



SECTION: Legislative Services	EFFECTIVE DATE: May 27, 2024
RECOMMENDATION #: GC53-24	COUNCIL APPROVAL: May 27, 2024
SUBJECT: Public Notice Policy	POLICY NUMBER: Communication-14

1. PURPOSE

- 1.1. Town Council and Town Administration acknowledge the importance of having an informed public.
- 1.2. This Policy describes the circumstances in which notice shall be provided to the public and the form, manner and times notice shall be given.

2. DEFINITIONS

- 2.1. In this By-law:
 - a) **"Act"** means the *Municipal Act, 2001*, S.O. 2001, c.25 as amended.
 - b) **"CAO"** means the Chief Administrative Officer for The Corporation of the Town of Huntsville.
 - c) **"Clerk"** means the Director of Legislative Services/Clerk of The Corporation of the Town of Huntsville.
 - d) **"Council"** means the Council of the Corporation of the Town of Huntsville.
 - e) **"Days"** means the number of calendar days to include Saturday, Sundays and holidays.
 - f) **"Digital Communication"** means a form of, or platform for, official Town communication where the audience uses electronic means to access the content, including, but not limited to, social media, citizen engagement platform(s), website subscription emails, procurement platform, and/or direct email.
 - g) **"Local Media Outlet"** means a media outlet or communication channel that operates within the District of Muskoka region that provides a focus on relevant issues and/or news or events.
 - h) **"Municipality"** means The Corporation of the Town of Huntsville.
 - i) **"Newspaper"** means a printed publication in sheet form, intended for general circulation, published regularly at intervals of not longer than a week, consisting primarily of news of current events of general interest.
 - (j) **"Notice to the Public"** or **"Public Notice"** means notice given to the public generally but does not include notice given only to specified persons.

(k) **"Personal Service"** means notice given to a specified person or persons directly (in person) and shall be deemed to be completed on the day that the serving of all required notices is completed.

(l) **"Town"** means The Corporation of the Town of Huntsville.

(m) **"Website"** means posting notification or announcement on the official website of The Corporation of the Town of Huntsville (huntsville.ca).

3. APPLICATION

3.1. This Policy applies to matters outlined in Appendix "A" and "B" attached to this Policy unless:

- a) The Act, another statute, or a regulation prescribes or permits otherwise.
- b) Council directs that other public notice is to be given as Council considers necessary in the circumstances, upon adoption of a resolution of Council.

3.2. Public notice given utilizing the Town website, or any official Town digital communication platform under this Policy, shall be sufficient Public Notice even if the Town of Huntsville website/platform is not accessible at all times during the public notice posting period.

3.3. Where any legislation or Town policy or by-law requires that Public Notice is to be provided in a newspaper, and in the absence of a local printed newspaper, the Town will cause a notice to be published in a newspaper that, in the opinion of the Clerk, is most likely to be purchased and read by a resident of the Town.

3.4. Where applicable notice is required to be sent out by prepaid mail, the notice will be sent to the address which most recently appears on the most recent assessment roll.

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

3.6. Where provisions of this Policy may conflict with provisions of another policy or by-law, this Policy shall prevail.

4. NOTICE OF SUBSEQUENT MEETINGS

4.1. 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 provides otherwise, or if the Council directs that additional public notice be given.

5. CONTENT OF PUBLIC NOTICES

5.1. Notice to the public shall contain the following information, when applicable, unless otherwise prescribed:

- a) A general description of the subject matter;

- b) Where the matter relates to a defined location, sufficient particulars of the location such as a municipal address or intersection, or a legal description or plan or key map;
 - c) The date, time and location of the meeting at which the matter will be considered;
 - d) Instructions for obtaining additional information;
 - e) The purpose of any meeting of which notice is required to be given or the purpose and effect of the proposed action;
 - f) The Notice shall contain a notice indicating "alternative formats are available upon request".
- 5.2. No notice shall be required under this Policy where the provision of notice will interfere with the ability of Council to conduct business with respect to a matter permitted for a closed session under Section 239 of the Municipal Act, S.O. 2001, c.25.

