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Corporation of the Township of Champlain

By-Law Number 2025-03

Public Notice Policy By-Law

Being a By-law to establish a Public Notice Policy

Whereas Section 270 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, states 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 notices shall be given; and

Whereas Sections of the *Municipal Act, 2001* require a municipality to give notice to the public generally of its intention to pass certain by-laws, notice of the holding of certain required public meetings, and notice of other matters; and

Whereas the Corporation of the Township of Champlain deems it advisable to set out reasonable minimum requirements for those actions by the municipality for which the notice requirements are not prescribed under the provisions of the Act or its regulations; and

Whereas Council of the Corporation of the Township of Champlain deems it advisable to establish a public notice policy;

Now Therefore the Council of the Corporation of the Township of Champlain hereby enacts as follows;

1. **That** the Public Notice Policy, attached hereto as Schedule "A" and forming part of this by-law is hereby adopted.
2. **That** if a section of this by-law is found invalid (*ultra vires*) by a court of competent jurisdictions, such section shall be deemed severable, and all other sections of this by-law shall remain in force and effect.
3. **That** this By-law shall come into force and take effect upon its passing.

Read a first, second and third and duly adopted this 23rd day of January, 2025.

Normand Riopel, Mayor

Alison Collard, Clerk

Public Notice Policy No. CLK-003

Purpose

The Corporation of the Township of Champlain acknowledges the importance of having an informed public. The Township of Champlain is an accountable and transparent organization that believes that its residents should be made aware of the business of the municipality, and as such, that commitment is characterized in the Township of Champlain's values of Transparency and Accountability. Section 270 of the *Municipal Act, 2001* affirms that the 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.

Policy Statement

This Policy describes the circumstances in which notice shall be provided to the public and the form, manner, and times notice shall be given as required under section 270(1)4 of the *Municipal Act, 2001*, S.O. 2001, c.25.

Scope

This policy applies to public notices issued by the Corporation of the Township of Champlain, pursuant to the *Municipal Act, 2001*, with the following exceptions:

- Where notice is otherwise prescribed by statute, regulation, by-law or other policy;
- The requirements of notice are prescribed in another policy, resolution or by-law;
- Where Council directs an alternate form or manner of public notice or deems that notice is not required;



- Where notice requirements may need to be altered pursuant to an Emergency Provision.

Definitions

“Clerk” means the Municipal Clerk for the Corporation of the Township of Champlain.

“CAO” means the Chief Administrative Officer for the Corporation of the Township of Champlain.

“Council” means the Council of the Corporation of the Township of Champlain.

“Day” means calendar days including Saturdays, Sundays and holidays.

“Municipal Act” means the *Municipal Act, 2001*, S.O. 2001, c.25, as amended.

“News and Notices” means the subdirectory of the Township of Champlain’s website where notices are electronically disseminated to the public (<https://champlain.ca/modules/news/en>)

“Newspaper” means a local printed or online publication, published at regular intervals and circulated with the municipality so as to provide reasonable notice to those affected.

“Notice” means a written, printed, electronic, published, or posted notification or announcement.

“Posted” means the erection of a sign in the vicinity of the lands that are subject to the notice.

“Published” means published on the Website, or in the Newspaper, as required.

“Registered Mail” means registered mail that requires the recipient to sign for it and is delivered by Canada Post or a courier service.

“Social Media” refers to the Corporation of the Township of Champlain’s official accounts on internet-based technologies and sites specifically designed for the public dissemination of information, news, opinions, and other matters of interest in a freely available manner. These include but are not limited to, Facebook, Instagram and YouTube.

“Subject Matter” means the issue, measure, requirement, meeting or other matter in respect of which a notice is being given.



“Township” shall mean the Corporation of the Township of Champlain.

“Website” means the official Corporation of the Township of Champlain’s internet website.

Policy

1. Application

The form, manner and timing for giving of notice as set out in this policy shall be deemed to be the minimum requirement and nothing in the policy shall prevent the use of more comprehensive methods of Notice or for providing for longer notice period.

Wherever possible, public notices should be written in plain language in a manner that promotes openness and engagement from members of the public.

Public notices provided by means of social media should be written in accordance with the provisions of the Township’s current Communications Policy.

The Township’s Communications Policy and Customer Service Accessibility Policy shall be followed to ensure that the notices are produced and published/posted in clear language and in such a way to be in an accessible format thereby reducing barriers to the public.

2. Provision of Notice

Where the Township is required to give public notice or notice to other parties pursuant to a provision of the Municipal Act, or where Council deems it appropriate to prescribe notice to the public or other parties, notice shall be given pursuant to Appendix “A” attached hereto.

