

TOWNSHIP OF SPRINGWATER  
BY-LAW 2009-088 A

**Provision of Notice Policy**

<b>Section/Subject Matter</b>	<b>Requirement in the Act</b>	<b>Policy</b>
34(1) Permanent Closure of a Highway	Notice not required	At the discretion of the Clerk and the Director of Public Works, notice of intent to persons and agencies directly affected by the by-law may be provided ten working days prior to enactment of the by-law either by: <ul style="list-style-type: none"> <li>▪ Personal service or prepaid first class mail to all persons who about the affected highway; or</li> <li>▪ Township website; or</li> <li>▪ Council agenda</li> </ul>
34(2) Permanent Altering of a Highway	Notice not required	At the discretion of the Clerk and the Director of Public Works, notice of intent to persons and agencies directly affected by the by-law may be provided 10 working days prior to enactment of the by-law either by: <ul style="list-style-type: none"> <li>▪ Personal service or prepaid first class mail to all persons who about the affected highway; or</li> <li>▪ Township website; or</li> <li>▪ Council agenda</li> </ul>
Sec. 48 Naming or Renaming of Private Roads	A local municipality may name or change the name of a private road after giving public notice of its intention to pass the by-law	Notice of intent to persons and agencies directly affected to be provided 10 working days prior to enactment of the by-law: <ul style="list-style-type: none"> <li>▪ Personal service or prepaid first class mail to all persons who about the affected highway;</li> <li>▪ Township website;</li> <li>▪ Council agenda.</li> </ul>
81(1),(2),(3) Shut off supply of water to land if overdue public utility fees or charges based on supply of water or public utility to land	Reasonable notice	Personal service or prepaid mail or by posting the notice on the land in a conspicuous place.
99(1) By-Law – Advertising Devices, including signs	Notice not required	At the discretion of the Clerk, notice may be provided to holders of existing sign permits.
110(5) Agreements for Municipal Capital Facilities	Upon the passing of a by-law permitting a municipality to enter into an agreement under this section, the Clerk of the municipality shall give written notice of the by-law to the	Written notice to the Minister of Education as prescribed within ten (10) days of the passing of the by-law.

	Minister of Education.	
110(8) Tax Exemption By-Law	<p>Upon the passing of a by-law under subsection (6), the Clerk shall give written notice of the contents of the by-law to:</p> <ul style="list-style-type: none"> <li>▪ MPAC;</li> <li>▪ The Clerk of any other municipality that would, but for the by-law, have had the authority to levy rates on the assessment for the land exempted by the by-law; and</li> <li>▪ The secretary of any school board if the area of jurisdiction of the board includes the land exempted by the by-law.</li> </ul>	Written notice by prepaid first class mail as prescribed to all persons identified by the Act as requiring notice.
150 (4) (b) General Licensing Powers	Notice and public meeting not required	<p>At the discretion of the Clerk, Notice of Council's intent may be provided by:</p> <ul style="list-style-type: none"> <li>▪ Personal notice where certain sectors are erroneously affected;</li> <li>▪ Township website.</li> </ul>
206 Meeting to hold vote for directors of Business Improvement Area or to discuss budget	Reasonable notice required	Notice shall be provided to the general membership and property owners within the improvement area by prepaid first class mail at least ten (10) working days before the scheduled meeting.
210 Business Improvement Areas	<p>Before passing a by-law under subsection 204(1), clause 208(2)(b), subsection 208(3) or section 209, notice of the proposed by-law shall be sent by prepaid mail to the Board of Management of the Improvement Area, if any, and to every person who, on the last returned assessment roll, is assessed for rateable property that is in a prescribed business property class which it is located:</p> <ul style="list-style-type: none"> <li>▪ Where the improvement area already exists, in the improvement area and in any geographic area the proposed by-law would add to the improvement area; and,</li> <li>▪ Where a new improvement area would be created by the proposed by-law, in the proposed improvement area.</li> </ul>	Personal notice by prepaid first class mail at least ten (10) working days prior to the passage of by-law to the Board of Management of the improvement area (existing, or proposed, as the case may be) and every person assessed for rateable property within the improvement area.