6. EMERGENCY PROVISION

- 6.1. Upon the declaration of a state of emergency by the Town of Huntsville, the District Municipality of Muskoka, and/or the Province of Ontario under s 7.0.1 (1) of the Emergency Management and Civil Protection Act, or if a matter arises that in the opinion of the Clerk, in consultation with the CAO, is considered to be of an urgent or time sensitive nature, or which could reasonably be construed to affect the health or well-being of the residents of the Town of Huntsville, the notice requirements of this Policy may be waived, and the Clerk shall make best efforts to provide as much notice as is deemed reasonable under the circumstances.

7. RESPONSIBILITY

- 7.1. It is the responsibility of the appropriate Director/Manager to ensure notice requirements applicable to their Division/Department is met and that all notices meet the requirements of this Policy.
- 7.2. The Clerk is authorized to make updates to this Public Notice Policy to remain compliant with other Town policies and legislation.

8. ACCESSIBILITY

- 8.1. It is the responsibility of the appropriate Director/Department in coordination with the Accessibility Coordinator, to ensure notice requirements applicable to their Division/Department meet the Town's commitment to accessibility requirements. If requested, staff are to provide materials in alternative formats.

9. DISCLAIMER

- 9.10. Failure to provide Public Notice in accordance with this Policy will not cause the action to be invalidated, and if discovered that Public Notice has been omitted, every effort will be made to provide Public Notice as soon as possible.
- 9.11. The Town cannot be held responsible for failure to post Public Notice if the cause of the failure is the result of, but not limited to, power failure, electronic communication failure, and Acts of God or during an emergency situation.

Appendix "A"

Provisions of Notice Under the *Municipal Act*, 2001

Municipal Act Section/Requirement and/or Subject of Manner of Notice	Town of Huntsville Notice Requirement(s)	Additional Options	Responsibility
SPECIFIC MUNICIPAL POWERS - PART III - Highways			
Permanent Closure of a Highway S. 34	No public notice requirement.	<ul style="list-style-type: none"> • Abutting landowners, who have not previously closed their shore road allowances, to be circulated and provide a response within 30 days. • Various applicable agencies to be contacted prior to the passing of the by-law. • Posted on the Town website for two (2) consecutive weeks prior to the highway closing by-law considered by Council. (See Permanent Highway Closure Policy)	Director of Legislative Services/Clerk
Naming or Renaming of a Private Road S. 48	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.	<ul style="list-style-type: none"> • Notice to be posted on the Town website under Public Notices fourteen (14) days prior to consideration of the by-law. • If naming or renaming affects existing property owners; notice to be mailed thirty (30) days prior to consideration of the by-law to mailing address indicated in the property tax system. (See Road Naming for 911 Civic Addressing Policy By-law)	Notice with a local media outlet. Director of Legislative Services/Clerk

Municipal Act Section/Requirement and/or Subject of Manner of Notice		Town of Huntsville Notice Requirement(s)	Additional Options	Responsibility
SPECIFIC MUNICIPAL POWERS - Part III - Economic Development Services				
Capital Facility Agreements S. 110 (5)	Written notice of the by-law to the Minister of Finance.	<ul style="list-style-type: none"> In accordance with the Act. 		Director of Financial Services/Treasurer
Tax Exemption By-law S. 110 (8)	The municipality may exempt from all or part of the taxes levied for municipal and school purposes land or a portion of it on which municipal capital facilities are or will be located (under specific conditions). Upon passage of the by-law, the municipality shall give notice.	<ul style="list-style-type: none"> In accordance with the Act. 		Director of Financial Services/Treasurer
MUNICIPAL REORGANIZATION - Part V - Municipal Restructuring				
Restructuring Proposal S. 173 (3)	The Council of a municipality votes on whether to support or oppose a restructuring proposal. Council shall consult with the public by giving notice; hold at least one public meeting; consult Minister prescribed persons or bodies; consult other persons and bodies as the municipality considers appropriate.	<ul style="list-style-type: none"> In accordance with the Act. 	Notice with a local media outlet. Public Consultation on myhuntsville.ca.	Director of Legislative Services/Clerk
MUNICIPAL REORGANIZATION - Part V - Change of Name				
Change of Name of Municipality S. 187	A municipality may change its name so long as the new name is not the same as the name of another municipality.	<ul style="list-style-type: none"> In accordance with the Act. 	Notice with a local media outlet.	Director of Legislative Services/Clerk

