

TOWN OF PARRY SOUND

NOTICE POLICY

Revised: December 20, 2011	Policy Name: "Provision of Notice "
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I. Purpose

The Municipal Act, 2001, as amended, Section 238(2.1) requires that the procedural by-law provide for public Notice of meetings.

The Municipal Act, 2001, as amended by Bill 130, Section 270(1) para.4 requires that the 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 requirements to give reasonable Notice to the public shall be deemed to be fulfilled upon completion of the actions dictated in this Policy.

Notwithstanding the Notice requirements dictated in this Policy, 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 Policy by passage of a resolution at a duly called meeting of Council.

II. Objectives

The objectives of this policy are to:

- Ensure that legislated requirements for providing Notice are followed (.ie: as legislated through the Municipal Act and Planning Act).
- Encourage the use of the best communication tool(s) to provide Notice to generate the most efficient and effective communication to reach a broader audience.
- Encourage staff to look at new methods of improving the Provision of Notice to realize cost savings, where appropriate.
- Ensure traditional communication methods/tools are not necessarily replaced, but rather that they are augmented by new technology, as appropriate.

III. Application

Elected Officials and all Staff of the Town of Parry Sound

IV. Policy Statement

In recognition of the emphasis placed on transparency and accountability measures within the *Municipal Act*, the Town of Parry Sound believes citizens should be made aware of the business of the municipality. In order to facilitate citizen awareness the Town will provide Notice based on the following:

- development of a class system that identifies the circumstances of when Notice will be provided;
- establishment of Notice formats and Notice methods that provide consistent, accessible and readable information;
- development of minimum Notice time periods.

V. Operating Principle

The Notice provisions are based on the following principles:

- citizens should be able to be aware what, when and where the business of the municipality is being discussed;
- citizens should be able to discern when the business being discussed is likely to have an impact on them; adequate time should be provided to citizens so they can make submissions.

The following principles apply to the Notice:

- be provided as soon as possible;
- be distributed to a broad audience;
- should be given in a variety of manners;
- provide accurate, credible, accessible information in a usable format that is easy to understand while being open, inclusive and respectful;
- in some circumstances, be given directly to the affected individuals.

VI. Operating Details

Notice Format

A common format will be used for giving Notice which ensures consistency and includes the following information:

- date, time, location, contact information, summary for what Notice is being given, how to obtain additional information, and how to register as a delegation to address Council (if appropriate).

A review process through the CAO's Office will be established for Class 3 Notices (outlined below) to ensure conformity and consistency. More than one format for Notices will be amended as required to accommodate various citizen needs (vary font, size, colour, etc.).

Individual departments will establish their own standards related to informal Notice and collecting information from the public for matters such as disruption to service, minor

road construction/repairs, etc.

Emergency Provision

If a matter or situation arises that, in the opinion of the CAO, in consultation with the Mayor, is considered to be of an urgent or time sensitive nature, or could affect the health and well-being of the residents of the Town of Parry Sound, or if a state of emergency is declared, or is so directed by a Provincial Ministry, the Notice requirements of this policy are waived and best efforts will be made to provide as much Notice as is reasonable under the circumstances.

VII. Notice Categories

General Guidelines:

- all references to days are calendar days, not business days.
- direct delivery includes hand delivery, facsimile and email.
- Notice can be provided through multiple channels including, Notice on website, social media applications, newspapers, radio, television, direct mailing, and location signs.

Class 1 – Standard Council Operating Process (minimum 2 days Notice)

This class refers to the normal operations of the Town of Parry Sound when Notice is provided of upcoming Council meetings.

The foundation for this class of Notice is the publication of the annual schedule of meetings and updates to the Schedule. The schedule will be available on the Town's website and/or other social media applications, and is distributed in electronic or hard copy upon request. The schedule shows the time and date for each regular Council meeting.

Notice of Council meetings where the business of the municipality is being discussed is provided through the development of agendas. Notice shall be provided a minimum of 2 days in advance of the meeting by:

- posting of the Agenda to the Town's website and other social media applications as appropriate;
- direct delivery to affected individuals where they have requested to be notified of an upcoming meeting or the Town is legislatively required to provide Notice.

