



## ADMINISTRATIVE POLICY NO. 79

**SUBJECT: PUBLIC NOTICE POLICY**  
**APPLICABLE TO: ALL STAFF**

History			
<b>Effective Date:</b>	2016-10-18	<b>Revision Date:</b>	2019-03-05
<b>Authority:</b>	CAO	<b>Amended by:</b>	Town Clerk
<b>Legislative Requirement:</b>	<i>Municipal Act, 2001, Section 270 (1)</i>		

### 1. Policy Statement

Section 270 (1) of the *Municipal Act*, 2001, S.O. 2001, c. 25 requires that a municipality adopt and maintain a policy with respect to the circumstances in which the municipality shall provide Notice to the public and the form, manner, and time thereof. As such, this policy shall establish procedures for the provision of public Notice regarding matters that may directly affect or be of interest to members of the public.

### 2. Purpose

In a manner that is accessible for all members of the public, the purpose of this policy is to ensure transparency in the local decision-making process through the provision of Notice to the public on matters that may directly affect them or be of general interest, affording them the opportunity to follow, observe, and participate in the Council decision making process.

### 3. Objectives and Guiding Principles

The Town of Whitchurch-Stouffville, affirming its commitment to good local governance and the principle of transparency, shall demonstrate adherence to the Notice provision prescribed in statute, regulation, and Town by-laws and policies, pursuant to the following principles:

- a) Members of the public and other key stakeholders have the right to be informed of the time, place, and subject matter to be discussed with respect to the conduct of business of the Town;
- b) Notice shall be given in an accessible form and manner;

- c) Where appropriate, Notice shall be given through multiple media such to reach all demographic audiences; and
- d) Notice shall be given with regard to those with accessibility needs.

#### **4. Scope**

- a) Where notice is prescribed by a specific Act or Legislation, the municipality shall give notice in accordance with the Act or Legislation.
- b) If there is no specific legislative requirement, this policy shall apply to all other Public Notices regarding matters that may directly affect or be of interest to members of the public, issued by the Town as set out in Schedule A.

#### **5. Terms and Definitions**

<b>“Council”</b>	means the Council of The Corporation of the Town of Whitchurch-Stouffville.
<b>“Individual”</b>	includes all persons, residents or otherwise, corporations, business, and associations, as context requires.
<b>“Individual Notice”</b>	means written, published, or printed notification provided by the Town directly to specific individuals.
<b>“Local Media”</b>	means a printed or electronic publication, intended for general circulation in the Town, published regularly consisting in great part of news of current events of general interest and distributed to the public.
<b>“Originating Department”</b>	shall mean the department from which the proposed or actual subject matter put before Council for decision has originated.
<b>“Plain Language”</b>	means a style of writing that is organized and presents information in a manner that that makes sense and is easy to read, that is presented with straightforward vocabulary and sentence structure, and organizes information in a logical manner to ensure the content is clearly understood.
<b>“Public Consultation Meeting”</b>	means a Meeting where the public is given an opportunity to address Council on a matter prior to a decision being made.
<b>“Public Notice”</b>	means written, published, or printed notification provided by Town to the public generally, and does not include Notice given to specific individuals.

**“Town Website”** means the official Town of Whitchurch-Stouffville website at [www.townofws.ca](http://www.townofws.ca)

Any references to the singular form shall also be construed as including the plural form, and vice versa, unless otherwise specified.

## **6. Roles and Responsibilities**

- a) The Chief Administrative Officer, or his/her designate, shall be responsible for approving administrative amendments to this policy as recommended by the Clerk.
- b) The Clerk, or his/her designate, shall be responsible for:
  - i) The oversight and implementation of this policy in conjunction with the Chief Administrative Officer and all Department Heads;
  - ii) Ensuring the provisions of this policy are met by the Originating Department; and
  - iii) Reviewing and recommending updates for this policy to the Chief Administrative Officer, to reflect changes as required.
- c) Department Heads shall be responsible for:
  - i) Ensuring the provisions of this policy are complied with by staff under their direct supervision prior to a decision of Council;
  - ii) Ensuring that all Public Notices given by their department are written in plain language;
  - iii) Making the Clerk aware of any updates or revisions that affect the provision of Notice, as required; and
  - iv) If their department is the Originating Department, ensuring Public Notice is provided pursuant to this policy and/or as prescribed by a specific Act or Legislation.

## **7. Form of Notice**

- a) Where Public Notice is required under this policy, the form of the Notice shall include the following:
  - i) A description of the proposed action or by-law, or the purpose of effects thereof;
  - ii) The date, time, and location of the meeting at which the matter will be considered;

- iii) The name and contact information of the staff member who will provide information for receiving public comments and correspondence relating to the matter, including any corresponding deadlines; and
- iv) Where the matter relates to particular lands within the Town's jurisdiction, sufficient particulars of such land, including municipal address, legal description of lands, or a key map.

