

 <b>COUNCIL/LEGISLATED POLICY</b>		Section #	Policy #
		<b>7</b>	<b>07</b>
		Approval Date: November 30, 2007	Revision Date: June 27, 2012
Title:	NOTICE POLICY		
Responsibility:	C&AS	Approval Level:	Council
Applies to:	All Staff and Councillors		

## POLICY STATEMENT

In recognition of the emphasis placed on transparency and accountability measures within the *Municipal Act*, the Region of Waterloo believes citizens should be made aware of the business of the municipality. In order to keep citizens informed, the Region will provide notice based on the following:

- development of a class system that identifies the circumstances of when notice will be provided;
- establishment of notice formats and notice methods that provide consistent, accessible and readable information;
- development of minimum notice time periods;
- development of alternate forms of notice that meets citizens' needs.

## OPERATING PRINCIPLE

The notice provisions are based on the following principles:

- citizens should be aware what, when and where the business of the municipality is being discussed;
- citizens should be aware when the business being discussed will have an impact on them;
- adequate time should be provided to citizens so they can make submissions.

The following principles apply to the notice:

- be provided in a timely manner in accordance with the scope and magnitude of the issue;
- be distributed to the broadest possible audience;
- should be given in a variety of manners and forms, including but not limited to social media, display boards, radio and television;
- provide credible, accessible information in a usable format that is easy to understand while being open, inclusive and respectful to all citizens;
- take into consideration directly delivered notice for those individuals who are directly impacted.

## OPERATING DETAILS

### Notice Format

A common format has been developed for giving notice which ensures consistency and includes the following information:

- date, time, location, contact information, summary of what notice is being given, how to obtain additional information, how to register to speak at a meeting (if appropriate), accessibility information and privacy considerations.

#### Newspaper Public Notice

All newspaper public notice requisitions are to be forwarded to the Clerk's office with the appropriate requisition for placement to ensure cost efficiency, conformity and consistency. The format for notices may be amended as required to meet accessibility needs such as font size, etc. All language in notices should be written to the Canadian Press Standards at a Grade 8 reading level. The only exception to this will be when a legislated prescribed form must be used.

Individual departments establish their own standards related to informal notice not captured in the scope of this policy and collecting information from the public for matters such as disruption to service, minor road construction/repairs, etc.

#### Emergency Provision

If a matter or situation arises that, in the opinion of the Chief Administrative Officer, in consultation with the Regional Chair, is considered to be of an urgent or time sensitive nature, or could affect the health and well-being of the residents of the Region of Waterloo, or if a state of emergency is declared, or is so directed by a Provincial Ministry, the notice provisions may be waived and best efforts should be made to provide as much notice as is reasonable under the circumstances.

## **NOTICE CATEGORIES**

#### General Guidelines:

- all references to days are calendar days, not business days.
- direct delivery includes hand delivery, pre-paid first class mail, facsimile and email.
- notice can be provided through multiple channels including, on the Region's website - Public Notices webpage, newspapers, radio, television, direct mailing, location signs, and social media outlets.
- The Regional Clerk shall determine the newspaper of sufficiently general circulation, in consultation with the appropriate Department Head, if necessary.
- Social media outlets includes but is not limited to the Region's RSS feed, Region of Waterloo Facebook page, and Twitter feed.

#### Class 1 – Standard Council/Committee Operating Process (minimum 3 days notice)

This class refers to the normal operations of the Region of Waterloo when notice is provided of upcoming Committee/Council meetings.

The foundation for this class of notice is the publication of the annual Schedule of meetings and updates to the Schedule. The Schedule is available on the Region's website and is distributed in electronic or hard copy upon request. The schedule shows the time and date for each regular Council and Committee meeting and notice of any change to the schedule will be provided a minimum of 3 days in advance.

Notice of Council/Committee meetings where the business of the municipality is being discussed is provided through the development of agendas. Notice shall be provided a minimum of 3 days in advance of the meeting by:

- posting of the agenda and supporting information including staff reports to the Region's website and email subscriber service;

- direct delivery to affected individuals where they have requested to be notified of an upcoming meeting or when required by legislation; and
- posting on social media outlets, one or two days prior to meeting.

A hard copy of the agenda for every Council and Committee meeting can also be obtained from the citizen kiosk located at 150 Main Street, Cambridge, 99 Regina Street, Waterloo, or the Clerk's Office at 150 Frederick St., Kitchener.

Notice requirements do not apply to revised or consolidated agendas.

