



# Corporation of the Town of Cobourg

**Division:** Legislative Services

**Effective Date:**

**Department:** Clerk's Department

**Approval Level:** Council

**Policy Title:** Public Notice - Administration

**Section #** 3-1  
**Policy #** LEG-ADM7

## **Purpose**

Subsection 270 (1)(4) of the *Municipal Act, 2001*, provides that a municipality shall 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.

## **Definitions**

**“Act”** means the *Municipal Act, 2001*, S. O. 2001, c.25, as amended, and any regulation made there under.

**“Chief Administrative Officer”** means the Chief Administrative Officer for the Town of Cobourg.

**“Clerk”** means the Clerk of the Corporation of the Town of Cobourg.

**“Council”** means the Council of the Corporation of the Town of Cobourg.

**“Meeting”** means any Regular, Special, Committee or other meetings of Council, of a local board, or of a Committee of either of them.

**“Municipal Website”** means the Town of Cobourg official website at [www.cobourg.ca](http://www.cobourg.ca),

**“Newspaper”** means as indicated in Subsection 87 of the Legislation Act 2006, which reads as follows, in a provision requiring publication, means a document that; is printed in sheet form, published at regular intervals of a week or less and circulated to the public; and consists primarily of news, of current events, of general interest; (“journal”).

**“Notice”** means a written, printed, published, or posted notification or other announcement containing information about a future event or public meeting or such notice as is otherwise provided by this policy and given to the public generally, but does not include notice given only to a specified person unless otherwise specified in the Planning Act and other legislation.



# Corporation of the Town of Cobourg

**Division:** Legislative Services

**Effective Date:**

**Department:** Clerk's Department

**Approval Level:** Council

**Policy Title:** Public Notice - Administration

**Section #** 3-1  
**Policy #** LEG-ADM7

**“Procedural By-law”** means a by-law passed by the Council to establish rules of order and procedures to govern the proceedings of the Municipal Council of the Town of Cobourg including governing the calling, place, and proceedings of meetings including public notice of such meetings.

**“Public Notice”** means notice given to the public generally but does not include notice given only to specified persons.

## Policy

### 1. Application

1.1 This policy shall apply to notice provided by the Town to the public on various matters.

### 2. Notice Requirements

2.1 Notice to the public shall be provided in the circumstances and in the form, manner, and times as follows:

- a) All circumstances set out in Schedule “A”, attached, in the form, manner and times as set out in Schedule “A”;
- b) If required by any Act or Regulation, in the form, manner and times as prescribed in the Act or Regulation;
- c) If required by another by-law, in the form, manner and times as set out in the said by-law;
- d) If directed by Council, in the form, manner and times as specified by Council; or
- e) In circumstances where, in the opinion of the Clerk, notice is reasonable and necessary, in the form, manner and times as determined by the Clerk.

2.2 No additional notice shall be required for subsequent meetings where a matter has been deferred or referred to a subsequent meeting by the Council, or a Standing Committee of the Council.



# Corporation of the Town of Cobourg

**Division:** Legislative Services

**Effective Date:**

**Department:** Clerk's Department

**Approval Level:** Council

**Policy Title:** Public Notice - Administration

**Section #** 3-1  
**Policy #** LEG-ADM7

2.3 The notice requirements under this policy are minimum requirements and the Clerk may 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. A best practice recommendation is that such notice be published on the municipal website at least fourteen (14) calendar days prior to the proposed action being taken.

2.4 Where any of the form, manner or times of notice are not specified in Schedule "A", an Act, Regulation or by-law, or where the Council directs that notice be given under section 2.1(d), or the Clerk determines that notice be given under section 2.1(e), the form, manner or times of notice shall be determined by the Clerk.

## 3. Content of Public Notice

Unless otherwise prescribed in the Act or other applicable legislation, the form of the notice of intention to pass a by-law or a public meeting shall include but not be limited to:

- a) The date.
- b) Time and location of the meeting, including virtual meeting details.
- c) A general description of the subject matter under consideration or otherwise involved, including the purpose and effect of the proposed action.
- d) For matters relating to a defined location include the municipal address, street intersection, legal description, plan, or key map.
- e) Identification of the legislation under which the notice is being given.
- f) Contact information for additional information and where to submit comments
- g) Deadlines, where appropriate.

