

# 2023-09-12 COTW Agenda Package

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# MUNICIPALITY OF THE COUNTY OF ANNAPOLIS

## COMMITTEE OF THE WHOLE AGENDA

Tuesday, September 12, 2023

9:00 a.m.

Municipal Administration Building, 752 St. George Street, Annapolis Royal

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PAGES		
	1.	<b>ROLL CALL</b>
	2.	<b>DISCLOSURE OF INTEREST</b>
	3.	<b>APPROVAL of the Order of the Day</b>
	4.	<b>APPROVAL OF MINUTES</b>
3-7	4.1	2023-07-11 Regular COTW
	5.	<b>INFORMATION/STAFF REPORTS</b>
8-9	5.1	IR Bylaw Infractions on County-Owned Forestry Land
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83-105	5.9	SR2023-70 Policy 102 Personnel – New
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125-139	5.11	SR2023-72 Bridgetown Regional Outdoor Sports Hub – Lease
140-141	5.12	SR2023-18 (2) Fire Services Review
	6.	<b>RECOMMENDATIONS and REPORTS FROM BOARDS and COMMITTEES</b>
142	6.1	2023-07-06 Trans County Transportation Society Report
143	6.2	2023-07-26 Nominating Committee Recommendations
144	6.3	2023-09 IMSA Board Update Report
	7.	<b>IN-CAMERA</b>
	7.1	In accordance with section 22(2)(e) contract negotiations of the <i>Municipal Government Act</i>
	7.2	In accordance with section 22(2)(e) contract negotiations of the <i>Municipal Government Act</i>
	7.3	In accordance with section 22(2)(f) litigation or potential litigation of the <i>Municipal Government Act</i>
	7.4	In accordance with section 22(2)(c) personnel of the <i>Municipal Government Act</i>
	8.	<b>5:00 p.m. STATED ADJOURNMENT</b>

Minutes of the regular Committee of the Whole meeting held on Tuesday, July 11, 2023, at 9:00 a.m., at the Municipal Administration Building, 752 St. George St. Annapolis Royal, NS.

### **ROLL CALL**

District 1 – Bruce Prout, present  
District 2 - Brian “Fuzzy” Connell, present  
District 3 – Dustin Enslow, present  
District 4 – Clyde Barteaux, present  
District 5 – Lynn Longmire, present  
District 6 – Alex Morrison, Warden, present  
District 7 – David Hudson, present  
District 8 – Michael Gunn, present  
District 9 – Wendy Sheridan, present  
District 10 – Brad Redden, Deputy Warden, present  
District 11 – Diane Le Blanc, present

**Also Present:** CAO Chris McNeill; Municipal Clerk Carolyn Young; other staff, A. Barr (9:56 a.m.), L. Bent, D. Campbell, C. Mackintosh, C. Mason, N. McCormack, E. Melanson, D. Patterson (10:56 a.m.), J. Saunders (9:56 a.m.), and N. Whitman.

### **Disclosures**

None.

### **Order of the Day**

There were no changes to the Order of the Day.

### **Minutes**

2023-03-17 Special Committee of the Whole – approved, no errors or omissions  
2023-06-13 Regular Committee of the Whole – approved, no errors or omissions

### **Correspondence**

- 2023-06-07 Prime Minister – Basic Income Guarantee

### **Information/Staff Reports**

Re: IR 2023-07-11 Dangerous & Unsightly Premises 1<sup>st</sup> Quarter Report

Re: SR2023-58 AM-1.3.6.5 Source Water Protection Advisory Committee Policy New

That Municipal Council approve *AM-1.3.6.5 Source Water Protection Advisory Committee Policy* as circulated, seven-day notice.

Moved: Deputy Warden Redden

Seconded: Councillor Sheridan

***The Chair tabled discussion at 9:25 a.m. to permit the PRESENTATION.***

**PRESENTATION**

Re: RCMP Annapolis Detachment – Sgt. Mike Maxwell – Two documents were circulated at the meeting – Annapolis District Policing Report June 2023, and Mayor’s Report from 2023-04-01 to 2023-06-30. He invited discussion on what kind of relationship the council would like to have.

Re: SR2023-58 AM-1.3.6.5 Source Water Protection Advisory Committee Policy New (*cont’d*)

That Municipal Council approve *AM-1.3.6.5 Source Water Protection Advisory Committee Policy* as circulated, seven-day notice.

Moved: Deputy Warden Redden

Seconded: Councillor Sheridan

To amend the motion by:

Item 14 to add #4 *‘committee to meet at least once a year’*; and

Item 29 remove current sections a,b,c, and d, and replace with:

- a) all council members that have a source water plan in the geographic boundaries of their electoral district, and
- b) 2 citizen representatives that live within or own property within each source water protection planned geographic area.

Moved: Councillor Barteaux

Seconded: Councillor Connell

To amend the amendment by

Item 14, #4 to amend to change *‘at least once a year’* to *‘quarterly’*

Moved: Councillor LeBlanc

Seconded Councillor Barteaux.

Motion carried.

On the amendment as amended to read:

in Item 14 #4 Committee to meet quarterly, and

in Item 29 remove a, b, c, and c, and replace with:

- a) all council members that have a source water plan in the geographic boundaries of their electoral district, and
- b) 2 citizen representatives that live within or own property within each source water protection planned geographic area.

Motion carried, 10 in favour, 1 against.

**Recess**

10:35 a.m. – 10:42 a.m.

On the motion as amended to read:

That Municipal Council approve *AM-1.3.6.5 Source Water Protection Advisory Committee Policy* as amended to add:

in Item 14 #4 Committee to meet at least quarterly, and

in Item 29 removing a, b, c, and c, and replace with:

- a) all council members that have a source water plan in the geographic boundaries of their electoral district, and
- b) 2 citizen representatives that live within or own property within each source water protection planned geographic area; seven-day notice.

Moved: Deputy Warden Redden

Seconded: Councillor Sheridan

To amend the motion by adding in 29 b) '*at least two*' before 'citizen representatives'.

Moved: Councillor LeBlanc

Seconded: Councillor Barteaux

Motion lost, 1 in favour, 10 against.

On the motion as amended to read:

SR2023-58 AM-1.3.6.5 Source Water Protection Advisory Committee Policy New

That Municipal Council approve *AM-1.3.6.5 Source Water Protection Advisory Committee Policy* as amended to add:

in Item 14 #4 Committee to meet at least quarterly, and

in Item 29 removing a, b, c, and c, and replace with:

- a) all council members that have a source water plan in the geographic boundaries of their electoral district, and
- b) 2 citizen representatives that live within or own property within each source water protection planned geographic area; seven-day notice.

Moved: Deputy Warden Redden

Seconded: Councillor Sheridan

Motion carried, 9 in favour, 2 against.

Re: SR2023-59 Road Naming Process – Shared Access Road at Long Lake, Hampton – Dragonfly Lane

That Municipal Council approve the road name "Dragonfly Lane" for the shared access road at Long Lake in Hampton, on PID 05169594.

Moved: Councillor Enslow

Seconded: Councillor Gunn

Motion carried.

Re: SR2023-46(3) AM-1.2.0 Committees of Council and Council Meetings – Procedures Policy – Amend –

That there be no scheduled meetings in August 2023, including Committees and Council.

Moved: Deputy Warden Redden

Seconded: Councillor Longmire

Gunn – not in favour.

Motion carried, 10 in favour, 1 against.

That staff bring a report to September Committee of the Whole to amend *AM-1.2.0 Committees of Council and Council Meetings Procedures Policy* to include that there be no scheduled meetings in August including Committees and Council.

Moved: Deputy Warden Redden

Seconded: Councillor Connell

Motion carried, 10 in favour, 1 against.

Re: SR2023-56(2) Grant Application - Margaretsville Shore Society

That Municipal Council approve a grant to the Margaretsville Shore Society in the amount of \$10,000 to support upgrades and repairs to the Margaretsville Wharf in accordance with *AM-1.4.3 Harbour Authorities & Societies Capital Assistance Program, Large Project Capital Investment Grant*.

Moved: Councillor Connell

Seconded: Councillor Prout

Motion carried.

Re: SR2023-56(2) Grant Application - The Wharf Rat Rally Motorcycle Association

That Municipal Council approve a grant to The Wharf Rat Rally Motorcycle Association in the amount of \$5,000 to support marketing costs for the annual Wharf Rat Rally in accordance with *AM 1.4.9 Community Grants, Marketing and Promotion Partnership Program*.

Moved: Councillor Barteaux

Seconded: Councillor Connell

Motion carried.

Re: SR2023-56(2) Grant Application - Milford and Area Community Association

That Municipal Council approve a grant to the Milford and Area Community Association in the amount of \$1,200 to support the installation of a heat pump in accordance with *AM 1.4.9 Community Grants, Community Halls and Centres Assistance Program*.

Moved: Councillor Gunn

Seconded: Councillor Hudson

Motion carried.

Re: SR2023-56(2) Grant Application - Clarence United Baptist Church

That Municipal Council approve a grant to the Clarence United Baptist Church in the amount of \$2,400 to support exterior repairs to the church in accordance with *AM 1.4.9 Community Grants, Community Halls and Centres Assistance Program*.

Moved: Councillor Enslow

Seconded: Councillor Gunn

Motion carried.

Re: SR2023-60 Waste-Resource Management Services Agreement – Valley Waste

That municipal council authorize the Warden and Clerk to sign a Waste-Resources Management Services agreement with Valley Region Solid Waste-Resource Management effective from July 1, 2023, until March 31, 2025 or upon the establishment and finalization of a new Inter-Municipal Services Agreement.

Moved: Deputy Warden Redden

Seconded: Councillor Sheridan

Motion carried.

Re: SR2023-061 Bear River Water System Development and Construction

That Municipal Council approve the expenditure of \$2,600,000 for the development and construction on the new Bear River water system.

Moved: Councillor Gunn  
Seconded: Councillor Enslow  
Motion carried.

### **Recommendations and Reports from Boards and Committees**

Re: 2023-007-11 Soldiers Memorial Hospital Foundation – Report

Re: 2023-06-14 Southwest Nova Biosphere Region - Report

### **In-Camera**

To meet in-camera from 11:07 a.m. to 1:02 p.m. in accordance with Sections 22(2)(c) personnel and (e) contract negotiations of the *Municipal Government Act*.

Moved: Councillor Sheridan  
Seconded: Councillor LeBlanc  
Motion carried.

### **Adjournment**

The Warden declared the meeting adjourned at 1:03 p.m.

Unapproved  
Draft

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Warden

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Municipal Clerk





# INFORMATION REPORT

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**Report To:** Committee of the Whole  
**Meeting Date:** September 12, 2023  
**Prepared By:** Cheryl Mason, Manager of Protective Services  
**Subject:** Bylaw Infractions on County-Owned Forestry Lands

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## ORIGIN

Annual update on status of forestry parcels of land over 20 acres owned by the County of Annapolis

## LEGISLATIVE AUTHORITY

Not applicable

## BACKGROUND

In 2021, the Forestry Committee of the County of Annapolis expressed concern on the use of County-owned forestry lands over 20 acres in size. Council made the following motion:

**MOTION 211019.11 Identify Possible Bylaw Infractions on County-Owned Forest Lands** Deputy Warden Gunn moved, seconded by Councillor Redden, that municipal council direct the CAO to annually monitor County-owned forest lands greater than 20 acres through regular travel and based on time of year, to locate, visually inspect, and identify possible bylaw infractions to provide a report back to Committee of the Whole, in accordance with the recommendation of Committee of the Whole. Motion carried, 9 in favour, 2 against.

It was agreed that Bylaw Enforcement Officers would visit some of the properties within their normal route of work and Municipal staff would visit the other properties based on maintenance requirements and provide feedback on the status of lands as listed.

## DISCUSSION

Staff have visited the 14 properties to visually inspect and identify possible bylaw infractions. Note that one lot in Greenland is inaccessible to staff.

Staff are pleased to advise there were no issues such as illegal cutting of wood, construction or apparent misuse of lands but note that some of the lots have become very overgrown.

## FINANCIAL IMPLICATIONS

None



**POLICY IMPLICATIONS**

None

**ATTACHMENTS**

None

**Prepared by:**

Cheryl Mason, Manager of Protective Services

**Reviewed by:**

Dawn Campbell, Director of Corporate Services / Deputy CAO

**Approved by:**  
Chris McNeill  
Chief Administrative Officer**Approval Date:**

SEPT. 7/23



# STAFF REPORT

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**Report To:** Committee of the Whole  
**Meeting Date:** September 12, 2023  
**Prepared By:** Carolyn Young, Municipal Clerk  
**Report Number:** **SR2023-46(4) AM-1.2.0 Committees of Council and Council Meetings – Procedures Policy - Amend**  
**Subject:** Meetings in August

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## RECOMMENDATION(S):

That municipal council amend AM-1.2.0 Committees of Council and Council Meetings – Procedures Policy by adding:

In Article 3 Regular Meetings of Council

- There shall be no regular meeting during the month of August; and

In Article 5 Committees of Council Meetings

- There shall be no regular meetings during the month of August.

## LEGISLATIVE AUTHORITY

Section 23, Council May Make Policies, *Municipal Government Act*, as amended.

## BACKGROUND

In July 2022 municipal council adopted *AM-1.2.0 Committees of Council and Council Meetings – Procedures Policy* (Motion 220719.02).

In July 2023 municipal council passed a motion that there be no scheduled meetings in August, 2023, including Committees and Council, and asked that a recommendation come back to permanently include that in the Policy.

## DISCUSSION

This Policy is a procedural guideline for all committees of Council.

*Section 2, Regular Meetings of Committee of the Whole* states 'there shall be no regular meeting during the month of August'. There is no such comment under *Section 3, Regular Meetings of Council*.

## FINANCIAL IMPLICATIONS

None known.

## POLICY IMPLICATIONS

Provides clear communication regarding August meetings.

## ALTERNATIVES / OPTIONS

Council may choose to address only meetings for August 2023; make a permanent change to the Policy regarding meetings in August; or make no change at all.

**NEXT STEPS**

In accordance with Sub-section 48 (1) of the *Municipal Government Act*, seven (7) day notice to municipal council is required to amend the policy.

**ATTACHMENTS**


AM-1.2.0 Committees of Council and Council Meetings – Procedures Policy showing changes.

**Prepared by:**

Carolyn Young, Municipal Clerk

**Reviewed by:**

Dawn Campbell, Director of Corporate Services/Deputy CAO

**Approved by:**  
Chris McNeill,  
Chief Administrative Officer**Approval Date:**  
(Date)

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## GENERAL

The procedural requirements in the Policy are intended to complement and supplement, and not to replace, the requirements contained in applicable municipal legislation.

In this Policy, unless otherwise defined herein, terms used in this policy shall have the same meanings as those defined in the *Municipal Government Act*.

- a) “business day(s)” means a day when the administrative offices of the Municipality of the County of Annapolis are open for business;
- b) “CAO” means Chief Administrative Officer of the Municipality of the County of Annapolis;
- c) “Chair” means the presiding officer;
- d) “Clerk” means the Clerk of the Municipality of the County of Annapolis;
- e) “Council” means the Municipal Council of the Municipality of the County of Annapolis;
- f) “Councillor(s)” include(s) the Warden and Deputy Warden;
- g) “majority” means more than one half of those present;

Although the *Municipal Government Act* does not provide a definition for *Member*, it is defined in this policy as follows:

- h) “member” means any person appointed to a committee

This policy shall be applicable for Committees of Council and Council meetings of Municipal Council, and include periods of adjournment to “in camera”. The rules contained in the current edition of Robert’s Rules of Order Newly Revised shall govern all cases to which they are applicable and in which they are not inconsistent with provincial legislation or the bylaws, policies or procedures of the municipality.

## MEETINGS

Committees of Council and Council meetings shall be held in person in the Council chambers of the Municipal Administration Building, 752 St. George Street, Annapolis Royal, NS or an alternative location. Council and Special Council meetings can be conducted by video conference as outlined in the *Council Videoconferencing Policy, AM-1.2.0.1*.

All meetings of Committees of Council and Council, regular or special, shall be open to the public, and no person shall be excluded from a meeting that is open to the public except for improper conduct.

- 1) **INAUGURAL MEETING** - the Inaugural meeting of Council shall take place on the first business day following the 10-day appeal period of a municipal election. The Clerk shall preside as Chair of the meeting until such time as the Warden is elected.
- 2) **REGULAR MEETINGS OF COMMITTEE OF THE WHOLE** - meetings of the Committee of the Whole shall be held on the **second Tuesday of each month** starting at 9:00 a.m. and ending no later than 5:00 p.m. with Notice of Meeting to the public at least five business days in advance, unless Council

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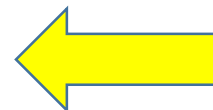
by resolution directs otherwise, in which case a notice shall be posted three or more days in advance of the meeting in the municipal office(s) and on the County website advising of the time and place.

Meetings from November to March (inclusive) will start at 10:00 a.m.

There shall be no regular meeting during the month of August.

- 3) REGULAR MEETINGS OF COUNCIL - meetings of Council shall be held on the **third Tuesday of each month at 10:00 AM** with Notice of Meeting to the public at least five business days in advance, unless Council by resolution directs otherwise, in which case a notice shall be posted three or more days in advance of the meeting in the municipal office(s) and on the County website advising of the time and place.

**There shall be no regular meeting during the month of August.**



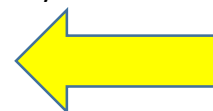
- 4) SPECIAL MEETINGS OF COMMITTEE OF THE WHOLE OR COUNCIL

A special meeting may be convened by resolution or consensus at a previous meeting three or more days in advance of the special meeting, or by the CAO or Clerk in consultation with the Warden.

- 5) COMMITTEES OF COUNCIL MEETINGS

Committee(s) shall meet at such time and place which it sets at a preceding meeting or at such other time and place as municipal council, the committee's Chair, or a quorum of committee members may set by providing notice of meeting to all committee members at least five business days in advance.

**There shall be no regular meetings during the month of August.**



- 6) IN-CAMERA

Such meetings may be closed to the public when the subject matter under consideration involves the following matters under Section 22(2) of the *Municipal Government Act*:

- acquisition, sale, lease and security of municipal property;
- setting a minimum price to be accepted by the municipality at a tax sale;
- personnel matters;
- labour relations;
- contract negotiations;
- litigation or potential litigation;
- legal advice eligible for solicitor-client privilege; and
- public security.

**When In-Camera matters are listed on the Committee of the Whole agenda, they will be the last order of business.**

**When In-Camera matters are listed on the Council agenda, they will be the last order of business.**

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Direction may be given to staff In-Camera; however, any motions forthcoming from In-Camera discussions must be added to the agenda under New Business and adopted during the open portion of the meeting.

Minutes of a closed meeting will be recorded, circulated physically by the Clerk, and approved at the next meeting. Approved minutes are signed by the Warden and Clerk and kept in the Clerk's office. Councillors may peruse the physical minutes at any time.

7) WARDEN'S ABSENCE

In the case of the absence of the Warden from the Municipality, the Deputy Warden shall act in the place and stead of the Warden, and shall have all the rights, powers, and authority of the Warden, while so acting.

8) CALLING THE MEETING TO ORDER AND QUORUM

As soon after the hour fixed for the holding of the meeting, and quorum is present, the Warden shall take the Chair and call the meeting to order.

9) QUORUM

A quorum for Council and Committee of the Whole shall be the majority of councillors elected.

A quorum for other committees of council shall be a majority of the appointed members.

10) NO QUORUM

If no Quorum is present 15 minutes after the time appointed for a meeting, the Clerk or recording secretary shall record the names of the councillors/members present and the meeting shall stand adjourned until the date of the next regular meeting; or until otherwise scheduled.

