



The Corporation of the Township of Nairn and Hyman

BY-LAW NUMBER 2007-9

BEING A BY-LAW TO ESTABLISH PROCEDURES FOR NOTICES AS REQUIRED UNDER THE MUNICIPAL ACT, 2001 FOR THE CORPORATION OF THE TOWNSHIP OF NAIRN AND HYMAN

WHEREAS the Municipal Act, S.O. 2001, Chapter 25, Section 251, provides that where a municipality is required to give notice under a provision of the Municipal Act, the municipality shall, except as otherwise provided, give notice in a form and in the manner and at the time that the Council considers adequate to give reasonable notice under the provision;

AND WHEREAS it is deemed expedient to implement procedures 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 NAIRN AND HYMAN HEREBY ENACTS AS FOLLOWS:

1. That the "Procedure Schedules" attached hereto and forming part of this By-law be and are hereby adopted as reasonable notice to the public as required under the Municipal Act.
2. That By-law number 2003-5 is hereby repealed.
3. That this By-law shall come into force and effect on the date of passing thereof.

READ A FIRST, SECOND AND THIRD
TIME AND FINALLY PASSED THIS 5TH
DAY OF MARCH, 2007.

REEVE

CLERK

**THE CORPORATION OF THE
TOWNSHIP OF NAIRN AND HYMAN**

**SCHEDULE "A"
TO
BY-LAW NUMBER 2007-9**

Procedures for Notice - Highway Closings

Section 34, Chapter 25, Municipal Act, Statutes of Ontario, 2001

Before passing a by-law for permanently closing a highway, a municipality shall give public notice of its intention to pass the by-law.

Content of Notice

- ▶ Explanation of road closing, including location and mapping.
- ▶ Section of the Act, including requirements.
- ▶ Date/Time/Place of public meeting for consideration of the by-law.
- ▶ Written comments and/or verbal comments will be considered at the public meeting where the by-law is to be enacted.
- ▶ Address where to respond with comments prior to the public meeting.
- ▶ Contact information at the municipal office.
- ▶ Clerk-Treasurer/CAO's Name/Title

Manner of Notice

- ▶ Published at least once a week for four successive weeks in a local paper.
- ▶ Posted on site for at least one month in two of the most public places in the immediate neighbourhood of the proposed closure.
- ▶ Notice to the abutting municipality, if applicable.
- ▶ Municipal office.
- ▶ Municipal web site.

**THE CORPORATION OF THE
TOWNSHIP OF NAIRN AND HYMAN**

**SCHEDULE "B"
TO
BY-LAW NUMBER 2007-9**

Procedures for Notice - Private Road Closings

Section 37, Chapter 25, Municipal Act, Statutes of Ontario, 2001

If a municipality requires the owner of any land to permanently close up any private road, entrance, gate or other structure that is constructed or is being used as a means of access to a controlled-access highway or other highway in contravention of a by-law, it shall give notice to the owner of the land personally or by prepaid registered mail to the last known address of the owner.

Content of Notice

- ▶ Explanation of private road closing, including location and mapping.
- ▶ Section of the Act, including requirements.
- ▶ Date/Time/Place of public meeting for consideration of the by-law.
- ▶ Written comments and/or verbal comments will be considered at the public meeting where the by-law is to be enacted.
- ▶ Address where to respond with comments prior to the public meeting.
- ▶ Contact information at the municipal office.
- ▶ Clerk-Treasurer/CAO's Name/Title.

Manner of Notice

- ▶ Published once at least one month in advance of the meeting in a local paper.
- ▶ Posted on site for a least one month in two of the most public places in the immediate neighbourhood of the proposed closure.
- ▶ Notice to all ratepayers fronting the private road either personally or by prepaid registered mail to the last known address of the owner.
- ▶ Notice to the abutting municipality, if applicable.
- ▶ Municipal office.
- ▶ Municipal web site.

**THE CORPORATION OF THE
TOWNSHIP OF NAIRN AND HYMAN**

**SCHEDULE "C"
TO
BY-LAW NUMBER 2007-9**

Procedures for Notice - Naming Highways

Section 47, Chapter 25, Municipal Act, Statutes of Ontario, 2001

Before passing a by-law naming a highway or changing the name of a highway, a municipality shall give public notice of its intention to pass the by-law.