## 4. Emergency Provision

If a matter arises, which in the opinion of the Chief Administrative Officer, in consultation with the Mayor, is considered to be of an urgent or time sensitive nature, or which could affect the healthy or well-being of citizens, or if a State of Emergency is declared, or is so advised by a Provincial Ministry, the notice requirements of this policy may be waived and the Municipal Clerk shall make best efforts to provide as much notice as is reasonable under the circumstances.





# Corporation of the Town of Cobourg

**Division:** Legislative Services

**Effective Date:**

**Department:** Clerk's Department

**Approval Level:** Council

**Policy Title:** Public Notice - Administration

**Section #** 3-1  
**Policy #** LEG-ADM7

## Schedule "A"

<b>Municipal Act Section and Section:</b>	<b>Requirement of Municipal Act:</b>	<b>Town of Cobourg Notice Requirements:</b>
<b>s.34(1)</b> Permanently Closing a Highway	No notice required.	Municipal website posting 2 weeks prior to Council meeting at which the matter is being considered.  Public notice required to advise all affected property owners of a Standing Committee meeting to consider the enactment of a by-law to close a highway when such closure would deny access to a property.
<b>s.11 (3) 1.</b> Highways, including parking and traffic on highways  <b>(Permanently altering a highway, if the alteration is likely to deprive any person of the sole means of motor vehicle access to and from the person's land over any highway)</b>	No notice required.	Municipal website posting 2 weeks prior to Council meeting at which the matter is being considered.  Public notice required to advise all affected property owners of a Council meeting to consider the enactment of a by-law to permanently alter a highway when the permanent alternation would deny access to a property.



## Corporation of the Town of Cobourg

**Division:** Legislative Services

**Effective Date:**

**Department:** Clerk's Department

**Approval Level:** Council

**Policy Title:** Public Notice - Administration

**Section #** 3-1  
**Policy #** LEG-ADM7

<b>Municipal Act Section and Section:</b>	<b>Requirement of Municipal Act:</b>	<b>Town of Cobourg Notice Requirements:</b>
ss. 11 (3) 1. Highways, including parking and traffic on highways  <b>(Change and/or naming of a highway)</b>	No notice required.	Public notice mailed to all affected property owners of a Council meeting to consider the enactment of a by-law  Municipal website posting 2 weeks prior to Council meeting at which the matter is being considered.
<b>s.48</b> Name or change the name of a private road	A local municipality may name or change the name of a private road after giving public notice of its intention to pass the by-law	Public notice mailed to all affected property owners of a Council meeting to consider the enactment of a by-law  Municipal website posting 2 weeks prior to Council meeting at which the matter is being considered.



# Corporation of the Town of Cobourg

**Division:** Legislative Services

**Effective Date:**

**Department:** Clerk's Department

**Approval Level:** Council

**Policy Title:** Public Notice - Administration

**Section #** 3-1  
**Policy #** LEG-ADM7

<b>Municipal Act Section and Section:</b>	<b>Requirement of Municipal Act:</b>	<b>Town of Cobourg Notice Requirements:</b>
<b>s.217-219</b> Council Composition (notice requirements in s. 219)	Before passing a by-law described in section 218, the municipality shall give notice of its intention to pass the by-law and shall hold at least one public meeting to consider the matter.	Council shall hold at least one public meeting.  Municipal website posting 2 weeks prior to public meeting and Council meeting at which the matter is being considered.
<b>s.222</b> Establishment of Wards	Within 15 days after a by-law is passed, the municipality shall give notice of the passing of the by-law to the public specifying the last date for filing a notice of appeal	Staff shall conduct at least one public consultation session.  Municipal website posting 2 weeks prior to Council meeting at which the matter is being considered.  Municipal website posting within 15 days of passing by-law.



