

Bill No. 316
2021

By-law No. A.-6151()-____

A by-law to amend By-law No. A.-6151-17, being “A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001*” by deleting and replacing Schedule “E”, being “Public Notice Policy”.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS on December 17, 2007 the Municipal Council of The Corporation of the City of London enacted By-law A.-6151-17, being “A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001*” (the “Council Policy By-law”);

AND WHEREAS it is deemed expedient to amend Schedule “E” – “Public Notice Policy” to By-law No. A.-6151-17;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. By-law No. A.-6151-17, being “A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001*”, is hereby amended by deleting Schedule “E” in its entirety and replacing it with the attached new Schedule “E”, which shall be Schedule “E” to By-law A.-6151-17.

2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule “E”



London
CANADA

Public Notice Policy

Policy Name: Public Notice Policy

Legislative History: Adopted December 17, 2007 (By-law No. A.-6151-17); Amended July 22, 2008 (By-law No. A.-6151(a)-267); Amended October 3, 2017 (By-law No. A.-6151(q)-486); Amended (By-law No. A.-6151(u)-419); Amended August 10, 2021 (By-law No. A.-6151-_____)

Last Review Date: August 10, 2021

Service Area Lead: City Clerk

1. Policy Statement

1.1 City Council and the Civic Administration acknowledge the importance of having an informed public. This commitment is delineated in the City Council’s values of:

Good Governance;
Driven by Community;
Acting with Compassion; and
Moving Forward through Innovation.

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*.

2. Definitions

For the purpose of this policy,

2.1 “**City**” – shall mean The Corporation of the City of London

2.2 “**Council**” - shall mean the Municipal Council of The Corporation of the City of London

2.3 “**Newspaper**” - shall mean a document that:

- a) is printed in sheet form, published at regular intervals of a week or less and circulated to the general public; and
- b) consists primarily of news of current events of general interest

2.4 “**Website**” – shall mean the City of London official website at www.london.ca

3. Applicability

3.1 This policy shall apply to notice provided by the City to the public on various matters.

4. The Policy

4.1 Notice to the public shall be provided in the circumstances and in the form, manner, and times as follows:

- a) All circumstances set out in Appendix “A”, attached, in the form, manner and times as set out in Appendix “A”;
- b) If required by any Act or Regulation, in the form, manner and times as prescribed in the Act or Regulation;

- c) If required by another by-law, in the form, manner and times as set out in the said by-law;
 - d) If directed by Council, in the form, manner and times as specified by Council; or
 - e) In circumstances where, in the opinion of the City Clerk, notice is reasonable and necessary, in the form, manner and times as determined by the City Clerk.
- 4.2 No additional notice shall be required for subsequent meetings where a matter has been deferred or referred to a subsequent meeting by the Council or a Standing Committee of the Council.
- 4.3 The notice requirements under this Policy are minimum requirements and the City Clerk may give notice to the public in an extended manner if, in the opinion of the City Clerk, the extended manner is reasonable and necessary in the circumstances.
- 4.4 Where any of the form, manner or times of notice are not specified in Appendix "A", an Act, Regulation or by-law, or where Council directs that notice be given under section 4.1(d), or the City Clerk determines that notice be given under section 4.1(e), the form, manner or times of notice shall be determined by the City Clerk.

PUBLIC NOTICE POLICY - APPENDIX A

Circumstance	Summary of Requirement	Form, Manner and Times Notice to be Given
<p>BUDGET (Section 291 <i>Municipal Act, 2001</i>) Adoption of Multi-year Operating, Capital, Water and Wastewater Budgets of the City Budget public participation meeting(s)</p>	<p>Notice of Intent to adopt the budget. Notice of public participation meeting(s) with respect to the adoption of the budget.</p>	<p>Notice of intent to adopt the budget shall be posted on the City’s website and may also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Council meeting at which the budget will be considered for adoption. Notice of any public participation meetings with respect to the budget shall be posted on the City’s website and may also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the public participation meeting.</p>
<p>SCHEDULE OF MEETINGS – REGULAR AND SPECIAL (Section 238(2)(2.1), <i>Municipal Act, 2001</i>) Annual Schedule of Regular Council, and Standing Committee Meetings (Section 240, <i>Municipal Act, 2001</i>) Special meetings of Council and Special Standing Committee Meetings</p>	<p>Public notice to advise of the annual schedule of regular meetings of Council and Standing Committees. Public notice to advise of special meetings of Council, and/or Standing Committees.</p>	<p>Notice of the annual schedule of regular meetings of Council and Standing Committees shall be posted on the City’s website in accordance with the Procedure By-law. Notice of any special meetings of Council and/or Standing Committees outside of the annual schedule of regular meetings shall be posted on the City’s website in accordance with the Procedure By-law.</p>