<p>211 Business Improvement Area – Repealing By-Law</p>	<p>Council shall give notice in accordance with subsection 210(1) of a proposed by-law to repeal a by-law under subsection 204(1) if the municipality has received:</p> <ul style="list-style-type: none"> <li>▪ A resolution from the Board of Management requesting the repeal; or,</li> <li>▪ A request for the repeal signed by persons who are responsible for at least one-third of the taxes levied for purposes of the general local municipality levy on rateable property in all prescribed business property classes in the Improvement Area.</li> </ul>	<p>Personal notice by prepaid first class mail within sixty (60) days after receiving the resolution or request, and at least ten (10) working days prior to the passing of the by-law to the Board of Management of the BIA area, and every person assessed to rateable property within the Improvement Area.</p>
<p>217 Council Composition – Local</p>	<p>Notice not required</p>	<p>Notice of a public meeting shall be shown on the Council agenda and may be provided on the Township website</p>
<p>222 Establishment of Wards</p>	<p>Notice of Council’s intention not required.</p> <p>Notice of by-law enactment is required within 15 days of enactment.</p>	<p>Notice of public meeting may be provided at least twenty (20) days prior to the meeting:</p> <ul style="list-style-type: none"> <li>• By Publication within a newspaper having sufficient circulation; or</li> <li>• Township website</li> </ul> <p>Personal service or prepaid first-class mail shall be provided to those persons who request further notice following the public meeting</p> <p>Notice of by-law passing no later than fifteen (15) days following enactment:</p> <ul style="list-style-type: none"> <li>• Publication within a newspaper having sufficient circulation;</li> <li>• Township website</li> <li>• Personal service or prepaid first-class mail to those persons who have requested notice</li> </ul>
<p>238 Procedure By-law</p>	<p>The Procedure By-law shall provide for public notice of meetings.</p>	<p>Procedure by-law to include provisions for public notice.</p>
<p>268 Sale of land</p>	<p>Notice not required</p>	<p>Addressed in sale of land policy</p>
<p>291 Budget – Adoption or Amendment</p>	<p>No notice required</p>	<p>Public Notice of proposed budget approval in the newspaper and posted on the Township Website prior to the adoption of the budget.</p>

<p>295 Financial Statement – Publication</p>	<p>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 statement, 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 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 subclause (a)(i) or (ii) to such persons and in such other manner as the Treasurer considers appropriate.</p>	<p>Public notice shall be published for one week in a newspaper having general circulation in the municipality.</p> <p>Audited Financial Statements shall be posted and on the Township Website within sixty (60) days of receipt.</p>
<p>331(10) Taxes on eligible properties, if no comparable properties</p>	<p>Within 60 days after the date the notice is received by the local municipality.</p>	<p>Notice by prepaid first class mail to the eligible property owner within 60 days after receipt of the list from MPAC.</p>
<p>342(5) Tax Instalments Collection</p>	<p>The Treasurer gives written notice to the taxpayer that alternative instalments and due dates may no longer be used.</p>	<p>Personal reminder notice by prepaid First Class Mail, as determined by the Municipality.</p>
<p>348 Determination of Tax Status</p>	<p>The Treasurer shall send to every taxpayer who owes taxes from a proceeding year a notice of those taxes and of the related late payment charges.</p>	<p>Personal notice by prepaid First Class Mail to each affected taxpayer by February 28<sup>th</sup> in each year.</p>
<p>350(1) Tax collection - land occupied by tenant</p>	<p>Where taxes are owed in respect of any land occupied by a tenant, the Treasurer may give the tenant notice in writing requiring the tenant to pay the rent in respect of the land to the Treasurer as it becomes due up to the amount of the taxes due and unpaid plus costs, and the tenant shall comply with the notice.</p>	<p>At the discretion of the Treasurer, personal notice may be sent by prepaid first class mail to the tenant with a copy forwarded by registered mail to the owner/taxpayer.</p>
<p>351(8) Tax Collection, Seizure of Assets</p>	<p>The Treasurer or the Treasurer’s agent shall give the public notice of the time and place of the public auction to recover the taxes and costs of seizure.</p>	<p>Personal notice by prepaid Registered Mail to affected party. Public notice in the newspaper and posted on the Township Web Site once a week for two (2) weeks prior to the public</p>