Municipal Act Section/Requirement and/or Subject of Manner of Notice		Town of Huntsville Notice Requirement(s)	Additional Options	Responsibility
	Promptly upon passage of the by-law, it shall be sent to the Director of Titles appointed under the <i>Land Titles Act</i> and to the Minister.	<ul style="list-style-type: none"> • Council shall hold at least one (1) public meeting prior to passing the by-law. • Notice to be provided for fourteen (14) days on the Town website. 	Public consultation on myhuntsville.ca	
MUNICIPAL REORGANIZATION - Part V - Business Improvement Areas				
Business Improvement Area S. 204-210	A local municipality may designate an area as an improvement area and may establish a board of management. Before passing a by-law, notice of the proposed by-law shall be sent by direct mail to the board of management and ratable properties (as defined in section 2010 of the Act.)	<ul style="list-style-type: none"> • In accordance with the Act. • Notice to be provided for seven (7) days on the Town website. 	Notice with a local media outlet.	Director of Development Services
Business Improvement Area - Repealing By-law S. 211	Council shall give notice of a proposed by-law to repeal a by-law establishing a Business Improvement Area. Before passing a by-law, notice shall be provided as required under the Act.	<ul style="list-style-type: none"> • In accordance with the Act. • Notice to be provided for seven (7) days on the Town website. 	Notice with a local media outlet.	Director of Development Services
MUNICIPAL REORGANIZATION - Part V - Changes to Council				
Composition of Council S. 217	A municipality may change the composition of its Council. No public notice requirement.	<ul style="list-style-type: none"> • Council shall hold at least one (1) public meeting prior to passing the by-law. • Notice to be provided for fourteen (14) days on the Town website. 	For changes that would increase or decrease Council complement: <ul style="list-style-type: none"> • Notice with a local media outlet. 	Director of Legislative Services/Clerk

Municipal Act Section/Requirement and/or Subject of Manner of Notice		Town of Huntsville Notice Requirement(s)	Additional Options	Responsibility
			<ul style="list-style-type: none"> Public consultation on myhuntsville.ca 	
Establishment of Wards S. 222	A municipality may divide or redivide the municipality into wards or dissolve the existing wards. No public notice requirement.	<ul style="list-style-type: none"> Council shall hold at least one (1) public meeting prior to passing the by-law. Notice to be provided for fourteen (14) days on the Town website. 	Notice with a local media outlet. Public consultation on myhuntsville.ca	Director of Legislative Services/Clerk
	Within fifteen (15) days upon passage of the by-law, the municipality shall give notice to the public specifying the last date for filing a notice appeal.	<ul style="list-style-type: none"> In accordance with the Act. Notice to be provided within fifteen (15) days after passing of the by-law the Town website. 	Notice with a local media outlet.	Director of Legislative Services/Clerk
PRACTICES AND PROCEDURES - Part VI - Procedure By-law				
Passage of Procedure By-law and/or Amendments S. 238	Every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings. No public notice requirement.	<ul style="list-style-type: none"> Notice provided in the meeting agenda where the matter is being considered. 		Director of Legislative Services/Clerk
Notice of Meetings S. 238(2.1)	The Procedural By-law shall provide for public notice of meetings.	<ul style="list-style-type: none"> As per the Town Procedural By-law 		Director of Legislative Services/Clerk
PRACTICES AND PROCEDURES - Part VI - Policies				
Sale/Disposal of Land S. 270(1)	A municipality shall adopt and maintain policies with respect to the sale and other disposition of land.	<ul style="list-style-type: none"> As per the Town Acquisition and Disposition of Real Property By-law. 		Director of Legislative Services/Clerk

