



being a by-law to adopt and maintain policies for requirements of notices to the public.

Whereas under section 270(1) of the Municipal Act, 2001 S.O. 2001, c.25, as amended, a municipality shall adopt and maintain policies 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; and

Whereas it is deemed advisable to set out the minimum notice requirements for those actions for which the notice requirements are not prescribed under the provisions of the Act or its regulations.

Now Therefore the Council of the Corporation of the City of Oshawa enacts as follows:

Definitions

1. In this by-law the following terms shall have the meanings indicated,
 - (a) **“Chair”** means the person presiding at a meeting of Council or Committee, as the case may be;
 - (b) **“City’s Web Site”** means the official web site of the City of Oshawa;
 - (c) **“Clerk”** means the Clerk of the City of Oshawa;
 - (d) **“Committee”** means a standing committee of Council as defined by Oshawa By-Law 126-75, as amended, or its successor council procedural by-law, from time to time;
 - (e) **“Council”** means the Municipal Council of the City of Oshawa;
 - (f) **“Municipal Act”** means the Municipal Act, 2001, S.O. 2001, c.25;
 - (g) **“Newspaper”** means a printed publication in sheet form published regularly at intervals of not longer than a week consisting in part of news of current events of general interest and distributed to the public and/or sold to regular subscribers that, in the opinion of the Clerk, has such circulation within Oshawa as will provide reasonable notice in circumstances where notice is required to be given.
 - (h) **“Notice to the Public”** or **“Public Notice”** means notice given to the public generally but does not include notice given only to specified persons;
 - (i) **“Notices Page”** means the subdirectory on the City’s Web Site where notices are posted.

Application

2. Where the City of Oshawa is required to give Notice to the Public under a provision of any Act, the Notice to the Public shall be given in a form and manner and at the times indicated in this by-law, unless,
 - (1) The Municipal Act, another Act or a regulation prescribes otherwise for the Notice to the Public;
 - (2) The requirements for the Notice to the Public are prescribed in another by-law; or

- (3) Council directs that other Notice to the Public is to be given that Council considers adequate to give reasonable notice.
3. The City of Oshawa shall give Notice to the Public of the matters contained in Schedule "A" to this by-law.

Notice to the Public

4. The following are the general requirements for giving Notice to the Public by the City in the circumstances where Notice is required by this by-law,
 - (1) The Clerk shall cause the Notice to the Public to be published in a Newspaper at least once.
 - (2) The Notice to the Public shall be posted on the Notices Pages of the City's Web Site for at least the two-week period immediately preceding the Council or Standing Committee meeting at which the matter will be considered and an opportunity is provided for members of the public to speak to the matter.
 - (3) A Notice to the Public given under subsection 4(2) is sufficient even if there are times during the two-week period that the City's Web Site is not accessible.
 - (4) Subject to section 5 and unless otherwise prescribed in an Act or its regulations, a Notice to the Public given pursuant to subsections 4 (1) and (2) shall contain the following information,
 - (a) A general description of the purpose of the meeting, or the purpose and effect of the proposed by-law;
 - (b) The date, time and location of the meeting;
 - (c) Where the purpose of the meeting or the proposed by-law relates to a defined location, sufficient particulars of the location, such as reference to a municipal address or street intersection, or to a legal description or plan; and
 - (d) Instructions on obtaining additional information, submitting comments or attending the Council or Committee meeting.
 - (5) If a proposed by-law is not passed at the Council meeting specified in a Notice to the Public pursuant to subsections 4(1) and 4(2), but consideration of the matter is deferred, no further Notice to the Public is required if a public statement is made by the Chairman at the meeting that the matter has been deferred. This subsection also applies to any further deferrals of the matter.
 - (6) The requirements set out in subsections 4(4)(a) through (d) are minimum requirements, and the City Clerk may give Notice to the Public in an extended manner if, in the opinion of the Clerk, the extended manner is reasonable and necessary in the circumstances.
5. Subsection 4(4)(a) through (d) does not apply to the extent that it would require the disclosure of particulars of the subject matter to be considered at a meeting or part of a meeting that is closed to the public.
6. The schedule of regular meetings as adopted by Council from time to time shall be posted on the City's Web Site, and the posted schedule may be revised by the Clerk to include additional information on the regular meetings.
7. In the event of conflict between the notice provisions of this by-law and any other by-law, the by-law that, in the Clerk's opinion, prescribes the more effective notice shall prevail.

8. Nothing in this by-law shall prevent the Clerk from,
 - (1) Using methods of notice that, in the Clerk's opinion, are more effective; or
 - (2) Providing for a longer notice period.
9. If a matter arises, which in the City Manager's opinion, in consultation with the Mayor, is considered to be of an urgent or time sensitive nature, or which could affect the health or well-being of the residents of the City of Oshawa, or if an emergency is declared, or if so advised by a Provincial Ministry, the Clerk shall endeavour to provide as much prior Notice to the Public as is reasonable under the circumstances or will provide notice of the action within forty-eight (48) hours following the action.
10. This by-law shall come into full force and effect on the date of its passage.

By-law approved this seventeenth day of December, 2007.

Schedule "A"
(40-2008)

The following actions require notice by the municipality:

Ontario Heritage Act R.S.O. 1990, c.O.18, as amended	Action
All sections	All actions

Municipal Act S.O. 2001, chap. 25, as amended

Highways

Action

S. 34 (1)	Permanently closing Highway
S. 40	Establishing Toll highways
S. 11	Naming or changing the name of a highway
S. 48	Naming or changing the name of a private road

Structures, Including Fences and Signs

S. 11	Passing or amending a by-law concerning advertising devices, including signs
S. 133	Passing or amending a by-law concerning fortification of land

Licensing and Registration

S. 150	Passing or amending a licensing by-law
S. 150	Passing or amending a by-law requiring the registry of businesses

Change of Name

S. 187	Passing or amending a by-law to change the name of the municipality
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Changes to Council

S. 217	Passing or amending a by-law changing the composition of City Council
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Wards

S. 222	Passing or amending a by-law respecting the establishment or dissolution of wards
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Procedure By-law

S. 238 (2)	Enacting or amending a procedural by-law
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Budget

S. 290	Adopting all or part of a Budget
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Fees and Charges

S. 391	Passing or amending a by-law establishing a fee or charge
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