Content of Notice

- ▶ Explanation of highway naming, including location and mapping.
- ▶ Section of the Act, including requirements.
- ▶ Date/Time/Place of public meeting for consideration of the by-law.
- ▶ Written comments and/or verbal comments will be considered at the public meeting where the by-law is to be enacted.
- ▶ Address where to respond with comments prior to the public meeting.
- ▶ Contact information at the municipal office.
- ▶ Clerk-Treasurer/CAO's Name/Title

Manner of Notice

- ▶ Published once at least one month in advance of the meeting in a local paper.
- ▶ Posted on site for at least one month in two of the most public places in the immediate neighbourhood of the proposed named highway.
- ▶ Notice to all ratepayers fronting the highway either personally or by prepaid mail to the last known address of the owner.
- ▶ Notice to the abutting municipality, if applicable.
- ▶ Municipal office.
- ▶ Municipal web site.

**THE CORPORATION OF THE
TOWNSHIP OF NAIRN AND HYMAN**

**SCHEDULE "D"
TO
BY-LAW NUMBER 2007-9**

Procedures for Notice - Naming Private Roads

Section 48, Chapter 25, Municipal Act, Statutes of Ontario, 2001

Before passing a by-law naming a highway or changing the name of a highway, a municipality shall give notice of its intention to pass the by-law.

Content of Notice

- ▶ Explanation of private road naming, including location and mapping.
- ▶ Section of the Act, including requirements.
- ▶ Date/Time/Place of the public meeting for consideration of by-law.
- ▶ Written comments and/or verbal comments will be considered at the public meeting where the by-law is to be enacted.
- ▶ Address where to respond with comments prior to the public meeting.
- ▶ Contact information at the municipal office.
- ▶ Clerk-Treasurer/CAO's Name/Title

Manner of Notice

- ▶ Published once at least one month in advance of the meeting in a local paper.
- ▶ Posted on site for at least one month in two of the most public places in the immediate neighbourhood of the proposed closure.
- ▶ Notice to all ratepayers fronting the private road either personally or by prepaid mail to the last known address of the owner.
- ▶ Notice to the abutting municipality, if applicable.
- ▶ Municipal office.
- ▶ Municipal web site.

THE CORPORATION OF THE
TOWNSHIP OF NAIRN AND HYMAN

SCHEDULE "E"
TO
BY-LAW NUMBER 2007-9

Procedures for Notice - Shut-Off of Public Utility for Overdue Accounts

Section 81.(3) Chapter 25, Municipal Act, Statutes of Ontario, 2001

A municipality shall provide reasonable notice of the proposed shut-off to the owners and occupants of the land by personal services or prepaid mail or by posting the notice on the land in a conspicuous place.

Content of Notice

- ▶ Printed on the letterhead of the municipality for water billings.
- ▶ Total amount of account due.
- ▶ Due date for payment of outstanding amount.
- ▶ On the final disconnection notice - date of disconnection of service if account is not paid in full by the due date.

Manner of Notice

- ▶ Disconnection Notice: Water customers in arrears for a period of thirty (30) days or more shall be given one (1) outstanding notice by regular prepaid mail. If the rates are not paid in full within fifteen (15) days of the date of giving notice, the service shall be shut off.
- ▶ Personal On-Site Notice: If the current address of the owner is not known, a notice may be posted on the land in a conspicuous place.

**THE CORPORATION OF THE
TOWNSHIP OF NAIRN AND HYMAN**

**SCHEDULE "F"
TO
BY-LAW NUMBER 2007-9**

Procedures for Notice - Licensing By-law

Section 150.(4) Chapter 25, Municipal Act, Statutes of Ontario, 2001

Before passing a by-law under this section, the council of the municipality shall, except in the case of emergency,

- (a) hold at least one public meeting at which any person who attends has an opportunity to make representation with respect to the matter, and
- (b) ensure that notice of the public meeting is given.

Content of Notice

- ▶ Explanation of the licensing by-law.
- ▶ Section of the Act/Regulation, including requirements.
- ▶ Date/Time/Place of public meeting for consideration of the by-law.
- ▶ Written comments and/or verbal comments will be considered at the public meeting where the by-law is to be enacted.
- ▶ Address where to respond with comments prior to the public meeting.
- ▶ Contact information at the municipal office.
- ▶ Clerk-Treasurer/CAO's Name/Title

Manner of Notice

- ▶ Published once at least two weeks in advance of the meeting in a local news paper.
- ▶ Notice to all affected businesses personally or by prepaid mail at the last known address.
- ▶ Municipal office.
- ▶ Municipal web site.