A hard copy of the agenda for every Council meeting will be available from the Municipal Office located at 52 Seguin Street, Parry Sound, Ontario. Notice requirements do not apply to revised or consolidated agendas.

Notice of all Special Meetings of Council shall be posted on the Town's website and posted on the bulletin board located in the lobby of the Municipal Office. Notice of Special Meetings shall be provided a minimum of 24 hours in advance of the holding of the special meeting (this Notice requirement excludes emergency meetings).

Class 2 – Defined or Specific Issues (minimum 14 days Notice)

The issues associated with this class of Notice are more specific and affect a smaller more contained population. These Notice provisions will take into consideration difference between communities of interest, and specific user groups. There are cases where the broad general Notice may still be required but some discretion is necessary. Notice is to be more flexible and directed at affected individuals. As an example the Notice provision will apply to the following but may not be limited to:

- sale of minor parcels of land;
- controlled access by-laws and amendments;
- road renaming, highway closing by-laws;
- consultation on localized road repairs where a Class Environmental assessment is not required;

A minimum of 14 days Notice will be provided utilizing the following methods:

- direct delivery or pre-paid first class mail to affected parties, that may include, but are not limited to, affected land owners/occupants, abutting land owners/occupants, license holders, stakeholders; and
- posting of Notice on Town website, and other social media applications, as appropriate;
- at the discretion of the Department Head, advertisement in a newspaper that is of sufficiently general circulation in the specific area and other social media applications, as appropriate;

Class 3 – Major Issues (minimum 21 days Notice)

The issues associated with this class have a significant impact on the community. This Notice shall be directed to the broadest audience as the topics may be of interest to the Town as a whole.

Notice provisions will apply to the following:

- consulting with the public on the development of new and amending Council policies under the *Municipal Act*;
- consulting with the public on the development of new regulatory by-laws and amendments to those regulatory by-laws that affect general population i.e. amendment to pesticide or licencing by-laws;
- amendments to procedural by-law;
- proposed changes to governance structure (e.g. change of municipality name, change in size of Council);
- sale of land containing buildings or the sale of a lot as defined in the Planning Act;

A minimum of 21 days Notice is required utilizing the following methods:

- advertising in a newspaper; and
- posting of Notice on Town website and other social media applications, as appropriate.

Class 4 – Planned Service Disruptions (minimum 24 hours Notice)

Departments shall provide Notice of planned service interruptions. Notice of the disruption should include information about the reason for the disruption, its anticipated duration and a description of any available alternative services. A minimum of 24 hours is required utilizing the following methods:

- direct delivery or pre-paid first class mail to affected parties, that may include, but are not limited to, affected land owners/occupants, abutting land owners/occupants, license holders, stakeholders; or
- posting of the information in a conspicuous place or on the premises as applicable; and
- posting of Notice on Town website and other social media applications, as appropriate.

Class 5 – Communicating Information (no Notice required)

Where the Town publishes information that may be of interest to the Public, but there is no time frame for action regarding the report, and the time frame for Public Input has expired, there is no requirement to give Notice. Notice may be given of the availability of the document. If Notice is given regarding the document there is no restriction on how this Notice is given.

Class Environmental Assessment Process

The Class Environmental Assessment process is not included in this Notice Policy. A separate notification and consultation process has been created for Class Environmental Assessments which will affect most major road, water and sewer construction projects.



9.1.1

THE CORPORATION OF THE TOWN OF PARRY SOUND
RESOLUTION IN COUNCIL

NO. 2011-242

DIVISION LIST

YES NO

DATE: December 20th, 2011

- Councillor P. BORNEMAN
- Councillor B. HORNE
- Councillor B. KEITH
- Councillor D. MCCAULEY
- Councillor K. SAULNIER
- Councillor D. WILLIAMS
- Mayor **McGARVEY**

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MOVED BY:

SECONDED BY:

CARRIED: **DEFEATED:** _____ **Postponed to:** _____

THAT Council approves the amended "Provision of Notice" Policy" for the Town of Parry Sound, pursuant to Section 270 of the Municipal Act, attached as Schedule "A ; and

THAT Council rescind Resolution 2007-221.

MAYOR