



Title: Public Notice Policy		
Policy #: CS-NOT-1	Issued: February 28, 2024	Page #: 1 of 3
Revised:		
Approved by: Regional Council		
Responsibility: Regional Clerk/CAO		Section: Corporate Services

1. Policy

- 1.1 In accordance with the Municipal Act, municipalities must adopt and maintain a policy with respect to the circumstances in which a municipality shall provide notice to the public, and if notice is to be provided, the form, manner and times notice shall be given. This policy is deemed to satisfy the requirements of section 270 (1) 4. of the Municipal Act, 2001, as amended.
- 1.2 The Regional Clerk, in consultation with the Chief Administrative Officer, may make amendments to this policy as required.

2. Purpose

- 2.1 To outline the circumstances in which public notice will be provided, what will be included in the notice (form), how it will be provided (manner) and the timelines for providing notice.
- 2.2 To ensure accountability and transparency with respect to municipal actions.

3. Definitions

- 3.1 “Regional Clerk” means the Clerk of The Regional Municipality of Durham, or that person’s designate;
- 3.2 “Municipal Act” means the Municipal Act, 2001, S.O. 2001, c.25;
- 3.3 "newspaper" means a printed publication or a combination of printed publications in sheet form, intended for general circulation, published regularly at intervals of not longer than a week, consisting in great part of news of current events of general interest to the public, and circulated within the municipality as to provide reasonable notice to those affected;
- 3.4 “Notice to the Public” or “Public Notice” means notice given to the public generally, but does not include notice given only to specified persons;
- 3.5 “Regional Administration” means the relevant Department Head(s) or their designate(s);

- 3.6 “Region’s Website” means the official website of the Regional Municipality of Durham which is open to the public and currently found at durham.ca or such other address as may be used from time to time.

4. Application

- 4.1 Where the Region determines that Notice to the Public shall be given, the notice shall be given in a form and manner as indicated in this policy, unless:
- i) An Act or Regulation prescribes otherwise, in which case the notice requirements in the Act or Regulation shall prevail. If the Act or Regulation does not specify the form, manner or time for giving notice, the Region shall give notice in accordance with this policy;
 - ii) The requirements are prescribed in another Regional Policy or By-law, in which case staff may determine which notice requirements are the most appropriate; or
 - iii) Council directs that other Public Notice is to be given

5. Procedures

Circumstances

- 5.1 The Region shall give public notice of a matter under the following circumstances:
- i) When required by provincial or federal statute or regulation;
 - ii) When required by a Regional policy or by-law;
 - iii) When in the opinion of the Region’s Administration the matter is of sufficient public interest to warrant the giving of public notice.
- 5.2 When determining whether a matter is of sufficient public interest to warrant the giving of public notice, staff shall consider:
- i) The number of people affected by the matter;
 - ii) The financial implications of the matter for the municipality;
 - iii) The time period or duration for which the matter is applicable; and
 - iv) The extent of any geographical area affected.

Form

- 5.3 Public Notices shall be written in plain language in an accessible manner and shall contain:
- i) The authority under which the notice is being given (By-law, Policy, Legislation, Regional Administrative authority);
 - ii) A description of the matter, and any decisions to be made in relation to it;
 - iii) Where applicable, a map or description of any lands affected by the matter;
 - iv) The date, time and location of any meeting at which the matter may be considered;

- v) Instructions on how comments or questions may be submitted on the matter, including contact information for any Regional employee(s) responsible for the matter;
- vi) How to exercise any rights of appeal, if applicable; and
- vii) Any other information deemed necessary by the Region.

Manner

- 5.4 Public Notices shall be posted on the Region's Website on the Public Notices page.
- 5.5 Public Notice may also be provided by mail or e-mail to affected parties, where deemed appropriate in the circumstances.
- 5.6 Public Notice may also be posted in a newspaper or online community-focused newspaper but is not required unless legislated. Sharing of public notices shall be done in collaboration with the Communications and Engagement Division.

Time

- 5.7 Public Notice shall be posted and/or distributed a minimum of 10 days prior to the matter being considered at a meeting, or prior to any referenced action being taken on the matter.
- 5.8 When calculating the 10-day notice period, the day of giving notice is excluded and the day on which the relevant action is to be taken is included.
- 5.9 If a matter specified in the public notice does not occur at the specified date and time and is rescheduled, additional notice shall be provided to advise of the rescheduled date and time as soon as possible and in accordance with any legislative requirements.

6. Urgent or Time Sensitive Matters

- 6.1 If a matter arises which is considered to be urgent in nature, or which would affect the health or well-being of the residents of the Region, the notice provisions in this policy may be waived and the Region shall make its best effort to provide as much notice as is reasonable and timely under the circumstances.

7. Inquiries

- 7.1 For additional information regarding this policy please contact the Regional Clerk at clerks@durham.ca.