## **8. Notice Procedures**

- a) All Town staff shall adhere to and consider the application and Guiding Principles of this policy when determining the manner and form of Notice for subject matter to be put before Council. Staff from the Originating Department, and more particularly the author or coordinator of the subject matter, shall be primarily responsible for the provision of Public Notice where required by this policy.
- b) Where Public Notice is required by this policy, Notice shall be published as follows:
  - i) On the Town website; or
  - ii) Using the Town's social media accounts; or
  - iii) On the Council Agenda; or
  - iv) In Local Media; or
  - v) All of the above.
- c) The requirement to give reasonable Notice to the public shall be deemed fulfilled upon completion of the actions required by this policy. Notice requirements in this policy shall be deemed to be minimum requirements. Nothing in this policy shall prevent the Clerk or any other Town Staff from using more comprehensive methods for providing Notice or for providing a longer Notice period.
- d) Where provisions for Public Notice for a particular subject matter or circumstance are not provided for by Legislation or this policy, Notice provided by the Town shall reflect the magnitude and complexity of the matter and the public's interest in the matter.
- e) Town Staff shall ensure that all Public Notices are published in formats accessible to those with disabilities. Such Public Notices shall be made available upon request and at no cost.
- f) This policy may only be waived in extenuating circumstances where the Clerk, in consultation with the CAO, determines that Notice must be waived. Notwithstanding the above, the Clerk, in conjunction with the CAO and Originating Department Head, shall make their best efforts to provide as much Public Notice as is reasonable under the circumstances.

## 9. Strategies for Effective Public Notice

- a) Where possible, Public Notice shall be written in plain language and in an accessible manner according to the following strategies:
  - i) **Ability to scan for information:** Public Notice is concise and makes use of short sentences, paragraphs, and headings.
  - ii) **Ease of reading:** Public Notice makes use of simple sentence structure, vocabulary, and grammar.
  - iii) **Straightforward language:** Public Notice uses everyday words instead of technical jargon, and uses active voice rather than passive voice.
  - iv) **Target audience:** Public Notice anticipates and engages the interest of its potential audience and addresses potential enquiries.
  - v) **Images:** Public Notice uses images, where necessary, to help convey messages and are easily understood and legible.

## 10. General

- a) No Notice shall be required under this policy where the provision of Notice would interfere with the ability of Council to conduct business with respect to a matter permitted for a Closed Meeting under Section 239 of the *Municipal Act, 2001, c.25*

## Public Notice Policy – Schedule “A”

Where notice is prescribed by a specific Act or Legislation, the municipality shall give notice in accordance with the Act or Legislation. The following Subject Matters require notice published:

- i) On the Town website; or
- ii) Using the Town’s social media accounts; or
- iii) On the Council Agenda; or
- iv) In Local Media; or
- v) All of the above.

	Subject Matter	Additional Considerations
1.	Procedural By-law, including Notice Requirements	
2.	Sign By-law	
3.	Election Sign By-law	
4.	General Licensing By-law	
5.	Change of composition of Council	<ul style="list-style-type: none"><li>• One (1) public consultation meeting.</li></ul>
6.	Town Policies and Procedures as they pertain to: <ul style="list-style-type: none"><li>a) The procurement of goods and services;</li><li>b) Accountability and Transparency;</li><li>c) Delegation of Council powers and duties contained within the <i>Act</i> or <i>Planning Act</i>;</li><li>d) The following policies pertaining to the hiring of employees:<ul style="list-style-type: none"><li>i. Employment of Relatives;</li><li>ii. Code of Conduct; and</li><li>iii. Conflict of Interest.</li></ul></li></ul>	
7.	Declaration of surplus property by Council	
8.	Fees and Charges By-law	

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	Subject Matter	Additional Considerations
9.	Adoption of budget	
10.	Amendment to budget	
11.	Permanent closure of a public highway	<ul style="list-style-type: none"><li>• Individual notice to those directly affected, including key stakeholders.</li></ul>
12.	Permanent altering of a highway	<ul style="list-style-type: none"><li>• Individual notice to those directly affected, including key stakeholders.</li></ul>
13.	Construction of Town roads and facilities	
14.	Temporary closure of public highway due to street party, road work, or special event	<ul style="list-style-type: none"><li>• Standard notice in Section 8. b) is optional</li><li>• Individual notice to those directly affected, including key stakeholders.</li></ul>
15.	Temporary closure of a public highway due to major festival	<ul style="list-style-type: none"><li>• Individual notice to those directly affected, including key stakeholders.</li></ul>