# Corporation of the Town of Cobourg

**Division:** Legislative Services

**Effective Date:**

**Department:** Clerk's Department

**Approval Level:** Council

**Policy Title:** Public Notice - Administration

**Section #** 3-1  
**Policy #** LEG-ADM7

<b>Municipal Act Section and Section:</b>	<b>Requirement of Municipal Act:</b>	<b>Town of Cobourg Notice Requirements:</b>
<b>s.238</b> Procedural By-law	No notice required.	Notice through posting Standing Committee or Council agendas on the Town website.
<b>s.173(3)</b> Restructuring Proposal	<p>Before the Council of a Municipality votes on whether to support or oppose a restructuring proposal, the Council shall or may, as applicable, do the following things when the proposal is being developed:</p> <ol style="list-style-type: none"><li>1) Council shall consult with the public by giving notice of, and by holding, at least one public meeting.</li><li>2) Council shall consult with such persons or bodies as the Minister may prescribe.</li></ol> <p>Council may consult with such other persons and bodies as the municipality considers appropriate.</p>	<p>Council shall hold at least one public meeting.</p> <p>Municipal website posting 2 weeks prior to public meeting and Standing Committee meeting at which the matter is being considered.</p>





# Corporation of the Town of Cobourg

**Division:** Legislative Services

**Effective Date:**

**Department:** Clerk's Department

**Approval Level:** Council

**Policy Title:** Public Notice - Administration

**Section #** 3-1  
**Policy #** LEG-ADM7

Municipal Act Section and Section:	Requirement of Municipal Act:	Town of Cobourg Notice Requirements:
<p><b>s.204-210</b> Business improvement Areas</p>	<p>A local municipality may designate an area as an improvement area and may establish a board of management. Before passing a by-law under subsection 204 (1), clause 208 (2) (b), subsection 208 (3) or section 209, notice of the proposed by-law shall be sent by prepaid mail to the board of management of the improvement area, if any and to every person who, on the last returned assessment roll, is assessed for rateable property that is in a prescribed business property class which is located,</p> <ul style="list-style-type: none"> <li>a) where the improvement area already exists, in the improvement area, and in any geographical area the proposed by-law would add to the improvement area; and</li> <li>b) where a new improvement area would be created by the proposed by-law, in the proposed improvement area.</li> </ul>	<p>Prepaid mail sent to all persons who would be affected by the proposed by-law at least sixty (60) days prior to the date of the passing of the by-law.</p>



# Corporation of the Town of Cobourg

**Division:** Legislative Services

**Effective Date:**

**Department:** Clerk's Department

**Approval Level:** Council

**Policy Title:** Public Notice - Administration

**Section #** 3-1  
**Policy #** LEG-ADM7

<b>Municipal Act Section and Section:</b>	<b>Requirement of Municipal Act:</b>	<b>Town of Cobourg Notice Requirements:</b>
<b>s.216</b> Dissolution of Local Boards (excluding Police Services)	No notice required.	Notice by mail to local board 2 weeks prior to Standing Committee meeting at which matter is being considered.  Municipal website posting 2 weeks prior to public meeting and Standing Committee meeting at which the matter is being considered
<b>s.270.1</b> Sale of Land	No notice required.	Refer to policy for notice requirements.
<b>s.290-291</b> Budget - Adopt or Amend	No notice required.	Notice through posting Standing Committee agenda on the Town website.  Municipal website posting 2 weeks prior to Standing Committee meeting at which the matter is being considered.



# Corporation of the Town of Cobourg

**Division:** Legislative Services

**Effective Date:**

**Department:** Clerk's Department

**Approval Level:** Council

**Policy Title:** Public Notice - Administration

**Section #** 3-1  
**Policy #** LEG-ADM7

<b>Municipal Act Section and Section:</b>	<b>Requirement of Municipal Act:</b>	<b>Town of Cobourg Notice Requirements:</b>
<b>s.391</b> Fees and Charges	No notice required.	Notice through posting Standing Committee agenda on the municipal website.  Municipal website posting 2 weeks prior to Standing Committee meeting at which the matter is being considered.
Temporary Road Closures-Scheduled Construction or Festivals and Events	No notice required.	Notice through posting Standing Committee or Council agendas on the Town website.  Municipal website posting 2 weeks prior to Standing Committee meeting at which the matter is being considered.