11) THE CONDUCT OF PROCEEDINGS AT A MEETING

It shall be the duty of the Warden or other presiding officer:

- a) to open the meeting by taking the Chair and calling the councillors or members to order;
- b) to announce the business before the meeting in the order in which it is to be acted upon;
- c) to put to vote all questions which are regularly moved and seconded, or necessarily arise in the course of proceedings, and to announce the result;
- d) to decline to put to vote motions which infringe the rules of procedure;
- e) to restrain the councillors or members, within the rules of order, when engaged in debate;
- f) to call by name any councillor or member persisting in breach of the rules of order of Municipal Council, thereby ordering them to vacate the Council chambers;
- g) to inform the Council, when necessary or when referred to, on a point of order;
- h) to permit the CAO or Clerk to speak on any point upon request;

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- i) to permit proper questions to be asked through the Chair of any official or employee of the County, or any member of the public in attendance, to provide information to assist in debate;
- j) to authenticate by their signature when necessary, the minutes of Committee of the Whole and Council; and
- k) to adjourn the meeting when business is concluded.

The presiding officer may state their position on any matter before the meeting without leaving the Chair, but only after all other councillor/member comments have been heard. It shall not be permissible for the presiding officer to debate the question without first leaving the Chair and after having appointed the Vice Chair to preside in their place during their remarks.

## 12) AGENDA

- a) any councillor, no later than six business days prior to a council meeting, may file in writing, an item for inclusion in the agenda under New Business. Items are to include background information and proposed motion.
- b) the business of the meeting shall in all cases be taken up in the order in which it stands upon the agenda unless otherwise decided by the councillors, and the Order of the Day amended.
- c) an item of business not listed on the Committee of the Whole agenda cannot be introduced at a meeting without the approval of the councillors **by majority vote.**
- d) the Clerk shall have prepared and provided electronically and in hard copy for the use of the councillors at the meetings of Committee of the Whole and Council an agenda under the following headings:

**AGENDA**  
**for the Municipality of the County of Annapolis**  
**Committee of the Whole Meeting**  
**to be held on Tuesday, \_\_\_\_\_, 20 \_\_-9:00 AM**  
**Council Chambers, Municipal Administration Building, 752 St George Street, Annapolis Royal**

Roll Call

Presentations

Disclosure of Interest

Approval of the Agenda

Approval of the Minutes

Correspondence

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Staff Reports

Recommendations and Reports from Boards and Committees

Business Arising from the Minutes

New Business

In-Camera

5:00 Stated Adjournment

- e) The Clerk shall have prepared and provided electronically and in hard copy for the use of the councillors at the regular meetings of Council an agenda under the following headings:

#### **AGENDA**

**for the Municipality of the County of Annapolis**

**Council Meeting**

**to be held on Tuesday, \_\_\_\_\_, 20 \_\_, 10:00 AM**

**Council Chambers, Municipal Administration Building, 752 St George Street, Annapolis Royal**

Roll Call

Disclosure of Interest

Approval of the Agenda

Approval of the Minutes

COTW Recommendations

Business Arising from the Minutes

New Business

Councillor's Comments

In-camera

Adjournment

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Definitions / Processes of Agenda Items (in alphabetical order):

**Adjournment** – the Warden or Chair shall declare the meeting adjourned.

**Approval of the Agenda** – the agenda, once approved by motion, confirms the Order of the Day.

**Approval of the Minutes** – Minutes shall record:

- a) the place, date and time of meeting;
- b) attendance of councillors, present or absent; and
- c) all other proceedings of the meeting without note or comment.

It shall be the duty of the Clerk to ensure that the minutes of the last regular meeting, and all special meetings held more than five days prior to a regular meeting, together with the agenda are provided electronically to each councillor not less than 48 hours before the hour appointed for the holding of such regular meeting.

**Business Arising from the Minutes** – the items listed in the order of the topics set out in the agenda of prior Committee of the Whole / Council meetings which have not been disposed of and the date of their first appearance on the agenda shall be noted and repeated on each subsequent agenda until disposed of, unless removed from the agenda by motion.

**Committee of the Whole Recommendations** – all recommendations discussed and debated at Committee of the Whole will be brought to Council as individual recommendations for decision by Council.

### **Correspondence**

All correspondence addressed to the county shall be distributed to the councillors and where in the opinion of the Clerk/CAO or a councillor it should be dealt with at a Committee of the Whole meeting, it shall be placed on the agenda of the next Committee of the Whole meeting.

**Councillor's Comments** – comments of councillors will relate to special items of interest in the districts they represent, or in the municipality as a whole.

**Disclosure of Interest** – any councillor shall disclose any conflict of interest dealing either with any item on the agenda or with a matter discussed at a previous meeting from which the councillor was absent. Every councillor who is present when a question is put, shall vote thereon unless personally interested in a pecuniary sense, and shall leave the room before the matter is discussed.

**New Business** – items of new business, in writing and including background information and a proposed motion, received by the Clerk six business days prior to the Committee of the Whole meeting will be included in the agenda.

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**Presentations** – will take place at Committee of the Whole, following Roll Call. Presenters must register with the Clerk six business days prior to the Committee of the Whole meeting they wish to address.

Presenters will be allowed a maximum of 10 minutes to address Committee of the Whole, unless extended by the Chair.

Council will not make a decision(s) at that time.

**Recommendations and Reports from Boards and Committees** – includes:

- **recommendations** from ad hoc and standing committees of Council, listed in Sections 48 and 49 this policy;
- **recommendations** from Advisory Boards and Committees (*Policies AM-1.3.6.1 to AM-1.3.6.16*); and
- **reports** from Joint, Regional and Community Organizations (*Policy AM-1.3.7*)

Recommendations and reports will be submitted to the Clerk by 4:30 PM six business days prior to the Committee of the Whole meeting and will be included with the agenda and circulated to councillors.

**Roll Call** – the Warden or presiding officer shall call the roll of councillors to verify attendance and to provide an opportunity to excuse, by motion, meeting attendance requirements of those councillors who wish to be excused. It is the duty of each councillor to advise the Chair of their absence and whether they wish to be excused in advance of the meeting.

**Staff Reports** – staff reports will be numbered by the Clerk, starting with the number “1” as the first report in each calendar year, with the prefix designating the year of the Committee of the Whole meeting, [i.e. SR2022-1 NAME OF REPORT]. Report numbers will re-start annually.

Reports will be submitted to the Clerk by 4:30 PM eight business days prior to the Committee of the Whole meeting.

Reports will be prepared pursuant to directions and a template as determined from time to time.

**Urgent Business** – a matter deemed to be urgent by the Warden or CAO may be considered without notice at any time by a simple majority vote of Council.

## **MOTIONS**

### **13) WITHDRAWAL**

- a) after a motion is moved and seconded it shall be deemed to be in possession of the Council but may, with the permission of the Council, be withdrawn at any time by the mover before decision or amendment.

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14) AMENDMENTS – a motion to amend

- a) shall receive disposition of Council before a previous amendment or the question,
- b) shall not be further amended more than once, and
- c) shall be put in the reverse order to that in which it is moved.

15) PRIVILEGE

- a) privileged motions take precedence over any or all of the motions listed before it. These motions include, in descending order of rank: Fix the Time to Which to Adjourn (highest ranking); Adjourn; Recess; Question of Privilege (noise, ventilation, introduction of a controversial subject in the presence of guests); Call for the Orders of the Day. When settled, the question so interrupted shall be resumed from the point where it was suspended.

16) LAY ON THE TABLE OR “TABLE”

- a) is the highest ranking of subsidiary motions. It is used to temporarily set aside an issue to take up something more urgent. This motion has no time reference; requires a mover and seconder; requires a majority vote; cannot be amended; and is not debatable.
- b) A question that has been “tabled” can be lifted from the table during the same session or until the end of the next regular business session if same is held before a quarterly time interval has elapsed. If not lifted within these time limits, the question dies, although it can be reintroduced later as a new question.

17) POSTPONE TO A DEFINITE TIME OR “DEFER”

- a) a subsidiary motion. It is used to set aside an issue to a specific date and time; requires a mover and seconder; requires a majority vote; may be amended and debated but only as to the time; cannot be interrupted.

18) COMMIT OR “REFER”

- a) a subsidiary motion. It is used to refer an issue to a committee or staff; requires a mover and seconder; requires a majority vote; may be debated.

19) POSTPONE INDEFINITELY

- a) the lowest ranking of subsidiary motions. It is used when Council declines to take a position on the main question. Its adoption kills the main motion for the duration of the session and avoids direct vote on the question.

20) RECONSIDER

- a) if a motion has been either adopted or defeated during a meeting, and announced from the Chair, a notice of an intention to move reconsideration can be made only on the same day on which the vote sought to be reconsidered was taken. If the motion was adopted, the motion to *Reconsider* can be made only by a councillor who voted in favour of the motion, or if the motion was defeated, then only by a councillor who voted against it. This motion can be seconded by any councillor no matter how they voted, and requires a majority vote.

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## 21) RESCIND OR AMEND SOMETHING PREVIOUSLY ADOPTED

- a) if it is too late to move to reconsider a motion, councillors can make either a motion to rescind or amend something previously adopted regardless of how they voted on the original motion. There is no time limit on making these motions. If previous notice is given, a majority vote is all that is required for adoption. However, if previous notice is not given of an intent to make one of these motions, so that councillors are not alerted ahead of time to the fact that the motion will be made, adoption of the motion requires either a two-thirds vote, or the vote of the a majority of the entire Council.

## Voting on Motions

### 22) Questions Stated

- a) immediately preceding the taking of the vote, the Chair or Clerk may state the question in the form introduced and shall do so if required by a councillor. The Chair or Clerk shall state the question in the precise form in which it will be recorded in the minutes.

### 23) No Interruption After Question

- a) after a question is finally put by the Chair, no councillor shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.

### 24) Voting

The usual form of voting on any question shall be by the Chairman calling for “yes” and “no”, but any Council Member, before or after a voice vote can call for, and obtain through the Chairman, a show of hands, and any two Council Members can call for, and obtain through the Chairman, a recorded vote with each Council Member’s vote entered into the minutes. A Councillor may request that their vote is recorded.

## Rules of Debate

- 25) Every councillor, prior to speaking on any question or motion, shall raise a hand and wait to be recognized by the Chair. When two or more councillors raise their hands to speak, the Chair shall designate the councillor who, in the opinion of the Chair, first raised a hand.
- 26) When a councillor is speaking no other councillor shall interrupt him/her except to raise a Point of Order.
- 27) Any councillor may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a councillor while speaking.
- 28) No councillor shall speak more than twice to the same question, without the leave of Council, except to explain a misconception of their remarks, but the mover of the motion shall have the right to reply and sum up in closing debate.

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- 29) When a councillor has been recognized as the next speaker, then immediately before speaking such councillor may ask a question of the Chair or an official of the Municipality on the matter under discussion but only for the purpose of obtaining information, following which the councillor shall speak.
- 30) The following motions may be introduced without written notice and without leave:
- a) a point of order or personal privilege;
  - b) to lay on the table (Table);
  - c) to postpone to a definite time (Defer);
  - d) to commit (Refer);
  - e) to postpone indefinitely;
  - f) to call the question;
  - g) to adjourn; and
  - h) to amend.

## POINTS OF ORDER AND PRIVILEGE

- 31) The Chair shall preserve order and decide questions of order.
- 32) It shall be the duty of the Chair, and the privilege of any councillor, to call any councillor to order, who violates any established rule of order. A point of order must be decided before the subject under consideration is proceeded with.
- 33) When a councillor is called to order, the councillor shall remain seated and silent until the point is determined, until called upon by the Chair to be heard on the point of order.
- 34) A point of order is not debateable amongst other councillors and is decided by the Chair, who may invite discussion in an effort to assist in making a ruling. Where the Chair permits discussion on a point of order, no councillor shall speak more than twice.
- 35) Decisions of the Chair on points of order or procedure, including an order expelling and excluding a person from the Council chambers pursuant to Subsections 39 and 40 are not debatable but are appealable to Council by any councillor. When an appeal is made from the decision of the Chair, the Chair shall simply put the question, "Shall the decision of the Chair be sustained?"
- 36) If a councillor resists the rules of Council, wilfully obstructs the business of Council or disobeys the decision of the Chair, or of Council on appeal, on any question of order or practice or upon the interpretation of the rules of Council after being called to order by the Chair, or otherwise disrupts the proceedings of Council, the councillor may be ordered by the Chair to leave their seat provided that a majority vote of Council shall be required to sustain the expulsion.

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- 37) If the councillor refuses to leave their seat, the Chair may order the councillor to be expelled and excluded from the Council chambers.
- 38) Such councillor may, by vote of Council, later in the meeting or at a subsequent meeting be permitted to re-enter Council chambers and to resume participation in Council's business with or without conditions.
- 39) Persons who are not councillors or employees of the County of Annapolis shall observe silence and order in the Council chambers, unless given permission to speak by motion. Any such persons disturbing the proceedings of Council shall be called to order by the Chair and, if they fail to comply, shall be ordered, by the Chair to be expelled and excluded from the Council chambers, provided that a majority vote of Council shall be required to sustain the expulsion.
- 40) Such member of the public may, by vote of Council later in the meeting or at a subsequent meeting, be permitted to re-enter Council chambers with or without conditions.
- 41) An order of the Chair to expel a person from the Council chambers pursuant to Subsections 40 and 42 of this policy constitutes a direction from the County of Annapolis to leave the premises for purposes of the *Protection of Property Act* and other applicable laws.

## CONDUCT OF COUNCILLORS

- 42) No councillor shall:
- a) use offensive or unparliamentary language in or against the Council, any councillor, or any staff;
  - b) speak on any subject other than the subject in debate;
  - c) criticize any decision of the Council except for the purpose of moving that the question be reconsidered;
  - d) disobey the rules of the Council or a decision of the Chair or the Council on questions of order or practice or upon the interpretation of the rules of the Council

- 43) When the Chair is putting the question, no councillor shall leave or make a disturbance.

## COMMITTEES OF COUNCIL

- 44) **TERM OF APPOINTMENT** – except to the extent that the term of appointment is otherwise determined by statute, bylaw, or policy, councillors shall be appointed for two years, or the balance thereof, with the term commencing in December following each municipal general election or bi-annual election anniversary. Except as otherwise provided, no appointment shall cease until such time as a successor is appointed.

- 45) **PROVISIONS** – the following provisions shall apply to all Committees of Council, except where the policy specifically provides otherwise:

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- a) municipal council may replace at any time councillors who resign or who, in Council's opinion, are unable or unwilling to discharge their duties.
- b) if not appointed to a committee, the Warden shall be an *ex officio* councillor of the committee, with a voice but no vote. When attending as *ex officio* the Warden shall not be counted to establish quorum.
- c) a councillor is not entitled to additional remuneration for serving on the committee but may be reimbursed for reasonable expenses for attending committee meetings, and mileage / kilometrage shall be paid at such rate as may be prescribed by municipal council in *Travel and Expenses Policy AM-1.8.1*.
- d) except to the extent that the Chair is otherwise determined by statute, bylaw, or policy, municipal council may appoint a person to serve as Chair of the committee, after seeking the advice of the Nominating Committee; but if municipal council does not appoint a Chair, the committee shall elect a Chair from one of its councillors.
- e) an *ex-officio* councillor of a committee shall not be eligible for election as Chair.
- f) the Chair shall be entitled to speak and to vote on any motion. Subject to the other provisions of this policy, the Chair shall have the same powers and responsibilities at committee meetings that are conferred upon the Chair at Council meetings.
- g) votes shall be recorded by a show of hands.
- h) the Clerk (or designate) shall call the first meeting of any committee after its appointment, upon the request of municipal council or a majority of the councillors of the committee. The CAO or Clerk or their designate shall Chair the meeting until a Chair has been chosen.
- i) the committee shall choose a scribe from one of its councillors, in which event the scribe shall be a full voting councillor of the committee. The scribe shall keep notes of the committee's meetings and ensure that the Clerk is provided with a copy of all approved minutes, which have been signed by the Chair.
- j) no order or authority to do any matter or thing shall be recognized as emanating from any committee, and all committee recommendations shall be referred to the Clerk in writing to be included with the Committee of the Whole agenda under Reports from Boards and Committees.

46) **AD HOC COMMITTEES OF COUNCIL** - may be established by Council as deemed necessary and advisable to provide input on matters of timely consideration. Such a committee shall be for a limited time period as per its mandate determined by Council, and ceases to exist as soon as Council, through Committee of the Whole, receives and accepts a final report. Committees include:

- a) **Cornwallis Park & Area Asset Review Committee** – established to consider and make recommendations to Council pertaining to potential possibilities for current and future assets of Cornwallis Park and area (*MOTION 180717.28*);
- b) **Glyphosate Advisory Committee** – established to "... invite stakeholders to present to the committee in order to bring a recommendation to June 2021 Committee of the Whole ..." (*MOTION 201020.04*); and

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- c) **Physician Recruitment & Retention Committee** – established “with a mandate of physician recruitment and retention” (*MOTION 191119.09*); adopted descriptive mandate: To assist, as appropriate, in all aspects of recruiting and retention of medical personnel: physicians, physician assistants, nurse practitioners, and like medical professionals” (*MOTION 200218.07*).

47) **STANDING COMMITTEES OF COUNCIL** – may be established pursuant to Section 24 of the *Municipal Government Act*, or as otherwise determined by statute, bylaw or policy. Standing committees work on a continuous basis, and consist of councillors appointed by the Council. The committees include:

- a) **Committee of the Whole** – acts in an advisory capacity to Council, and meets to receive reports/recommendations from staff, and boards and committees.

It shall be the duty of Committee of the Whole to take action on such matters as are lawfully delegated to it by the County’s bylaws and policies, or by Council resolution, including but not restricted to:

- 1) ensuring regular, periodic and comprehensive review of all bylaws and policies of the County and such consideration shall be deemed as fulfilling the requirement for seven days’ notice to Municipal Council before a policy is passed, amended or repealed in accordance with Sub-section 48 (1) of the *Municipal Government Act*; and
- 2) exercising any authority pursuant to Part XV-Dangerous or Unsightly Premises of the *Municipal Government Act* that is not delegated to the Administrator, as set out in relevant policy.

The Chair of the Committee of the Whole is the Warden, and the Secretary is the Clerk (or designate).

- b) **Nominating Committee**

- 1) at the Inaugural meeting, Council shall appoint three councillors to serve as members. The procedure for selecting councillors shall be the same as that used for selection of a Warden.
- 2) the Warden shall automatically be a regular, voting councillor of the committee.
- 3) the mandate of the committee is to discuss, consider, advise and make recommendations to Council through Committee of the Whole concerning the nomination of persons to various committees, boards, and commissions, except where municipal council determines that consideration by the Nominating committee is not necessary or advisable.
- 4) Council may, by resolution, accept, reject, or vary a report of the Nominating committee in whole or in part.
- 5) it shall, at least annually, review the status of councillor appointments to ensure equity of workloads among councillors.
- 6) All committees should meet within thirty days of being struck to determine a Chair and Vice Chair.

