

Notice Procedure

Approved by: County Council

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Endorsed by:

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Procedural By-law)

Scheduled for Review by: 2017

Procedure Number: G-GEN-004-001 **Parent Policy:** G-GEN-004

Author: Clerk's Department

References and Related Documents

Municipal Act as amended, Section 270

Planning Act as amended

[By-Law 4767-12 Notice Provisions](#)

[Notice Policy](#)

[By-law 4821-13 Procedural By-law](#)

Forms

Purpose

The purpose of this procedure is to provide an accountable and transparent corporation through the provision of notice, thereby enabling citizens to be aware of the business of the County.

Scope

This procedure applies to the Corporation of the County of Grey.

Definitions

“Act” means the Municipal Act, 2001, S.O. 2001, c25

“Day” means calendar day

“Planning Act” means the Planning Act, R.S.O. 1990, c.P.13

“Posted” means electronically publishing the notice on the County of Grey web site.

“Web site” means the County of Grey web site www.grey.ca

“Written” means correspondence mailed or emailed to specific individual(s) and/or organization(s)

Provision of Notice

Where notice is required, including notice of intention to pass a by-law or notice of a public meeting is required to be given; the notice shall be given pursuant to Schedule “A” as attached.

The provision of notice may also be in the form of direct delivery, including hand delivery, direct mail, facsimile and email; posting on web site; newspapers; location signs; radio and television (i.e. media releases).

Time of Notice

Where notice of intention to pass a by-law or notice of a public meeting is required to be given, such notice shall be provided in the time frame prescribed in the Act or its regulations and if it is not prescribed, notice shall be given pursuant to Schedule “A” as attached. Notices required under the Planning Act shall be in accordance with the time frames set out in the Planning Act.

General

Where separate by-laws and/or policies have been enacted in accordance with the provisions contained in the Act, the notice provisions set out in such by-laws and policies shall prevail.

No notice shall be required under the Notice Policy and Procedure where provision of notice will interfere with the ability of Council to conduct business with respect to a matter permitted for a closed meeting under Section 239 of the Act.

Notwithstanding the notice requirements dictated in the Notice Policy and Procedure, where the giving of notice to the public is required by legislation, Council may provide additional notice, reduce or amend such requirements upon passage of a resolution at a duly called meeting of Council, provided the motion dictates an alternate method of giving notice deemed to be in a form and manner adequate to the circumstances. Where the giving of notice to the public is not required by legislation, Council may waive the notice requirements dictated in the Notice Procedure by passage of a resolution at a duly called meeting of Council.

Application

The requirement to give reasonable notice to the public shall be deemed to be fulfilled upon completion of the actions dictated in this procedure.

The manner and form of notice dictated in this procedure shall be deemed minimum requirements. Additional methods of giving notice may be undertaken at the discretion of the Clerk/Director of Council Services.

Where newspapers are utilized to provide notice the Clerk/Director of Council Services shall determine the most appropriate newspaper(s) to use in a particular notice. The decision shall be based on the citizens affected by particular subject matter. The Director of Planning shall determine the most appropriate newspaper(s) for providing notice under the Planning Act.

Where public notice is desired but not legislated through this procedure or other legislative means, the notice undertaken by the County should reflect the magnitude and complexity of the issue/initiative and the desired goal or outcome. In selecting the appropriate notice beyond the scope of this procedure the following four recognized types of public engagement will be considered:

- To inform-provide information to assist in understanding the initiative, alternatives, opportunities and/or solutions;
- To consult-obtain feedback on analysis, alternatives and/or decisions;
- To involve-work directly with the community throughout the process to ensure concerns and aspirations are understood; and
- To collaborate-partner with the community in the development of a decision to seek alternatives and/or a preferred solution.

The determination of appropriate notice beyond the scope of this procedure will be at the discretion of the Clerk/Director of Council Services.

Emergency Provision

This procedure applies except where, the Warden, in consultation with the Chief Administrative Officer (CAO), determines that notice should be waived due to emergency, urgency or time sensitivity situations or situations which could affect the health and well being of the residents of Grey County. Council shall be informed by email if an exemption is applied.

