

# The Corporation of the Township of North Kawartha

## By-law 2021-0115

**Being a by-law of the Corporation of the Township of North Kawartha to establish a policy with respect to the circumstances in which notice to the public shall be provided and the form, manner and times notice shall be given.**

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 given;

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 by-laws, notice of the holding of certain required public meetings and notice of other matters;

Now Therefore the Council of the Corporation of the Township of North Kawartha enacts as follows:

### 1. Definitions

In this By-Law:

- a) "Clerk" means the Clerk of the Township of North Kawartha.
- b) "Council" means the Municipal Council of the Township of North Kawartha;
- c) "Municipal Act" shall mean the *Municipal Act, 2001, S.O. 2001, c.25*, as amended;
- d) "Municipality" shall mean The Corporation of the Township of North Kawartha
- e) "Newspaper" means a printed publication in sheet form, intended for general circulation to all parts of the Township, published at regular intervals of no longer than a week and consisting in great part of news of current events and general interest and is sold or circulated to the public and general subscribers.  
For the purpose of this By-Law, Peterborough This Week and the Peterborough Examiner are deemed to be such newspapers. Only one shall be required unless otherwise specified.
- f) "Notice to the Public" or "Public Notice" means notice given to the public generally but does not include notice given only to specified persons;
- g) "Posted" means posting of notice in public places, such as local municipal buildings and Community Centres or on the Township website or Social Media platform.
- h) "Social Media Platform" shall mean the official social media pages of the Township of North Kawartha including, but not limited to, Facebook, Twitter, YouTube and Instagram.
- i) "Website" shall mean the official Corporation of the Township of North Kawartha internet website.



## **2. Application and Provisions**

- a) Where the municipality is required to give Notice to the Public under a provision of any Act, the Notice to the Public shall be given in a form and manner and at the times indicated in this by-law, unless,
  - i. The Municipal Act, another Act or a regulation prescribes otherwise for the Notice to the Public;
  - ii. The requirements for the Notice to the Public are prescribed in another by-law; or
  - iii. Other Notice is directed by Council.
- b) The notice requirements under this by-law are minimum requirements and the Clerk is authorized to 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.
- c) Where notice of a public meeting or notice of intention to pass a by-law has been given in accordance with this by-law, Council may adjourn the public meeting to another specified date, or may adjourn to continue consideration of the by-law to another specified date. On such subsequent date, notice shall be deemed to have been sufficiently given to continue the public meeting or consideration and pass the proposed by-law.
- d) Where there is a conflict between this by-law and a provision of any act or of another by-law, the provisions providing for the greatest notice shall apply.
- e) Where a notice is required under any act, but, is not provided for specifically in this by-law, a notice which would substantially inform a reasonable person of the subject matter to which the notice relates shall be deemed to be adequate and in compliance with this by-law.
- f) This by-law does not apply to notices that are otherwise provided for in a procedural by-law passed pursuant to Section 238 of the Municipal Act.
- g) The Municipality shall give Notice to the Public of the matters contained in Schedule "A" to this by-law.

## **3. Time of Notice**

- a) 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 not so prescribed, notice shall be given at least once during the fourteen days prior to the proposed action being taken.

## **4. Form of Notice**

Unless otherwise prescribed in the Act or its regulations, where notice of intention to pass a by-law or notice of a public meeting is required to be given, the form of the notice shall include the following information:

- a) Description of the purpose of the meeting, or the purpose and effect of the proposed bylaw;



- b) Date, time and location of the meeting;
- c) Where the purpose of the meeting or proposed by-law is related to specific lands within The Township, a key map showing the affected lands, or an explanation why no description or key map is provided.
- d) Land Matters - 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.