THE CORPORATION OF THE
TOWNSHIP OF NAIRN AND HYMAN

SCHEDULE "G"
TO
BY-LAW NUMBER 2003-5

Procedures for Notice - Procedure By-law

Section 238.(4) Chapter 25, Municipal Act, Statutes of Ontario, 2001
Before passing a by-law under subsection (2), a municipality and local board shall give notice of its intention to pass the by-law.

Content of Notice

- ▶ Explanation of procedure by-law.
- ▶ Section of the Act, including requirements.
- ▶ Date/Time/Place of public meeting for consideration of the by-law.
- ▶ Written comments and/or verbal comments will be considered at the public meeting where the by-law is to be enacted.
- ▶ Address where to respond with comments prior to the public meeting.
- ▶ Contact information at the municipal office.
- ▶ Clerk-Treasurer/CAO's Name/Title.

Manner of Notice

- ▶ Municipal Office.
- ▶ Municipal web site.

**THE CORPORATION OF THE
TOWNSHIP OF NAIRN AND HYMAN**

**SCHEDULE "H"
TO
BY-LAW NUMBER 2007-9**

Procedures for Notice - Sale of Municipal Land

Section 268.(1), Chapter 25, Municipal Act, Statutes of Ontario, 2001

Every municipality and local board with authority to sell land shall pass a by-law establishing procedures, including the giving of notice to the public, governing the sale of land.

Section 268.(3)(c), Chapter 25, Municipal Act, Statutes of Ontario, 2001

Before selling any land, every municipality and local board shall give notice to the public of the proposed sale.

Content of Notice

- ▶ Explanation of municipal land sale, including location and mapping.
- ▶ Section of the Act, including requirements.
- ▶ Date/Time/Place of public meeting for consideration of the by-law.
- ▶ Written comments and/or verbal comments will be considered at the public meeting where the by-law is to be enacted.
- ▶ Address where to respond with comments prior to the public meeting.
- ▶ Contact information at the municipal office.
- ▶ Clerk-Treasurer/CAO's Name/Title

Manner of Notice

- ▶ Published once at least one month in advance of the meeting in a local paper.
- ▶ Posted on site at least one month in two of the most public places in the immediate neighbourhood of the proposed land sale.
- ▶ Municipal Office.
- ▶ Municipal web site.

**THE CORPORATION OF THE
TOWNSHIP OF NAIRN AND HYMAN**

**SCHEDULE "I"
TO
BY-LAW NUMBER 2007-9**

Procedures for Notice - Adoption of Budget

Section 291, Chapter 25, Municipal Act, Statutes of Ontario, 2001

Before adopting all or part of a budget under Section 289 or 290, or amending such a budget, a municipality shall give public notice of its intention to adopt or amend the budget at a council meeting specified in the notice.

Content of Notice

- ▶ Explanation of budget public meeting.
- ▶ Section of the Act, including requirements.
- ▶ Date/Time/Place of public meeting for consideration of budget.
- ▶ Written comments and/or verbal comments will be considered at the public meeting where budget is to be enacted.
- ▶ Contact information at municipal office.
- ▶ Clerk-Treasurer/CAO's Name/Title.

Manner of Notice

- ▶ Municipal office.
- ▶ Municipal web site.

**THE CORPORATION OF THE
TOWNSHIP OF NAIRN AND HYMAN**

**SCHEDULE "J"
TO
BY-LAW NUMBER 2007-9**

Procedures for Notice - Financial Statements

Section 295.(1), Chapter 25, Municipal Act, Statutes of Ontario, 2001

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 sub-clause (a)(i) or (ii) to such persons and in such other manner as the treasurer considers appropriate.

Content of Notice

- ▶ Explanation of financial notice in that the information will be made available at no cost to any taxpayer or resident of the municipality upon request.
- ▶ Section of the Act, including requirements.
- ▶ Contact information at the municipal office where documents can be obtained.
- ▶ Clerk-Treasurer/CAO's Name/Title.

Manner of Notice

- ▶ Municipal office.
- ▶ Municipal web site.
- ▶ Published in a local paper within 60 days of receipt of the audited financial statements.

**THE CORPORATION OF THE
TOWNSHIP OF NAIRN AND HYMAN**

**SCHEDULE "K"
TO
BY-LAW NUMBER 2007-9**

Procedures for Notice - Improvements in Service

Section 300, Chapter 25, Municipal Act, Statutes of Ontario, 2001

A municipality shall, at least once each calendar year, provide notice to the public of,

- (a) improvements in the efficiency and effectiveness of the delivery of services by the municipality and its local boards; and
- (b) barriers identified by the municipality and its local boards to achieving improvements in the efficiency and effectiveness of the delivery of services by them.

