

**The Corporation of The Municipality of Hastings Highlands**

**Bylaw 2022-017**

**A Bylaw to Establish a Public Notice Policy**

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**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 the *Municipal Act*, 2001, S.O. 2001, c.25, as amended, requires 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;

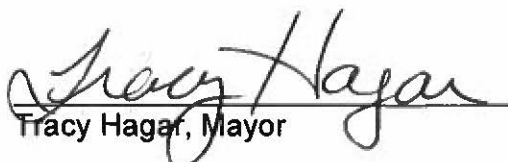
**And Whereas** Section 8(1) of the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended, provides in part that the powers of a Municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the Municipality to enable the Municipality to govern its affairs as 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 Hastings Highlands Hereby Enacts as Follows:**

1. That Schedule 'A' attached hereto shall form part of this Bylaw;
2. That the Mayor and Municipal Clerk are hereby authorized to sign this bylaw and affix the corporate seal thereto;
3. That this bylaw shall come into force and take effect upon the final passing on the day it is passed.

**Read a first time in Council on the 6<sup>th</sup> day of April 2022.**

**Read a second time, Enacted and Passed in Council on this 20<sup>th</sup> day of April 2022.**

  
Tracy Hagar, Mayor

  
Suzanne Huschilt, Municipal Clerk



# Hastings Highlands

Beautiful By Nature

## Schedule 'A' to Bylaw 2022-017

Municipality of Hastings Highlands- Corporate Policies and Procedures			
<b>DEPARTMENT:</b> Clerk's Department		<b>POLICY #:</b>	
<b>POLICY:</b> Public Notice Policy			
<b>DATE:</b> April 20/22	<b>REV. DATE:</b>	<b>COVERAGE:</b> Public, Council, Municipal Employees	<b>PAGE #:</b> 5 pages

### 1.0 Purpose

The Municipality of Hastings Highlands acknowledges the importance of 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

**Council** means the Council of the Municipality of Hastings Highlands.

**Municipality** means the Municipality of Hastings Highlands.

**Municipal Act** means the *Municipal Act*, 2001, S.O. 2001, c.25, as amended;

**Newspaper** means a printed publication having general circulation in the Municipality of Hastings Highlands.

**Website** means the Municipality of Hastings Highlands official website at [www.hastingshighlands.ca](http://www.hastingshighlands.ca).

### **3.0 Procedure**

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

- a) All circumstances set out in the Public Notice Requirements, attached, in the form, manner and times as set out in the Public Notice Requirements;
- b) If required by any Act or Regulation, in the form, manner and times as prescribed in the Act or Regulation;
- c) If required by another Bylaw, in the form, manner and times as set out in the said Bylaw;
- d) If directed by Council, in the form, manner and times as specified by Council; or
- e) 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 of notice shall be determined by the Clerk.

### Public Notice Requirements

<b>PUBLIC NOTICE REQUIREMENTS</b>		
<b>Circumstance</b>	<b>Summary of Requirement</b>	<b>Form, Manner and Times Notice to Be Given</b>
<b>BUDGET - Adoption of Operating and Capital Budget</b>  (Section 291, <i>Municipal Act</i> , 2001)	No public notice requirement.	Notice of intent to adopt the budget shall be posted in accordance with the Public Meeting Notice provisions as per the Municipality's Procedure Bylaw.
<b>PUBLICATION OF FINANCIAL STATEMENTS</b>  (Section 295(1)(2), <i>Municipal Act</i> , 2001)	Within 60 days after receiving the audited financial statements of the Municipality for the previous year.  The treasurer shall provide a copy of the information to the taxpayer or resident at no cost.	Public Notice to be posted on the Municipality's website under the 'Notice' section indicating that a copy of the audited financial statements to the rate payer or resident at no cost.  A copy of the financial statements are made available on the Municipality's website under the heading 'Financial Information.'
<b>PROCEDURE BYLAW</b>  (Section 238, <i>Municipal Act</i> , 2001)	A municipality shall pass a procedure bylaw for governing the calling, place, proceedings and providing public notice of meetings of Council and Committees of Council.  Public notice requirement prior to passage of a procedure bylaw.	Any change to the procedure bylaw or the introduction of a new procedure bylaw will require: <ul style="list-style-type: none"> <li>• Notice of intent to pass bylaw 7 days prior to public meeting at which the matter is being considered.</li> </ul>
<b>NOTICE OF PUBLIC MEETINGS</b>  (Section 238 (2.1), <i>Municipal Act</i> , 2001)	The Procedure Bylaw shall provide for notice of public meetings	Notice of Public Meetings shall be posted in accordance with the Public Meeting Notice provisions as per the Municipality's Procedure Bylaw.
<b>FEES AND CHARGES</b>  (Section 391, 400 (f), <i>Municipal Act</i> , 2001)	No public notice requirement	Notice to advise of a Council meeting to consider the enactment of a fees and charges bylaw shall be posted in accordance with the Public Meeting Notice provisions as per the Municipality's Procedure Bylaw.

