



FORTFRANCES

BOUNDLESS

PUBLIC NOTICE POLICY ADMINISTRATIVE AND FINANCE 1.8

POLICY

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Revised:
Authorized: By-Law 35-24
Superseded: Repeal 64/02, 2002-12-16

1. PURPOSE

This policy will outline the circumstances of notice and the form, manner and times that notice shall be given on matters where there is statutory notice required pursuant to the Municipal Act, 2001, the Ontario Heritage Act, and the Planning Act as amended. This policy does not intend to address notice requirements that may be required by other legislation or policy.

2. POLICY STATEMENT

The Municipal Act, 2001 as amended requires that a municipality shall adopt and maintain a policy with respect to the circumstances in which the municipality shall provide notice to the public and the form, manner and times notice shall be given.

3. RESPONSIBILITY

It is the responsibility of the appropriate Department Head and/or their designates to consider the application of this policy when determining whether notice is appropriate, as well as the form and manner in which such notice should be given. The Clerk's office will provide advice related to notice provisions.

4. DEFINITIONS

"Council" means the Municipal Council of The Corporation of the Town of Fort Frances.

"Day" means calendar day.

"Digital Newsletter" means an online publication that the Town uses to communicate information.

"News and Notices" means the subdirectory on the Town of Fort Frances's website where notices are electronically disseminated to the public. (<https://fortfrances.ca>)

"Newspaper" means a printed publication, published at regular intervals and circulated within the municipality as to provide reasonable notice to those affected.

"Notice" means a digital, written, published or printed notification.

“Posted” means the erection of a sign in the vicinity of the lands that are subject of the notice.

“Published” means published on the Website, or in the Newspaper, as required.

“Subject Matter” means the issue, measure, requirement, meeting or other matter in respect of which a notice is being given.

“Town” means the Corporation of the Town of Fort Frances.

“Website” means the official website maintained by the Corporation of the Town of Fort Frances.

5. PROVISION OF NOTICE

Where notice is required, for the intention to pass a by-law, or notice of a public meeting; the notice shall be given pursuant to Appendix A as attached. The provision of notice shall primarily be by publishing on the Town’s website, however, notice may also be provided in the form of direct delivery, including hand delivery, direct mail, facsimile and email, newspapers, location signs, radio and television (e.g. media releases, social media).

6. TIME OF NOTICE

Where notice of intention to pass a by-law or notice of public meeting is required to be given, such 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 Appendix “A” as attached.

7. MINIMUM REQUIREMENTS

This policy sets out the minimum requirements for providing notice; nothing in this policy shall prevent the use of additional methods of Public Notice or for providing for a longer Public Notice period.

8. ADDITIONAL PUBLIC NOTICE

No additional notice shall be required for subsequent meetings where a matter has been deferred to a subsequent meeting by Council, or a Committee of Council.

9. EMERGENCY PROVISIONS

If a matter arises, which in the opinion of the Chief Administrative Officer is considered to be of an urgent, or time sensitive nature, or which could affect the health, safety or well-being of the public, impact the welfare or security of public or private property or Town infrastructure, seriously impact service delivery, if a State of Emergency is declared, or when

so advised by a Provincial or Federal Ministry, the Public Notice requirements of this policy may be waived and the Clerk shall make best efforts to provide as much notice as is reasonable under the circumstances.

10. CONTENT OF PUBLIC NOTICES

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

- i) A general description of the subject matter under consideration or otherwise involved;
- ii) The date, time and location of the meeting;
- iii) 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;
- iv) The name and address of the person who will receive written comments on the issue which is the subject of the meeting and the deadline for receiving such comments.