		<p>auction.</p>
<p>356(4),(5) Application for Division of Land</p>	<p>On or before September 30 of the year following the year in which the application is made, Council shall:</p> <p>a) hold a meeting at which the applicants and owners of any part of the land may make representations to Council;</p> <p>b) notify the applicants and owners of the meeting by mail sent at least 14 days before the meeting; and</p> <p>c) make its decision.</p>	<p>Personal notice by prepaid Registered Mail to the applicants and owner at least 14 days prior to the meeting.</p> <p>Council shall also notify the applicants and owners of the decision within 14 days after making its decision. Said decision shall specify the last day for appealing the decision.</p>
<p>357(5) Application for Cancellation, reduction or refund of taxes</p>	<p>On or before September 30 of the year following the year in which the application is made, Council shall:</p> <p>a) hold a meeting at which the applicants may make representations to Council;</p> <p>b) notify the applicants of the meeting by mail sent at least 14 days before the meeting; and</p> <p>c) make its decision.</p>	<p>Personal notice by prepaid first class Mail to applicants at least 14 days prior to the meeting.</p> <p>Council shall also notify the applicants of the decision within 14 days after making its decision. Said decision shall specify the last day for appealing the decision.</p>
<p>358 Overcharges caused by a gross or manifest error</p>	<p>Treasurer to send a copy of the application to the Assessment Corporation and the Registrar of the Assessment Review Board; and to notify applicant of invalid application.</p>	<p>Personal notice by prepaid Registered Mail to applicants at least 14 days prior to the meeting.</p> <p>Council shall also notify the applicants of the decision within 14 days after making its decision. Said decision shall specify the last day for appealing the decision.</p> <p>Prepaid first class mail to the Assessment Corporation and the Registrar of the Assessment Review Board.</p>
<p>359 Increase of taxes (as a result of any undercharge caused by a gross or manifest error) ... but not an error in judgement assessing the land.</p>	<p>Council shall, a) hold a meeting at which the Treasurer and the person in respect of whom the application is made may make representations to Council; b) notify the Treasurer and the person in respect of whom the application is made of the meeting by mail sent at least 14 days before the meeting; and c) make its decision.</p>	<p>Personal notice by prepaid Registered Mail to the person in respect of whom the application is made and personal service to the Treasurer at least 14 days prior to the meeting.</p> <p>Council shall also notify the Treasurer and the person in respect of whom the application is made of the decision within 14 days after making its decision. Said decision shall specify the last day for appealing the decision.</p>
<p>365 Cancellation, reduction or refund of taxes</p>	<p>If a lower tier municipality has passed a by-law under subsection (1), it shall give notice of that fact to the upper-tier municipality and the upper-tier municipality may</p>	<p>Written notice by prepaid first class mail to The County of Simcoe as soon as possible after passing the by-law.</p>

	pass a by-law to provide a similar cancellation, reduction or refund of taxes levied for upper-tier purposes.	
365.1 (4)(5) Cancellation of taxes, rehabilitation and development period	If a lower-tier municipality intends to pass a by-law under subsection (2), it shall give notice of its intention to the upper-tier municipality and the Minister of Finance.	Copy of proposed by-law forwarded by prepaid first class mail to upper-tier municipality and to the Minister of Finance. Note: Information to be provided to the Minister of Finance as per the Act.
365.1 (7) (25) Cancellation of taxes, rehabilitation and development period	If a local municipality passes a by-law under subsection (2) or (3), it shall, within 30 days, give a copy of the by-law to the Minister and the Minister of Finance	By-Law to be forwarded to the Minister and the Minister of Finance by prepaid first class mail within thirty (30) days of passage.
365.1 (9)(11) Cancellation of taxes, rehabilitation and development period	Upon approval of an application under subsection (8), local municipality to advise owner of the commencement date of tax assistance and amount of tax assistance. Minister of Finance to be provided above information within 30 days of advising the owner.	Personal notice by prepaid first class mail to the owner and by prepaid first class mail to the Minister of Finance within thirty (30) days of providing notice to the owner. Note: Minister of Finance may specify additional information to be provided by the local municipality.
365.1 (23) Cancellation of taxes, rehabilitation and development period	Owner to notify municipality within 30 days of filing a Record of Site condition and local municipality, within 30 days of receipt, to advise Minister of Finance	Written notice by prepaid first class mail within thirty (30) days of receipt of notice from owner.
365.2 (5) (6) Tax Reduction – Eligible Heritage Properties	A local municipality shall deliver a copy of the by-law passed under subsection (4) to the Minister of Finance within 30 days of its passage and notify the upper-tier municipality of the amount of taxes to be reduced or refunded.	A copy of the by-law to be forwarded by prepaid first class mail to the Minister of Finance and the County of Simcoe within thirty (30) days of its passing.
374 (1) Notice of Registration	Within 60 days after the registration of a tax arrears certificate, the Treasurer shall send a notice of the registration of the certificate to the assessed owner of the land; if under land Titles to persons appearing on the parcel register and if under Registry Act, to persons appearing by the abstract index and by the index of writs received for execution by the sheriff...	Notice of registration certificate by prepaid registered mail within 60 days after registration to parties specified in the Act.
379 (1) Public Sale	If the cancellation price remains unpaid 280 days after the day the tax arrears certificate is registered, the Treasurer, within 30 days after the expiry of the 280	Final notice that the land will be advertised for public sale to be given by prepaid registered mail to persons entitled to receive notice within 30 days after the expiry of the 280 day period.