The provision of notice shall primarily be by publishing to the Township’s website; however, notice may also be provided in the form of direct delivery, including hand delivery, direct mail, email, newspapers, location signs, radio and television (e.g. media releases).



A public notice given under this provision utilizing the municipal website shall be sufficient even if the Township of Champlain website is not accessible at all times during the public notice period.

Notwithstanding the provisions of this By-Law to the contrary, section 2 shall not be applicable where:

- 2.1. The Municipal Act, or another Act or regulations, prescribe specific notice requirements; or
- 2.2. The Council of the Township of Champlain directs that public notice be given in a manner different from the public notice provisions of paragraph 2.

3. Time of Notice

Where notice of intention to pass a by-law or notice of public meeting is required to be given, such notice shall be provided in the time frame prescribed in the legislation or its regulations and if it is not prescribed, notice shall be given pursuant to Appendix “A” as attached.

4. Minimum Requirements

This policy sets out the minimum requirements for providing notice; nothing in this policy shall prevent the use of additional methods of Public Notice or for providing for a longer Public Notice period.

No public notice shall be required under the provisions of this By-law where Council is authorized by the Municipal Act to consider a matter in a meeting closed to the public.

5. Additional Public Notice

If a matter is deferred at a Council meeting or if a matter is considered at a subsequent Council meeting, no additional public notice shall be required, except where the Municipal Act, or other



Provincial Statute(s) provides otherwise, or if Council directs that additional public notice be given.

6. Emergency Provisions

The Public Notice requirements of this policy may be waived by the CAO, in consultation with the Mayor, where a matter arises, which in the opinion of the CAO is considered to be of an urgent, or time-sensitive nature, or which could affect the health, safety, or well-being of the public, impact the welfare or security of public or private property or Township infrastructure, seriously impact service delivery, if a State of Emergency is declared, or when so advised by a Provincial or Federal Ministry. In such cases, the Clerk shall make best efforts to provide as much notice as is reasonable under the circumstances.

7. Content of Public Notices

Notice to the Public shall contain the following information when applicable:

- 7.1. A general description of the subject matter under consideration or otherwise involved;
- 7.2. Reference to the applicable legislation, regulation or Township by-law under which the Notice is being given.
- 7.3. Where the matter relates to a defined location, sufficient particulars of the location to identify it generally, such as reference to a municipal address or street intersection, or a legal description or plan or key map;
- 7.4. The purpose of any meeting of which notice is required to be given or the purpose and effect of the proposed action.
- 7.5. The date, time and location of the meeting;
- 7.6. The name and address of the person who will receive written comments on the issue which is the subject of the meeting and the deadline for receiving such comments;
- 7.7. That Notice is given by The Corporation of the Township of Champlain, or by the Clerk, or designate on its behalf;



7.8. That Notices direct the public to the Township Website for additional information.

8. Responsibility

It is the responsibility of the appropriate Department Head in coordination with the Clerk and the Communications Officer to ensure notice requirements applicable to their department are met, and that notices meet the Township’s accessibility requirements.

9. Accessibility

It is the responsibility of the appropriate Department Head, in coordination with the Clerk and the Communications Officer, to ensure that notice requirements applicable to their department meet the Township’s commitment to accessibility requirements. If requested, staff are to provide alternative formats.

10. Amendments

Over time, additional notice requirements may be determined. In such cases, Appendix “A” shall be amended and updated if required. Delay in amending Appendix “A” does not preclude the implementation of notice requirements determined by Council or staff, or legislation. Schedule “A” can be amended by resolution of Council.

11. Attachments

- Appendix A – Public Notice Requirements

Revision History

- This Policy shall be reviewed every five (5) years by the Clerk and will be revised in light of any changes in legislation.



Appendix “A” – Public Notice Requirements

1. Section 34 – Permanent Closure of Highway

Municipal Act requirement: None

Township of Champlain notice requirement: Notice to be sent by registered mail, mailed to the last known address of the affected property owner(s) when such closure or permanent alteration would deny access to their property a minimum of 14 days prior to the Committee or Council meeting. Notice to be posted to the Township website 14 days prior to the Committee or Council meeting at which the Subject Matter is being considered.

2. Section 48 – Change/Naming of Private Roads

Municipal Act requirement: 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.

Township of Champlain notice requirement: Notice to be posted to the Township website, and published in the Newspaper, a minimum of 14 days prior to the Committee or Council meeting at which the Subject Matter is being considered.

3. Section 151 – Business Licensing

Municipal Act requirement: None

Township of Champlain notice requirement: Notice to be posted to the Township website a minimum of 7 days prior to the Committee or Council meeting at which any by-law to license businesses under Section 151 is being considered.