#### **5. Primary Method of Notice**

- a) The notice shall be posted on the Township of North Kawartha website at least once during the fourteen days prior to the meeting at which the matter will be first considered, and an opportunity is provided for members of the public to speak to the matter. A public notice utilizing the municipal website, shall be sufficient even if the Township of North Kawartha website is not accessible at all times during the public notice posting period. All public notices shall appear on a dedicated landing page (News). The public may subscribe to the Township website and select specific news items for direct delivery to their email.
- b) The notice shall be posted on the Township of North Kawartha official Facebook social media platform and, when possible, have a link included in the post referring to the Township of North Kawartha website for more information.
- c) The subject matter of the notice shall be listed and identified on a Council agenda if required.

#### **6. Additional Notice**

- a) Based upon the discretion of the Clerk, additional platforms may be used to broadcast public notices, if applicable. These platforms include, but are not limited to, newspaper, billboard, LED news board or radio announcement.
- b) If the matter is deferred at the open meeting, or considered at a subsequent meeting of which notice has been given previously, no additional notice is required, except where an act or by-law provides, or Council directs otherwise.

#### **7. Emergency Provision**

- a) If a matter arises, which in the opinion of the Clerk, in consultation with the Mayor and/or Chief Administrative Officer (CAO), is considered to be of an urgent or time sensitive nature, or which could affect the health or well-being of the residents of the municipality, or if a Declaration of Emergency is made, or is so advised by a Provincial Ministry, the notice requirements of this by-law may be suspended and best efforts will be made to provide as much notice as is reasonable under the circumstances.
- b) Nothing in this by-law shall prevent the Clerk from,
  - i. Using methods of notice that, in the Clerk's opinion, are more effective; or
  - ii. Providing for a longer notice period.

#### **8. Repeal of Existing By-Law**

- a) That By-Law 2003-0003 and any other by-laws contrary to this by-law be repealed.



This by-law shall come into effect on the 21<sup>st</sup> day of December, 2021.

Read and Adopted in open Council on the 21<sup>st</sup> day of December, 2021.



Signed by Carolyn Amyotte (2021/12/22)  
Verify with verifio.com or Adobe Reader.

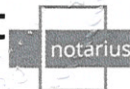


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Carolyn Amyotte, Mayor

**Connie Parent**

Signed with ConsignO Cloud (2021/12/22)  
Verify with verifio.com or Adobe Reader.



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Connie Parent, Clerk

## Schedule "A"

The following actions require notice by the municipality:

<b>Ontario Heritage Act R.S.O. 1990, c.O.18, as amended</b>	<b>Action</b>
All sections	All actions

### **Municipal Act S.O. 2001, chap. 25, as amended**

#### **Highways**

#### **Action**

- |           |                                               |
|-----------|-----------------------------------------------|
| S. 34 (1) | Permanently closing Highway                   |
| S. 40     | Establishing Toll highways                    |
| S. 11     | Naming or changing the name of a highway      |
| S. 48     | Naming or changing the name of a private road |

#### **Structures, Including Fences and Signs**

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|--------|------------------------------------------------------------------------------|
| S. 11  | Passing or amending a by-law concerning advertising devices, including signs |
| S. 133 | Passing or amending a by-law concerning fortification of land                |

#### **Licensing and Registration**

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| S. 150 | Passing or amending a licensing by-law                            |
| S. 150 | Passing or amending a by-law requiring the registry of businesses |

#### **Change of Name**

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| S. 187 | Passing or amending a by-law to change the name of the municipality |
|--------|---------------------------------------------------------------------|

#### **Changes to Council**

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| S. 217 | Passing or amending a by-law changing the composition of Council |
|--------|------------------------------------------------------------------|

#### **Wards**

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| S. 222 | Passing or amending a by-law respecting the establishment or dissolution of wards |
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#### **Procedure By-law**

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|------------|------------------------------------------|
| S. 238 (2) | Enacting or amending a procedural by-law |
|------------|------------------------------------------|

#### **Budget**

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|--------|----------------------------------|
| S. 290 | Adopting all or part of a Budget |
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#### **Fees and Charges**

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|--------|-----------------------------------------------------------|
| S. 391 | Passing or amending a by-law establishing a fee or charge |
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