#### Class 2 – Defined or Specific Issues (minimum 14 days notice)

The issues associated with this class of notice are more specific and affect a smaller, more contained population. These notice provisions will take into consideration the difference between communities of interest, area municipalities and specific user groups. There are cases where the broad general notice may still be required but some discretion is necessary. Notice is to be more flexible and directed at affected individuals. As an example, the notice provision will apply to the following but may not be limited to:

- sale of minor parcels of land;
- controlled access by-laws and amendments;
- road renaming, highway closing by-laws;
- consultation on localized road repairs where a Class Environmental Assessment is not required;
- licensing hearings.

A minimum of 14 days notice is required utilizing the following methods:

- direct delivery or pre-paid first class mail to affected parties, that may include, but are not limited to:
  - affected land owners/occupants and abutting land owners/occupants within a radius defined by legislation and/or in consultation with the appropriate Department Head and Regional Clerk;
  - license holders;
  - stakeholders;
- posting of notice on the Region's Public Notice webpage and email subscriber service;
- subscriber email to each municipal Clerk within the Region;
- at the request of the Department Head and at the discretion of the Regional Clerk or designate, public notice in a newspaper that is of sufficiently general circulation in the specific area;
- when newspaper public notice is used, posting will also be done with social media outlets, one or two days prior to the meeting;
- where appropriate, display boards should be placed along roadways in specific areas. Timing of these placements will be at the discretion of the Regional Clerk in consultation with the appropriate Department Head.

#### Class 3 – Major Issues (minimum 21 days notice)

The issues associated with this class have a significant impact on the community. This notice shall meet the broadest audience as the topics may be of interest to the Region as a whole. It is important to allow sufficient time for the public to respond to these major issues. Notice provisions will apply to the following:

- consulting with the public on the development of new and amending Council policies under the *Municipal Act*;
- consulting with the public on the development of new regulatory by-laws and amendments to those regulatory by-laws that affect general population i.e. amendment to pesticide or smoking by-laws;

- amendments to procedural by-law;
- proposed changes to governance structure (e.g. change of municipality name, change in size of Council);
- approval of fees and charges by-law, including GRT fees;
- sale of land containing buildings or the sale of land where a building permit could be acquired;
- approval of the budget and any amendments resulting in an adjustment to the levy.

A minimum of 21 days notice is required utilizing the following methods:

- public notice in a newspaper that is of sufficiently general circulation in the specific area in advance of meeting and/or passing of By-law, etc.;
- posting of notice on the Region's Public Notice webpage in advance and email subscriber service;
- posting on social media outlets, one or two days prior to meeting;
- subscriber email to each municipal Clerk within the Region.

#### Class 4 – Planned Service Disruptions (minimum 24 hours notice)

Departments shall be responsible for establishing processes to deal with planned service interruptions. Notice of the disruption should include information about the reason for the disruption, its anticipated duration and a description of any available alternate services. A minimum of 24 hours is required utilizing the following methods:

- direct delivery or pre-paid first class mail to affected parties, that may include, but are not limited to, affected land owners/occupants, abutting land owners/occupants, license holders, stakeholders;
- posting of the information in a conspicuous place or on the premises as applicable;
- posting of notice on the Region's Public Notice webpage in advance and email subscriber service;
- consideration should be given on whether to notify the appropriate area municipality;
- posting on social media outlets, one or two days prior to service disruption.

#### Class 5 – Other Legislatively Prescribed Statutory Notices

These advertisements may include but are not limited to requirements under the *Development Charges Act*, *Environmental Assessment Act*, *Expropriations Act*, *Planning Act*. The minimum number of days in advance required for public notice will be completed as prescribed in the legislation as follows:

- as required, direct delivery, pre-paid first class mail or registered mail to affected parties
- if newspaper public notice is required, placement in a newspaper that is of sufficiently general circulation in the specific area;
- posting the notice on the Region's Public Notice webpage and email subscriber service;
- posting on social media outlets should also be utilized where appropriate and in consultation with the Regional Clerk and appropriate Department Head;
- alternative forms of notice that meets citizens' needs should be considered for this class.

## **RESPONSIBILITIES**

All Regional staff are responsible for adhering to the parameters outlined in this policy and for ensuring appropriate application of the notice policy.

## **MONITORING/CONTRAVENTIONS**

The Regional Clerk shall be responsible for receiving complaints and/or concerns related to this policy. Upon receipt of a complaint and/or concern, the Regional Clerk will consult with the Regional Solicitor and notify Regional Council and the Chief Administrative Officer as required.

## **POLICY REVIEW**

The Notice Policy will be reviewed for effectiveness once per term of Council by the Office of the Regional Clerk. Any required amendments will be brought back to Committee/Council once notice is given and the public has an opportunity to comment on any revisions.

## **SEE ALSO:**

[Accountability and Transparency Policy #07-05](#)

[Public Notice Manual](#)

*Municipal Act*, as amended

*Planning Act*, as amended

*Expropriations Act*, as amended

*Environmental Assessment Act*, as amended

*Development Charges Act*, as amended