Content of Notice

- ▶ Explanation of approved public works projects, new services, etc. (include budget restraints).
- ▶ Section of the Act, including requirements.
- ▶ Contact information at the municipal office.
- ▶ Clerk-Treasurer/CAO's Name/Title.

Manner of Notice

- ▶ Municipal office.
- ▶ Municipal web site.

**THE CORPORATION OF THE
TOWNSHIP OF NAIRN AND HYMAN**

**SCHEDULE "L"
TO
BY-LAW NUMBER 2007-9**

Procedures for Notice - Consumption of Water

Reg. 244/02 - Section 12 (6)(a)

Before passing a by-law imposing a fee or charge, the municipality or local board, as the case may be shall,

- (a) hold at least one public meeting at which any person who attends has an opportunity to make representation with respect to the matter.

Content of Notice

- ▶ Set out the intention of the municipality or local board to pass the by-law and whether the by-law would impose any fee or charge which was not in effect on the day the notice is given or change any fee or charge which was in force on the day the notice is given.
- ▶ Set out that the detailed information will be made available at no cost to any member of the public upon request. The said information shall include:
 - a description of the service or activity or other matter for which the fee or charge is being imposed;
 - an estimate of the costs of providing the water system, in respect of which the fee or charge is being imposed;
 - the amount of the fee or charge; and
 - the rationale for imposing the fee or charge.
- ▶ Section of the Act/Regulation, including requirements.
- ▶ Date/Time/Place of public meeting for consideration of the by-law.
- ▶ Written comments and/or verbal comments will be considered at the public meeting where the by-law is to be enacted.
- ▶ Contact information at the municipal office where documents can be obtained.
- ▶ Clerk-Treasurer/CAO's Name/Title.

Manner of Notice

- ▶ Notice by prepaid mail at least 21 days prior to the public meeting to every person or organization that has within five years before the day of the public meeting given the Clerk-Treasurer/CAO of the municipality, a written request for a notice of the passing of the by-law containing a return address.
- ▶ Municipal office.
- ▶ Municipal web site.

**THE CORPORATION OF THE
TOWNSHIP OF NAIRN AND HYMAN**

**SCHEDULE "M"
TO
BY-LAW NUMBER 2007-9**

Procedures for Notice - Inspections and Issuance of Permits for Fire Purposes

Reg. 244/02 - Section 13 (6)(a)

Before passing a by-law imposing a fee or charge, the municipality or local board, as the case may be shall,

- (a) hold at least one public meeting at which any person who attends has an opportunity to make representation with respect to the matter.

Content of Notice

- ▶ Set out the intention of the municipality to pass the by-law and whether the by-law would impose any fee or charge which was not in effect on the day the notice is given or change any fee or charge which was in force on the day the notice is given.
- ▶ Set out that the detailed information will be made available at no cost to any member of the public upon request. The said information shall include:
 - a description of the service or activity or other matter for which the fee or charge is being imposed;
 - an estimate of the costs of providing the fire inspection and permit system in respect of which the fee or charge is being imposed;
 - the amount of the fee or charge; and
 - the rationale for imposing the fee or charge.
- ▶ Section of the Act/Regulation, including requirements.
- ▶ Date/Time/Place of public meeting for consideration of the by-law.
- ▶ Written comments and/or verbal comments will be considered at the public meeting where the by-law is to be enacted.
- ▶ Contact information at the municipal office where documents can be obtained.
- ▶ Clerk-Treasurer/CAO's Name/Title.

Manner of Notice

- ▶ Published in a local paper at least 21 days prior to the public meeting.
- ▶ Municipal office.
- ▶ Municipal web site.

THE CORPORATION OF THE
TOWNSHIP OF NAIRN AND HYMAN

SCHEDULE "N"
TO
BY-LAW NUMBER 2007-9

Procedures for Notice - Fees and Charges

Section 391 of the *Municipal Act*, 2001 provides that a municipality may pass a by-law for imposing fees or charges for services or activities provided by or done on behalf of it.

Content of Notice

- ▶ Explanation of meeting.
- ▶ Section of the Act.
- ▶ Date/Time/Place of public meeting for consideration of fees and charges.
- ▶ Written comments and/or verbal comments will be considered at the public meeting where fees and charges by-law to be enacted.
- ▶ Contact information at municipal office.
- ▶ Clerk/Treasurer/CAO's Name/Title.

Manner of Notice

- ▶ Municipal office.
- ▶ Municipal web site.