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- c) **CAO Review Committee** – shall oversee the performance review process for the CAO after consultation with Council.
- 1) consists of the Warden, Deputy Warden, and two other councillors.
  - 2) the Warden shall be the Chair of the committee.
  - 3) to the extent practicable, selection of the remaining committee councillors (in addition to the Warden and Deputy Warden) should reflect the gender diversity of Council's composition. Accordingly, the remaining committee councillors shall be selected by placing the names of councillors confirming an interest in a box and having two names drawn by a person chosen by the Warden.
  - 4) in accordance with sub-section 21(2)(c) of the *Municipal Government Act*, the CAO Review Committee may meet in closed session. The CAO will be requested not to attend the CAO Review Committee and council meetings where their performance is discussed; no other staff persons shall attend.
  - 5) the CAO shall be evaluated at least once a year, with a mid-year review if desired by the CAO, the CAO Review Committee or Council.
- d) **Economic Development Committee**
- 1) consists of three councillors and the Warden.
  - 2) the mandate of the committee is to advise and make recommendations to Council through Committee of the Whole concerning the drafting, implementation, amendment, and facilitation of an Annapolis County Economic Development Strategy.
- e) **Fire Services Committee**
- 1) consists of two councillors as well as two or more invited representatives of the Annapolis County Fire Services Executive as appropriate.
  - 2) the mandate of the committee is to advise and make recommendations through Committee of the Whole to Council concerning fire services funding and such other matters as are necessary and expedient for the provision of fire suppression and prevention services in the municipality.
  - 3) meetings shall be held at the discretion of the Chair.
- f) **Fences Arbitration Committee** – committee continues pursuant to Section 4 of the *Fences and Detention of Stray Livestock Act*.
- 1) consists of one member from the municipality appointed by the Nova Scotia Federation of Agriculture and one member appointed by the council of the municipality
  - 2) the member appointed by the council of a municipality pursuant to subsection (1) may be an employee of the municipality and shall be the chair of the committee
  - 3) the Nova Scotia Federation of Agriculture and the council of the municipality shall each appoint an alternate member to serve on the committee when requested to do so by the member appointed by the council of the municipality or the Nova Scotia Federation of Agriculture, as the case may be
  - 4) the members of a committee hold office for a term of not more than four years

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- 5) Two members of the committee constitute a quorum
- 6) the annual honorarium for the Nova Scotia Federation of Agriculture appointees shall be \$50 per meeting attended. If the Fences Arbitration Committee does not meet during the calendar year, the appointees shall receive an honorarium of \$50.
- 7) Members of the committee and alternate members of the committee appointed pursuant to this Section shall be residents of the municipality for which the committee is established. 2

g) **Forestry Advisory Committee** – shall exist as an advisory committee of Council.

- 1) consists of not more than four councillors.
- 2) its purpose is to consider and make recommendations regarding forestry matters.

<p>Clerk's Annotation for Official Policy Book</p> <p>I certify that this policy was adopted by Municipal Council as indicated below:</p> <p>Seven (7) Day Notice..... May 9, 2023</p> <p>Council Approval..... May 16, 2023</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p><b><u>Carolyn Young</u></b></p> <p>Clerk</p> </div> <div style="text-align: center;"> <p><b><u>May 17, 2023</u></b></p> <p>Date</p> </div> </div> <p style="text-align: center; margin-top: 10px;">At Annapolis Royal, Nova Scotia</p>	
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**October 25, 2022:**

Article 3 – change fourth to third; and

Article 12 – Change Council Agenda from COTW Consent to COTW Recommendations; and change the Definition for Committee of the Whole Consent to Committee of the Whole Recommendations – all recommendations discussed and debated at Committee of the Whole will be brought to Council as individual recommendations for decision by Council.

**May 16, 2023:**

Subsection 47 a) 1) – add “and such consideration shall be deemed as fulfilling the requirement for seven days’ notice to Municipal Council before a policy is passed, amended or repealed in accordance with Sub-section 48 (1) of the Municipal Government Act;”



COUNTY of ANNAPOLIS  
SOUTHERN SHORE

# STAFF REPORT

**Report To:** Committee of the Whole  
**Meeting Date:** September 12, 2023  
**Prepared By:** Chris McNeill, Chief Administrative Officer  
**Report Number:** **SR2023-64 USE OF BRIDGETOWN RESERVE FUNDS**  
**Subject:** Use of Proceeds from Sale of Former Bridgetown Town Hall

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## RECOMMENDATIONS

That Municipal Council use the proceeds from the sale of the former Town of Bridgetown Town Hall to fund the re-development of the lands adjacent to the former Bridgetown Town Hall owned by the Municipality of the County of Annapolis as a paved parking area with associated amenities.

That Municipal Council authorize the withdrawal of up to \$186,702 from the Capital Reserve to be used for this purpose.

## BACKGROUND

At the March 2019, Council Meeting, a motion was passed that requested staff to review opportunities and requirements regarding the presentation by the Bridgetown Chamber of Commerce Redevelopment and Revitalization Committee on the Irving property in Bridgetown and report back to Council.

The presentation from the Chamber of Commerce requested an aesthetically pleasing green space with a large eye-catching lit welcome sign, brick planter with plants and shrubs, information kiosk, bicycle racks, bicycle repair station, benches, 35-40 parking spaces with 4 accessible spaces, attractive brick paver walkway with lighting, trees, and planters.

The proposed budget for this project from the Chamber of Commerce was \$155,000 with confirmed funding of \$5,000 from the Chamber, \$107,000 from the Municipality, \$18,000 from the Bridgetown Community Trust Fund, and a funding request was submitted for \$25,000 to the Province of Nova Scotia. The project was not completed in 2019.

## **DISCUSSION**

In July 2022, the Municipality sold the former Bridgetown Town Hall for \$200,500. After all fees and charges were settled, the net funds received from this sale and transferred into the Municipality's Capital Reserve were \$186,702.

When the former Town of Bridgetown dissolved, the province entered into a Dissolution Agreement with the Town in 2014 that contained numerous provisions regarding the dissolution. One provision, Section 4, noted that the proceeds from the sale of any real or personal property within the Town during the next 10 years will be held in special reserve and only be used for the purposes associated with the former Town and catchment area, and, as permissible under legislation, to be used for debt-retirement of the Town.

During a meeting of the Municipality in the spring of 2023, a motion as passed by Council to hold public meeting to consider what uses the public would like to see with the net proceeds from the sale of the former Town Hall building and property.

A public meeting was held on July 20, 2023, with about 40 members of the public present. Councillors Hudson and Enslow reviewed the purpose of the meeting with the public members present and provided four different ideas for the public to consider for the use of the funds. Several ideas were discussed and new ideas brought forward. A majority of those present seemed to favour the use of the money for the redevelopment of the above noted parking lot project, with any remaining funds used for a future playground project.

## **LEGISLATIVE AUTHORITY**

Section 65A of the *Municipal Government Act* states that

(1) Subject to subsections (2) to (4), the municipality may only spend money for municipal purposes if (a) the expenditure is included in the municipality's operating budget or capital budget or is otherwise authorized by the municipality; (b) the expenditure is in respect of an emergency under the Emergency Management Act; or  
(c) the expenditure is legally required to be paid.

(2) The municipality may expend money provided for in an operating budget or capital budget for a purpose other than that set out in the operating budget or capital budget for that fiscal year if the expenditure does not affect the total of the amounts estimated for the operating budget and the capital budget.

(3) The municipality may authorize expenditures from its operating budget or transfer money from the operating budget to its capital budget if the total amount of such expenditures and transfers for the fiscal year does not exceed the total amount of estimated revenue from all sources in excess of the amount estimated for those sources in the operating budget for that fiscal year.

(4) The municipality may authorize capital expenditures that are not provided for in its capital budget if the total of such expenditures does not exceed the greater of

(a) the amount authorized to be transferred from the operating budget to the capital budget under subsection (3);

(b) the borrowing limits established for the municipality under Section 86; or

(c) the amount withdrawn from a capital reserve fund under subsection 99(4).

(5) In the event of ambiguity in whether or not the municipality has the authority under this or any other Act to spend money or to take any other action, the ambiguity may be resolved so as to include, rather than exclude, powers the municipality had on the day before this Section came into force.

Section 4 of the Bridgetown Dissolution Agreement states "The Municipality agrees that the proceeds from the sale of any real or personal property within the Town during the next ten (10) years will be held in a special reserve and can only be used for the purposes associated with the former Town and catchment area, and, as permissible under legislation, to be used for debt-retirement of the Town."

Section 3(1)(a)(ii)(B) of the Nova Scotia Financial Reporting and Accounting Manual states "**Funds required to be placed in a Capital Reserve -** Section 99 of the *Municipal Government Act* requires the following to be placed in the capital reserve fund: - funds received from the sale of property;"

Section 3(1)(a)(ii)(E) of the Nova Scotia Financial Reporting and Accounting Manual states "**Withdraws from Capital Reserve Fund -** A withdrawal from the capital reserve fund may be used only for:

- Capital expenditures for which the municipality may borrow;
- Repayment of the principal portion of capital debt".



## DETAILS

Based on the feedback received at the Community Meeting on July 20, 2023, and the feedback received from the Bridgetown area, staff prepared a preliminary plan and layout for a re-designed parking lot area. The design reflects a full accessibility lens, as well as high quality construction materials that minimize short-term and long-term future maintenance costs. Additionally, the design includes provisions for resident and business safety, while recognizing the near future movement away from gas and diesel vehicles to electric.

During the public meeting and from other correspondence received prior to, and since the meeting, many suggestions for the use of this reserve money have been made. Council must however; remain aware of its legal obligation under the *Municipal Government Act* and Financial Reporting and Accounting Manual. The provision of grants to external agencies as operating grants or for playgrounds is not a permitted legal use. The use of the money is restricted to municipally owned capital infrastructure only, or for debt retirement.

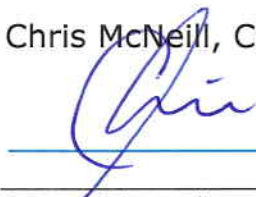
An additional question arose at the community meeting as to other reserve monies formerly held by the Town of Bridgetown. Staff investigation determined that these funds were all spent a few years ago fixing up the current gravel parking lot now being considered for paving.

One aspect that must be considered prior to this proposed development taking place is the additional parcel of land owned by the Municipality at the back of the proposed new parking area known as the former Legion property. Without some provision for access and use of this land now, it will be land locked and undevelopable in the future and be lost land in the heart of Bridgetown. Therefore, the proposed use of the front portion of these lands must consider future access to this property.

Prior to this report being finalized, staff met with representatives of the original Bridgetown Parking Lot Committee to review the proposed plans and layout. The only changes requested were the placement of an insert for a potential small community Christmas tree at the front of the property and agreement to allow for the placement of some trees at the back of the lot in a year or two.

### Prepared by:

Chris McNeill, Chief Administrative Officer





COUNTY of ANNAPOLIS  
PROGRESS THROUGH PARTNERSHIP

## STAFF REPORT

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**Report To:** Committee of the Whole  
**Meeting Date:** September 12, 2023  
**Prepared By:** Chris McNeill, Chief Administrative Officer  
**Report Number:** **SR2023-65 Arlington Forest Protection Society – Request Letter of Support**  
**Subject:** Letter of Support for Save Our Old Forests Advocacy

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### RECOMMENDATION

That the Municipality of the County of Annapolis send a letter to the Premier of Nova Scotia outlining its support for the Arlington Forest Protection Society's advocacy work surrounding the protection of old growth forests and request that specific Society and general community consultations take place in Annapolis County this fall prior to the Province of Nova Scotia's development and approval of a comprehensive or long-term ecological forestry approach for Nova Scotia's forests.

That the Municipality invite the Nova Scotia Minister of Natural Resources and Renewables to visit Annapolis County this fall to discuss the future long-term sustainability of forestry resources across Nova Scotia on both Crown and private woodlands, extending an invitation to local large private sector woodlot owners to the meeting as well.

### BACKGROUND

At the May 9, 2023, Committee of the Whole meeting, members of Arlington Forest Protection Society made a presentation to Council respecting their Save Our Old Forests Campaign. During the Society's presentation, they requested that Municipal Council call on the Premier of Nova Scotia to:

"pause all harvesting and roadbuilding activities in forests over 80 years old on Crown land in Annapolis County until such time as 20% of Nova Scotia's lands have been permanently protected."

### DISCUSSION

For the past several months, staff have been researching and reviewing this request with various lens, including legal jurisdiction, protection of our

forests, protection of our waterways and environment, forestry operations and the ability for companies to employ local persons and sell wood products in the building of dwellings, and our overall understanding and impact of the request from Arlington Forest Protection Society.

Province of Nova Scotia currently owns approximately 169,000 hectares of land in Annapolis County. With the federal and municipal governments owning less than 50 unprotected hectares combined, this reflects that an additional 96,000 hectares of forestry land are privately owned for commercial or resource use. The exact number of hectares of provincially owned land in Annapolis County that is under a protection designation is currently unknown.

In the most recent provincial update concerning land protection, the Province stated that as of December, 2022, more than 13% of the province's land mass and fresh water was now protected. This provincial commitment of 20% is for the protection of both land and water by 2030; whereas the Society's request is to protect 20% of just land. Therefore, the request to protect more than 20% of just land is probably 20-30 years away at a minimum. This request if approved may have the unintended, or intended, consequence of shutting down most of the forestry industry in Annapolis County for more than 2-3 decades and force our residents and businesses to harvest wood in adjacency counties, creating the same ecological problems next door. This moratorium may also have the impact of raising housing and renovation costs as the quantity of wood will become less plentiful and importing more wood for housing construction will be required at higher costs.

The Municipality should fully support the Society's position that more needs to be done to protect our Annapolis County forests from overharvesting, especially old growth forests. We should be similarly concerned with the overharvesting being done by private sector companies on private lands as well. We cannot however stereotype all forestry operations as negative as we need to continue to support sustainable and well managed forest operations that contribute greatly to our local economy through employment, commercial and retail sales, as well as materials for housing construction.



It should be noted that the current provincial *Environmental Goals and Climate Change Reduction Act* proposes to implement an ecological forestry approach for Crown lands and to dedicate a percentage of Crown lands to each of the three pillars of the triad model recommended by William Lahey's report of 2018. It is important that we advocate for strong forestry protection approaches during the development and consultation on these documents. We must therefore ask that the province include Arlington Forest Protection Society and our general community with various opportunities to provide input into these proposed protected area strategies, that includes both information sessions as well as chances for consultation. We should propose that these strategies include special protections for old growth forests on all lands, including privately held lands across the province, and not just across Annapolis County.

It is also recommended that Council invite the Minister of Natural Resources and Renewables to Annapolis County to meet with Council, the Society, and industry land owners to share our concerns in person.

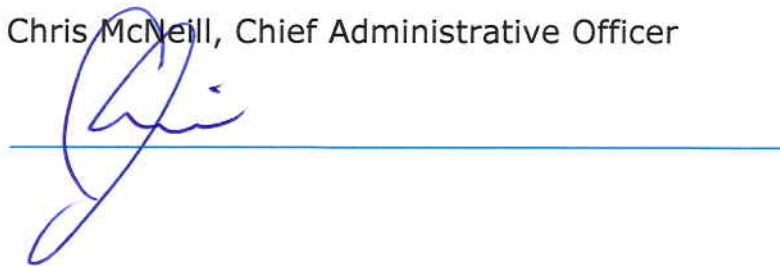
#### **LEGISLATIVE AUTHORITY**

Section 9A of the *Municipal Government Act* states that the purposes of a municipality are to

- (a) provide good government;
- (b) provide services, facilities and other things that, in the opinion of the council, are necessary or desirable for all or part of the municipality; and
- (c) develop and maintain safe and viable communities.

#### **Prepared by:**

Chris McNeill, Chief Administrative Officer





# STAFF REPORT

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**Report To:** Committee of the Whole  
**Meeting Date:** September 12, 2023  
**Prepared By:** Dawn Campbell, Director of Corporate Services  
**Consultation Group:** Chris McNeill, Chief Administrative Officer  
Jim Young, Director of Municipal Operations  
Cheryl Mason, Manager of Protective Services  
Doug Patterson, Procurement and Agreements Coordinator  
**Report Number:** SR2023-66 S1 Solid Waste-Resource Bylaw NEW – First Reading  
**Subject:** Approve S1 Solid Waste-Resource Bylaw

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## REQUEST FOR RECOMMENDATION TO COUNCIL

That Municipal Council give first reading to S1 Solid Waste-Resource Bylaw.

## LEGISLATIVE AUTHORITY

Sub-section 47(1) of the *Municipal Government Act* states:

*The council shall make decisions in the exercise of its powers and duties by resolution, by policy or by by-law.*

Section 168 of the *Municipal Government Act* states:

- (1) *A by-law shall be read twice.*
- (2) *At least fourteen days before a by-law is read for a second time, notice of the council's intent to consider the by-law shall be published in a newspaper circulating in the municipality.*
- (3) *The notice shall state the object of the by-law, the date and time of the meeting at which the council proposes to consider it and the place where the proposed by-law may be inspected.*
- (4) *The council may require further advertising, including advertising by radio or television.*

Section 169 of the *Municipal Government Act* provides that:

- (1) *A by-law has the force of law upon publication.*
- (2) *A by-law is published when*
  - (a) *it is passed by the council in the manner provided in this Act;*
  - (b) *it is approved by a minister of the Crown whose approval is required; and*
  - (c) *a notice is published in a newspaper circulating in the municipality, stating the object of the by-law and the place where it may be read.*



## BACKGROUND

Municipal Council approved a Waste-Resources Management Services agreement with Valley Region Solid Waste-Resource Management at their regular meeting on July 18, 2023. The agreement was effective on July 1, 2023. Under the contract Valley Waste will oversee and administer collection and enforcement activities related to waste management. To enable Valley Waste to carry out these activities, the following must be provided in a County bylaw:

- 1) legal requirements and prohibitions in common with Valley Waste member parties; and
- 2) legal authority for Valley Waste employees to act on behalf of the County in relation to solid waste management.

Approval of this bylaw will repeal and replace the previous waste bylaw.

## DISCUSSION

No discussion other than procedural issues and clarifications normally takes place when a bylaws is given first reading. Once the bylaw receives first reading, it is advertised in a local newspaper circulating in the community at least fourteen (14) days prior to second reading. This provides an opportunity for the public to view (upon request) the proposed bylaw in advance of it being approved.

The bylaw would be placed on the agenda for second reading at the regular council meeting on October 17, 2023. Subsequently, a second advertisement is placed in a local newspaper to advise the public of approval. The bylaw has force of law upon publication.

## FINANCIAL IMPLICATIONS

Newspaper publication costs of approximately \$650

## POLICY IMPLICATIONS

Municipal Council must also consider repeal of the *AM-1.4.20 Waste Management Tipping Fees Policy* (2018)

## ALTERNATIVES / OPTIONS

Council must approve a new waste bylaw to facilitate the agreement for service with Valley Waste. The draft bylaw may be approved without or without changes.

## NEXT STEPS

In order to approve the Bylaw, the following recommendation from Committee of the Whole is required:

**THAT Municipal Council give first reading to *S1 Solid Waste-Resource Bylaw*.**

## ATTACHMENTS

*S1 Solid Waste-Resource Bylaw* (draft as proposed)

Approved by:

  
Chris McNeill  
Chief Administrative Officer

Approval Date:

  
(Date)



## **S1 SOLID WASTE-RESOURCE BYLAW**

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**WHEREAS** Section 325 *Municipal Government Act, 1995 R.S.N.S. c. 18*, as amended (*MGA*), enables Council to make bylaws pertaining to solid waste; and

**WHEREAS** the Municipality of the County of Annapolis is party to an agreement for service with Valley Region Solid Waste-Resource Management Authority, a municipally-owned body corporate;

**NOW THEREFORE BE IT RESOLVED THAT** the Municipality of the County of Annapolis hereby enacts as follows:

**1 Repeal**

*S1 Waste-Management Bylaw*, adopted by the Municipal Council of the County of Annapolis on the 18<sup>th</sup> day of September 2018, is hereby repealed.

