

THE CORPORATION OF THE TOWNSHIP OF SEVERN

BY-LAW NO. 2009-32

BEING A BY-LAW TO ESTABLISH PROCEDURES FOR NOTICES AS REQUIRED UNDER THE MUNICIPAL ACT, S.O. 2001, FOR THE CORPORATION OF THE TOWNSHIP OF SEVERN

WHEREAS the *Municipal Act*, S.O. 2001, Chapter 25, Section 270.(1)., (the “Act”) provides that a municipality shall adopt and maintain policies with respect to the circumstances in which notice shall be provided to the public, and if notice is to be provided, the form, manner and times notice shall be given;

AND WHEREAS the *2006 Building Code*, Division C, Part I, Section 1.9.1.2, provides that a municipality shall give notice to the public and hold at least on public meeting prior to the introduction or change of fees imposed for applications or issuance of a permit;

AND WHEREAS it is deemed expedient to implement procedures with respect to the giving of reasonable notice to the public from time to time under the applicable Acts;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SEVERN HEREBY ENACTS AS FOLLOWS:

1. That the “Procedure Schedules” attached hereto and forming part of this By-law be and they are adopted as reasonable notice to the public as required under the Act.
2. That unless otherwise provided by By-law, notice under the *Municipal Act* shall be deemed to have been given, including emergency situations, by:
 - (a) posting on the Township Website;
 - (b) posting at the Administration Office; and
 - (c) posting at the outdoor notice boards located in Coldwater, Washago and Westshore; or
 - (c) inclusion on a public meeting agenda.
3. That public notice for open and closed meetings of Council, Local Boards and Advisory Committees shall be as outlined in the applicable Procedural By-law.
4. That this By-law shall come into force and effect on the date of passing thereof.
5. That By-law No. 2007-156, as amended, be and it is hereby repealed.

By-law read a first and second time this 7th day of May, 2009.

By-law read a third time and finally passed this 7th day of May, 2009.

CORPORATION OF THE TOWNSHIP OF SEVERN

MAYOR

CLERK-TREASURER

SCHEDULE "1" TO BY-LAW NO. 2009-32

Procedures for Notice for Highways – Stop Up, Close or Sell

Informal Notice

Prior to the process of disposing of any municipal land, an informal notice will be circulated to each property owner by regular mail in the vicinity of the property advising of the municipality's proposal to dispose of same;
And that comments will be requested prior to a reasonable deadline date for consideration of Council.

Content of Formal Notice

- Explanation of road closing, including location and mapping
- Date/Time/Place of meeting for consideration of By-law
- Address and deadline to respond with written comments prior to the meeting
- Written comments will be considered at the meeting where By-law is to be enacted
- Contact information at Administration Office
- Clerk-Treasurer's Name/Title

Manner of Notice

- Posted on site and in six of the most public places in the immediate area of the proposed closure for at least two weeks prior to the meeting
- Posted on Township Website at least two weeks prior to meeting
- Posted at Administration Office at least two weeks prior to meeting
- Posted at the Outdoor Notice Boards at least two weeks prior to the meeting

Exemption

When considering the closing of an opened or permanent road allowance within the municipality, an information meeting followed by a subsequent public meeting shall be scheduled prior to the final decision of Council. Notice shall be given by posting in the immediate area and by mail to residents within the affected area.

SCHEDULE “2” TO BY-LAW NO. 2009-32

Procedures for Notice - Naming Highways

Content of Notice

- Explanation of highway naming, including location and mapping
- Date/Time/Place of meeting for consideration of By-law
- Address and deadline to respond with written comments prior to the meeting
- Written comments will be considered at the meeting where By-law is to be enacted
- Contact information at Administration Office
- Clerk-Treasurer’s Name/Title

Manner of Notice

- Posted on site and in six of the most public places in the immediate area of the proposed highway to be named for at least two weeks prior to the meeting
- Notice to all owners of land fronting the highway either personally or by prepaid mail to the last known address of the registered owner(s) at least two weeks prior to meeting
- Posted on Township Website at least two weeks prior to meeting
- Posted at Administration Office at least two weeks prior to meeting
- Posted at Outdoor Notice Boards at least two weeks prior to meeting