11. APPENDIX A - PUBLIC NOTICE REQUIREMENTS

Circumstances	Summary	Form, Manner, and Times
<p>Permanent Closure of a Highway (Section 34 of the Municipal Act)</p>	<p>Public Notice to advise of the intention to pass a by-law to permanently close a highway.</p>	<p>Notice of the intention to pass a by-law to permanently close a highway shall be published on the Town's website and shall also be posted in the vicinity of the subject land at least thirty (30) days in advance of the Council Meeting at which the by-law will be considered.</p>
<p>Name or Change of Name of Private Road (Section 48 of the Municipal Act)</p>	<p>Public notice to advise of the intention to pass a by-law naming or re-naming a private road.</p>	<p>Notice of the intention to pass a by-law to name or rename a private road shall be published on the Town's website within the Council Agenda at least ten (10) days in advance of the Council Meeting at which the by-law will be considered.</p>
<p>Licensing By-law (Section 151 of the Municipal Act)</p>	<p>Public notice required to advise of the intention to consider a licensing by-law.</p>	<p>Notice of the intention to pass a by-law respecting licensing shall be posted on the Town's website at least ten (10) days in advance of the Council Meeting at which the by-law will be considered.</p>
<p>Proposal to Restructure the Municipality (Section 173, Municipal Act, 2001)</p>	<p>Public Notice required to advise of the holding of a public meeting prior to Council voting on whether to support or oppose a restructuring proposal.</p>	<p>Notice to advise of a public meeting to consider a restructuring proposal shall be published on the Town's website and shall also be published in a newspaper at least thirty (30) days in advance of the public meeting to consult with the public on the restructuring proposal.</p>

PUBLIC NOTICE

Circumstances	Summary	Form, Manner, and Times
Change of Name of the Municipality (Section 187, Municipal Act, 2001)	Public notice required to advise of the holding of a meeting to consider the enactment of a by-law to change the name of the municipality	Notice to advise of a Council meeting to consider the enactment of a by-law to change the municipality's name shall be published on the Town's website and shall also be published in a newspaper at least thirty (30) days in advance of the public meeting to consult with the public on the change of name.
Business Improvement Areas (Section 204-210)	Public notice required before passing a by-law designating an area as an improvement area and establishing a board of management	As per the requirements stipulated in the Municipal Act, 2001, as amended.
Dissolution or Change to Local Board (Section 216, Municipal Act, 2001)	Notice to a local board to advise of a Council meeting to consider a by-law to dissolve or change the local board	A notice sent by regular mail to be mailed to the local board at least ten (10) days prior to the Council meeting.
Changes to the Composition of Council (Section 217, Municipal Act, 2001)	Public notice to advise of the holding of a public meeting prior to council voting on potential changes to the composition of council	Notice to advise of a Council meeting to consider potential changes to council composition shall be published on the Town's website and published in a newspaper at least ten (10) days in advance of the public meeting to consult with the public on the changes in composition.
Establishment of Wards (Section 222, Municipal Act)	Public notice required to advise of a public meeting to consider a by-law dividing, or dissolving wards	Notice to advise of a Council meeting to consider the enactment of a by-law dividing, re-dividing, or dissolving wards shall be published on the Town's website and published in a newspaper at least ten (10) days in advance of the Council meeting at which the by-law is to be considered.
New Procedure By-law (Section 238, Municipal Act, 2001)	Public notice to advise of a council meeting to consider enactment of a new Procedure By-law	Notice to advise of a Council meeting to consider the enactment of a new Procedure By-law shall be published on the Town's website at least ten (10) days in advance of the Council meeting at which the by-law is to be considered.

ADMINISTRATIVE AND FINANCE

Circumstances	Summary	Form, Manner, and Times
<p>Public Notice Requirements (Section 240, Municipal Act, 2001) Special Meetings of Council and Committees of Council</p>	<p>Public notice to advise of special meetings of Council and Committees</p>	<p>Notice of any special or emergency meetings of Council or Committees outside of the annual schedule of regular meetings shall be in accordance with the procedure by-law and shall be published on the Town's Civic Web Portal and the Town's website.</p>
<p>Budget (Section 290, Municipal Act) Adoption of Annual Operating and Capital Budgets of the Town Budget public consultation meeting(s)</p>	<p>Public notice of intent to adopt the budget Notice of public consultation meetings with respect to the Budget</p>	<p>Notice of intent to adopt the budget shall be published on the Town's website and shall also be published once in a newspaper at least ten (10) days in advance of the Council meeting at which the budget will be considered for adoption. Notice of any public consultation meetings with respect to the Budget shall be published on the Town's website and shall also be published once in a newspaper at least ten (10) days in advance of the public participation meeting.</p>
<p>Publication of Financial Statements (Section 295, Municipal Act, 2001)</p>	<p>Notice to advise of the 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.</p>	<p>Within 60 days after receiving the audited financial statements for the previous year the treasurer shall publish a notice in a newspaper having general circulation in the municipality that the audited financial statements for the previous year are available. Town's Notice Standard: Notice will be provided in writing, on the Town's website and in a Digital Newsletter within 60 days after receiving them.</p>