**2 Definitions**

In this bylaw:

- 2.1 “Agreement” means the agreement for service with Valley Region Solid Waste-Resource Management Authority for the provision of waste management services;
- 2.2 “Authority” means the Valley Region Solid Waste-Resource Management Authority as defined in provision 3.1 herein;
- 2.3 “Authority Collection” means collection of Solid Waste by or on behalf of the Authority from waste generators pursuant to this Bylaw and any issued Directives;
- 2.4 “Boxboard” means cereal, shoe, tissue, detergent, cracker, cookie, baking product and frozen food boxes, toilet paper rolls and paper towel rolls or like items, with plastics removed;
- 2.5 “Bulky Items” means large items of a household nature including, without limitation, furniture, stoves, fridges with “CFC-free” sticker on, mattresses, bed springs, barrels, water tanks, dishwashers, Oil Tanks, and pieces of fencing;
- 2.6 “Bylaw Enforcement Officer” means a person with Special Constable Designation per Sub-section 89 and 90 of the *Police Act*, employed by the Authority to administer and enforce this Bylaw;
- 2.7 “Collection Cart” or “Cart” means a cart supplied by the Authority for the Storage of Source-Separated Solid Waste such as an aerated cart for the collection of organic materials;
- 2.8 “Collection Containers” means bags, garbage cans or other containers approved in any Directive;
- 2.9 “Compostable Organics” or “Organics” or “Compostables” means Food Waste, Leaf and Yard Waste, Soiled and Non-Recyclable Paper, branches and bushes, natural Christmas trees without decorations and stands and other material of plant or animal origin as set out in any Directive, but does not include whole companion animal or livestock carcasses or parts thereof that may create hazards or nuisance except as approved by the General Manager or designate;

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- 2.10 “Construction and Demolition Waste” or “C&D” means materials normally used in the construction of buildings, structures, roadways, walls and other landscaping material, and includes, without limitation, soil, asphalt, brick, mortar, concrete, drywall, plaster, cellulose, fibreglass fibres, lumber, wood, asphalt shingles, and metals;
- 2.11 “Directive” means a provision recommended by the Authority and adopted by the Municipality and as set out in a schedule to this Bylaw;
- 2.12 “Dispose” means the actions of dumping, abandoning, placing or leaving or the causing or permitting of any of these actions with respect to any Solid Waste on any property within the jurisdiction of this Bylaw;
- 2.13 “Eligible Premises” means those properties within the County of Annapolis which are eligible for Authority Collection as set out in any Directive;
- 2.14 “Dwelling Unit” means a building or a unit with a separate entrance, kitchen, and sanitary facilities in a building, occupied or intended to be occupied as a home or residence by one or more persons but does not include a hotel, motel, guesthouse, inn, or travel trailer;
- 2.15 “Food Waste” means, without limitation, fruit and vegetable peelings, table scraps, meat, poultry and fish, shellfish, dairy products, cooking oil, grease and fat, bread, grain, rice and pasta, bones, egg shells, coffee grounds and filters, tea leaves and bags or other like items;
- 2.16 “General Manager” means the General Manager of the Authority, the successor to such position, or a designate;
- 2.17 “Hazardous Waste” means solid or liquid waste that may be harmful to humans, animals, plant life or natural resources including, without limitation, industrial chemicals, toxic, flammable, corrosive, radioactive, reactive, pathological and PCB waste, oil, gasoline, paint solvent, wood preservatives, ink, battery acid and pesticides;
- 2.18 “Household Hazardous Waste” or “HHW” means Hazardous Waste generated in households including, without limitation, solvents, glues, cleaners, paints and finishes, asphalt sealers, gasoline, diesel, kerosene, pesticides, lawn and garden chemicals, poisons, propane tanks, roofing tar, pool chemicals, lubricating oil, batteries, and automotive fluids. For the purposes of this Bylaw, Household Hazardous Waste does not include PCBs, radioactive materials, explosives, fireworks, pathological wastes, and ammunition;
- 2.19 “IC&I Waste” means Solid Waste generated by, from or within any Industrial/Commercial/Institutional Premises.
- 2.20 “IC&I Premises” means a lot of land occupied by one or more industrial, commercial or institutional establishments;
- 2.21 “Litter” means loose Solid Waste items, usually smaller in size, that are distributed over a distance or area, including, without limitation, disposable drink cups, beverage bottles and containers, cigarette boxes, cigarette butts, potato chip bags, and food and candy wrappers;

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- 2.22 “Leaf and Yard Waste” means grass clippings, leaves, brush, twigs, house and garden plants, sawdust and wood shavings and other like items;
- 2.23 “Multi-Unit Residential Building” means a dwelling containing three or more residential Dwelling Units and may include condominiums;
- 2.24 “Mini-bin” means a small container supplied to Eligible Premises by the Authority for the collection of organic materials prior to deposit in an Organics Collection Cart;
- 2.25 “Municipality” means the Municipality of the County of Annapolis;
- 2.26 “Notice of Violation or Summary Offence Ticket” means an administrative monetary penalty issued for violating the Bylaw which, if paid as required, will result in no prosecution for the offence being commenced;
- 2.27 “Occupant” means any person who occupies property, including lands or buildings, and includes a tenant, lessee, roomer, subtenant, under-tenant or co-tenant, or who otherwise occupies or has occupied land or buildings and heirs, assigns and legal representatives;
- 2.28 “Oil Tanks” means residential oil tanks, cleaned and emptied of all liquids that hold a maximum volume of 900 litres;
- 2.29 “Order” means a written direction requiring any person to comply with a provision of this Bylaw;
- 2.30 “Property Owner” or “Owner” has the same meaning as “Owner” in the *Municipal Government Act* and, for greater clarity, includes a landlord, a lessor, an Owner, the person giving or permitting the occupation of premises, heirs and assigns and legal representatives and, in the case of a corporation, the officers and directors;
- 2.31 “Public Waste” means Solid Waste generated in or on premises where the public is or would normally be responsible for disposing of waste including, without limitation, enclosed or exterior shopping centres, malls, food courts, quick-service or counter-service restaurants, sports arenas, office or other commercial premises, retail premises, private or public parks or campgrounds, and inside or outside public event venues;
- 2.32 “Recyclable Materials” or “Recyclables” means newsprint, corrugated cardboard, Boxboard and other paper products, redeemable beverage containers, milk cartons, glass bottles and jars, steel / tin food cans, aluminum cans, aluminum foil plates, trays and wrap, high-density polyethylene plastic containers (HDPE #2), low-density polyethylene plastic containers (LDPE #4), and polyethylene terephthalate plastic bottles (PET #1), plastic bags (#2 and #4), stretch wrap (pallet wrap) or other items set out in any Directive;
- 2.33 “Residential Premises” means any house, dwelling, apartment, condominium, flat, tenement, mini-home, mobile home, mobile home park, mobile home space or any property that is occupied or may be occupied by an individual as a residence or that part of any such place, and includes any such property or premises occupied by an Owner and family;

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- 2.34 “Residual Waste” means any Solid Waste remaining after diversion of Recyclables, Organics and Hazardous Waste or Household Hazardous Waste, tires, and electronics;
- 2.35 “Soiled and Non-Recyclable Paper” means dinner napkins, paper towels and fast food wrappers, wax paper, wrapping paper, soiled pizza boxes, paper plates and cups, damp and soiled newspaper and flyers, sugar, flour and potato paper bags or other like items or such other items that may be set out in any Directive;
- 2.36 “Solid Waste” means Residual Waste, Recyclables, Organics, Compostable Organics, construction and demolition debris, and other discarded materials resulting from residential, commercial, institutional and industrial activities that are commonly accepted at a municipal Solid Waste management facility, but excludes wastes from industrial activities regulated by an approval issued pursuant to the *Environment Act*;
- 2.37 “Source-Separated Solid Waste” means Solid Waste that has been sorted and separated at the point of origin, to facilitate its reuse, recycling, composting or disposal; for greater clarity, references to ‘source separation’ and ‘source separation of Solid Waste’ have the same meaning;
- 2.38 “Special Collection” means an Authority Collection for Bulky Items and such other materials as may be set out in any Directive;
- 2.39 “Storage Facility” or “Storage” means any container, Collection Cart, receptacle, building, structure, enclosure or other facility capable of, or intended to be used for, the temporary holding or storage of Solid Waste;
- 2.40 “Unsorted Solid Waste” means any Solid Waste that is not sorted and separated and contains materials banned from landfill as Directives;
- 2.41 “Valley Region” or “Region” means the Valley Region as defined in the Nova Scotia Solid Waste-Resource Management Regulations and any amendments thereto;
- 2.42 “Warning” means written notice by a Bylaw Enforcement Officer of contravention or failure to comply with any provision of this Bylaw, but which is not subject to Section 8.0 - Offence Enforcement and Penalties whereby proceedings are instituted; and
- 2.43 “Waste-Resource Management Centre” means a facility operated by the Authority for receiving, storing, sorting and shipping Solid Waste.

**3 Valley Region Solid Waste-Resource Management Authority**

- 3.1 The Valley Region Solid Waste-Resource Management Authority, referenced herein as the Authority, is a body corporate established pursuant to an Intermunicipal Services Agreement (IMSA), for which the Municipality has non-party status.
- 3.2 Municipality of the County of Annapolis is party to an agreement for service with Valley Region Solid Waste-Resource Management Authority.
- 3.3 The Municipality has delegated responsibility for the management of Solid Waste within their jurisdiction pursuant to the agreement for service with Valley Region Solid Waste-Resource Management Authority.

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- 3.4 Pursuant to the Agreement, it is agreed that the Municipality shall establish and maintain a Solid Waste-Resource Bylaw complementary to bylaws adopted by parties to the Intermunicipal Services Agreement to enable the efficient and consistent execution of the Authority's mandate. Accordingly, this Bylaw may reference places or facilities within the Region that are beyond the geographical boundaries of this Municipality and it is intended that any such references in this Bylaw be construed and applied in a manner consistent with the provincially-mandated regional approach to Solid Waste-Resource management.
- 3.5 The General Manager is the chief administrator of the Authority and shall be responsible for the administration and enforcement of this Bylaw.
- 3.6 Directives to supplement and assist with the administration and enforcement of this Bylaw may be adopted and included as a Schedule hereto, and shall form part of this Bylaw and shall be subject to the penalty provisions herein.
- 3.7 The Authority shall recommend to the Municipality a Bylaw Enforcement Officer to assist with the administration and enforcement of this Bylaw.
- 3.8 For the purpose of administration of this Bylaw, the General Manager or the Bylaw Enforcement Officer, or an agent or employee of the Authority so designated by either, may, at any reasonable time, enter and inspect any land or premises, other than a dwelling or a room being used as a dwelling, to verify compliance with this Bylaw and Directives, and may inspect Solid Waste and any Storage Facility.
- 3.9 The General Manager or the Bylaw Enforcement Officer may issue an Order directing any person to comply with the provisions of this Bylaw, including any Directive, in the manner and within the time specified therein.
- 3.10 Any Order or other written direction pursuant to Section 3.9 signed by the General Manager or Bylaw Enforcement Officer, is effective if delivered personally to the person named therein or posted on the premises or if sent by prepaid post or facsimile or email transmission to the most recent known address of the person named and shall be deemed to have been received by such person, in the case of facsimile or e-mail transmission on the day after it was sent and in the case of prepaid post, on the third day after it was sent where receipt is not acknowledged, in the case of posting on the premises, on the day thereof.
- 3.11 It shall be an offence for any person to fail or refuse to comply with an Order signed by either the General Manager or Bylaw Enforcement Officer pursuant to this Bylaw.

#### **4 Prohibitions**

##### **4.1 Illegal Dumping of Solid Waste**

- 4.1.1 No person shall Dispose of or permit the Disposal of, dump, place, leave, abandon, or deposit Solid Waste at any public or private place within the Municipality unless that place is duly licensed to receive and Dispose of that particular category or item of Solid Waste.

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4.1.2 Litter is not illegal dumping, and therefore is not within the jurisdiction of this Bylaw.

4.2 Illegal Dumping of Solid Waste at Authority Waste Facility

No person shall Dispose of Residual Waste or Solid Waste on the lands of a Waste-Resource Management Centre or any other facility licensed to receive any category of waste except during operational hours and only where directed by the Centre or facility.

4.3 Illegal Burning of Solid Waste

No person shall burn Solid Waste in the Municipality in a barrel, stove or other device or in the open as a method of Solid Waste disposal, excepting brush, tree limbs and milled wood that is free from adhesives, coatings and preservatives and, with respect to such products, only where such burning is permitted by law.

4.4 Disposal of Banned Materials

No person shall Dispose of the following materials at any licensed Solid Waste management facility, or Dispose of any such materials in a Storage area, Storage Facility, or collection container intended for Residual Waste disposal in an incinerator or landfill, namely:

4.4.1 Banned by Provincial Regulation

Materials banned from Disposal by provincial regulation, including those materials listed in Schedule B of the *Nova Scotia Solid Waste-Resource Management Regulations* as amended from time to time;

4.4.2 Banned by the Authority

Materials banned from time to time by this Bylaw.

4.5 Flow Control

No person shall export or remove from the Municipality Residual Waste, Construction and Demolition Waste, or Unsorted Solid Waste generated within the Municipality unless permitted otherwise by the General Manager or designate, and without limiting the foregoing, transport is permitted only to Waste-Resource Management Centres authorized by the Authority.

4.6 Notwithstanding Section 4.5, the Authority may export Residual Waste, Construction and Demolition Waste or Unsorted Solid Waste to approved facilities beyond the jurisdiction of the Municipality.

4.7 Waste Accumulation

No Occupant or Owner of property in the Municipality shall allow, permit or authorize the accumulation of Solid Waste on or around property owned or occupied by them or allow, permit or authorize any uncollected Solid Waste to

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remain on or around property owned or occupied by them other than in a Storage Facility as approved in this Bylaw or in any Directive.

- 4.8 No person shall leave the lid or door of the Storage Facility open except during loading or unloading.
- 4.9 No person shall place any Solid Waste for collection on a property other than a property owned or occupied by that person, except as permitted by the General Manager or designate.

**5 Source Separation Requirements**

- 5.1 It shall be an offence of this Bylaw to fail to comply with any Directive pertaining to source separation of Solid Waste.
- 5.2 All Solid Waste being generated by or from any Residential Premises or any IC&I Premises shall be source-separated and packaged in accordance with any issued Directive and shall also comply with this Bylaw.

**5.3 Public Waste**

The Property Owner and the Occupant of any premises where Public Waste is generated shall provide common area containers designed to receive and accommodate the quantities of Source-Separated Solid Waste generated on that site, as required by this Bylaw or any Directive, and shall ensure that such containers are clearly labeled and are accessible to the public, tenants, employees, visitors and Occupants of such premises.

**6 Authority Collection**

Solid Waste to be collected by or on behalf of the Authority must comply with the provisions of this section.

**6.1 Collection Container Placement**

- 6.1.1 Except as otherwise permitted by this Bylaw, or by the General Manager, Collection Containers shall be placed roadside for collection as close as practicable to the edge of the street or roadway, and no further than five (5) meters from the travelled portion of the street or roadway to facilitate efficient unobstructed collection, accounting for factors such as urban versus rural setting, winter snow clearing operations, ditches, brush, and the like.
- 6.1.2 All Solid Waste placed for collection shall be in front of and on the same side of the street or roadway as the Eligible Premises from which it has been generated.
- 6.1.3 Collection Carts shall be placed roadside in an upright position with the lid closed.
- 6.1.4 In the case of Multi-Unit Residential Buildings, the Owner shall provide a Storage Facility for Source-Separated Solid Waste in an easily accessible location on the building property in accordance with this Bylaw, any issued

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Directive and other applicable municipal requirements. Any collection contractor engaged by the Authority will collect Solid Waste from this location in accordance with source-separation and collection Directives provided it is accessible when the collection truck arrives, and otherwise shall be placed roadside for collection.

6.1.5 Collection will take place on public streets and roads only except for private roads maintained by the Municipality.

6.1.6 For all other roads not included above, the source-separated waste must be brought to the nearest intersection with a public street or road and placed in accordance with this Bylaw, or to a drop-off depot or storage facility provided by the Municipality or the Authority for that purpose where it shall be collected.

Any such Storage Facility must be in compliance with Storage requirements set out in clause 6.5 Solid Waste Storage.

**6.2 Set-out Times**

6.2.1 Solid Waste shall be set out for collection only between 7:00 pm the night before and 7:00 am on collection day. In the event of conditions preventing collection, the Property Owner shall remove prior to the end of collection day all Solid Waste not collected and set it out again on the scheduled alternative collection day or the next regularly scheduled collection day.

6.2.2 For Special Collections (Spring and Fall cleanups) Solid Waste for roadside collection shall be set out no earlier than the weekend immediately before the scheduled Special Collection week.

**6.3 Removal of Collection Containers and Uncollected Material from Roadside**

**6.3.1 Removal of Collection Containers**

Solid Waste Collection Containers shall be removed or caused to be removed by the Property Owner from roadside by the end of collection day excepting permanent Solid Waste Storage facilities. Permanent Storage facilities shall comply with this Bylaw and any issued Directives. Collection Carts shall be removed from roadside and stored on the premises.

**6.3.2 Removal of Uncollected Solid Waste**

Any Solid Waste not collected for any reason, including, without limitation, Litter in or around any Storage Facility, shall be removed or caused to be removed by the Property Owner by end of collection day and properly sorted, contained, stored and Disposed of in accordance with this Bylaw.

Where uncollected Solid Waste has not been removed from roadside within 24 hours of collection day's end, and in cases where Solid Waste has been placed roadside outside the permitted time, the General Manager may arrange for the removal and Disposal of such waste and



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invoice the Property Owner for associated costs. For the purposes of this section and in accordance with Section 507 *Municipal Government Act*, the General Manager shall be deemed to be an employee of the Municipality.

**6.4 Directives**

The Municipality may adopt as part of this Bylaw Directives recommended by the Authority respecting the collection of Solid Waste, including, without limitation, the contents, type, nature, location and weight of Collection Containers or Storage facilities. The Directives, if adopted by the Municipality, shall form a part of this Bylaw and it shall be an offence to fail to comply with any such Directive.

**6.5 Solid Waste Storage**

Solid Waste Storage facilities shall be:

- 6.5.1 Weather-tight and animal-proof with the lid or door maintained in a closed position except during loading or unloading;
- 6.5.2 Capable of accommodating the quantities of Source-Separated Solid Waste generated between collections at that location;
- 6.5.3 Designed and constructed such that Solid Waste remains in a source-separated condition;
- 6.5.4 Easily accessible to all users and easily serviced by the collector;
- 6.5.5 Safe for their intended users; and
- 6.5.6 In cases where Authority Collection is provided at the Storage location, placed to provide unobstructed access over clear ground free of snow, ditches, brush or other obstacles to the Authority Collection truck within five (5) meters of the loading hopper.

**6.6 Owner and Occupant Responsibilities for Solid Waste Management**

The responsibility for management of Solid Waste in Residential Premises and IC&I Premises is shared by each Property Owner, jointly and severally, and each Occupant, jointly and severally, as follows:

**6.6.1 Property Owner Responsibilities**

The Property Owner shall:

- 6.6.1.1 Provide Solid Waste Storage facilities as set out in Section 6.5;
- 6.6.1.2 Where any Storage Facility is inaccessible to the collection truck as required in Section 6.5 on regular or Special Collection days, ensure that Solid Waste is set roadside in accordance with Section 6.2;
- 6.6.1.3 Maintain any Solid Waste Storage facilities in good repair and in a clean, tidy, and sanitary condition at all times, both inside and outside, including the immediate surroundings; and

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6.6.1.4 Ensure that Collection Containers, Storage facilities and uncollected Solid Waste, including Litter produced or resulting from set-out Solid Waste by pests, weather conditions or otherwise, are removed by the end of collection day.

6.6.2 Occupant Responsibilities

The Occupant shall:

6.6.1.1 Source-separate and package all Solid Waste generated in the Occupant's premises as per Section 5 of this Bylaw and issued Directives; and

6.6.1.2 Between collections, place sorted and packaged Solid Waste in the Storage Facility provided by the Property Owner or in their own Storage Facility, as the case may be.

6.7 Inspection and Rejection Guidelines

Solid Waste set out for Authority Collection shall be subject to inspection by the collection contractor or by Authority staff. Solid Waste not in compliance with this Bylaw or any Directive may be rejected.

6.8 Authority Collection Prohibitions

No person shall:

6.8.1 Pick over, remove, disturb or otherwise interfere with any Solid Waste that has been set out for Authority Collection except that Solid Waste set out for Special Collections may be removed for salvage or reuse providing that the set-out location must be left in a clean and tidy condition;

6.8.2 Collect Solid Waste placed for collection by the Authority; or

6.8.3 Remove a collection container placed roadside.

These prohibitions do not apply to the person who placed the waste for collection, to the Authority, or to its contractors.