Municipal Act Section/Requirement and/or Subject of Manner of Notice		Town of Huntsville Notice Requirement(s)	Additional Options	Responsibility
	No public notice requirement.			
FINANCIAL ADMINISTRATION - Part VII				
Budget - Yearly & Multi-Year S. 290-291	No public notice requirement.	<ul style="list-style-type: none"> • Notice on the Town website (News page) a minimum of seven (7) days prior to the meeting date where the matter is being considered for adoption. 		Director of Financial Services/Treasurer
Publication of Financial Statements S. 295	<p>Within 60 days after receiving the audited financial statements of the municipality for the previous year, the treasurer of the municipality,</p> <p>(a) shall publish in a newspaper having general circulation in the municipality,</p> <p>(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</p> <p>(ii) a notice that the information described in subclause (i) will be made available at no cost to any taxpayer or resident of the</p>	<ul style="list-style-type: none"> • In accordance with the Act. • Annual financial statements for three (3) prior years posted on the Town's website. 		Director of Financial Services/Treasurer

Municipal Act Section/Requirement and/or Subject of Manner of Notice		Town of Huntsville Notice Requirement(s)	Additional Options	Responsibility
	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.			
LIMITATION ON TAXES FOR CERTAIN PROPERTY CLASSES - Part IX				
Taxes on Eligible Properties - If No Comparable Property S. 331 (10)	Within sixty (60) days of receiving notice by the assessment corporation, the municipality shall give notice to the owner of the property of the assessment corporation's determination and of the amount determined for the year or portion of the year.	<ul style="list-style-type: none"> In accordance with the Act. 		Director of Financial Services/Treasurer
TAX COLLECTION - PART X				
Notice of Tax Bill S. 343 (1)	The Treasurer shall send a tax bill to every taxpayer at least twenty-one (21) days before any taxes shown on the tax bill are due.	<ul style="list-style-type: none"> In accordance with the Act. 	Notice on the Town website (News page) a minimum of seven (7) days prior to the when the taxes shown on the bill are due.	Director of Financial Services/Treasurer
Determination of Tax Status S. 348 (2) (3)	The treasurer shall by the last day of February in each year determine the position of every tax account as of December 31 of the preceding year. On making the determination, the Treasurer shall send to every	<ul style="list-style-type: none"> In accordance with the Act. 		Director of Financial Services/Treasurer

Municipal Act Section/Requirement and/or Subject of Manner of Notice		Town of Huntsville Notice Requirement(s)	Additional Options	Responsibility
	taxpayer who owes taxes from a preceding year a notice of those taxes and of the related late payment charges. The notice may be sent with a tax bill.			
Seizure Personal Property - Public Auction S. 351	Subject to certain conditions, the Treasurer 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.	<ul style="list-style-type: none"> In accordance with the Act. Notice on the Town website (News page) a minimum of fourteen (14) days prior to public auction. 	Notice with a local media outlet.	Director of Financial Services/Treasurer
Division into Parcels S. 356 (4) (5)	Upon application by the Treasurer of a municipality or to the Treasurer by an owner of land, the municipality may divide land into two or more parcels; apportion unpaid taxes; and direct part payment of taxes to each of the parcels.	<ul style="list-style-type: none"> In accordance with the Act. 		Director of Financial Services/Treasurer
Cancellation, Reduction, Refund of Taxes S. 357	Upon receipt of an application to the Treasurer, and subject to certain conditions, the municipality may cancel, reduce or refund all or part of taxes levied.	<ul style="list-style-type: none"> In accordance with the Act. 		Director of Financial Services/Treasurer
Overcharges Caused by Gross or Manifest Error	Upon receipt of an application to the Treasurer, and subject to certain conditions, the	<ul style="list-style-type: none"> In accordance with the Act. 		Director of Financial Services/Treasurer

