Notice Policy.

**WHEREAS** Section 270(1)(4) of the Municipal Act, 2001, S.O. 2001, C.25 as amended, makes provision, in part, that Municipalities adopt and maintain policies for 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 provided;

**AND WHEREAS** Section 270 (1)(5) of the Municipal Act, 2001, S.O. 2001, C.25 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;

**AND WHEREAS** sections of Municipal Act, 2001, S.O. 2001, C.25 as amended, require a Municipality to give notice to the public generally of its intention to pass certain bylaws, notice of the holding of certain required public meetings, and notice of other matters;

**AND WHEREAS** Section 8(1) of the Municipal Act, 2001, S.O. 2001, C.25 as amended, provides in part that the powers of a Municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the Municipality to enable the Municipality to govern its affairs as it considers appropriate and to enhance the Municipality's ability to respond to Municipal issues;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the Corporation of the Municipality of Mississippi Mills enacts as follows:

1. Council hereby adopts the Public Notice Policy attached hereto as Schedule "A".
2. Additional methods of giving notice may be undertaken at the discretion of the appropriate Department Head.
3. Where the giving of notice to the public is not required by legislation, Council may waive the notice requirements dictated in the Policy by passage of a resolution at a duly called meeting of Council prior to the date on which the specified activity shall occur.
4. Additional methods of giving notice may be undertaken at the discretion of the appropriate Department Head.
5. THAT Bylaw 07-78 shall be and is hereby repealed.

**BY-LAW READ**, passed, signed and sealed in open Council this 06<sup>th</sup> day of June, 2023.

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Christa Lowry, Mayor

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Casey Munro, Deputy Clerk

**Bylaw 23-XX  
Schedule "A"**



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## **PUBLIC NOTICE POLICY**

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### **1.0 PURPOSE**

The Municipality of Mississippi Mills acknowledges the importance of an accountable, transparent government. The Municipality understands the importance of providing notice to the public on matters that may affect them, and to afford them the opportunity to make submissions, attend and delegate before Council and their Committees.

Section 270 (1) (4) of the Municipal Act, 2001 describes the circumstances in which notice shall be provided to the public and the form, manner, and times notice shall be given.

### **2.0 DEFINITIONS**

<b>"Council"</b>	means the Council of the Municipality of Mississippi Mills
<b>"Municipality"</b>	means the Municipality of Mississippi Mills
<b>"Municipal Act"</b>	means the Municipal Act, 2001, S.O. 2001, c.25, as amended.
<b>"Newspaper"</b>	means a printed publication having a general circulation in the Municipality of Mississippi Mills.
<b>"Website"</b>	means the Municipality of Mississippi Mills official website at <a href="http://www.mississippimills.ca">www.mississippimills.ca</a>
<b>"Social Media"</b>	means the municipal Facebook page

### **3.0 PROCEDURE**

3.1 Notice to the public shall be provided in the circumstances and in the form, manner, and times as follows:

3.1.1 All circumstances set out in the Public Notice Requirements, attached, in the form, manner, and times as set out in the Public Notice Requirements.

3.1.2 If required by any Act or Regulation, in the form, manner, and times as prescribed in the Act or Regulation;

- 3.1.3 If required by another Bylaw, in the form, manner, and times as set out in said Bylaw;
  - 3.1.4 If directed by Council, in the form, manner, and time as specified by Council; or
  - 3.1.5 In circumstances where, in the opinion of the Clerk, notice is reasonable and necessary, in the form, manner, and times as determined by the Clerk.
- 3.2 No additional notice shall be required for subsequent meetings where a matter has been deferred or referred to a subsequent meeting by the Council, or a Committee of Council.
- 3.3 The notice requirements under this Policy are minimum requirements, and the Clerk may give notice to the public in an extended manner if, in the opinion of the Clerk, the extended manner is reasonable and necessary in the circumstances.
- 3.4 Where any of the form, manner, or times of notice are not specified in the Public Notice Requirements, an Act, Regulation, or Bylaw, or where Council directs that notice be given under section 3.1(d), or the Clerk determines that notice be given under section 3.1(e), the form, manner, or times shall be determined by the Clerk.
- 3.5 Where more than one notice requirement would apply, the form, time, and manner of notice with the longest time and most requirements shall prevail.