	day period, shall send to the persons entitled to receive notice under Section 374, a notice that the land will be advertised for public sale unless the cancellation price is paid before the end of the one year period following the date of the registration of the tax arrears certificate.	
379 (2) Public Sale – Advertisement	<p>If, at the end of the one year period following the date of the registration of the tax arrears certificate, the cancellation price remains unpaid and there is no subsisting extension agreement, the land shall be offered for public sale by public auction or public tender, as the Treasurer shall decide, and the Treasurer shall immediately</p> <p>a) make a statutory declaration stating the names and addresses of the persons to whom notice was sent under subsection (1); and</p> <p>b) advertise the land for sale once in <i>The Ontario Gazette</i> and once a week for four weeks in a newspaper that, in the opinion of the Treasurer, has such circulation within the municipality as to provide reasonable notice of the sale or, if there is no such newspaper, post a notice in the municipal office and one other prominent place in the municipality.</p>	Public notice for one week in <i>The Ontario Gazette</i> , once a week for four (4) consecutive weeks in a newspaper and posted on the Township website.
379 (5b) and (15) No Registration of Notice of Vesting	If there is no successful purchaser, the Treasurer may prepare and register a Notice of Vesting in the name of the municipality.	Notice of Vesting may be registered within one year after the public sale is conducted.
380 (3) Application of Proceeds – Payment into Court	Within 60 days after making a payment into court under subsection (2), the Treasurer shall send a copy of the statement to the Public Guardian and Trustee and to the persons to whom the Treasurer sent notice under subsection 379 (1).	Copy of statement to be sent by prepaid Registered Mail 60 days after payment into court.
400 Regulations regarding Fees and Charges	The Minister may make regulations providing for any matters which, in the opinion of the Minister, are necessary or desirable for the purposes of this	<p>Notice of intent to pass a By-Law in the manner and form and at the times as prescribed by the Minister.</p> <p>Public Notice in the newspaper and</p>

	Part, including, f) requiring a municipality or local board to give the prescribed notice of its intention to pass a by-law imposing the fees and charges which have priority lien status under (d) which are added to the tax roll, to the prescribed persons in the manner and form and at the times prescribed.	posted on the Township Website once a week for two (2) consecutive weeks prior to the passing of the by-law.
402 (1) Notice of Debt	Upon receipt of an application of a municipality to incur a debt, the Ontario Municipal Board may direct the municipality to give notice of the application to such persons and in such manner as the Board determines.	Notice of Debt to such persons and in such manner as determined by the Ontario Municipal Board.
408 Debenture By-Law	When a municipality authorizes long term borrowing by the issue of debentures or through another municipality under Section 403 or 404.	Personal notice by prepaid first class mail to persons issuing the debenture.
431 Where Power of Entry exercised	Where a municipality exercises a power of entry under this Act, the Municipality shall, a) except with respect to an entry to determine whether a by-law, order or condition of a permit has been complied with, or an entry under Section 87, 97, 122 or 166 or clause 430 (a), (b) or (c), provide reasonable notice of the proposed entry to the occupier of land by personal service or prepaid mail, or by posting the notice on the land in a conspicuous place; b) despite clause a), in the case of an entry described under clause 430 (d), give reasonable notice of the proposed entry to the occupier of the land by personal notice.	Two weeks prior to entry, inform occupier of the land by personal service or prepaid first class mail or by posting the notice on the land in a conspicuous place.  Notice shall be by personal service in the circumstances identified in 431 (b) of the Act.
433 – now 447(3) Closing premises, public nuisance	Notice to the Attorney General. After obtaining a consent under subsection (2) but before making an application under subsection (1), the municipality shall give 15	Letter of application to the Attorney General 15 days prior to making application by prepaid registered mail.

	days notice of its intention to make an application under subsection (1) to the Attorney General.	
440 – now 441 (1) Collection of unpaid licensing fines	If any part of a fine for a contravention of a business licensing by-law remains unpaid after the fine becomes due and payable under section 66 of the <i>Provincial Offences Act</i> , including any extension of time for payment ordered under that section, the authorized officer may give the person against whom the fine was imposed a written notice specifying the amount of the fine payable and the final date on which it is payable, which shall be not less than 21 days after the date of the notice.	Written notice by prepaid registered mail specifying the amount of the fine payable and final date to pay (not less than 21 days after the date of notice).  No time limit is specified for giving of notice.