6.9 Suspension of Collection

The General Manager may suspend Authority Collection, upon written notice, at any Eligible Premises where one of the following deficiencies develops until corrected to the General Manager's satisfaction, namely:

6.9.1 An unsafe or potentially unhealthy condition or a nuisance or a potential nuisance related to Storage or collection of Solid Waste;

6.9.2 Persistent violation of any provision of this Bylaw or any Directives, Orders or other written notice issued pursuant to this Bylaw; or

6.9.3 Road conditions are unsafe for collection.

**7 Non-Authority Collection and Disposal of Solid Waste**

The provisions of this section apply to all residential and IC&I Premises generating

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waste that is unacceptable for Authority Collection or exceeds allowable limits of Authority Collection or which for any other reason is not placed for Authority Collection by the Owner or Occupant, and is managed either by the Owner or Occupant or by another person or corporation for or on behalf of the Owner or the Occupant.

**7.1 Solid Waste Removal**

The Property Owner or Occupant of premises shall promptly remove and Dispose of all Solid Waste not collected by Authority Collection.

**7.2 Solid Waste Storage**

7.2.1 The Owner of any premises housing a Storage Facility, or the Owner or user thereof shall each ensure that such Storage Facility is:

7.2.1.1 weather-tight and animal-proof with the lid or door maintained in a closed position except during loading and unloading;

7.2.1.2 capable of accommodating the quantities of Source-Separated Solid Waste generated between collections at that location;

7.2.1.3 designed and constructed such that Solid Waste remains in a source-separated condition;

7.2.1.4 emptied and cleaned regularly;

7.2.1.5 maintained in good repair and in a clean and tidy condition at all times, both inside and outside, including the immediate surroundings; and

7.2.1.6 clearly labelled with signage for source-separated waste streams.

7.3 No person shall place Solid Waste in any Storage Facility without permission of the Owner of the premises or the Owner or renter of the Storage Facility.

7.4 All Storage facilities are subject to inspection per this Bylaw.

7.5 The Owner of the premises or the Owner or renter or user of any Storage Facility shall each ensure that all Solid Waste placed in such Storage Facility is source-separated and packaged in accordance with this Bylaw and any issued Directive.

7.6 Any person collecting, transporting or hauling Solid Waste or any Storage Facility shall ensure that all Solid Waste contained within such vehicle or Storage Facility is delivered to the Waste-Resource Management Centre in a source-separated condition and deposited at the Waste-Resource Management Centre in the designated locations for each type of Source-Separated Solid Waste.

7.7 It is an offense to haul Unsorted Solid Waste to the Waste-Resource Management Centre for Disposal or to fail to deposit each type of Source-Separated Solid Waste in designated locations at the Waste-Resource Management Centre.

**8 Waste-Resource Management Centres**

The Municipality delegates its authority as enabled under Section 60 *MGA* to the Authority relative to the operation of Waste-Resource Management Centres and related tip fees as depicted in Schedules 1(a) and 1(b) of this Bylaw, as may be

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amended from time to time, by the Authority.

The Authority may recommend Directives to be adopted by the Municipality respecting the efficient, safe and environmentally-sound operation of Waste-Resource Management Centres in the Region and it shall be an offence to fail to comply with any such Directive.

**8.1 Inspection and Enforcement**

All loads entering the Waste-Resource Management Centre are subject to inspection and enforcement by the General Manager or designate. The General Manager or designate may issue warnings, charge increased tipping fees, impose administrative fees or revoke privileges of site users for non-compliance with this Bylaw or any issued Directive.

8.2 No person shall remove Solid Waste from a Waste-Resource Management Centre except as authorized by the General Manager or designate.

8.3 The operator of every commercial collection vehicle entering the Waste-Resource Management Centre site shall produce, upon request of the General Manager or designate, a manifest comprising a customer list whose Solid Waste is on board the vehicle.

**9 Offence Enforcement and Penalties**

9.1 No person shall contravene or fail to comply with any provision of this Bylaw.

9.2 This Bylaw may be enforced, at the discretion of the Municipality, by any peace officer or Bylaw Enforcement Officer, in accordance with the procedures set out in the *Municipal Government Act* or by means of a Summary Offence Ticket per the *Municipal Government Act* or *Summary Proceedings Act*.

9.3 The *Summary Proceedings Act*, where applicable, shall apply to proceedings under this Bylaw.

9.4 Except as otherwise provided in this Bylaw, any person who violates the following provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention thereof, or who makes any false or misleading statements in relation to any duty, obligation or application pursuant to the following provisions of this Bylaw, or who refuses, omits, fails to comply with or neglects to fulfill, observe, carry out or perform any duty or obligation imposed by the following provisions of this Bylaw shall be liable upon summary conviction:

9.4.1 Section 4.8 (failing to close the lid or door of Storage)

9.4.2 Section 4.9 (unauthorized placing of waste for curbside collection)

9.4.3 Section 6.1 (improper collection container placement)

9.4.4 Section 6.2 (improper set-out time)

9.4.5 Section 6.8.1 (interfering with Solid Waste set out for collection)

- (a) for the first offence to a penalty of not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00) or imprisonment for a period of not more than fourteen (14) days or both;

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- (b) for the second offence to a penalty of not less than two hundred dollars (\$200.00) and not more than seven hundred and fifty (\$750.00) or imprisonment for a period of not more than thirty (30) days or both;
  - (c) for the third offence to a penalty of not less than four hundred dollars (\$400.00) and not more than one thousand dollars (\$1,000.00) or imprisonment for a period of not more than sixty (60) days or both.
- 9.5 Except as otherwise provided in this Bylaw, any person who violates the following provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention thereof, or who makes any false or misleading statements in relation to any duty, obligation or application pursuant to the following provisions of this Bylaw, or who refuses, omits, fails to comply with or neglects to fulfill, observe, carry out or perform any duty or obligation imposed by the following provisions of this Bylaw shall be liable upon summary conviction:
  - 9.5.1 Section 3.6 (failure to comply with a Directive)
  - 9.5.2 Section 3.11 (failure to obey an Order or other written notice)
  - 9.5.3 Section 4.1 (illegal dumping)
  - 9.5.4 Section 4.2 (illegal disposal at licensed facility)
  - 9.5.5 Section 4.3 (illegal burning)
  - 9.5.6 Section 4.4 (disposing of banned Solid Waste)
  - 9.5.7 Section 4.5 (removing or exporting Residual Waste or Unsorted Solid Waste)
  - 9.5.8 Section 4.7 (accumulating of Solid Waste)
  - 9.5.9 Section 5.2 (failure to source-separate solid waste)
  - 9.5.10 Section 5.3 (failure to provide for source-separation of Public Waste or label containers)
  - 9.5.11 Section 6.3 (failure to remove uncollected containers or waste from roadside)
  - 9.5.12 Section 6.6.1 (failure to fulfill Owner Property Owner's responsibilities)
  - 9.5.13 Section 6.6.2 (failure to fulfill Occupant's responsibilities)
  - 9.5.14 Section 6.8.2 (illegally collecting Solid Waste set out for Authority Collection)
  - 9.5.15 Section 6.8.3 (illegally removing Collection Containers)
  - 9.5.16 Section 7.1 (failure to promptly remove Solid Waste from premises)
  - 9.5.17 Section 7.2 (failure to provide proper waste Storage for non-Authority Collection)
  - 9.5.18 Section 7.3 (unauthorized use of Solid Waste Storage)
  - 9.5.19 Section 7.5 (Owner's or renters of Storage Facility failure to ensure Solid Waste in Storage Facility is source separated and packaged)

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- 9.5.20 Section 7.6 (hauler's failure to keep hauled Solid Waste source separated and packaged)
- 9.5.21 Section 7.7 (hauling Unsorted Solid Waste or failure to deposit Solid Waste in designated locations at Management Centre)
- 9.5.22 Section 8.3 (hauler's failure to provide a manifest)
- (a) for the first offence to a penalty of not less than five hundred dollars (\$500) and not more than five thousand dollars (\$5,000) or imprisonment for a period of not more than thirty (30) days or both;
  - (b) for the second offence to a penalty of not less than one thousand dollars (\$1,000) and not more than seven thousand dollars (\$7,000) or imprisonment for a period of not more than forty-five (45) days or both;
  - (c) for the third offence to a penalty of not less than two thousand dollars (\$2,000) and not more than ten thousand dollars (\$10,000) or imprisonment for a period of not more than sixty (60) days or both.
- 9.6 Any person who violates any other provision of this Bylaw is guilty of a summary offence and liable to a fine of not less than two hundred and fifty dollars (\$250) and not more than five thousand dollars (\$5,000) or to imprisonment for a period of not more than thirty (30) days or both.
- 9.7 In any prosecution for an offence under this Bylaw, it is sufficient proof of the offence to establish that it was committed by an employee or agent of the accused, whether or not the employee or agent is identified or has been prosecuted for the offence, unless the accused establishes that the offence was committed without the knowledge or consent of the accused.
- 9.8 Where a corporation commits an offence under this Bylaw, any officer or director of the corporation who directed, authorized, assented to, acquiesced in or participated in the violation of this Bylaw is guilty of the offence and is liable to the punishment provided for the offence, whether or not the corporation has been prosecuted.
- 9.9 In lieu of prosecution under this Bylaw, the General Manager or their delegate may, in their sole and absolute discretion, issue to any person they believe upon reasonable grounds has committed an offence under this Bylaw a Notice of Violation (BylawTicket), which Notice shall require the person to whom it is directed to pay to the Authority within fourteen (14) days of the issuance of the Notice the sum of one hundred and twenty-five dollars (\$125) for offences listed in section 9.4 and one hundred and seventy five dollars (\$175) for offences listed in section 9.5; and one hundred and twenty-five dollars (\$125) for offences covered by section 9.6. Where a Notice of Violation is issued and if that sum is paid as required therein, no prosecution shall ensue in respect to the matter or matters referred to in the Notice. For greater certainty, nothing in this Bylaw requires the General Manager or designate to issue a Notice of Violation before initiating a prosecution.
- 9.10 Every day during which an offence pursuant to section 9.4, 9.5, or 9.6 continues is a separate offence.

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9.11 Proof that Solid Waste that is Disposed of anywhere in contravention of this Bylaw originated from a particular person, from a residence of a particular person, from a particular premises or from a particular vehicle shall be evidence that the person, the Owner, or the current Occupant of said premises or the Owner of the vehicle so Disposed of it in the absence of evidence to the contrary.

When a person is identified as owner of Solid Waste deposited or dumped on a premises in violation of this Bylaw, the owner, on request of the Bylaw Enforcement Officer shall, within 48 hours of the request, supply the name and address of the person(s) responsible for the dumping. An owner of Solid Waste deposited or dumped on a premises in violation of this Bylaw who fails, to supply the requested information shall be guilty of an offense under this Bylaw.

<b><u>Clerk 's Annotation For Official Bylaw Book</u></b>	
Date of First Reading for Amendment	PENDING
Date of Advertisement of Notice of Intent to Consider Amendment	PENDING
Date of Final Reading for Amendment	PENDING
Date of advertisement of Bylaw Amendment	PENDING *
<i>I certify that this Bylaw was adopted by Municipal Council and published as indicated above.</i>	
<i>Carolyn Young</i>	PENDING
Municipal Clerk	Date
<i>*Effective date of the Bylaw unless otherwise specified.</i>	

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***Schedule A – Solid Waste Resource Bylaw Directives***  
**Enabled pursuant to Section 3.6 of the Bylaw**

***Approved by Council: DATE***



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*Schedule A – DIRECTIVES*

## **Introduction**

The Solid Waste-Resource Bylaw (Bylaw) authorizes the Authority to apply and enforce Directives for the effective and efficient management of Solid Waste within the Municipality of the County of Annapolis.

These Directives are a Schedule to the Bylaw, forming part of the Bylaw that is in force and effect.

Section 3.6 of the Bylaw reads as follows:

- 3.6 Directives to supplement and assist with the administration and enforcement of this Bylaw may be adopted and included as a Schedule hereto, and shall form part of this Bylaw and shall be subject to the penalty provisions herein.

The Directives in this Schedule have been recommended by the Authority pursuant to Section 3.6 of the Bylaw and adopted by the Municipality and may be amended from time to time.

## **1.0 Banned Materials**

### **Materials Banned from Disposal**

Section 4.4 Solid Waste Resource Bylaw names two classes of materials that are banned from disposal in landfill: 1.1 materials banned by Provincial Regulation; and 1.2 materials banned by the Authority. Banned items may be managed as Recyclables, Compostable Organics, Household Hazardous Waste, Hazardous Waste, tires, electronics, or by other means appropriate to the material. Disposal bans are in effect at Authority facilities for the materials listed below.

***Materials on the list that are accepted at the Waste-Resource Management Centres must be delivered separated from other garbage. Questions about how to handle specific items should be directed to the Authority at 902-679-1325 or toll free at 1-877-927-8300.***

- 1.1 Materials banned from landfill disposal by the provincial Solid Waste-Resource Management Regulations and accepted at the Solid Waste-Resource Management Centres:
- Beverage containers
  - Corrugated cardboard
  - Newsprint
  - Steel/tin food containers
  - Glass food containers
  - Low Density Polyethylene (LDPE #4) bags and packaging including industrial/commercial/institutional stretch wrap (pallet wrap)
  - High Density Polyethylene (HDPE #2) non-hazardous containers and packaging such as food containers, detergent containers, shampoo containers, jugs, pails and lids, windshield washer containers, non-hazardous cleaner containers, etc.

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- Compostable organic material (food waste, yard waste, Soiled and Non-Recyclable Paper)
- Lead-acid automotive batteries
- Waste paint & their containers
- Ethylene glycol (automotive antifreeze)
- Used glycol
- Glycol containers
- Used oil
- Used oil filters
- Oil containers
- Electronic products specified by the Province

In the event of conflict with the above itemized list and the current policy of Nova Scotia Environment [NSE], NSE governs. Refer to *Schedule “B” — Designated Materials Banned from Destruction or Disposal in Landfills and Incinerators in the Nova Scotia Solid Waste-Resource Management Regulations*.

1.2 Materials banned from landfill disposal by the Authority and accepted at the Waste-Resource Management Centres:

- Polycoat or gable top cartons (milk, juice, soy, rice, etc.) and aseptic cartons (Tetra Pak®)
- All non-hazardous plastic bottles and containers Glossy paper, office paper, and other recyclable and compostable paper products
- Boxboard
- Household Hazardous Waste (HHW)
- Propane tanks
- Expanded polystyrene foam (beaded Styrofoam®)

1.3 Materials banned federally, provincially, or by the Authority and not accepted at the Waste-Resource Management Centres:

- Industrial, Commercial, Institutional Hazardous Waste
- Liquid Waste, or Solid Waste saturated to a fluid consistency, which is not part of the HHW program
- Highly combustible or explosive materials, such as celluloid cuttings, motion picture film, gasoline or solvent soaked rags or other combustible residues, ammunition, dynamite, or other similar material

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- Medical material that is considered pathogenic or biomedical including anatomical waste, saturated blood-soaked dressings, infected material, and hypodermic needles from physicians, surgeons, dentists or veterinarians
- Whole carcasses of any animal or parts thereof that may create hazards or nuisance except as authorized by the General Manager or designate, except for the bodies of companion animals delivered to the Waste-Resource Management Centre by a municipal animal control officer
- Waste listed or characterized as hazardous by federal or provincial law
- Large pieces of sheet iron, scrap metal or machine parts, automobile bodies and fuel tanks
- Septic tank pumpings, raw sewage or industrial sludge
- Radioactive materials
- Soil and rock, and tree branches and stumps exceeding 15 cm (6 in) in diameter, unless approved by the General Manager or designate
- Manure, kennel waste, excreta, fish processing waste
- Asbestos
- Fuel tanks exceeding 2250 litre (500 gal) capacity
- Hot ashes or cinders
- Used Tires (rim size 24.5 inches or less)
- Specified Risk Materials (SRM) - the skull, brain, trigeminal ganglia, eyes, palatine tonsils, spinal cord and dorsal root ganglia (DRG) of cattle aged 30 months or older, as well as the distal ileum of cattle of all ages. In cattle infected with Bovine Spongiform Encephalopathy (BSE), these tissues contain the BSE agent and may transmit the disease

## **2.0 Source-Separation**

To facilitate recycling and composting of banned materials, all persons in the Municipality are required to source-separate the waste they generate:

- at permanent, seasonal or temporary Residential Premises
- at Industrial / Commercial / Institutional Premises
- in public places
- at events held in public places
- at events held at Industrial / Commercial / Institutional Premises
- at events held at other public event venues

Waste must be separated into the following categories:

- (1) Organics / Compostable Organics

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- (2) Recyclables
- (3) Hazardous Waste
- (4) Residual Waste (including tires, and electronics)

The items that compose each of these categories are listed below. Up-to-date sorting information (including proper preparation) is available in the annual calendar; on the Authority website ([www.vwrm.com](http://www.vwrm.com)); on the Recycle Coach app; or by calling the Authority office at 902-679-1325 or toll free at 1-877-927-8300.

**2.1 Organics / Compostable Organics**

- Food Waste including fruits and vegetables and peelings, table scraps, meat, poultry and fish, bones, shellfish (including shells), dairy products, egg shells, cheese, cooking oil, grease and fat, bread, grain, rice and pasta, coffee grounds and filters, tea leaves and bags, and other similar items
- Leaf and Yard Waste including grass clippings, leaves, brush, twigs, house and garden plants, waste potting soil, sawdust, and wood shavings
- soiled Boxboard with all plastics, foil and metal fasteners removed (unless soiled with HHW, paint, petroleum products, etc.) including cereal, shoe, tissue, cracker, cookie, baking product and frozen food boxes (not coated with plastic), paper towel and toilet paper rolls, soiled pizza boxes and waxed corrugated cardboard
- Soiled and Non-Recyclable Paper products (unless soiled with petroleum products)
- branches and prunings tied in bundles no longer than four (4) feet
- Christmas trees with decorations and stands removed; and
- Other materials of plant or animal origin, including cat litter (optional), except for whole companion animal or livestock carcasses or parts thereof and Specified Risk Materials (see Section 1.0).

**2.2 Recyclables**

***Recyclable Paper***

- phone books
- paper egg cartons and other molded paper products
- newspaper
- file folders
- office paper including shredded paper (bond paper, computer paper, envelopes)
- paperback books
- cereal boxes and other Boxboard packaging
- flyers and magazines
- non-waxed corrugated cardboard





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***Recyclable Containers***

- milk and juice containers (no caps)
- beverage containers (soft drinks, beer, liquor may also be returned to an Enviro-Depot for refund)
- tin/steel food cans
- aluminum foil plates, trays and wrap
- glass bottles and jars (remove lids)
- clean and empty plastic bags
- all plastic bottles and containers
- stretch wrap (pallet wrap)

**2.3 Household Hazardous Waste (HHW)**

HHW to be delivered at no charge to the HHW Depot at one of the Waste-Resource Management Centres. In general, material with hazardous symbols on the packaging illustrated below shall be considered hazardous.

			
<b><u>Toxic</u></b>	<b><u>Corrosive</u></b>	<b><u>Flammable</u></b>	<b><u>Explosive</u></b>

Examples of Household Hazardous Waste include:

- batteries
- propane tanks
- fluorescent light bulbs
- paint, stain, finishes, sealers
- motor oil
- household cleaners
- pool chemicals
- pesticides
- needles and lancets

**2.4 Residual Waste**

Examples of Residual Waste include:

- chip bags and candy wrappers
- toothpaste tubes, tooth brushes and floss

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- disposable drink cups
- diapers
- toys, clothing and footwear
- incandescent light bulbs, empty spray cans
- feminine hygiene products
- oil and antifreeze containers
- cat litter (optional)
- dog feces
- broken glass
- appliances not considered part of the electronics program
- furniture
- carpet
- Construction and Demolition (C&D) materials
- permitted medical Solid Waste\*
- and other items not listed as compostable or Recyclables or as Hazardous Waste

\* Permitted medical waste means medical waste that is not medical waste listed in section 1.3 of the Directives.