#### **4.0 RESPONSIBILITIES**

Council is responsible for approving and directing compliance with this policy.

The Clerk is responsible for making updates to this policy as a result of changes to the Act or other provincial legislation.

Employees are responsible for compliance with this policy.

#### **5.0 FORM OF NOTICE**

Notice to the Public shall contain the following information when applicable:

- A brief description of the purpose for the meeting and/or effect of the proposed by-law
- The date, time, and location of the meeting
- The name and contact information
- Deadline for receiving comments where applicable.

## **6.0 EMERGENCY PROVISIONS**

If a matter arises, that in the opinion of the Clerk in consultation with the Mayor, is considered to be of an urgent or time-sensitive nature, or that could affect the health or well-being of the residents of the Municipality of Mississippi Mills 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 Clerk shall provide as much notice as is reasonable under the circumstances.

Notwithstanding the above, notice to the public will be the manner and form contained within this policy as soon as reasonably practical after the matter.

## Public Notice Requirements

<b>Circumstance</b>	<b>Summary of Requirement</b>	<b>Form, Manner Notice to be Given</b>	<b>Times Notice to be Given</b>
Naming or Renaming of a Highway (Section 11 of the Municipal Act, as amended) (This does not include the naming of a highway through the subdivision approval process)	Public notice to advise of the intention to pass a by-law naming or re-naming of a highway	Shall be: <ul style="list-style-type: none"> <li>published on the municipal website;</li> <li>posted in the vicinity of the subject land;</li> <li>by direct mail to property owners abutting the highway</li> </ul>	<ul style="list-style-type: none"> <li>twenty (20) days in advance of the Council Meeting at which the by-law will be considered.</li> </ul>
Permanent Closure of a Highway (Section 34 of the Municipal Act, as amended)	Public notice to advise of the intention to pass a by-law to permanently close a highway	Shall be: <ul style="list-style-type: none"> <li>published on the municipal website</li> <li>posted in the vicinity of the subject land</li> </ul>	<ul style="list-style-type: none"> <li>twenty (20) days in advance of the Council Meeting at which the by-law will be considered.</li> </ul>
Licensing By-law (Section 151 of the Municipal Act, as amended)	Public notice required to advise of the intention to consider a licensing by-law	Shall be: <ul style="list-style-type: none"> <li>posted on the municipal website</li> </ul>	<ul style="list-style-type: none"> <li>twenty (20) days in advance of the Council Meeting at which the by-law will be considered.</li> </ul>
Proposal to Restructure the Municipality (Section 173, Municipal Act, 2001, as amended)	Public notice required to advise of the proposal to restructure the municipality	Shall be: <ul style="list-style-type: none"> <li>published on the municipal website</li> <li>shared on social media</li> <li>published in the newspaper</li> </ul>	<ul style="list-style-type: none"> <li>twenty (20) days in advance of the public meeting to consult with the public on the restructuring proposal.</li> </ul>
Change of Name of the Municipality	Public notice required to advise of the holding of a meeting to consider the	Shall be: <ul style="list-style-type: none"> <li>published on the municipal website</li> </ul>	<ul style="list-style-type: none"> <li>twenty (20) days in advance of the public meeting to</li> </ul>