Municipal Act Section/Requirement and/or Subject of Manner of Notice		Town of Huntsville Notice Requirement(s)	Additional Options	Responsibility
S. 358	municipality may cancel, reduce or refund all or part of taxes levied which were overcharged due to a gross or manifest error in the preparation of the assessment roll.			
Increase of Taxes Caused by a Gross or Manifest Error S. 359	Upon receipt of an application to the Treasurer, the municipality may increase the taxes levied when the taxes were undercharged due to a gross or manifest error.	<ul style="list-style-type: none"> In accordance with the Act. 		Director of Financial Services/Treasurer
Tax Reduction for Heritage Property S. 365.2	A municipality may establish a program to provide tax reductions or refunds in respect of eligible heritage property. The municipality shall deliver a copy of a by-law to the Minister of Finance within thirty (30) days after the by-law is passed.	<ul style="list-style-type: none"> In accordance with the Act. 		Director of Financial Services/Treasurer
SALE OF LAND FOR TAX ARREARS - Part XI				
Notice of Registration S. 374	Tax Arrears Certificate. Notice required within 60 days after the registration of a tax arrears certificate.	<ul style="list-style-type: none"> In accordance with the Act. 		Director of Financial Services/Treasurer
Public Sale S. 379, 380	Sale of property for tax arrears. If the cancellation price remains unpaid 280 days after the day the tax arrears certificate is registered under, the Treasurer, within 30 days after the expiry of the 280-day period, shall	<ul style="list-style-type: none"> In accordance with the Act. 		Director of Financial Services/Treasurer

Municipal Act Section/Requirement and/or Subject of Manner of Notice		Town of Huntsville Notice Requirement(s)	Additional Options	Responsibility
	send to the persons entitled to receive notice 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.			
FEES AND CHARGES - Part XIII				
Fees and Charges By-law S. 391	No public notice requirement.	<ul style="list-style-type: none"> Notice to be given to the public through posting the Committee or Council agendas on the website. 		Director of Financial Services/Treasurer
Regulations Local Improvement Charges - Property Lien Status S. 400	Under section 400, 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 have priority lien status.	<ul style="list-style-type: none"> In accordance with the Act 		Director of Financial Services/Treasurer
DEBT AND INVESTMENT - Part XIII				
Notice of Debt S. 402	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.	<ul style="list-style-type: none"> In accordance with the Act 		Director of Financial Services/Treasurer

Municipal Act Section/Requirement and/or Subject of Manner of Notice	Town of Huntsville Notice Requirement(s)	Additional Options	Responsibility
ENFORCEMENT - Part XIV			
Powers of Entry S. 435	Reasonable time must be given before proposed entry to the occupier of the land by personal service, or prepaid mail or by posting the notice on the land in a conspicuous place.	<ul style="list-style-type: none"> In accordance with the Act. 	Director of Development Services

Appendix "B"

