

COUNCIL ATTACHMENT 2



STATUS

Council Approved	Y	N
CAO Approved:	Y	N

TITLE: Public Notice Requirements	NO.: Approval Date: Last Updated:
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POLICY STATEMENT:

A policy to establish the circumstances in which the Region shall provide notice to the public in the course of conducting its business.

APPLICATION:

The principles established in this policy apply generally to the conduct of all Regional business. Where the requirements of this policy conflict with any applicable statute or regulation, the statute or regulation shall prevail.

PURPOSE:

The *Municipal Act, 2001* (the “Act”) requires that the Region adopt and maintain a policy with respect to the circumstances in which the Region shall provide notice to the public and, if notice is to be provided, the form, manner and times notice shall be given. The purpose of this policy is to set out the Region’s notice requirements in accordance with the legislative requirements.

DEFINITIONS:

In this policy:

Public Meeting: means a meeting, other than a regularly scheduled meeting of Council or Committee, held primarily for the purpose of consulting with the public and for inviting comments on a matter within the jurisdiction of Regional Council.

DESCRIPTION:

Regional Council supports the principles of accountability and transparency in the conduct of its affairs and recognizes that providing full and fair notice to the public of Council’s business is necessary to support these objectives.

The notice provisions set out in this policy are founded on the following principles:

- constituents and interested parties should be made fully aware of when and where Regional business is being conducted and whether matters under consideration may have an impact on them
- constituents should be afforded adequate opportunity to participate fully in decision making by making informed submissions to Committee and Council

The following guidelines shall govern the selection of the appropriate form of notice in individual cases:

- notice shall be given by a variety of means, to reach the broadest audience, in an accessible manner and in an appropriate format
- although recognizing the value of the internet to facilitate speedy distribution of information, it is acknowledged that access to the internet is not universal or fully accessible
- where a matter is known to affect identified individuals, direct notice shall be given to such individuals
- where a matter affects a particular property or section of a highway, notice shall be given by signage on the subject property or section of highway
- newspaper publication is costly and administratively cumbersome, and should be limited to those matters of particular significance affecting a larger community
- the notice requirements set out in this policy shall not affect specific statutory notice requirements which govern any particular matter, including requirements under the *Planning Act*, the *Development Charges Act* and the *Environmental Assessment Act*

Notice provided by the Region shall contain, at a minimum, the following information:

- adequate detail of the subject matter to enable interested parties to understand the nature of the issue
- the date, time and location of the meeting at which the matter will be considered
- information as to the manner in which submissions may be made, whether in person or in writing
- a contact person at the Region who will be available to respond to inquiries

SPECIFIC NOTICE REQUIREMENTS:

Council and Committee meetings:

Notice of the majority of Council business will be given through advance publication of Council and Committee agendas.

Notice of Council and Committee meetings shall be given as provided in the Region's procedure by-law, as follows:

- publishing the annual schedule of meetings on the Region's web site, as well as any mid-year modifications to the schedule

- depositing a copy of each notice and agenda at the Kiosk at the York Region Administrative Centre, at least 48 hours in advance of the meeting
- posting each meeting notice and agenda on the Region's web site at least 48 hours in advance of the meeting
- delivering each meeting notice and agenda to the Clerk of each local municipality
- these notice requirements are minimum requirements only that may be enhanced by Council or by the Chief Administrative Officer in appropriate circumstances
- the notice requirements do not apply to revised agendas

Permanent road closure or alterations:

Where Regional Council proposes to pass a by-law permanently closing or altering a highway in such a manner that access rights will be affected, the following additional notice shall be given:

- publication in a local newspaper on one occasion, at least two weeks prior to the date of the Committee meeting at which the matter will be considered;
- personal notice to those property owners directly affected; and
- signage along the highway.

Where a person's access rights are not affected, two weeks' notice of the Committee meeting shall be given by personal notice to adjacent property owners and signage at the location of the proposed closure.

Changing the name of a highway:

Where Regional Council proposes to change the name of a highway, notice shall be given by:

- publication in a local newspaper, on one occasion, at least two weeks prior to the date of the committee meeting at which the matter will be considered;
- personal notice to affected property owners; and
- signage along the highway.

Public meetings:

Where public meetings are scheduled for consultation on proposed projects and infrastructure, notice of the meeting shall be given as follows:

- publication in a newspaper at least two weeks prior to the date of the meeting;
- personal notice to any affected person or anyone who is on record as having an interest in the matter; and
- delivery of notice to the Clerk of the local municipality in which the project will be undertaken.