SCHEDULE “3” TO BY-LAW NO. 2009-32

Procedures for Notice - Naming Private Roads

Content of Notice

- Explanation of private road naming, including location and mapping
- Date/Time/Place of meeting for consideration of By-law
- Address and deadline to respond with written comments prior to the meeting
- Written comments will be considered at the meeting where By-law is to be enacted
- Contact information at Administration Office
- Clerk-Treasurer’s Name/Title

Manner of Notice

- Notice to all owners of land fronting the private road by prepaid mail or personal delivery to the last known address of the registered owner(s) at least two weeks prior to the meeting

SCHEDULE "4" TO BY-LAW NO. 2009-32

Procedures for Notice - Shut-Off of Public Utility for Overdue Accounts

81.(3) A municipality shall provide reasonable notice of the proposed shut-off to the owners and occupants of the land by personal service or prepaid mail or by posting the notice on the land in a conspicuous place.

NOTE:

The Township currently mails a reminder notice for utility arrears approximately 7 days after they become overdue. Two weeks following this, a notice is mailed to the residents advising that the outstanding amount will be added to their tax account. In the event that utility arrears are not able to be added to the tax account, the following method will occur.

Content of Notice

- Printed on pre-printed municipal forms for water/sewer billings
- Amount of account due, including interest/penalty
- Due date for payment of outstanding amount
- On the FINAL Disconnection Notice - date of disconnection of service if account is not paid in full by the due date

Manner of Notice

- Reminder Notice: By prepaid mail or personal delivery to all unpaid accounts with at least \$10.00 balance on or before the 25th day of January, April, July and October of each year, giving until the 8th of the following month to pay in full.
- Disconnection Notice: By prepaid mail or personal delivery to all unpaid accounts with at least a \$50.00 balance and no arrangements made for payment, on or before the 15th day of February, May, August and November of each year giving until the 23rd of the month to pay in full or disconnection will occur without further notice.
- Personal On-Site Notice: If the current address of the owner is not known, a notice may be posted on the land in a conspicuous place.

SCHEDULE "5" TO BY-LAW NO. 2009-32

Procedures for Notice - Sale of Municipal Land

270.(1)	A municipality shall adopt and maintain policies with respect to the sale and other disposition of land.
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Informal Notice

Prior to the process of disposing of any municipal land, an informal notice will be circulated to each property owner by regular mail in the vicinity of the property advising of the municipality's proposal to dispose of same;
And that comments will be requested prior to a reasonable deadline date for consideration of Council.

Content of Formal Notice

- Explanation of municipal land sale, including location and mapping
- Date/Time/Place of meeting for consideration of By-law
- Address and deadline to respond with written comments prior to the meeting
- Written comments will be considered at the meeting where By-law is to be enacted
- Contact information at Administration Office
- Clerk-Treasurer's Name/Title

Manner of Notice

- Posted on site and in six of the most public places in the immediate area of the proposed sale for at least two weeks prior to the meeting
- Posted on Township Website at least two weeks prior to meeting
- Posted at Administration Office at least two weeks prior to meeting
- Posted at Outdoor Notice Boards at least two weeks prior to meeting

SCHEDULE "6" TO BY-LAW NO. 2009-32

Procedures for Notice - Adoption of Budget

Content of Notice

- Explanation of budget meeting, including water and sewer fees
- Date/Time/Place of meeting for consideration of By-law
- Address and deadline to respond with written comments prior to the meeting
- Written comments will be considered at the meeting where By-law is to be enacted
- Contact information at Administration Office
- Clerk-Treasurer's Name/Title

Manner of Notice

- Posted on Township Website at least two weeks prior to meeting
- Posted at Administration Office at least two weeks prior to meeting
- Posted at Outdoor Notice Boards at least two weeks prior to meeting

Exemptions

Public Notice is not required for any amendments to the annual budget approved by Council that are less than \$50,000.00.