Notice Provisions for Additional Matters

Legislation / Policy / By-law	Subject of Manner of Notice	Town of Huntsville Notice Requirement(s)	Responsibility
<i>Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11 O.Reg. 191/11</i>	Disruption of services regarding accessibility at municipal buildings	<ul style="list-style-type: none"> • Expected closures: <ul style="list-style-type: none"> ○ Reasonable advance notice to be provided through signage and on the Town's website. ○ A description of alternative facilities or services will be provided if available. • Emergency closures: <ul style="list-style-type: none"> ○ As soon as practicable following an emergency closure, notice to be provided through signage and on the Town's website. ○ A description of alternative facilities or services will be provided if available. 	Applicable Director/Manager
Delegation of Authority By-law	Temporary Closure of a Highway - for construction, repair or improvement	<ul style="list-style-type: none"> • Reasonable advance notice to be provided through signage, advertising and Town website. 	Director of Operations
	Temporary Closure of a Highway - due to emergency	<ul style="list-style-type: none"> • As soon as practicable following the road closure, notice to be provided through signage, advertising and Town website. 	Director of Operations
	Temporary Closure of a Highway - for a special community event	<ul style="list-style-type: none"> • Reasonable advance notice to be provided through signage, advertising and Town website. 	Director of Operations
<i>Development Charges Act, 1997, S.O. 1997, c.27 O.Reg. 82/98</i>	Notice of Agreement and Time for Objections - Requirements of Notice	<ul style="list-style-type: none"> • In accordance with the Act. 	Director of Financial Services/Treasurer

Legislation / Policy / By-law	Subject of Manner of Notice	Town of Huntsville Notice Requirement(s)	Responsibility
	Credits Under Old Section 13, Ineligible Services		
<i>Emergency Management and Civil Protection Act, R.S.O. 1990, c. E.9</i>	Town of Huntsville Emergency Plan	<ul style="list-style-type: none"> • In accordance with the Act • Notice posted on the Town website as soon as possible when an emergency has been declared. • (See Emergency Management Program and Emergency Plan By-law) 	Fire Chief
<i>Expropriations Act, R.S.O. 1990, c.E.26</i>	1 (2) Service Steps Before Inquiry - Notice of Intention to Expropriate	<ul style="list-style-type: none"> • In accordance with the Act. 	Director of Legislative Services/Clerk
<i>Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c.33</i>	Municipal Approval - Notice of Decision	<ul style="list-style-type: none"> • In accordance with the Act. 	Director of Operations
<i>Ontario Heritage Act, R.S.O. 1990, c. O.18</i>	Part IV - Conservation of Property of Cultural Heritage Value or Interest Part V - Heritage Conservation Districts Part VI - Conservation of Resources of Archaeological Value	<ul style="list-style-type: none"> • Part IV and V notice: <ul style="list-style-type: none"> ○ Notice with a local media outlet two (2) times a minimum of fourteen (14) days prior to the by-law being considered by Council. ○ Notice on the Town website (News page) a minimum of fourteen (14) days prior to the by-law being considered by Council. • Part VI notice: In accordance with the Act. 	Director of Development Services
<i>Planning Act, R.S.O. 1990, c. P.13</i>	Consent Applications Minor Variance Applications	<ul style="list-style-type: none"> • In accordance with the Planning Act and the Community Planning Permit By-law 	Director of Development Services

Legislation / Policy / By-law	Subject of Manner of Notice	Town of Huntsville Notice Requirement(s)	Responsibility
	Official Plans Plans of Subdivision Community Planning Permit By-laws, Zoning By-laws, Holding Provision By-laws, Interim Control By-laws		
<i>Public Libraries Act</i> , R.S.O. 1990, c. P.44	Notice of Vacancies	<ul style="list-style-type: none"> In accordance with the Act. 	CEO/Chief Librarian
<i>Road Access Act</i> , R.S.O. 1990, c.R.34	When Access Road May be Closed - Idem (Permanent closure of a travelled road the municipality maintains)	<ul style="list-style-type: none"> In accordance with the Act. 	Director of Operations
Road Naming for 911 Civic Addressing Policy By-law	Naming or Renaming of a Highway <ul style="list-style-type: none"> No public notice requirement. 	<ul style="list-style-type: none"> Notice to be posted on the Town Website under Public Notices fourteen (14) days prior to consideration of the by-law. If naming or renaming affects existing property owners; notice to be mailed thirty (30) days prior to consideration of the by-law to the mailing address indicated in the property tax system. Additional Option: Notice with a local media outlet. 	Director of Legislative Services/Clerk