### **3.0 Authority Collection**

The Authority provides a roadside waste collection program servicing all residential and IC&I Premises within the County of Annapolis. Solid Waste is collected through the Authority Collection program provided it is source-separated and set out according to the Bylaw and these Bylaw Directives.

All Eligible Premises are subject to the same source-separation requirements, set-out limits, and Collection Container requirements. It is the responsibility of the Owner or Occupant to provide for collection and disposal of materials which are not eligible for Authority Collection or which exceed the allowable limits.

#### **3.1 Eligible Premises**

The basic unit of Authority Collection is a property, or Eligible Premises. To be deemed an Eligible Premises, a premises must be in compliance with applicable municipal zoning and development requirements, and property taxes levied to date must be paid. In the case of federal lands for which property taxes are not paid, premises may be deemed Eligible Premises if an agreement is in effect to provide waste management services on those lands.

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Residential Premises eligible for Authority Collection include self-contained long-term living accommodations containing kitchen facilities in which the Occupant(s) sleep, cook, and eat meals. Each such unit is one Eligible Premises.

Industrial Commercial and Institutional (IC&I) Eligible Premises may include a variety of industrial, commercial or institutional enterprises or organizations including home occupation businesses. An IC&I serviced unit must:

- conform to municipal zoning bylaw requirements;
- comprise the entire building, or form a separate business unit within a building containing two or more separate units;
- be an operating business generating waste through activities of that business; and
- be assessed as commercial, resource farm, or another designation excepting residential, or resource forest.

The Owner or Occupant of any Eligible Premises generating waste in excess of the standard collection limits must make arrangements, either through private service providers or using their own resources, to remove and Dispose of their waste materials in compliance with the Bylaw.

Examples of residential and IC&I Eligible Premises include:

- single detached residential dwellings including mobile homes
- each individual unit in a duplex or semi-detached residential dwelling (under-and-over and side-by-side)
- each individual unit in a Multi-Unit Residential Building (e.g. apartments and condominiums) or in a multi-unit ICI building or in a multi-unit mixed use building
- each individual unit in a row house or townhouse dwelling
- an individual unit in an industrial, commercial or institutional building as defined above
- seasonal residential dwellings (e.g., a cottage)
- church halls, community halls, fire halls, service club halls, and other similar public buildings
- residential dwellings and IC&I Premises on private roads providing that properly sorted and contained waste materials shall be deposited in a drop-off depot designated by Authority for the purpose, or, in the absence of a drop-off depot, placed at the nearest intersection with a public road at the set-out times specified in Section 6.2 of the Bylaw
- public wharves: a wharf is one Eligible Premises
- cemeteries: a cemetery is one Eligible Premises
- seasonal agricultural worker accommodations where Occupants eat, sleep and prepare their meals

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3.2 Green Carts and Mini-bins

3.2.1 ***Cart Distribution***

The Authority provides aerated Organics Collection Carts (Green Carts) and kitchen Mini-bins for each Eligible Premises. Green Carts and Mini-bins are assigned to a given Eligible Premises and remain the property of the Authority. In all cases, the Authority supplies the Green Cart and Mini-bin only for the Storage and collection of Compostable Organics from the premises. Green Carts and Mini-bins are assigned as detailed below:

- a single detached permanent, residential dwelling including a mobile home, individual row house, and individual unit in a semi-detached dwelling - one Green Cart and one Mini-bin will be assigned automatically to the property;
- each single Industrial, Commercial, or Institutional premises - one Green Cart and Mini-bin will be supplied;
- a Multi-Unit Residential Building or condominium building - a sufficient number of Green Carts will be assigned to provide Storage for the amount of Organics generated between collections by all the building's units combined - usually that means one Green Cart for every four units;
- duplexes (side by side or over and under) - one Green Cart will be assigned to each unit;
- seasonal homes on private roads - one Mini-bin will be provided to each unit; a Green Cart will only be provided if there is no seasonal waste drop-off depot in the area and the resident places the Green Cart at a public road for collection; and
- church halls, community halls, fire halls, service club halls and other similar buildings - one Green Cart and one Mini-bin will be provided on request to each unit.

3.2.2 ***Green Cart Ownership***

Green Carts and Mini-bins are and remain the property of the County of Annapolis. The Green Cart and Mini-bin are registered to the residential or IC&I property, and are assigned to the property. When a property is sold, the Green Cart and Mini-bin shall remain on the property.

3.2.3 ***Green Cart Exchange***

The Authority or the Municipality may from time to time offer more than one size Green Cart to accommodate the varying needs of residents. The standard Green Cart size has a nominal volume of 240 liters. When other Green Cart sizes are available, the current one may be exchanged for one of more suitable size. There is no service fee for this exchange. Green Carts will not be exchanged due to uncleanliness or design preference.



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**3.2.4 *Lost, Stolen or Damaged Green Carts or Mini-bins***

If a Green Cart is lost, stolen or damaged, except through normal use, it is the Property Owner's responsibility, subject to the General Manager's discretion, to pay the Municipality the replacement cost. If damaged or stolen due to negligence of the collection contractor, it will be the contractor's responsibility to purchase a new Green Cart.

The Municipality will replace Green Carts rendered unusable through normal use at no cost.

It is the Property Owner's responsibility to replace lost or broken Mini-bins.

**3.2.5 *Sale of Property***

Green Carts are the property of the Municipality. Upon the sale of a property, the Green Cart shall remain with the property. The new Owner is responsible for making new Green Cart arrangements with the Municipality if necessary.

**3.3 Non-Collectable Materials**

In addition to all materials detailed in Sub-section 1.3, the Authority will not collect the following materials curbside through the Authority Collection program:

- Solid Waste produced outside the jurisdictions administered by the Authority
- any materials not meeting collection requirements
- items banned by the province from landfill disposal, as per *Schedule B* of Solid Waste-Resource Regulations; e.g. electronics
- large windows or large glass doors
- items covered under the Authority's Household Hazardous Waste program

**3.4 Collection Containers**

Waste shall be set out for Authority Collection in the containers and quantities set out below.

Collection Containers must be designed to allow for safe and efficient collection. Collection Containers that do not allow the collector to remove waste in an ergonomically-acceptable manner may be rejected roadside provided the collector affixes a rejection sticker explaining the reason.

**3.4.1 *Acceptable Collection Containers for Authority Collection***

Acceptable Collection Containers for Recyclable Materials shall be:

- Transparent blue plastic bags weighing no more than 15 kg (33 lb.) when full; no wider than 0.8 m (30 inches), and no longer than 1 m (39 inches) when flat

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- Bundles of corrugated cardboard: flattened and securely tied or otherwise bound together, weighing no more than 15 kg (33 lb.) and measuring no more than 30 cm by 60 cm by 90 cm (1 foot by 2 feet by 3 feet)

Acceptable Collection Containers for Compostable Organics shall be:

- Organics Collection Carts as assigned to properties by the Authority weighing no more than 100 kg (220 lb.) when full
- Bundles of brush, no more than 60 cm (2 feet) in diameter, securely tied, and weighing no more than 15 kg (33 lb.) with no individual piece of material being more than 5 cm (2 inches) in diameter or longer than 1.2 m (4 feet)

Acceptable Collection Containers for Residual Waste shall be:

- Clear Transparent Plastic Bags:
  - (a) Securely tied and watertight
  - (b) No wider than 0.8 m (30 inches) , and no longer than 1 m (39 inches) when flat; and
  - (c) Weighing no more than 15 kg (33 lb.) when full
    - Each serviced unit may set out one (1) solid-coloured regular plastic garbage bag (e.g. black, green, brown, white, etc.) as a “privacy bag” each collection cycle, to contain private items such as permitted medical waste and other Residual Waste. A clear bag filled with smaller opaque bags is considered one solid-coloured “privacy bag”. The privacy bag counts as one Residual Waste container and is subject to inspection for proper source-separation like any other Residual Waste container.
- Broken glass shall be safely boxed or wrapped to prevent injury
  - To prevent Litter created by pests, snow plows, etc., acceptable Residual Waste bags may be set out for collection inside water tight metal or plastic garbage cans which are:
    - (a) constructed of durable metal, plastic or other impermeable material designed for containment of waste;
    - (b) equipped with a tight fitting impermeable cover;
    - (c) equipped with handles in good repair; and
    - (d) as large as or larger in diameter at the top than at the bottom.

NOTE: The basic Collection Container unit remains the plastic bag (clear or solid-coloured) regardless whether the bag is set out on its own, in a garbage can, or in a Storage bin roadside.

#### **3.4.2 Allowable Number of Collection Containers**

The number of Collection Containers allowed per serviced unit per collection is as follows:

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1. A total of eight bags of Recyclables and Residual Waste combined:
  - (a) Up to eight bags may be Recyclable Materials (in blue bags)
  - (b) No more than four bags may be Residual Waste (in clear bags)
  - (c) One clear bag may be replaced with a solid-coloured privacy bag – see Section 3.4.1 *Acceptable Collection Containers for Residual Waste*
2. One Green Cart, except in the case of a Multi-Unit Residential Building where the number of Green Carts allowed shall be the number issued by the Municipality to the building in accordance with Sub-section 3.2.1 of the Directives;
3. Two bundles of brush; and
4. Two bundles of corrugated cardboard.

**3.5 Exemptions from Collection Rules**

Occasionally, the Occupant(s) of a serviced unit may be unable to comply with Authority Collection rules, for medical or similar reasons. In such cases, after verifying the reasons for the inability to comply, and after confirming that the Occupants are aware of their responsibilities and are complying with the best of their ability, Authority staff may grant an exemption to the normal collection rules.

Staff shall maintain a list of civic addresses where exemptions have been granted and the reasons for the exemptions. The civic address list shall be provided to the Authority Collection Contractor to ensure that collection at exempted address is carried out consistent with the exemptions.

**3.6 Curbside Inspection of Solid Waste Setouts**

**Inspection Guidelines**

Authority staff regularly inspect waste materials set out for collection as a means of assessing compliance with the Bylaw and the source-separation and waste container Directives.

When the Inspector finds improperly sorted or packaged material set out for collection, the inspector may respond with educational tools including leaving the waste with an information sticker, and follow-up communication with the Occupant or Owner of the property.

Repeated subsequent violations, depending on their severity, may result in a more serious penalty as set out in the Bylaw such as issuing a Bylaw Ticket (fine) or suspending collection services.

**3.7 Special Collections**

**3.7.1 *Spring and Fall Clean-up***

Bulky Items such as furniture, stoves, mattresses, scrap metal, bed springs, barrels, water tanks, dishwashers, clothes, washers and dryers, pieces of fencing, refrigerators, freezers, air conditioners (with a “CFC refrigerant-free” sticker) and debris from home renovations are not collected roadside during regular Authority Collection days.

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The Authority provides Special Collections for Bulky Items. The dates, schedules, and rules for these collections appear on the annual calendar distributed throughout the Municipality and on the County's website.

Rules for Spring and Fall Cleanup are as follows:

- cleanups are intended for large, bulky and excess Residual Waste only. Recyclable Materials and Compostable Organics will not be collected by the clean-up trucks
- items may be set out for clean-up no earlier than the weekend before the scheduled collection day
- all items must be set out for collection in front of the property where they were generated
- a maximum of 20 items will be collected from each serviced unit
- an item means a single object, bag, container, or securely tied bundle
- a bundle shall measure no more than 120 cm (4 feet) in length
- bagged waste must be placed in clear bags
- corrugated cardboard Cartons are banned from landfill in Nova Scotia and collection crews will empty and leave them for the Owner or Occupant of the serviced unit to recycle
- no more than two of any one appliance type will be collected from any one serviced unit
- items shall weigh no more than 34 kg (75 lb.) each
- certain large items such as furniture and appliances may weigh up to 91 kg (200 lb.)
- items weighing more than 91 kg (200 lb.) will not be collected
- large windows and glass doors may not be collected because of the potential danger to the collection crew if the glass shatters when compacted in the collection truck
- items not collected are the responsibility of the Owner or Occupant and must be removed from roadside at the end of the collection day

**3.7.2 Other Special Collections**

The General Manager may schedule other Special Collections as approved by the Authority.

**3.8 Collection Schedule**

Regular roadside Authority Collection of Recyclable Materials, Compostable Organics, and Residual Waste occurs every second week. Details of collection routes are available in the annual Collection Calendar, online at [www.vwrm.com](http://www.vwrm.com), or by phone through the Hotline at 902-679-1325 or toll free at 1-877-927-8300.

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Collection will start no earlier than 7:00 a.m. on any collection day, unless otherwise specified.

**3.9 Holidays**

There shall be no collection on the following designated holidays:

- New Year's Day
- Heritage Day
- Good Friday
- Easter Monday
- Victoria Day
- Canada Day
- Labour Day
- Thanksgiving Day
- Remembrance Day
- Christmas Day
- Boxing Day

The General Manager will notify the public, in advance, of the designated alternate collection day for each Holiday, normally through the annual calendar. Information is also available online at [www.vwrm.com](http://www.vwrm.com) or through the Hotline at 902-679-1325 or toll free at 1-877-927-8300.

**3.10 Storm Day Collection**

If Authority Collection is cancelled because of a storm, the collection contractor will collect the route the following Monday. If that Monday is a holiday or already scheduled for collection, the General Manager will designate another day.

If the collection contractor begins the day's routes but is called off the road due to inclement weather before completing the routes, no alternate collection day will be scheduled. Collection stops missed due to the cancellation will be granted double collection limits for the next regularly scheduled collection day.

**4.0 Hazardous Waste**

The Authority Collection program is not designed to collect Hazardous Waste. Residents shall Dispose of Household Hazardous Waste through the Household Hazardous Waste (HHW) Depots operated by the Authority at the Eastern Management Centre or the Western Management Centre.

The Management Centres are not permitted by the Province to accept Hazardous Waste generated in the Industrial, Commercial and Institutional sector. It is the responsibility of the IC&I sector to ensure that their Hazardous Waste is Disposed of in accordance with provincial regulations.

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## **5.0 Public Waste and Special Events**

The Bylaw requires the generator to source-separate their waste. There is no exception for waste generated at a public event where Public Waste is generated, or a private event such as a wedding, family reunion or other such gathering at a home, or other public or private venue.

The Bylaw defines Public Waste as (*Sub-section 2.30*):

*Public Waste means Solid Waste generated in or on premises where the public is or would normally be responsible for Disposing of waste including, without limitation, enclosed or exterior shopping centres, malls, food courts, quick-service or counter-service restaurants, sports arenas, office or other commercial premises, retail premises, private or public parks or campgrounds, and inside or outside public event venues;*

It is challenging for businesses or special event managers to control the actions of the public or invited guests who use their facilities or attend their events. Public education and cooperation between the public, guests, the manager, staff, the waste hauler and the Authority key to successfully managing Public Waste. Similar guidelines apply also to operators of private events such as private parties, family events and the like.

Event organizers may contact the Authority for information and to borrow sorting stations. It is the responsibility of event operators to Dispose of materials collected in borrowed sorting stations. The event organizer is also responsible for picking up, cleaning and returning borrowed sorting stations.

### Guidelines for Managing Public Waste

- in any staff-controlled area all waste shall be source-separated
- where waste is not under staff control, the business or event manager shall exercise due diligence to provide the public with conveniently located Source-Separation containers
- Labels and signage shall be posted indicating what materials should be placed in each container to help the public know where to correctly place their waste
- public washroom waste is considered Residual Waste and there is no requirement to sort it
- all waste delivered to Management Centres is subject to inspection and compliance measures
- Authority staff are available to provide advice on setting up a Public Waste sorting system
- on request, the Authority lends sorting stations to event organizers

## **6.0 Management Centres**

The Authority operates two Waste Management Centres:

- one at 100 Donald E. Hiltz Connector Road, in Kentville; and
- one at 343 Elliot Road, south of Exit 19 off Highway 101 near the Village of Lawrencetown.

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The Management Centres are approved by the Minister of the Environment to accept Source-Separated Solid Waste from the general public and the IC&I sector. The various streams of Solid Waste are transferred off site to approved processing or disposal locations.

**6.1 Hours of Public Operation**

The Eastern Management Centre in Kentville is open to the public from 8:00 am to 4:00 pm from Monday to Friday inclusive and from 8:00 am to 12:00 noon on Saturdays.

The Western Management Centre in Lawrencetown is open 8:00 am to 4:00 pm on Tuesday, Wednesday, and Friday and from 8:00 am to 12:00 pm on Saturdays.

**6.2 Materials Not Acceptable as Residual Waste**

See *Section 1.0 Banned Materials* in these Directives for information on what can be delivered to the Waste-Resource Management Centres.

**6.3 Waste Disposal Fee Structure**

The following provisions apply to the waste disposal fee structure:

- The Authority shall stipulate the fees and charges for disposing materials at its waste management facilities. These fees shall be set from time to time by the Authority and displayed in a Fee Schedule (see attached sample in *Schedule 1 (a)*);
- The applicable disposal fee shall be paid by the hauler who delivers the waste to the Waste-Resource Management Centre;
- Haulers or waste generators wishing to Dispose of materials requiring special handling or disposal techniques shall give the Authority 48 hours' notice requesting permission to deposit such special wastes, stating the properties, characteristics, origins and amounts of the waste. Authority staff shall advise the hauler whether the waste is acceptable and, if so, under what conditions; and
- No waste disposal fees shall apply to waste collected from Eligible Premises by the collection contractor(s) engaged by the Authority to undertake the Authority Collection program.

**6.4 Haulage Vehicle Registration**

Commercial haulers using the Authority's Waste-Resource Management Centres may be required to comply with the registration requirements of the Authority including vehicle registration for such haulers.

The following provisions may apply to vehicle registration for haulers using the Authority's Waste-Resource Management Centres:

- (a) Haulers using the Authority's waste management facilities shall pre-register identifying information and the tare weight of each vehicle as required by the Authority from time to time, and separately identify those vehicles to be used in

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contracted Authority Collection services operated on behalf of the Authority (if the hauler is also a commercial collection contractor);

- (b) Haulers who wish to be granted credit privileges with the Authority must register adequate information with the Authority. Each hauler will be assigned an account number and each vehicle may be assigned a unique identification number that shall be displayed on the left front of the vehicle in a location, size and format specified by the Manager; and
- (c) The driver of each registered vehicle must present the assigned account number to the scale operator upon entering the facility. The hauler in whose name the account is registered will be invoiced for materials delivered under that account.

**6.5 Waste packaging and placement requirements**

Waste materials may be brought to the Waste-Resource Management Centre either bagged, bundled or loose. For bagged materials, Recyclables must be in blue or clear bags, compostables in Green Carts or compostable bags for Organics, and Residual Waste in clear bags. In case of Recyclables or Residual Waste brought in cardboard boxes, the boxes must be emptied by the user.

All Solid Waste shall be placed in appropriate designated locations for each type of Source-Separated Solid waste. Failing to do so is an offence contrary to section 6.8 of the Bylaw.

**6.6 Fee Payment**

Haulers who transport acceptable material to a facility operated by the Authority, either with his/her own vehicles, or through his/her contractors or agents shall pay tipping fee charges in cash, by credit card, or by current electronic payment technology available at the site or, if they have been granted credit privileges, upon invoice in accordance with sections a, b, and c below:

- (a) When both inbound and outbound scales are operating, the vehicle will be weighed upon entering the facility and shall be weighed again upon leaving. The hauler will pay the fee in accordance with the current fee structure prior to leaving the facility, or upon receipt of an invoice if the hauler has been granted credit privileges;
- (b) When only one scale is in operation and the tare weight of a vehicle transporting materials has been predetermined, payment in accordance with the fee structure is required upon being weighed prior to leaving the facility, or upon receipt of an invoice if the hauler has been granted credit privileges; and
- (c) When only one scale is in operation and the tare weight of a vehicle transporting materials for disposal has not been predetermined, the vehicle will be weighed upon entering the facility and again upon leaving. The hauler will then pay the tipping fee in accordance with the fee structure set from time to time by the Authority prior to leaving the facility, or upon receipt of an invoice if the hauler has been granted credit privileges.

