



**THE CORPORATION OF THE TOWNSHIP OF AUGUSTA
BY-LAW NUMBER 3729-2024**

**BEING A BY-LAW TO ESTABLISH A PUBLIC NOTICE POLICY FOR THE
CORPORATION OF THE TOWNSHIP OF AUGUSTA**

WHEREAS the Municipal Act, 2001, (the Act) as amended, requires that the municipality shall adopt and maintain a policy with respect to the provision of notice to the public and, if notice is to be provided, the form, manner, and times notice shall be given;

AND WHEREAS advisable to enact a by-law with respect to the giving of reasonable notice to the public from time to time under the Municipal Act;

NOW THEREFORE the Council of the Corporation of the Township of Augusta hereby enacts as follows that:

1. **THAT** Schedule "A shall form part of this By-Law.
2. **THAT** this Policy shall be referred to as the "Public Notice Policy".
3. **THAT** the policy be reviewed at least once every term of Council.
4. This Policy shall come into force and effect on the day of passing.
5. **THAT** By-Law 2763 is hereby repealed and all other By-Laws inconsistent herewith are hereby repealed.

Read a first, second, and third time and finally passed this 15th day of July, 2024.



Mayor



Clerk

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Policy:	Public Notice Policy	Date issued:	July 15, 2024
Coverage:	All Employees	Revised:	

PURPOSE

The purpose of this By-Law is to set out the form, manner and timing in which the Municipality shall provide public notice where notice is appropriate and/or prescribed.

SCOPE

This policy applies to public notices issued by the Municipality, pursuant to the Municipal Act, 2001, with the following exceptions:

- i. Where notice is otherwise prescribed by statute, regulation, Township By-Law or other policies;
- ii. Where Council directs and alternate form or manner of public notice over and above or deem notice not required;
- iii. Where notice requirements may need to be altered pursuant to an emergency provision.

DEFINITIONS

'Municipality' means the Corporation of the Township of Augusta.

'Act' means the Municipal Act 2001, as amended.

'Website' means the official website of the Township of Augusta.

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

'Social Media' means the active official social media sites of the Municipality.

GENERAL

At least once a year the Clerk shall cause a notice to be issued on the website and, where practicable, on social media and in the newsletter setting out information on how to locate public notices and related documents on the website.

Nothing in this By-Law shall prevent Council or the Clerk from using more extended methods or more comprehensive timeframes for providing notice or providing notice where it is not prescribed.

Where separate Legislation, Regulations or By-Laws exist that are in conflict with this By-Law, the higher provision shall prevail.

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Where possible, Public Notice to the public shall be written in plain language and in such a way to be in an accessible format thereby reducing barriers for the public.

Where a notice does not strictly comply with the provisions of this By-Law but would substantially inform a reasonable person of the subject matter to which the notice relates, the notice shall be deemed to be adequate.

Over time, additional notice requirements may be prescribed. In such cases it does not preclude the implementation of notice requirements as determined by Council or staff, or legislation.

Notices required under the Planning Act shall be in accordance with the time frames set out in the Planning Act.

No notice shall be required under this By-Law where provisions of notice will interfere with the ability of council to conduct business with respect to the matter permitted for a closed session under the Act.

NOTICES

Manner

Where notice under a Statute or Regulation, municipal By-Law or policy is required to be given, such notice shall be provided in the manner prescribed, and if not so prescribed, such notice shall, at a minimum, be published on the Website through the calendar of events and/or the agenda package or public notice page, and may include official Township social media sites, electronic sign, hand delivery, direct mail, email, signage and in limited circumstances, newspapers.

Given the cost associated with newspaper advertisements, this form of public notice is to be limited in its use. Where newspapers are utilized to provide notice, the CAO and/or the Clerk shall determine the most appropriate newspaper(s) to use in a particular notice. The decision shall be based on the citizens affected by the particular subject matter.

The Notice undertaken by the Township should reflect the magnitude and complexity of the issue/initiative and desired goal or outcome.

Form

Unless otherwise prescribed in the Municipal Act, where notice is to be given, the form of the notice shall include the following information:

- Description (purpose) of notice;
- Date of notice;
- Where applicable, sufficient particulars of the location to identify it generally;
- Date and time and location of meeting;
- Identification of the authority under which the Public Notice is being given; and

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- Where written submissions maybe be made, the name, address and telephone number of the appropriate contact person, together with the deadline for receipt of such submission, shall be provided.

Time

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 time frame prescribed in the legislation or its regulations and if the time frame is not prescribed, sufficient notice to the general public who might be affected shall be given in a reasonable time and manner at least once prior to the proposed action/decision to be undertaken.

No additional notice shall be required where a matter has been deferred or referred to a subsequent meeting.

EMERGENCY PROVISION

If a matter arises, which in the opinion of a Senior staff member, in consultation with the CAO and Mayor, is considered to be urgent or time sensitive in nature, or which could affect the health or wellbeing of the residents of the Municipality, or if an emergency declaration is made or if so advised by a Province, the notice requirements of this policy may be waived and the Municipality shall make their best effort to provide as much notice as is reasonable under the circumstances.

DISCLAIMER

The Municipality 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.