Circumstance	Summary of Requirement	Form, Manner and Times Notice to be Given
<p>FEE OR CHARGE BY-LAW (Section 391, 400(f), <i>Municipal Act, 2001</i>)</p>	<p>Public notice required to advise of a minimum of one Standing Committee meeting to consider the enactment of a fee or charge by-law. The notice shall specify when and where information in regard to such a by-law may be obtained.</p> <p>Public notice required to advise of a Council meeting to consider the enactment of fees and charges by-laws regarding items in the Multi-year Property Tax-Supported Budget and Multi-year Water Services and Wastewater and Treatment Budgets.</p>	<p>Notice to advise of a Standing Committee meeting to consider the enactment of a fee or charge by-law shall be posted on the City's website and may also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the meeting at which the fee or charge by-law is to be considered.</p> <p>Notice to advise of a Council meeting to consider the enactment of fees and charges by-laws regarding items in the Multi-year Property Tax-Supported Budget and Multi-year Water Services and Wastewater and Treatment Budgets shall be posted on the City's website and may also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Council meeting at which the fee or charge by-law is to be considered.</p>
<p>SEIZURE OF PERSONAL PROPERTY – PUBLIC AUCTION Seizure of Personal Property by City Treasurer to recover taxes and costs of the seizure. (Section 351(8), <i>Municipal Act, 2001</i>)</p>	<p>Subject to certain conditions, the Treasurer or their agent may seize personal property to recover taxes and costs of the seizure. The Treasurer or their agent is required to give the public notice of the time and place of public auction and of the name of the person whose personal property is to be sold.</p>	<p>The Treasurer or Treasurer's agent shall give notice of the time and place of public auction of seized personal property to recover taxes and costs of the seizure, together with the name of the person whose personal property has been seized. Notice shall be published once in a newspaper of general circulation in the City of London at least 14 days prior to the auction.</p> <p>One notice sent by regular pre-paid mail to the sheriff, bailiff, assignee, liquidator, trustee or licensed trustee in bankruptcy a minimum of 21 days prior to the auction.</p>

Circumstance	Summary of Requirement	Form, Manner and Times Notice to be Given
<p>PROPOSAL TO RESTRUCTURE THE MUNICIPALITY (Section 173, <i>Municipal Act, 2001</i>)</p>	<p>Public notice to advise of the holding of a public meeting before Council votes on whether to support or oppose a restructuring proposal.</p>	<p>Notice to advise of a public meeting to consider a restructuring proposal shall be posted on the City's website and shall also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the public meeting at which the restructuring is to be considered.</p>
<p>CHANGE OF NAME OF MUNICIPALITY (Section 187, <i>Municipal Act, 2001</i>)</p>	<p>Public notice to advise of the holding of a Standing Committee meeting to consider the enactment of a by-law to change the municipality's name.</p>	<p>Notice to advise of a Standing Committee meeting to consider the enactment of a by-law to change the municipality's name shall be posted on the City's website and shall also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Standing Committee meeting at which the matter is to be considered.</p>
<p>DISSOLUTION OR CHANGE TO LOCAL BOARD (Section 216, <i>Municipal Act, 2001</i>)</p>	<p>Notice to a local board required to advise of Standing Committee meeting to consider the enactment of a by-law to dissolve or change the local board.</p>	<p>One notice sent by regular, prepaid mail to the local board a minimum of 14 days prior to the Standing Committee meeting.</p>
<p>CHANGES TO COMPOSITION OF COUNCIL (Section 217, <i>Municipal Act, 2001</i>)</p>	<p>Public notice required to advise of the holding of a public meeting by the Standing Committee designated by Council to consider the matter prior to Council's consideration of changes to the composition of Council.</p>	<p>Notice to advise of the holding of a public meeting by the Standing Committee designated by Council to consider the matter prior to Council's consideration of changes to the composition of Council, shall be posted on the City's website and shall also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Standing Committee meeting at which the matter is to be considered.</p>

Circumstance	Summary of Requirement	Form, Manner and Times Notice to be Given
<p>ESTABLISHMENT OF WARDS (Section 222, <i>Municipal Act, 2001</i>)</p>	<p>Public notice required to advise of the Standing Committee designated to first consider the matter prior to the Council's consideration of the enactment of a by-law dividing or re-dividing the wards or dissolving wards.</p>	<p>Notice to advise of a meeting of the Standing Committee designated to first consider the matter prior to the Council's consideration of the enactment of a by-law dividing or re-dividing the wards or dissolving wards, shall be posted on the City's website and shall also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Standing Committee meeting at which the matter is to be considered.</p> <p>Notice advising of the passing of a by-law dividing or re-dividing the wards or dissolving wards shall be published once in a newspaper of general circulation in the City of London within 15 days of the passing of the by-law, specifying the last day for filing a notice of appeal.</p>
<p>NEW PROCEDURE BY-LAW (Section 238, <i>Municipal Act, 2001</i>)</p>	<p>Public notice required to advise of a Standing Committee meeting to consider enactment of a new Procedure By-law or revisions to the existing Procedure By-law.</p>	<p>Notice to advise of a Standing Committee meeting to consider the enactment of a new Procedure By-law or revisions to the existing Procedure By-law shall be posted on the City's website and may also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Standing Committee meeting at which the matter is to be considered.</p>
<p>LICENSING BY-LAW (Section 151, <i>Municipal Act, 2001</i>)</p>	<p>Public notice required to advise of the intention to consider the enactment of a licensing by-law.</p>	<p>Notice to advise of a Standing Committee meeting to consider the enactment of a licensing by-law shall be posted on the City's website and shall also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Standing Committee meeting at which the matter is to be considered.</p>