Circumstance	Summary of Requirement	Form, Manner and Times Notice to Be Given
<p><b>PROPOSAL TO RESTRUCTURE THE MUNICIPALITY</b></p> <p>(Section 173, <i>Municipal Act</i>, 2001)</p>	<p>Public notice to advise of the holding of a public meeting before Council votes 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 posted in accordance with the Public Meeting Notice provisions as per the Municipality's Procedure Bylaw.</p>
<p><b>CHANGE OF NAME OF MUNICIPALITY</b></p> <p>(Section 187, <i>Municipal Act</i>, 2001)</p>	<p>Public notice to advise of the holding of a public meeting to consider the enactment of a bylaw to change the Municipality's name.</p>	<p>Notice to advise of a public meeting to consider the enactment of a bylaw to change the Municipality's name shall be posted in accordance with the Public Meeting Notice provisions as per the Municipality's Procedure Bylaw.</p>
<p><b>CHANGES TO COMPOSITION OF COUNCIL</b></p> <p>(Section 217-219, <i>Municipal Act</i>, 2001)</p>	<p>No public notice requirement</p>	<p>Any changes to the composition of Council will require:</p> <ul style="list-style-type: none"> <li>• Notice of intent to pass bylaw 7 days prior to public meeting at which the matter is being considered.</li> </ul>
<p><b>ESTABLISHMENT OF WARDS</b></p> <p>(Section 222 (1)(3), <i>Municipal Act</i>, 2001)</p>	<p>Public notice required to advise of Council's consideration of the enactment of a bylaw dividing or re-dividing the wards or dissolving wards.</p> <p>Within 15 days after a by-law described in subsection (1) is passed, the municipality shall give notice of the passing of the bylaw to the public specifying the last date for filing a notice of appeal under subsection (4).</p>	<p>Notice to advise of a public meeting for Council's consideration of the enactment of a bylaw dividing or re-dividing the wards or dissolving wards, shall be posted in accordance with the Public Meeting Notice provisions as per the Municipality's Procedure Bylaw.</p> <p>Notice advising of the passing of a bylaw dividing or re-dividing the wards or dissolving wards shall be published once in a newspaper of general circulation in the Municipality within 15 days of the passing of the bylaw, specifying the last day for filing a notice of appeal.</p>

Circumstance	Summary of Requirement	Form, Manner and Times Notice to Be Given
<b>LICENSING BYLAW</b>  (Section 151, <i>Municipal Act</i> , 2001)	Public notice required to advise of the intention to consider the enactment of a licensing bylaw.	Notice to advise of a Council meeting to consider the enactment of a licensing bylaw shall be posted in accordance with the Public Meeting Notice provisions as per the Municipality's Procedure Bylaw.
<b>CHANGE/NAMING OF PRIVATE ROADS</b>  (Section 48, <i>Municipal Act</i> , 2001)	A local municipality may name or change the name of a private road after giving public notice of its intention to pass the bylaw	<ul style="list-style-type: none"> <li>• Mail Notice of Intent to all persons who abut the affected highway closure prior to passing of bylaw.</li> <li>• Notice to be published in the newspaper once 14 days prior to Public Meeting at which the matter is being considered.</li> <li>• Notice to be posted on website – 14 days prior to the Public Meeting at which the matter is being considered.</li> </ul>
<b>HIGHWAY CLOSURE OR PERMANENT ALTERATION – ACCESS DENIED TO ANY PROPERTY</b>  (Section 34, <i>Municipal Act</i> , 2001)	Public notice required to advise all affected property owners of a Council meeting to consider the enactment of a bylaw to close or permanently alter a highway when such closure or permanent alternation would deny access to a property.	One notice sent by registered mail to the last known address of the affected property owner(s), a minimum of 14 days before the Council Meeting
<b>SALE AND OTHER DISPOSITION OF LAND</b>  (Section 270.1, <i>Municipal Act</i> , 2001)	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.