4. Section 173 – Proposal to Restructure

Municipal Act requirement: 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 or after it is developed:

- Council shall consult with the public by giving notice of, and by holding at least one public meeting.
- Council shall consult with such persons or bodies as the Minister may prescribe.
- Council may consult with such other persons and bodies as the municipality considers appropriate

Township of Champlain notice requirement: Council shall hold at least one public meeting. Notice to be posted to the Township website 14 days prior to the Committee or Council meeting at which the Subject Matter is being considered.

5. Section 187 – Change of Name of Municipality

Municipal Act requirement: None

Township of Champlain notice requirement: Council shall hold at least one public meeting. Notice to be posted to the Township website a minimum of 14 days prior to the Committee or Council meeting at which the Subject Matter is being considered.

6. Sections 204 – 210 – Business Improvement Areas

Municipal Act requirement: 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 a rateable property that is in a prescribed business property class which is located:



- where the improvement area already exists, in the improvement area and in any geographic area the proposed by-law would add to the improvement area; and
- where a new improvement area would be created by the proposed by-law, in the proposed improvement area.

Township of Champlain notice requirement: As required by the Act.

7. Section 211 – Business Improvement Areas – Repeal of By-law

Municipal Act requirement: Council shall give notice in accordance with subsection 210(1) of a proposed by-law to repeal a by-law under subsection 204(1). Council shall give the notice within 60 days after receiving the resolution or request. Recipients are to respond within 60 days after the day of mailing notices.

Township of Champlain notice requirement: As required by the Act.

8. Section 217 – Composition of Council of Local Municipality

Municipal Act requirement: None

Township of Champlain notice requirement: Before passing a by-law to change the composition of Council, the Township shall give notice of its intention to pass the by-law 7 days prior to the public meeting at which the matter is being considered.

9. Section 222 – Establishment of Wards

Municipal Act requirement: Within 15 days after a by-law described in subsection (1) 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 under subsection.

Township of Champlain notice requirement: Council shall hold at least one public meeting. Notice to be posted to the Township website a minimum of 14 days prior to the Committee or Council meeting at which the Subject Matter is being considered.



Notice to be published in the Newspapers and posted to the Township website within 15 days of passing of the by-law.

10. Section 238 – Procedural By-law

Municipal Act requirement: The procedure by-law shall provide for public notice of meetings.

Township of Champlain notice requirement: As set out in the Township’s Procedural By-law.

11. Section 270 – Adoption of Policies – Sale and Disposition of Land

Municipal Act requirement: Municipality is required to adopt a policy with respect to the sale and disposition of municipally-owned land.

Township of Champlain notice requirement: Notice shall be in accordance with the Township’s Sale and Disposition of Land Policy, and, where applicable, the Township’s Road Allowance Closing Procedure.

12. Section 290 and 291 – Yearly Budget, Local Municipalities

Municipal Act requirement: None.

Township of Champlain notice requirement: Notice to be published to the Township website a minimum of 7 days prior to the first Committee or Council meeting at which the annual budget is to be considered.

13. Section 295 – Publication of Financial Statements

Municipal Act requirements: Within 60 days after receiving the audited financial statements of the municipality for the previous year, the treasurer of the municipality:

- (a) shall publish in a newspaper having general circulation in the municipality,



- (i) a copy of the audited financial statements, the notes to the financial statements, the auditor's report and the tax rate information for the current and previous year as contained in the financial review, or
 - (ii) a notice that the information described in subclause (i) will be made available at no cost to any taxpayer or resident of the municipality upon request; and
- (b) may provide the information described in subclause (a) (i) or (ii) to such persons and in such other manner as the treasurer considers appropriate.

If a request is made under subsection (1), the treasurer shall provide a copy of the information to the taxpayer or resident at no cost.

Township of Champlain notice requirement: As required by the Act, subsection 295(1)(a)(ii).

14. Section 351 – Seizure

Municipal Act requirements: Subject to certain conditions, if taxes on land remain unpaid after the due date, the treasurer or the treasurer's agent may seize personal property to recover the taxes and costs of the seizure. The treasurer or the treasurer's agent shall give the public notice of the time and place of the public auction and of the name of the person whose personal property is to be sold.

Township of Champlain notice requirements: As required by the Act.

15. Section 356 – Division into Parcels

Municipal Act requirements: Upon application by the Treasurer of a local municipality or to the Treasurer by an owner of land, the local municipality may:

- (a) divide, for the purposes of this section, land which is assessed in one block into two or more parcels if each parcel is one that can be legally conveyed under the Planning Act;
- (b) apportion the unpaid taxes on the land among the parcels,



- (i) in proportion to their relative value at the time the assessment roll for the year in which the application is made was returned, or
- (ii) if council is of the opinion that an apportionment under subclause (i) is not appropriate due to special circumstances, any other manner; and
- (c) direct what proportion of any part payment of taxes on the land is to be applied to each of the parcels.