Circumstance	Summary of Requirement	Form, Manner and Times Notice to be Given
NAMING OR RENAMING OF A HIGHWAY OR PRIVATE ROAD (Section 11(3), <i>Municipal Act, 2001</i>)	Public notice required to advise of the intention to pass a by-law naming or re-naming a private road.	Notice of the intention to pass a by-law to name or rename a private road shall be posted on the City's website and shall also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Standing Committee meeting at which the matter will be considered.
HIGHWAY CLOSURE OR PERMANENT ALTERATION – ACCESS DENIED TO ANY PROPERTY	Public notice required to advise all affected property owners of a Standing Committee meeting to consider the enactment of a by-law to close or permanently alter a highway when such closure or permanent alternation would deny access to a property.	One notice sent by registered mail to the last known address of the affected property owner(s), a minimum of 14 days before the Standing Committee meeting.
SALE AND OTHER DISPOSITION OF LAND	Public notice required to advise of the intention to sell or otherwise dispose of municipally owned land.	Notice shall be in accordance with the Sale and Other Disposition of Land Policy.
LOW IMPACT PLANNED LIFECYCLE RENEWAL/REPLACEMENT/MAINTENANCE FOR RECREATION FACILITIES AND PARKS INITIATIVES, PROJECTS AND DEVELOPMENTS - AMENITIES AND/OR SMALL STRUCTURES THAT REQUIRE CANCELLATION OF EVENT(S) OR PROGRAM(S) OR RESULTS IN A TEMPORARY CLOSURE OF MORE THAN ONE DAY	Public notice to advise users and/or public of the commencement of construction and temporary closure of the space.	Signage onsite a minimum of 2 weeks prior to commencement of work. Notice will indicate nature of work, estimated timing of construction and contact information.
REPURPOSING OF EXISTING RECREATION FACILITIES OR PARKS ON A LONG TERM OR PERMANENT BASIS.	Public notice to advise users and public of the commencement of construction and temporary closure of the facility or park and of the intended repurposing.	Signage on site, notice posted on the City's website, written notice to the Ward Councillor, Community Association and neighbours within 200 meters of site 6 weeks prior to commencement of work. Notice will indicate nature of work, estimated timing of construction and contact information.

Circumstance	Summary of Requirement	Form, Manner and Times Notice to be Given
NEW PARKS	Public notice to advise users, the public and neighbours of the commencement of construction of new parks.	Signage on site, notice posted on the City's website, written notice to the Ward Councillor, Community Association and neighbours within 200 meters of site a minimum of 2 weeks prior to commencement of work.
NEW RECREATIONAL FACILITIES	Public notice to advise of the commencement of construction of a new facility.	Signage onsite and notice on the City's website indicating the intention to construct a new facility 3 months in advance of commencement of construction.
PARKS AND RECREATION MASTER PLAN AND SPORT STRATEGIES (e.g., SKATEPARK STRATEGY, DOGS OFF LEASH STRATEGY)	Public notice to advise of the intention to develop a city-wide initiative or strategy.	Notification published once in a newspaper of general circulation in the City of London and on the City's website of the intention to start development of an initiative or strategy.
UNUSUAL CIRCUMSTANCES – RECREATIONAL FACILITIES, PARKS OR STRUCTURES Emergency situations may occur, and in particular when a health and safety concern arises, immediate action is necessary and notification cannot occur prior to the commencement of such work.	No requirement of notice in emergency circumstances.	No notification will be given prior to commencement of emergency work.
ENVIRONMENTAL ASSESSMENT TERMS OF REFERENCE	Public notice to advise of a Standing Committee meeting to consider the approval of Terms of Reference for an Environmental Assessment and to make the draft Terms of Reference available to the public. Terms of Reference for Environmental Assessments are undertaken when required by provincial legislation.	Notice to advise of a Standing Committee meeting to consider the approval of draft Terms of Reference for an Environmental Assessment shall be posted on the City's website at least 30 days in advance of the Standing Committee meeting at which the matter is to be considered, and a copy of the draft Terms of Reference shall be available on the City's website during the notice period.
MUNICIPAL MANAGEMENT OF NEW PRIVATE COMMERCIAL PARKING LOT (Traffic and Parking By-law PS-113)	Public notice to advise of intention to implement new municipally managed private commercial parking lot.	Notice of intent shall be posted on the City's website and may also be published once in a newspaper of general circulation in the City of London at least seven days in advance of the committee meeting.