PUBLIC NOTICE

Circumstances	Summary	Form, Manner, and Times
Seizure Personal Property – Public Auction (Tax Sale) (Section 351)	Notice of the time and place of public auction and of the name of the person whose property is to be sold.	Notice shall be published on the Town’s website and shall also be published in a newspaper at least ten (10) days prior to the auction. Written notice by mail mailed to the sheriff, bailiff, assignee, liquidator, trustee or licensed trustee in bankruptcy 21 days prior to auction.
Fees and Charges By-law (Section 391, Municipal Act, 2001)	Public notice to advise of a Council meeting to consider the enactment of a fees and charges by-laws	Notice of the intention to pass a fees and charges by-law shall be published on the Town’s website at least ten (10) days in advance of the Council Meeting at which the by-law will be considered.
Local Improvement By-law O. Reg 586	Public notice of intention to pass a local improvement by law and to owners of lots liable to be specifically charged.	Notice of the intention to pass a local improvement by-law shall be published on the Town’s website; published in a newspaper and by direct mail to owners of lots liable to be specifically charged at least ten (10) days in advance of the Council Meeting at which the by-law will be considered.
Sale Disposition of Land	Public notice required to advise of the intention to sell or otherwise dispose of municipally-owned land	Notice shall be in accordance with the Sale and Other Disposition of Land Policy
Temporary Program or Service Disruption	Public notice to advise of temporary program or service disruption	Notice shall be in accordance with the Integrated Accessibility Standards Regulation (IASR) Policy, including but not limited to posting on the Town’s website and if available audio messages will also be provided, by the automated telephone attendant, for the facility where the service disruption is going to take place. If deemed appropriate and time permits, planned disruptions of services may also be published in the local newspapers.

ADMINISTRATIVE AND FINANCE

Circumstances	Summary	Form, Manner, and Times
Council Vacancy Section 262, Municipal Act, 2001	Public Notice to advise of Council Vacancy	Notice will be provided in accordance with the Municipal Act at a duly called Council meeting.
Declaration/Cancellation of Emergency		Per the Town of Fort Frances Emergency Plan and the Emergency Management and Civil Protection Act
New or amending regulatory By-Laws / Policies that effect the general population i.e. smoking by-law, ATV, pesticide	Public notice of new or amending policies or by-laws that effect (that has a significant impact on the community) the general population.	Notice of 21 days in advance of meeting and passing of the by-law with one advertisement in the newspaper, and on the Town website.
Planning Act Notices Legislative Requirement per the Planning Act, R.S.O. 1990, C. P.13	There are various requirements under the Planning Act for public notice depending on the matter.	<i>Town's Notice Standard:</i> Notice will be provided in the form, manner and time required by the Planning Act. Where the Planning Act requires public notice in a newspaper, notice shall be given in accordance with the definition of Notice in this policy.
Intent to designate a property as having cultural heritage value or interest. (Section 26 (4) Ontario Heritage Act)	Where a municipality is required by this Act to publish a notice in a newspaper having general circulation in the municipality. Notice given in accordance with a policy adopted by the municipality under section 270 of the Municipal Act, 2001 is deemed to satisfy the requirement of this Part to publish notice in a newspaper.	<i>Town's Notice Standard:</i> A notice required under the Ontario Heritage Act will be provided in writing, on the Town's website for a period of 30 days. The notice will comply in all other respects with the requirements of the Ontario Heritage Act including a description of the property, statement of heritage value, and timeline for a notice of objection.