Haulers who have been granted credit privileges are subject to the current Overdue Account Collection Policy.



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**6.7 Volume Based Tipping Fees**

The General Manager shall set per cubic-meter rates payable by the haulers to be used when the weigh scales at the Waste-Resource Management Centres become inoperative. These shall be applied based on the capacity of the vehicle and the volume of the material in the vehicle as estimated by the scale operator, and shall be based on material weights displayed in Schedule 1(b) Volume-based Tipping Fee Calculation.

**6.8 Inspection and Compliance Guidelines**

Waste at the Waste-Resource Management Centres may be inspected to ensure compliance with the source-separation and waste packaging requirements established by provincial regulation, the Bylaw, and operational rules of the Waste-Resource Management Centres.

Based on a visual inspection, random selection or other factors, Waste-Resource Management Centre staff may choose a load for thorough screening. Waste screening normally means removing bagged waste or individual items from a load for careful examination to assess compliance and to identify the waste generator(s).

As provided in Section 7.4 of the Bylaw, inspection staff have the authority to request the names of all customers whose waste is contained in commercial loads being inspected.

Non-compliant materials located in a load are communicated to the hauler, customer or generator of the waste.

Non-compliant materials located in a load may also result in any penalty detailed in the Bylaw, including without limitation:

- a Warning;
- a Bylaw Ticket;
- a double tipping fee; or
- rejection of the load and sending it back to the generator for corrective action before it can be accepted at the Waste-Resource Management Centre.

**7.0 Bylaw Enforcement**

**7.1 Compliance Philosophy**

Authority staff use a balance of education and enforcement strategies to improve compliance with municipal bylaws and provincial regulations. Providing information and assistance to citizens and businesses is the first step in achieving compliance, followed if necessary by progressive enforcement action such as written notice, Warnings, fines and charges laid by investigators to be dealt with according to law in Provincial or Supreme Court.

**7.2 Enforcement Tools and Procedures**

The graduated enforcement response has been developed to address cases of failure to comply with the requirements of the Bylaw and Directives.

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The tools used by enforcement staff range from verbal communication, written notice with specific deadlines, Warnings, suspension of curbside waste collection, Notices of Violation providing for an administrative out-of-court settlement, Summary Offence Tickets (SOTs) and Long Form Information charges in Provincial Court.

The enforcement tools are chosen based on the type and severity of offence and are at the discretion of the enforcement staff and in accordance with the Offence Enforcement and Penalties provisions of this Bylaw.

**7.3 Investigation**

All complaints and information concerning alleged violations of the Bylaw received are prioritized and investigated as quickly as resources allow. As needed, during the investigation, enforcement staff will work closely with other Authority staff, municipal staff, Nova Scotia Environment Inspectors, and with the local police agencies.

The Bylaw Enforcement Officer shall be qualified as a Special Constable under the *Nova Scotia Police Act*, be a member of the Atlantic Bylaw Officers Association (ABOA) and shall participate in enforcement and compliance training opportunities.

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**Schedule B – Fee Schedule**

Waste Category	Price Per Tonne	
	Authority Members	Nonmembers
Recyclables	\$105	\$139
Organics <ul style="list-style-type: none"><li>Food waste</li><li>Yard waste</li><li>Leaves (debagged)</li><li>Leaves (bagged)</li></ul>	\$105 \$105 No Fee \$105	\$139 \$139 No Fee \$139
Garbage	\$135	\$179
Construction & Demolition Debris – Sorted <ul style="list-style-type: none"><li>Brick, asphalt, concrete</li><li>Asphalt shingles</li><li>Drywall</li><li>Wood/brush (up to 6” in diameter)</li></ul>	\$75	\$100
Construction & Demolition Debris - Mixed	\$135	\$179
Scrap Metals and White Goods One free appliance per day	\$57	\$76
Minimum Fee	\$10	\$15
Other Services		
CFC Removal from Refrigeration Units	\$20/unit	\$20/unit
Household Hazardous Waste	No Fee	No Fee
Contaminated Soil: Contact VWRM for further details.	Fee based on metric tonne	Fee based on metric tonne
Weighscale Usage (loaded weight and tare weight)	\$10.00 per load	
Please note that All Tipping Fees are exempt from HST		

**Hours of Operation:**

Kentville: Monday – Friday 8:00am-4:00pm; Saturday 8:00am-12:00Noon

Lawrencetown: Tuesday - Friday 8:00am-4:00pm; Saturday 8:00am-12:00Noon

**Note 1:** The minimum member fee applies to the following: 74 kg and less for garbage, 95 kg and less for organics, 95 kg and less for recyclables or 133 kg and less for sorted construction & demolition debris and 175 kg or less of scrap metal.

**Note 2:** The term **Authority Members** applies to anyone bringing a load generated in the Municipality of Kings and Towns of Annapolis Royal, Berwick, Kentville, Middleton or Wolfville. Loads originating outside these areas are **nonmembers**.

**Note 3:** Non-compliant loads will be charged a double-rate or rejected.

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***Schedule C - Volume Based Tipping Fee Calculation***

It may be necessary at times to operate one or both of the Waste-Resource Management Centres with inoperable scales – for example, during an emergency such as a major power failure. In such a circumstance it would be impossible to charge tipping fees based on incoming weights. Volume-based fees are one option.

The following table details conversion factors that the scale operator can use to calculate fees based on the type and volume of the material on the delivery truck.

**Volume Based Weights**

<b>MSW</b>	<b>lb./cu yd.</b>	<b>kg/cu yd.</b>	<b>kg/cu m</b>
Non-compacted	225	102	134
Compacted	750	341	446
<b>C&amp;D</b>			
Loose Mixed	560	255	333
Wood	169	77	100
Roofing	731	332	434
Concrete	860	391	511
<b>Organics</b>			
Food Waste	1,070	486	635
Leaves	225	102	134
Brush	300	136	178
Grass	400	182	238
<b>Recyclables</b>			
Paper Mixed Loose	875	398	520
Containers Mixed Loose	35	16	21

**Information from various sources including**

National Recycling Coalition Measurement Standards and Reporting Guidelines; EPA; FEECO; CIWMB 2006

**Conversions:** 1 kg = 2.2 lb.; 1 cu yd. = .765 cu meter

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**BYLAW CERTIFICATION**

<b><u>Clerk 's Annotation For Official Bylaw Book</u></b>	
Date of First Reading for Amendment	PENDING
Date of Advertisement of Notice of Intent to Consider Amendment	PENDING
Date of Final Reading for Amendment	PENDING
Date of advertisement of Bylaw Amendment	PENDING *
<i>I certify that this Bylaw was adopted by Municipal Council and published as indicated above.</i>	
	PENDING
Municipal Clerk	Date
<i>*Effective date of the Bylaw unless otherwise specified.</i>	



# STAFF REPORT

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**Report To:** Committee of the Whole  
**Meeting Date:** Tuesday, September 12<sup>th</sup>, 2023  
**Prepared By:** Connor MacQuarrie  
**Report Number:** **SR2023-67 Habitation Community MPS and LUB**  
**Subject:** File #2019-Habitation-Community-MPS/LUB: Adoption of the Habitation Community Municipal Planning Strategy and Land Use Bylaw

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## **RECOMMENDATION(S):**

That Municipal Council call a Planning Advisory Committee (PAC) meeting on October 5<sup>th</sup> at 7pm, at the Lower Granville Community Hall for consideration of the Habitation Community planning documents.

## **LEGISLATIVE AUTHORITY**

MGA Section 203: Open Meetings and Exceptions  
MGA Section 212: Municipal Planning Strategy  
MGA Section 219: Land Use Bylaw

## **BACKGROUND**

File #2019-Habitation-Community-MPS/LUB: Is an application for the adoption of the Habitation Community Municipal Planning Strategy and its accompanying Habitation Community Land Use By-law.

In 2018, a petition was brought forward from the Granville Road community which prompted the creation of a secondary planning boundary, and the Granville Road Area Advisory Committee. The group was disbanded by Council in the same year.

In 2019, Council directed staff to begin creating a secondary planning area for the Habitation Community. The Habitation Area Advisory Committee (HAAC) members were selected by Council in October 2019 with the first HAAC meeting taking place the following month.

Due to the Covid-19 pandemic, the planning process experienced multiple setbacks, with the HAAC meeting only four times between November 2019 and April 2021. Following this period, there was significant progress made with the Area Advisory Committee, with a draft Land Use Bylaw (LUB), vision statement, and goals being released on the County's website in July 2022. The release of the draft document was followed by a public engagement workshop on July 26, 2022 where the HAAC and staff led a round table discussion.

The workshop saw approximately fifty members of the public in attendance, where feedback on the draft documents saw mixed responses. To receive more diverse feedback, staff created and

hand delivered surveys to the community on August 16<sup>th</sup>, 2022, with a digital version being posted on the municipal website on August 22<sup>nd</sup>, 2022.

Following the public engagement, staff found the results to be mixed. On October 11<sup>th</sup>, 2022, municipal staff made the recommendation to expedite the planning process based on best planning practices and suggestions from the provincial planning department. The HAAC document review process then continued until May 2023 when the Habitation Area Advisory Committee set its open house to receive public feedback on the draft Municipal Planning Strategy and Land Use Bylaw.

Leading up to this stage, the Habitation Area Advisory Committee, at its June 22, 2023 meeting recommended to PAC that the draft Habitation Community MPS and LUB documents be approved and a PAC Public Meeting be held.

## **DISCUSSION**

The Planning Advisory Committee (PAC) sponsored public meeting is part of the plan review public participation process. In accordance with Section 203 of the MGA, a public meeting advertisement will be placed in the Annapolis Valley Register one-week before the established PAC Public Meeting date.

Committee of the Whole (COTW) also needs to recommend to Council a time, date, and venue for the PAC Public Meeting. Past practice has been that a PAC meeting be held within the proposed planning area.

## **FINANCIAL IMPLICATIONS**

There are minor financial implications resulting from the adoption of the Habitation Community Municipal Planning Strategy and Land Use Bylaw. Costs are included in the current operating budget.

## **POLICY IMPLICATIONS**

In coordination with the establishment of the Habitation Planning Area and the adoption of the Habitation Community Planning Documents, Section 6.1 of the Annapolis County Municipal Planning Strategy must be updated to include the Habitation Community MPS and LUB as Secondary Area Plans.

Additionally, the Future Land Use Map (FLUM) and Zoning Map Schedule(s) A, B, and C must be amended to in order to accurately convey the lands captured within the Habitation Community Planning Area.

The policy implications of adopting the Habitation Community Municipal Planning Strategy and its accompanying Land Use Bylaw include the introduction of minimum planning requirements (Section 214 of the MGA) in the Habitation Community Planning Area, as well as the amendment of the existing Annapolis County Municipal Planning Strategy and its accompanying Land Use Bylaw, for the Habitation Planning Area.

## **NEXT STEPS**

A concluding meeting of the Habitation Area Advisory Committee was held on June 22, 2023. At this meeting the Habitation Area Advisory Committee passed a motion recommending the approval of the Draft Habitation Community Municipal Planning Strategy and Land Use By-law. The next

step in the consultation process for the adoption of planning documents, is to forward the draft documents to the Planning Advisory Committee (PAC).

In accordance with Sections 204 of the *Municipal Government Act* and the County's Public Participation Policy (AM 1.3.2), the planning documents adoption process dictates that Municipal Council convene a meeting of the PAC to hold a public meeting in consideration of adopting the proposed Habitation Community Municipal Planning Strategy and Land Use Bylaw. A date, time and venue for the PAC sponsored public meeting is required.

Also, in accordance with standard municipal practice, notice of a PAC public meeting is to be placed in a local newspaper. Notice of the Planning Advisory Committee sponsored public meeting will be conducted in accordance with the County's Public Participation Policy.

#### **ATTACHMENTS**

None

#### **Prepared by:**

Connor MacQuarrie, Planner & Development Officer

#### **Approved by:**



Chris McNeill,  
Chief Administrative Officer

#### **Approval Date:**

SEPT. 7/23  
(Date)





# STAFF REPORT

**Report To:** Committee of the Whole  
**Meeting Date:** September 12, 2023  
**Prepared By:** Cheryl Mason, Manager of Protective Services  
**Report Number:** SR2023-68 Nictaux & District VFD Release of Funds  
**Subject:** Nictaux & District Volunteer Fire Department

## RECOMMENDATION(S):

That Municipal Council authorize the withdrawal of \$25,000 from the Capital Fire Services Reserve Fund to the Nictaux & District Volunteer Fire Department in the 2023-24 fiscal year.

## LEGISLATIVE AUTHORITY

Section 65 of the *Municipal Government Act*

## BACKGROUND

The Nictaux & District Volunteer Fire Department was approved by Council in 2017 to purchase a new pumper and loan payments would be established through their financial institution with payments every year in the amount of \$25,000 until the loan is repaid (anticipated to be 2028).

## DISCUSSION

There are still several years balance left on the loan.

## FINANCIAL IMPLICATIONS

Finance Department confirmed that funds are available and after the payment of \$25,000, the balance is \$549,519 in the 2023/24 Capital Fire Services Reserve fund for Nictaux.

## POLICY IMPLICATIONS

None

## ALTERNATIVES / OPTIONS

None

## NEXT STEPS

When approved by Council, staff will contact Fire Chief to advise cheque to be released.

## ATTACHMENTS

None

**Prepared by:**

Cheryl Mason, Manager of Protective Services

**Reviewed by:**

Angela Anderson, Director of Finance

**Approved by:**



Chris McNeill, Chief Administrative Officer

**Approval Date:**



Date



# STAFF REPORT

**Report To:** Committee of the Whole  
**Meeting Date:** September 12, 2023  
**Prepared By:** Dawn Campbell, Director of Corporate Services  
**Consultation Group:** Chris McNeill, Chief Administrative Officer  
**Report Number:** SR2023-69 AM-1.4.20 Waste Management Site Tipping Fees Policy - Repeal  
**Subject:** Repeal AM-1.4.20 Waste Management Site Tipping Fees Policy

## REQUEST FOR RECOMMENDATION TO COUNCIL

Staff are requesting a recommendation from the Committee of the Whole to Municipal Council to repeal AM-1.4.20 Waste Management Site Tipping Fees Policy (**7 day notice**)

## LEGISLATIVE AUTHORITY

Sub-section 47(1) of the *Municipal Government Act* states:

*The council shall make decisions in the exercise of its powers and duties by resolution, by policy or by by-law.*

Sub-section 48(3) of the *Municipal Government Act* further states:

*In addition to matters specified in this Act or another Act of the Legislature, the council may adopt policies on any matter that the council considers conducive to the effective management of the municipality.*

The process to approve a policy is described in Sub-section 48(1) of the *Municipal Government Act*:

*Before a policy is passed, amended or repealed the council shall give at least seven days' notice to all council members.*

AM-1.2.0 Committees of Council and Council Meetings Policy provides in Sub-section 47 a) 1):

*It shall be the duty of Committee of the Whole to take action on such matters as are lawfully delegated to it by the County's bylaws and policies, or by Council resolution, including but not restricted to:*

- 1) ensuring regular, periodic and comprehensive review of all bylaws and policies of the County and such consideration shall be deemed as fulfilling the requirement for seven days' notice to Municipal Council before a policy is passed, amended or repealed in accordance with Sub-section 48 (1) of the Municipal Government Act; . . .*



## BACKGROUND

*AM-1.4.20 Waste Management Site Tipping Fees Policy* was approved in anticipation of the County owning, developing and operating its own waste transfer station. With the passage of time and circumstances, the County's plans have changed in this regard. And further, the County has recently ratified an agreement for waste management services to be contracted to Valley Waste.

## DISCUSSION

Council will be considering a new waste bylaw to facilitate the contract for service provision with Valley Waste. Therefore, it is timely to repeal this policy. It will alleviate confusion regarding tipping fees in the County and repeal a policy which is unnecessary and inappropriate.

## FINANCIAL IMPLICATIONS

There are no financial implications resulting from this repeal.

## POLICY IMPLICATIONS

There are no policy implications resulting from this repeal.

## ALTERNATIVES / OPTIONS

Repeal of this policy is the only reasonable alternative.

## NEXT STEPS

If Council wishes to repeal the policy as recommended, the following recommendation from Committee of the Whole is required:

**THAT Municipal Council repeal *AM-1.4.20 Waste Management Site Tipping Fees Policy* (7-day notice).**

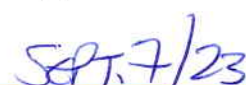
## ATTACHMENTS

*AM-1.4.20 Waste Management Site Tipping Fees Policy* (currently in effect)

Approved by:

  
Chris McNeill  
Chief Administrative Officer

Approval Date:

  
(Date)

THE MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	AM - 1.4.20
Section Municipal Services	Subject Waste Management Site Tipping Fees Policy

**1. APPLICATION**

This policy applies within the Municipality of the County of Annapolis (“the Municipality”).

**2. AUTHORITY**

Sub-section 172 (1) (e) *Municipal Government Act*, as amended

**3. POLICY INTENT**

To establish fees, called "tipping fees", that shall be payable by any individual, business or collector for depositing solid waste at solid waste management facilities in the Municipality of the County of Annapolis.

**4. SPECIFIC PROVISIONS**

4.1 The amount of a tipping fee shall be as determined by the Municipal Council of the Municipality of the County of Annapolis.

4.2 Where a tipping fee is not addressed by this Policy the Municipality may:

- (1) negotiate a tipping fee by contract with particular solid waste generators, licensed collectors, other municipalities or persons; and
- (2) by resolution, set a tipping fee of general application, subject to variation by contract.

**Municipal Clerk’s Annotation for Official Policy Book**

**I certify that this policy was adopted by Municipal Council as indicated below:**

*Seven (7) Day Notice* ..... *November 13, 2018*  
*Council Approval* ..... *December 18, 2018*

*Carolyn Young*

Municipal Clerk

**December 18, 2018**

Date

*At Annapolis Royal Nova Scotia*

THE MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL	AM - 1.4.20
Section Municipal Services	Subject Waste Management Site Tipping Fees Policy

## Appendix A – Tipping Fees

WASTE CATEGORY	PRICE PER KILOGRAM	
	Generated Within the County of Annapolis	Generated Outside the County of Annapolis
<b>Recyclables</b>	9.7 ¢	12.9 ¢
<b>Organics:</b>		
Food Waste	9.7 ¢	12.9 ¢
Yard Waste	9.7 ¢	12.9 ¢
Leaves (debagged)	No Fee	No Fee
Leaves (bagged)	9.7 ¢	12.9 ¢
<b>Garbage</b>	12.1 ¢	14.6 ¢
<b>Construction &amp; Demolition Debris (Sorted)</b> <i>[includes brick, block, concrete, asphalt, asphalt shingles, drywall, wood, brush up to 6" in diameter]</i>	5.7 ¢	7.6 ¢
<b>Construction &amp; Demolition Debris (Mixed)</b>	12.1 ¢	14.6 ¢
<b>Scrap Metals and White Goods (One free appliance per day)</b>	5.7 ¢	7.6 ¢
<b>Minimum Fee</b>	\$5.00	\$6.00
<b>OTHER SERVICES</b>		
CFC Removal from Refrigeration Units	\$20.00 per unit	\$20.00 per unit
Household Hazardous Waste	No Fee	No Fee
Asbestos (Contact Waste Management Centre for further details)	13.8 ¢	18.2 ¢
Contaminated Soil (Contact Waste Management Centre for further details)	Fee based on metric tonne	Fee based on metric tonne
Weighscale Usage (loaded weight and tare weight)	\$10.00 per load	\$10.00 per load
Used Wood Pallets (for sale)	\$2.00 each	\$2.00 each

### NOTES:

The minimum fee applies to the following:

- 41 kg and less for garbage
- 50 kg and less for organics
- 50 kg and less for recyclables
- 90 kg and less for sorted construction and demolition debris
- 90 kg and less for scrap metal

Non-compliant loads will be charged a double rate or rejected.