On or before September 30 of the year following the year in which the application is made, the Council shall,

- (a) hold a meeting at which the applicants and owners of any part of the land may make representations to council;
- (b) notify the applicants and owners of the meeting by mail sent at least 14 days before the meeting; and
- (c) make its decision.

Within 14 days after making its decision, council shall notify the applicants and owners of the decision and specify the last day for appealing the decision.

Township of Champlain notice requirements: As required by the Act.

16. Section 357 – Cancellation, Reduction, Refund of Taxes

Municipal Act requirements: Upon application, and subject to certain conditions, the local municipality may cancel, reduce or refund all or part of taxes levied on land in the year in respect of which the application is made.

On or before September 30 of the year following the year in respect of which the application is made, council shall:

- (a) hold a meeting at which the applicants may make representations to council;



- (b) notify the applicants of the meeting by mail sent at least 14 days before the meeting;
and
- (c) make its decision.

Within 14 days after making its decision, council shall notify the applicants of the decision and specify the last day for appealing the decision

Township of Champlain notice requirements: As required by the Act.

17. Section 358 – Overcharges Due to Gross or Manifest Error

Municipal Act requirements: Upon receipt of an application, and subject to certain conditions, the municipality may cancel, reduce or refund all or part of taxes which were overcharged due to a gross or manifest error in the preparation of the assessment roll.

The treasurer shall send a copy of the application to the assessment corporation and the registrar of the Assessment Review Board.

If an application is not valid under subsection (5), the treasurer shall notify the applicant in writing of the reasons it is not valid.

On or before September 30 of the year following the year in which the application is made, council shall:

- (a) hold a meeting at which the applicant may make representations to council;
- (b) notify the applicant of the meeting by mail sent at least 14 days before the meeting;
and
- (c) make its decision.

Within 14 days after making its decision, council shall notify the applicant of the decision.

Township of Champlain notice requirements: As required by the Act.



18. Section 359 – Increase of Taxes as Result of Undercharge by Gross or Manifest Error

Municipal Act requirement: Upon receipt of an application by the treasurer, the municipality may increase the taxes levied when the taxes were undercharged due to a gross or manifest error.

Council shall:

- (a) hold a meeting at which the treasurer and the person in respect of whom the application is made may make representations to council;
- (b) notify the treasurer and the person in respect of whom the application is made of the meeting by mail sent at least 14 days before the meeting; and
- (c) make its decision.

Within 14 days after making its decision, council shall notify the treasurer and the person in respect of whom the application is made of the decision and specify the last day for appealing the decision.

Township of Champlain notice requirements: As required by the Act.

19. Section 379 & 381 – Tax Arrears Certification – Public Notice

Municipal Act requirements: If the cancellation price remains unpaid 280 days after the day the tax arrears certificate is registered under section 373, the treasurer, within 30 days after the expiry of the 280-day period, shall send to the persons entitled to receive notice under section 374 a final notice that the land will be advertised for public sale unless the cancellation price is paid before the end of the one-year period following the date of the registration of the tax arrears certificate.

If at the end of the one-year period the cancellation price has not been paid the land shall be offered by public auction or public tender. The Treasurer shall make a statutory declaration



stating the names of the persons to whom notice was sent previously and advertise the land for sale in accordance with the Regulations once a week for four weeks in a newspaper that, in the opinion of the Treasurer, has such circulation within the municipality as to provide reasonable notice of the sale. After the sale is made, and within 60 days after making a subsequent statement and payment to the Superior Court of Justice, the treasurer shall send a copy of the statement to the Public Guardian and Trustee and to the persons to whom notice was previously sent.

Any notice required to be sent may be given by personal delivery or be sent by certified or registered mail.

Township of Champlain notice requirements: As required by the Act.

20. Section 391 – Fees and Charges By-law

Municipal Act requirements: None

Township of Champlain notice requirements: Public notice for the adoption of or an amendment to the Fees and Charges By-law is given by publishing a notice on the Township's website a minimum of 7 days prior to the meeting.

21. Section 400 – Fees and Charges – Regulations

Municipal Act requirements: The Minister may make regulations regarding fees and charges with priority lien status, including a requirement that the municipality give notice of its intention to pass a by-law imposing fees and charges which will have priority lien status.

Township of Champlain notice requirements: As required by Ontario Regulation 586/06.



22. Section 402 – Notice of Debt

Municipal Act requirements: Upon receipt of an application of a municipality to incur a debt, the Ontario Land Tribunal may direct the municipality to give notice of the application to such persons and in such manner as the Tribunal determines.

Township of Champlain requirements: As required by the Tribunal.