

**THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH**

**BY-LAW NUMBER 002-15**

**BEING A BY-LAW TO PRESCRIBE THE FORM AND MANNER  
AND TIMES FOR THE PROVISION OF NOTICE AND TO REPEAL  
BY-LAW 68-02**

**WHEREAS** Section 270(1) 4 of the *Municipal Act, 2001*, as amended, provides that a municipality shall adopt and maintain policies 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.

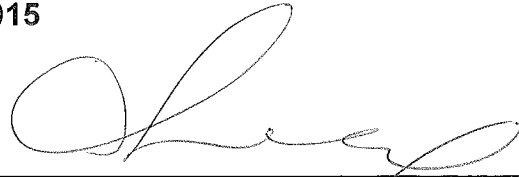
**AND WHEREAS** it is deemed advisable by the Council of the Corporation of the Township of Wellington North to set out the minimum notice requirements in the *Municipal Act, 2001* for which the notice requirements are not otherwise prescribed by legislation, regulation, policy or by-law.

**NOW THEREFORE** be it enacted that the attached Schedule "A" Provision of Notice policy be adopted by the Council of The Corporation of the Township of Wellington North.

This by-law shall take effect upon its passing.

By-law 68-02 is hereby repealed.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED  
THIS 12TH DAY OF JANUARY, 2015**



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**ANDREW LENNOX,  
MAYOR**



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**KARREN WALLACE  
CLERK**

THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH  
BY-LAW NUMBER 002-15  
SCHEDULE "A"



## TOWNSHIP OF WELLINGTON NORTH

### POLICY AND PROCEDURE MANUAL

DEPARTMENT	Clerk	POLICY NUMBER
SECTION	Administration	EFFECTIVE DATE: January 13, 2015
SUBJECT	Provision of Notice	
AUTHORITY	Municipal Act, 2001, Section 270	

#### POLICY

Notice Provision Policy to establish public notice provision for matters in the *Municipal Act, 2001*, (the Act) that directly affect the public that are not otherwise prescribed by legislation, regulation, policy or by-law.

#### PURPOSE

The *Municipal Act, 2001* (the Act) requires that all municipalities adopt and maintain a policy with respect to public notice. The purpose of this policy is to set out the circumstances in which the Township of Wellington North will provide to the public minimum notice requirements in the *Municipal Act, 2001* that are not otherwise prescribed by legislation, regulation, policy or by-law.

#### DEFINITIONS IN THIS POLICY

- "Act" shall mean the *Municipal Act, 2001*
- "Clerk" shall mean the Clerk and/or Deputy Clerk of the Township of Wellington North
- "Electronic" includes created, recorded, transmitted or stored in digital form in other intangible form by electronic, magnetic or optical means or by any other means
- "Municipality" shall mean the Township of Wellington North
- "Notice" shall mean a written, printed, published or electronic notification/announcement
- "Publication" shall mean a printed publication with regular circulation at intervals not longer than once weekly, which in the opinion of the Clerk, has sufficient content and distribution in the municipality so as to provide reasonable notice to the community at large

## **PURPOSES REQUIRING PROVISION OF NOTICE**

Notice shall be given for the following purpose:

- \*Naming of private roads (Section 48 of the Act)
- \*Closure of a road (Section 34 of the Act)
- Licensing-including but not limited to businesses, kennels, taxis, tow trucks (Section 150 of the Act)
- Fees and Charges (Section 391 of the Act)
- Adoption of the annual budget (Section 290 of the Act)
- Council vacancy (Section 263 of the Act)
- Change in Council composition (Section 217 of the Act)

\*In the case of renaming a private road or closure of a road, individual notice shall be given to all parties with addresses on the affected road.

\*This process shall not apply to highways that are being dedicated/named through draft plan approval-subdivision and condominium.

## **MANNER OF NOTICE**

Where a by-law is to be passed or a public meeting is required under this policy, the Clerk shall cause such notice to be published in a printed and/or electronic format.

## **TIME OF NOTICE**

Where a by-law is to be passed or a public meeting is required under this policy, notice shall be given at least fourteen (14) calendar days prior to the proposed action being taken.

## **FORM OF NOTICE**

Where a by-law is to be passed or a public meeting is required under this policy, the form of notice shall include:

A description and purpose of the public meeting;

The purpose and effect of the proposed by-law;

The date, time and location of the public meeting;

Where the purpose of the public meeting or proposed by-law is related to specific lands, a key map showing the affected lands;

## **FURTHER NOTICE NOT REQUIRED**

If the proposed by-law is not passed at the Council meeting specific in the notice provided, but consideration of the matter is deferred, no further notice is required under this policy provided a public statement is made at the subject meeting that the matter has been deferred to a future meeting of Council.

## **DISCLAIMER**

The Township of Wellington North is not responsible for failure to provide notice pursuant to this policy if the failure is the result of power failure, electronic communication or other reasons outside the control of the municipality.

## **GENERAL PROVISIONS**

Where separate by-laws and policies have been enacted related to provisions of notice in accordance with the Act, the provisions in such by-law and policies shall prevail.

This policy shall not prevent the municipality from using more comprehensive methods of notice or a longer notice period.

## **EMERGENCY PROVISION**

If a matter arises, which in the opinion of a Senior Municipal Official, in consultation with the Mayor or designate, is considered to be urgent or time sensitive in nature, or which could affect the health or well-being of the residents of the municipality, or if an emergency declaration is made or if so advised by a Provincial Ministry, the notice requirements of this policy may be waived and the said Senior Municipal Official shall make his/her best efforts to provide as much notice as is reasonable under the circumstances.