(Section 187, Municipal Act, 2001, as amended)	enactment of a by-law to change the name of the municipality	<ul style="list-style-type: none"> <li>shared on social media</li> <li>published in a newspaper</li> </ul>	consult with the public on the change of name.
Changes to the Composition of Council (Section 217, Municipal Act, 2001, as amended)	Public notice to advise of the holding of a public meeting prior to council voting on potential changes to the composition of Council	<p>Shall be:</p> <ul style="list-style-type: none"> <li>published on the municipal website</li> <li>shared on social media</li> <li>published in the newspaper</li> </ul>	<ul style="list-style-type: none"> <li>twenty (20) days in advance of the public meeting to consult with the public on the changes in composition.</li> </ul>
Schedule of Meetings – Regular (Section 238 (2)(2.1) Municipal Act, 2001, as amended) Annual Schedule of Regular Council and Committees of Council	Public notice to advise of the annual schedule of regular meetings of Council and Advisory Committees	<p>Annual schedule of regular Council and Committee of the Whole meetings</p> <p>Shall be:</p> <ul style="list-style-type: none"> <li>posted on the municipal website after approval from Council.</li> </ul> <p>Agenda package, including background materials.</p> <p>Shall be:</p> <ul style="list-style-type: none"> <li>published on the municipal website.</li> </ul>	<p>Annual schedule of regular Council and Committee of the Whole meetings</p> <ul style="list-style-type: none"> <li>To be posted after approval from Council</li> </ul> <p>Agenda packages</p> <ul style="list-style-type: none"> <li>Four (4) calendar days before each Council, Standing Committee, and Sub-Committee meeting</li> </ul>
Schedule of Meetings – Special (Section 240, Municipal Act, 2001, as amended) Special Meetings of Council and Committees of Council	Public notice to advise of special meetings of Council, Advisory Committees outside of the annual schedule of regular meetings	<p>Shall be:</p> <ul style="list-style-type: none"> <li>published on the municipal website.</li> </ul>	<ul style="list-style-type: none"> <li>48 hours prior to the special meeting</li> </ul>

Schedule of Meetings – Emergency (Section 238 Municipal Act, 2001, as amended)	Public notice to advise of emergency meetings	Shall be: <ul style="list-style-type: none"> <li>published on the municipal website.</li> </ul>	<ul style="list-style-type: none"> <li>As per section 6.0 in an emergency situation, at the discretion of the Mayor in consultation with the Clerk, notice may be waived. However, as much notice as possible shall be provided.</li> </ul>
Adoption of Annual Operating and Capital Budgets of the Municipality (Section 290, Municipal Act, as amended)	Public notice of intent to adopt the budget	Shall be: <ul style="list-style-type: none"> <li>published on the municipal website.</li> </ul>	<ul style="list-style-type: none"> <li>seven (7) days in advance of the Council meeting at which the budget will be considered for adoption.</li> </ul>
Publication of Financial Statements (Section 295, Municipal Act, 2001, as amended)	Public notice of the receipt of the audited financial statements	Shall be: <ul style="list-style-type: none"> <li>published on the municipal website.</li> <li>published in a newspaper</li> </ul>	<ul style="list-style-type: none"> <li>Within 60 days after receiving the audited financial statements.</li> </ul>
Fees and Charges (Section 391, Municipal Act, 2001, as amended)	Public Notice of the change to the Fees and Charges Bylaw	Shall be: <ul style="list-style-type: none"> <li>published on the municipal website.</li> <li>Shared on social media</li> </ul>	<ul style="list-style-type: none"> <li>seven (7) days in advance of the Council Meeting at which the by-law will be considered.</li> </ul>
Sale/ Disposition of Land		Shall be: <ul style="list-style-type: none"> <li>Provided in the form and manner as specified in the Land Sale Bylaw</li> </ul>	<ul style="list-style-type: none"> <li>Time notice shall be provided in accordance with the Land Sale Bylaw.</li> </ul>



Note: This list does not include form, manner, or time requirements from any other Provincial act or regulation outside the Municipal Act.

As per section 3.1.2 of this policy - Notice to the public shall be provided in the circumstances and in the form, manner, and times as required by any Act or Regulation, in the form, manner, and times as prescribed in the Act or Regulation;