

CORPORATE POLICY AND PROCEDURE



POLICY	Public Notice Provisions Policy
CATEGORY	Corporate
AUTHORITY	Corporate Services - City Clerk's Office
RELATED POLICIES	Guiding Principles for Community Engagement
APPROVED BY	Guelph City Council
EFFECTIVE DATE	December 18, 2017
REVISION DATE	As required

POLICY STATEMENT

This policy is to establish public notice provisions for matters directly affecting the public that are prescribed by legislation or deemed by the City to warrant public notice.

PURPOSE

To allow for the giving of notice to the public of matters that may affect them, and to afford them the opportunity to make submissions, attend, and delegate before Council and their Committees.

DEFINITIONS

"Newspaper" means a printed publication in sheet form, intended for general circulation, published regularly at intervals not longer than one week, consisting in great part of news of current events of general interest and provided to the public and to regular subscribers.

"Accessible Manner" means compliant with the Accessibility for Ontarians with Disabilities Act, 2005 (AODA).

"Policy" means the Public Notice Provisions Policy

"Procedural By-law" means the City's Procedural By-law

"Act" means "the Municipal Act, 2001"

PROCEDURE

Where notice provisions are prescribed by legislation or City by-law, those notice provisions shall prevail over this policy.

Nothing in this policy shall prevent the City from exceeding the notice provisions as set out in this policy.

Where Council or staff deems it in the public interest to exceed the standards set out in this policy, additional notice using various methods may be used. These methods may include, but are not limited to the following: newspaper advertisements, regular or registered mail, personal delivery, email, facsimile, radio announcements and social media.

Where the City is required to give notice under a provision of the Act in respect to a matter set out in the schedules attached hereto, the notice shall be given in a form and manner and at the times set out in the schedules unless:

- (a) the Act, another Act, or a regulation prescribes otherwise;
- (b) the requirements for the notice are prescribed in another City by-law;
- or
- (c) Council directs that other notice is to be given.

Notice of Council meetings and the meetings of its Committees shall be given in accordance with the **City's** Procedural By-law.

If a matter for which notice was given under this policy is deferred, adjourned or continued to a future meeting, no further notice is required, unless there is a statutory requirement otherwise, if:

- (a) a public statement is made at the meeting advising that the matter has been deferred, adjourned or continued to a future meeting specified in the statement; or
- (b) a written statement is posted at the meeting location advising that the matter has been deferred, adjourned or continued to a future meeting specified in the statement.

Where notice is given under the Act for a matter to be considered by Council, but such notice is not otherwise provided for, such notice shall be given by way of passing of a Council resolution at an open meeting of Council. Such notice shall be provided a minimum of ten days before the meeting at which the matter will be considered and the notice shall contain the following:

- (i) a general description of the matter;
- (ii) relevant section of the Act, including reference to regulations, if applicable;
- (iii) the date, time, and place of the meeting at which the matter will be considered;
- (iv) where the matter relates to specific lands within the City of Guelph, sufficient particulars of such lands, such as municipal address, legal description or key map;
- (v) contact information for submitting written comments or registering as a delegation and deadline for same;
- (vi) contact information for obtaining more information/clarification; and
- (vii) contact information for obtaining the notice in an accessible manner.

If a matter arises, which in the opinion of the Chief Administrative Officer, in consultation with the Mayor, is considered urgent, time sensitive or an extraordinary occasion, or which could affect the health, safety or wellbeing of the residents of the City of Guelph, or if a State of Emergency is declared, or is so advised by a Provincial Ministry, the notice requirements as laid out in the Procedural By-law shall apply.

Changing Names of Highways

The following are the notice requirements for giving notice of intention to pass a by-law renaming a highway:

Manner of Notice

Notice shall be published in a newspaper.

Where the highway that is to have its name changed is within one kilometre of a neighbouring municipality, notice shall also be sent to the Clerk of that municipality by prepaid, ordinary mail or by facsimile before the meeting at which the by-law will be considered.

Time of Notice

Notice published in a Newspaper shall be published once a week for two consecutive weeks before the meeting at which the proposed by-law will be considered.

Form of Notice

Notice shall contain the following information:

- (i) General description of the purpose of the meeting or proposed by-law;
- (ii) Relevant section of the Act, including reference to regulations, if applicable;
- (iii) The date, time, and location of the meeting;
- (iv) Where the purpose of the meeting or proposed by-law is related to specific lands within the City, sufficient particulars of such lands, such as municipal address, legal description, or key map;
- (v) Contact information for submitting written comments on the matter which is the subject of the meeting or proposed by-law and the deadline for receiving such comments;
- (vi) Contact information for persons wishing to appear as delegations and deadline for registration as a delegation; and
- (vii) Information for obtaining the notice in an accessible manner.

Amendment to the City’s Sign By-law Regarding Signage Requirements

The following are the notice requirements for the intention to pass a by-law regarding amending the Sign By-law to make any changes regarding signage requirements:

Manner of Notice

Notice shall be published in a newspaper.

Time of Notice

Notice published in a newspaper shall be published once a week for two consecutive weeks before the meeting at which the matter or proposed by-law will be considered.

Form of Notice

Notice shall contain the following information:

- (i) General description of the purpose of the meeting or proposed by-law
- (ii) Relevant section of the Act, including reference to regulations, if applicable
- (iii) The date, time and location of the meeting
- (iv) Where the purpose of the meeting or proposed by-law is related to specific lands within the City, sufficient particulars of such lands, including municipal address, legal description or key map
- (v) Contact information for submitting written comments on the matter which is the subject of the meeting or proposed by-law and the deadline for receiving such comments
- (vi) Contact information for persons wishing to appear as delegations and deadline for registration as a delegation
- (vii) Information for obtaining the notice in an accessible manner

Municipal Restructuring

The following are the notice requirements for a public meeting respecting a restructuring proposal:

Manner of Notice

Notice shall be published in a newspaper.

Time of Notice

Notice published shall be given before the public meeting at which the matter will be considered in the time as prescribed by the Act.

Form of Notice

Notice shall contain the information:

- (i) General description of the purpose of the meeting or proposed by-law;
- (ii) Relevant section of the Act, including reference to regulations, if applicable;
- (iii) The date, time and location of the meeting;
- (iv) Where the purpose of the meeting or proposed by-law is related to specific lands within the City, sufficient particulars of such lands, including municipal address, legal description or key map;
- (v) Contact information for submitting written comments on the matter which is the subject of the meeting or proposed by-law and the deadline for receiving such comments;
- (vi) Contact information for persons wishing to appear as delegations and deadline for registration as a delegation; and
- (vii) Information for obtaining the notice in an accessible manner.