Responsibility

It is the responsibility of the appropriate Director in conjunction with the Clerk/Director of Council Services to ensure notice requirements applicable to their department are met.

Updating Policy and Procedure

The County Clerk/Director of Council Services is hereby authorized to update this Procedure with changes to by-law and policy/procedure references for those by-laws and policies listed in this Procedure. Any additions or deletions to the Procedure shall be endorsed by County Council.

Schedule

Schedule "A", as attached, forms part of this Procedure.

In the event that Schedule "A" does not include all instances where the County is required to provide notice and where the provision of notice and term of notice is not identified in the Act or its regulations, the following shall apply:

Provision of Notice: Post on the County's web site

Term of Notice: 21 days prior to passing the by-law and seven days prior to holding a public meeting

Schedule "A"
COUNTY OF GREY NOTICE PROVISIONS

* Denotes notice required by the Act

Subject	Public Meeting Requirement	Provision of Notice	Time of Notice
TRANSPORTATION SERVICES			
34(1) Permanent Closure of Highway	N/A	Signage posted, Post on web site, Newspaper	21 days prior to enactment of by-law
Temporary Closure of Highway for Construction	N/A	Signage posted, Post on web site under seasonal construction plan	Update web site as necessary Signage posted as soon as practical
Changing Name of Highway	N/A	Post on website, Signage posted, Media release	21 days prior to enactment of by-law
FINANCIAL			
<i>Agreements for Municipal Capital Facilities – Assistance by Municipality</i> <i>110(3)* Assistance by Municipality</i> A municipality may enter into agreements for the provision of municipal capital facilities by any person, including another municipality.	N/A	Written	As prescribed by the Act
<i>110(8)* Agreements for Municipal Capital Facilities – Tax Exemption By-law</i> A municipality may exempt from taxation for municipal, and school purposes land or a portion of it on which capital facilities are or will be located (under specific conditions)	N/A	Written	As prescribed by the Act
289 Adoption of Budget	N/A	Post on website	21 days prior to anticipated date of consideration by Standing Committees
<i>295(1)* Financial Statements</i> Within 60 days after receiving the audited financial statements	N/A	Newspaper-directing to website	As prescribed by the Act

Schedule "A"
COUNTY OF GREY NOTICE PROVISIONS

* Denotes notice required by the Act

Subject	Public Meeting Requirement	Provision of Notice	Time of Notice
of the municipality for the previous year, the treasurer of the municipality shall publish in a newspaper having general circulation in the municipality			
GOVERNANCE			
173* Proposal to Restructure (for County proposals and proposals of lower tier municipalities)	Yes	Post on web site Newspaper Media Release	21 days prior to public meeting
187 Change of Name of Municipality	N/A	Post on web site Newspaper Media Release Written	Copy of by-law to the Director of Titles appointed under the Land Titles Act & to the Minister after by-law enacted
218(2)* & 219* Change Composition of Council	Yes	Post on web site Newspaper Media Release	21 days prior to public meeting
218(3)* & 219* Number of Votes for Council Members	Yes	Post on web site Newspaper Media Release	21 days prior to public meeting
218(4) & 219* Term of Office of Warden	Yes	Post on web site Newspaper Media Release	21 days prior to public meeting
238(2)* Procedural By-laws respecting Meeting Notice	N/A	Post on web site	As directed by By-law 4674-10 <i>Repealed By By-law 4775-12</i>
REGULATORY			
135(6)* Woodlands	N/A	Post by-law on web site	As directed by the Act
270 Sale of Land	N/A	As directed by Policy G-GEN-003-002	As directed by Policy G-GEN-003-002

Schedule "A"
COUNTY OF GREY NOTICE PROVISIONS
 * Denotes notice required by the Act

Subject	Public Meeting Requirement	Provision of Notice	Time of Notice
435* Power of Entry	N/A	As directed by the Act	As directed by the Act
PLANNING			
*Notice Requirements under the Planning Act where the County is the approval authority Official Plans and Official Plan Amendments (*Section 17 of the Planning Act) Plan of Subdivisions and Plan of Condominiums (*Section 51 of the Planning Act)	Yes	Written Newspaper (as required) Post on web site	As prescribed by the Planning Act