SCHEDULE "7" TO BY-LAW NO. 2009-32

Procedures for Notice - Financial Statements

295.(1)	Within 60 days after receiving the audited financial statements of the municipality for the previous year, the Treasurer of the municipality, (a) shall publish in a newspaper having general circulation in the municipality, (i) a copy 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, or (ii) a notice that the information described in subclause (i) will be made available at no cost to any taxpayer or resident of the municipality upon request; and (b) may provide the information described in sub-clause (a)(i) or (ii) to such persons and in such other manner as the treasurer considers appropriate.
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Content of Notice

- Explanation of financial notice in that the information will be made available at no cost to any taxpayer or resident of the municipality upon request
- Contact information at Administration Office and where detailed information can be obtained
- Clerk-Treasurer's Name/Title

Manner of Notice

- Advertisement in Packet & Times within 60 days of receipt
- Posted on Township Website within 60 days of receipt
- Posted at Administration Office within 60 days of receipt
- Posted at the Outdoor Notice Boards within 60 days of receipt

SCHEDULE "8" TO BY-LAW NO. 2009-32

Procedures for Notice – Building Department Fees

2006 Building Code, Division C, Part I, Section 1.9.1.2
Before passing a by-law to introduce or change a fee imposed for applications for a permit or for the issuance of a permit the principal authority shall,
(a) hold at least one public meeting at which any person who attends has an opportunity to make representation with respect to the matter.

Content of Notice

- Explanation of the change in fees
- Date/Time/Place of public meeting for consideration of By-law
- Written comments and/or verbal comments will be considered at the public meeting where By-law is to be enacted
- Address and deadline to respond with written comments prior to the meeting
- Contact information at Administration Office and where detailed information can be obtained at no cost
- Clerk-Treasurer's Name/Title

Manner of Notice

- Posted on Township Website at least two weeks prior to meeting
- Posted at Administration Office at least two weeks prior to meeting
- Posted at the Outdoor Notice Boards at least two weeks prior to meeting

SCHEDULE “9” TO BY-LAW NO. 2009-32

Procedures for Notice – Licensing By-law

Content of Notice

- Explanation of licensing by-law
- Section of Act/Regulation
- Date/Time/Place of public meeting for consideration of By-law
- Written comments and/or verbal comments will be considered at the public meeting where By-law is to be enacted
- Address and deadline to respond with written comments prior to the public meeting
- Contact information at Administration Office
- Clerk-Treasurer’s Name/Title

Manner of Notice

- Notice to all businesses by prepaid mail or personal delivery to the last known address of the registered owner(s)
- Posted on Township Website at least two weeks prior to meeting
- Posted at Administration Office at least two weeks prior to meeting
- Posted at Outdoor Notice Boards at least two weeks prior to meeting

SCHEDULE "10" TO BY-LAW NO. 2009-32

Procedures for Notice – Public/Closed Meetings

Content of Notice – Public Meeting

- Council/Committee Agenda
- Addendum Agenda for Emergency Items received prior to 4:30 p.m. on Meeting Date
- Date/Time/Place of Meeting

Content of Notice – Closed Meeting

- Council/Committee Agenda
- Addendum Agenda for Emergency Items received prior to 4:30 p.m. on Meeting Date
- Date/Time/Place of Meeting
- Shall state by resolution at the applicable meeting that the meeting is to be closed to the public and state the fact of the holding of the closed meeting and the general reasons for the in-camera session

Manner of Notice

- Agenda available Monday prior to scheduled meeting and at scheduled meeting
- Posting of Regular Meeting Dates on Website/Administration Office
- Agenda Posted on Township Website Monday prior to scheduled meeting
- Agenda Posted at Administration Office Monday prior to scheduled meeting
- Agenda Posted at Outdoor Notice Boards prior to scheduled meeting

Special or Emergency Meetings

- Council/Committee Agenda
- Date/Time/Place of Meeting
- Posted at the Administration Office prior to 4:30 p.m. on Meeting Date