# STAFF REPORT

**Report To:** Committee of the Whole  
**Meeting Date:** September 12, 2023  
**Prepared By:** Dawn Campbell, Director of Corporate Services  
**Consultation Group:** Chris McNeill, Chief Administrative Officer  
Kate MacLean, Human Resources Coordinator  
**Report Number:** SR2023-70 Policy 102 Personnel - New  
**Subject:** Approve Policy 102 - Personnel

## REQUEST FOR RECOMMENDATION TO COUNCIL

Staff are requesting a recommendation from the Committee of the Whole to Municipal Council to approve Policy 102 - Personnel (7 day notice)

## LEGISLATIVE AUTHORITY

Sub-section 47(1) of the *Municipal Government Act* states:

*The council shall make decisions in the exercise of its powers and duties by resolution, by policy or by by-law.*

Sub-section 48(3) of the *Municipal Government Act* further states:

*In addition to matters specified in this Act or another Act of the Legislature, the council may adopt policies on any matter that the council considers conducive to the effective management of the municipality.*

The process to approve a policy is described in Sub-section 48(1) of the *Municipal Government Act*:

*Before a policy is passed, amended or repealed the council shall give at least seven days' notice to all council members.*

AM-1.2.0 *Committees of Council and Council Meetings Policy* provides in Sub-section 47 a) 1):

*It shall be the duty of Committee of the Whole to take action on such matters as are lawfully delegated to it by the County's bylaws and policies, or by Council resolution, including but not restricted to:*

- 1) ensuring regular, periodic and comprehensive review of all bylaws and policies of the County and such consideration shall be deemed as fulfilling the requirement for seven days' notice to Municipal Council before a policy is passed, amended or repealed in accordance with Sub-section 48 (1) of the Municipal Government Act; . . .*

## BACKGROUND

It has been recognized in recent years that the County's policies relating to human resources (including recruitment, benefits and standards of performance) needed to be reviewed and updated. As an employer, matters of inclusiveness, fairness, transparency, and employee recruitment / retention must be weighed and considered carefully.

The process to develop this new policy has spanned two years and has included an examination of best practices of other governments and public sector entities. Senior staff have also had opportunity to review and provide input. Seven (7) previous policies will be repealed upon approval of the new policy. Furthermore, ten (10) new policy sections have been added.

This policy repeals and replaces the following municipal policies which are available for review on the County's website:

- *AM-2.1.1 Daily Work Schedule Policy*
- *AM-2.1.2 Bereavement Leave Policy*
- *AM-2.1.3 Statutory Holidays and Paid Holidays Policy*
- *AM-2.1.4 Vacation Leave Policy*
- *AM-2.1.5 Sick Leave Policy*
- *AM-2.1.22 Inclement Weather / Unsafe Travel Conditions Policy*
- *AM-2.1.23 Office Worksite Closures Policy*
- *AM-2.2.3 Overtime Policy*
- *AM-2.5.2 Employee Training and Development Policy*
- *AM-3.2.1 Hiring Policy*

## DISCUSSION

The new, consolidated personnel policy is more concise and easier to understand. Administrative detail such as forms and reporting time frames will be provided in eleven (11) standard operating procedures to be reviewed and approved by the CAO. The table below provides an overview of significant changes that would be enacted upon approval of this policy and repeal of the previous human resources policies:

Policy section	Change
Code of Conduct	New
Hiring authority / practices	Previously in <i>AM-3.2.1 Hiring Policy</i> <u>Changes:</u> <ul style="list-style-type: none"><li>• <i>Qualified current employee will be provided the opportunity for advancement as determined appropriate by the CAO</i></li></ul>
Employment equity and diversity	Previously in <i>AM-1.6.1 Employment Equity Policy</i> <u>Changes:</u> <ul style="list-style-type: none"><li>• <i>More clear and concise wording to reflect current legislation</i></li></ul>
Hours of work	Previously in <i>AM-2.1.1 Daily Work Schedule Policy</i> <u>Changes:</u> <ul style="list-style-type: none"><li>• <i>Clearer explanation of when flexible work arrangements might be considered</i></li><li>• <i>New – remote work arrangements may be considered</i></li></ul>



Professional development	Previously in AM-2.5.2 <i>Employee Training and Development Policy</i> <u>Changes:</u> <ul style="list-style-type: none"> <li>• <i>Requires training and development provisions in annual budgets</i></li> <li>• <i>Return of service requirements stated in Standard Operating Procedures (SOP)</i></li> </ul>
Employee classification, salary scales, wage rates	New
Overtime	Previously in AM-2.2.3 <i>Overtime Policy</i> <u>Changes:</u> <ul style="list-style-type: none"> <li>• <i>Clarifies managers / directors not normally eligible for overtime except limited circumstances described</i></li> </ul>
Paid holidays	Previously in AM-2.1.3 <i>Statutory Holidays &amp; Paid Holidays Policy</i> <u>Changes:</u> <ul style="list-style-type: none"> <li>• <i>Added "and any other day proclaimed as a holiday by the Employer"</i></li> <li>• <i>Formalizes that offices closed to public between Christmas Day and New Year's Day</i></li> </ul>
Paid vacations	Previously in AM-2.1.4 <i>Vacation Leave Policy</i> <u>Changes:</u> <ul style="list-style-type: none"> <li>• <i>Reduced maximum vacation leave from 8 weeks to 6 weeks</i></li> <li>• <i>Increase to 4 weeks vacation after 5 years employment (formerly 10 years)</i></li> </ul>
Pension and group insurance plans	AM-2.3.1 <i>Pension Policy</i> remains in effect <ul style="list-style-type: none"> <li>• <i>Describes employee eligibility and waivers</i></li> </ul>
Bereavement leave	Previously in AM-2.1.2 <i>Bereavement Leave Policy</i> <ul style="list-style-type: none"> <li>• <i>New definitions of family members</i></li> <li>• <i>Must not be estranged from family member to qualify for leave</i></li> </ul>
Sick leave	Previously in AM-2.1.5 <i>Sick Leave Policy</i> <ul style="list-style-type: none"> <li>• <i>Clarifies no more than 120 consecutive paid sick days</i></li> <li>• <i>Administrative procedures for leave in Standard Operating Procedure (SOP)</i></li> </ul>
Return to work	New <ul style="list-style-type: none"> <li>• <i>In accordance with requirements of Workers' Compensation</i></li> </ul>
Maternity / parental leave	New <ul style="list-style-type: none"> <li>• <i>As adopted by other similar sized municipalities; this is a strong tool for recruitment of new employees</i></li> </ul>
Compassionate / critical care leave	New <ul style="list-style-type: none"> <li>• <i>In accordance with legislated requirements</i></li> </ul>
Emergency service volunteers leave	New <ul style="list-style-type: none"> <li>• <i>Supports volunteerism in our community</i></li> </ul>
Paid volunteer work day	New <ul style="list-style-type: none"> <li>• <i>Encourages employees to be community volunteers</i></li> </ul>

Building or Facility Closures / delayed openings	Previously in AM- 2.1.22 Inclement Weather / Unsafe Travel Conditions Policy and AM-2.1.23 Office Worksite Closures Policy • Added opportunity to work from home
Use of personal vehicle for work travel	New - requirements and safe guards for use of personal vehicles for work
Use of Municipally-owned vehicles / GPS	New
Performance review	New

At a Special Committee of the Whole Meeting on June 27, 2022 a working group was formed to review this policy (Councillors Gunn, Longmire and Hudson). The Committee never met based on direction from former staff. However, given that the changes are of minimal impact, it is being provided to Committee of the Whole for discretion as to whether it requires being referred to a working group.

### FINANCIAL IMPLICATIONS

Tangible financial impacts are minimal – primarily providing cost-sharing of benefits and top-up of EI benefits for maternity and paternity leave. Substantially these are off-set by lower remuneration and benefit costs for temporary, replacement employees.

### POLICY IMPLICATIONS

As noted above, enactment of this policy will replace and repeal seven (7) previous policies.

### ALTERNATIVES / OPTIONS

Council can approve the new policy.

Council could decide not to approve the new policy and continue with the previous policies unchanged.

Council could decide to refer the new policy for review to the working group.

### NEXT STEPS

If Council wishes to approve the recommended policy, the following recommendation from Committee of the Whole is required:

**THAT Municipal Council approve Policy 102 - Personnel as circulated (7-day notice).**

### ATTACHMENTS

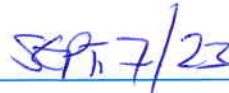
Policy 102 - Personnel (draft as proposed)

Approved by:



Chris McNeill  
Chief Administrative Officer

Approval Date:



(Date)



COUNTY of ANNAPOLIS  
NATURALLY ROOTED

## Policy 102 - PERSONNEL

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## **Preamble**

This policy applies to all non-union employees of the Municipality of the County of Annapolis. Its purpose is to document approved, formal personnel practices and to ensure that there is a clear understanding of the terms, conditions and requirements governing employment with the municipality. Equitable work practices that embrace diversity and support inclusion will attract and retain a talented workforce. This is a cornerstone and catalyst for a strong community.

## **Definitions**

1. The requirements in this policy are intended to complement, supplement and be consistent with the requirements of the *Municipal Government Act* and applicable labour legislation.
2. In this policy, unless the context otherwise requires:
  - a. "Accommodation" - any adjustment in the terms and conditions of employment or the physical environment which may be required as a result of an employee's documented medical or physical disability, whether permanent or temporary. Accommodations shall be provided to the point of undue hardship to the employer.
  - b. "Barriers" - formal or informal policies or practices (written or unwritten) that disproportionately restrict or exclude individuals based on factors unrelated to the nature of work, merit, or safety.
  - c. "Career Track" - a plan developed jointly by the employer and employee setting out the employee's goals for possible future positions, responsibilities, training, education and certifications.
  - d. "CAO" - Chief Administrative Officer of the Municipality of the County of Annapolis;
  - e. "Council" - Municipal Council of the Municipality of the County of Annapolis;
  - f. "Diversity" - refers to a broad range of attributes. Some aspects of diversity can be seen while others may be invisible. Elements of diversity include race or ethnicity, religion, culture or newcomer status, geography, language, politics, gender, beliefs, sexual orientation, economic status, abilities, skills and interests. A diverse workplace is one that reflects our communities.
  - g. "Human Resources Administrator" - the employee designated by the Chief Administrator to carry out the responsibilities assigned in this policy;
  - h. "Management" - CAO, directors, and managers of the municipality;
  - i. "Municipality" means the Municipality of the County of Annapolis;
  - j. "Overtime" - hours worked in excess of normal work hours for which some employees (based on classification and job description) may be entitled to compensation in the form of pay or time off in lieu;
  - k. "Relative" – includes any person who is a spouse, child, grandchild, sibling, parent, grandparent, or fiancé(e) of an employee, and is not estranged. This definition shall also include a person with whom an employee resides.
  - l. "Supervisor" - the person (or persons) to whom the employee directly reports, as set out in the employee's job description and the organizational chart.

### **Management Rights and Responsibilities**

3. Management is responsible for the implementation, administration, and interpretation of this policy. Every effort shall be made to ensure that it is applied in a timely, consistent, fair and equitable manner.

### **Code of Conduct**

4. The following Code of Conduct does not acknowledge every potential ethical question or situation that may arise. It is designed to promote ethical and respectful decision-making and conduct. Should a situation arise where a staff member is unsure on how to appropriately act as a municipal representative, they should speak to their supervisor.
5. County of Annapolis employees are public servants with duties and responsibilities serving the needs of residents. As such, employees are entrusted with upholding and adhering to the County's bylaws and policies, as well as all applicable federal and provincial laws. They must observe a high standard of ethical behavior in the conduct of their official duties and faithfully fulfill the responsibilities of their offices, regardless of their personal or financial interests. A high level of professionalism in the workplace, in public, and online is required of all staff.
6. Municipal staff shall perform their duties with honesty and integrity in a manner that is helpful, respectful, and courteous. Employees will do their jobs to the best of their abilities, treating others with respect, courtesy, and dignity.
7. Employees shall faithfully and diligently endeavor to develop or enhance programs and services that address the needs of residents in an efficient and effective manner. Employees shall function at the level expected of those who work in the public's best interests.
8. Municipal time and assets are to be used only for the performance of municipal duties and as approved by the appropriate supervisory staff. Employees are required to care for municipal assets, including all property, equipment, software, information, and materials.
9. Employees shall not exceed their authority or knowingly / intentionally breach the law or ask others to do so. They shall work in full co-operation with other public officials and employees unless prohibited from doing so by law.
10. Municipal staff shall not provide or receive any gift, benefit, or favour in exchange for special considerations or influence, or in a manner that it may be perceived to be in exchange for special treatment.
11. Employees must remove themselves from any decision process that may result in actual or perceived personal gain, favouritism, or benefit. Awarding of municipal tenders, job opportunities, land sales, and disposal of surplus assets shall be carried out impartially – without any advantage or favouritism to themselves or others.
12. County of Annapolis employees shall use, collect, and disclose information only for the purposes of carrying out municipal duties and in accordance with Part XX of the *Municipal Government Act* (Freedom of Information and Protection of Privacy). Personal, business, or financial information shall be used only for the intended purposes for which it was provided.

13. In the course of carrying out their responsibilities, employees will gain knowledge and be entrusted with detailed confidential information concerning the business of the municipality and its employees, residents and businesses, the disclosure of which would be highly detrimental to their interests. Employees must treat confidentially all such information received during the course of their employment.
14. All employees have the right to take part in political activity, but only on their own time. Should a municipal employee decide to run for elected office in government, the employee must first seek an unpaid leave of absence for the time period between the day they announce their intention to seek public office and voting day. Should the employee win their seat, it will be understood that the employee will resign from employment with the municipality immediately before taking their elected seat.

### **Hiring Authority**

15. Council has the responsibility and authority to hire the Chief Administrative Officer (CAO) and to negotiate their terms of employment. Council may engage third parties to assist in this hiring process.
16. The CAO (or designate) shall be responsible for directing and managing all employees of the municipality including authority to:
  - a) establish and change employment procedures, programs, rules and guidelines as deemed necessary for the safe, efficient, economic and effective operation;
  - b) hire, appoint, suspend, remove, layoff, or terminate any employee;
  - c) set the terms of employment for all employees of the municipality;
  - d) establish departments of the municipal administration;
  - e) adopt a system of classification of positions of municipal officers and employees;
  - f) determine the salaries, wages and emoluments to be paid to municipal employees, including payment pursuant to a classification system and approved budgets.

### **Hiring Practices**

17. It shall be the practice of the municipality to recruit and select employees in accordance with all provisions of the *Nova Scotia Human Rights Act*.
18. Qualified and capable existing employees will be provided the opportunity for advancement as determined appropriate by the Chief Administrative Officer.
19. Vacancies not filled by existing employees shall be advertised and open to all qualified applicants. The selection of a successful applicant shall be based on education, training, experience, ability, competence, attitude and character.
20. Relatives and friends of council members or employees who apply for employment with the municipality will not be favoured or discriminated against.
21. Relatives may be employed only where they will not be working directly for or supervising a relative.

22. Employees shall not be transferred into a reporting relationship as described above.
23. Council members and existing employees shall not contact members of a selection committee or the Chief Administrative Officer regarding or on behalf of a particular applicant.
24. Staff with friends or relatives who are applicants for a position are not permitted to participate in the hiring process for this position.
25. If an applicant provides a councillor or existing employee as a reference, the applicant will be requested to provide an alternate reference.
26. Councillors and employees directly involved in any hiring process must be knowledgeable of and abide by the provisions of the *Municipal Conflict of Interest Act*.

### **Employment Equity and Diversity**

27. The municipality shall provide equitable employment opportunities to all by identifying and alleviating barriers including (but not limited to) discrimination based on:
  - a) age;
  - b) race;
  - c) colour;
  - d) religion;
  - e) creed;
  - f) sex;
  - g) sexual orientation;
  - h) gender identity;
  - i) gender expression;
  - j) physical / mental disability;
  - k) ethnicity;
  - l) family status;
  - m) marital status;
  - n) source of income;
  - o) political belief / affiliation / activity or association with those having these characteristics;
  - p) and any other described discrimination as contained in the *Nova Scotia Human Rights Act*.
28. The CAO shall ensure strategies are developed to promote equity and diversity in the workplace.
29. An applicant for employment with the County of Annapolis who believes they have received unfair treatment based on discrimination can register a written complaint with the Chief Administrative Officer.

### **Hours of Work**

30. Employees are expected to devote working hours to employment responsibilities.



31. Regular working hours are from 8:30 a.m. to 4:30 p.m., Monday to Friday (inclusive). These hours may be varied due to operational requirements or by express agreement between the employee and their supervisor.
32. The municipality recognizes the benefits to employees through flexible and remote work arrangements. The CAO or directors may determine that certain positions and their duties permit an alternate working arrangement that differs from a traditional work arrangement. Alternate work arrangements (periodic, temporary, or permanent basis) may consist of compressed work weeks, flexible hours or flex-time schedules, job sharing, or off-site work locations. In making this determination, the CAO or directors shall consider all relevant circumstances and the requirements of the municipality's business. Accordingly, the following considerations shall guide all flexible work arrangements and be used in evaluating the functionality of such arrangements:
  - Use of human and other resources (including information technology) to ensure efficiency;
  - Productivity of the employee;
  - Effect on service levels and public access to employees (positive and negative);
  - Impact on the work flows of other employees;
  - Alleviation of employment barriers;
  - Ability to meet work standards, particularly communication with colleagues and the public.
33. Alternate work arrangements will be 1) considered on a case-by-case basis; 2) approved in advance; 3) documented in writing; and 4) meet the following criteria:
  - a) Absence from the office shall have no or minimal impact on the workplace;
  - b) Clear, defined outcomes must be established to monitor performance;
  - c) If working from home, the employee must have the necessary equipment or software and proper security in place to work from home.
34. Working hours may also be varied based on family and medical reasons or as otherwise provided in the *Nova Scotia Labour Standards Code*.
35. Employees are entitled to all breaks as provided under the *Nova Scotia Labour Standards Code*.
36. Management has the authority to schedule lunch and breaks for individual employees as may be required to maintain service levels.

### **Managing Unsatisfactory Performance / Corrective Actions**

37. "Corrective Actions" are measures designed to address unsatisfactory conduct or performance. They are dependent on the specific circumstances and may range from counseling to verbal or written warnings, which are within the authority of Management; or suspension or dismissal, which are within the authority of the CAO.
38. *AM-2.4.2 Managing Unsatisfactory Performance Policy* applies to all employees of the Municipality.

### **Professional Development**

39. The municipality is committed to continuous employee performance management and professional development. This process is intended to:
  - a) enhance the effectiveness and efficiency of the organization and its employees;
  - b) focus resources on strategic priorities;
  - c) align organizational objectives within the organization;
  - d) provide a forum to discuss position responsibilities and training and career opportunities, and build strong, positive relationships between management, supervisors and staff.
40. Having competent, knowledgeable, and highly trained staff facilitates the municipality's mandates, priorities and objectives being met.
41. Supervisors will endeavor to place capable, competent, and motivated employees on specific career tracks. These career tracks will form part of a strategic succession plan for the municipality. Employees will be informed, and must accept, that career tracks and succession plans are subject to change by management due to internal and / or external factors.
42. Annual operating budgets will provide funding for training and professional development opportunities and programs targeted to increase the efficiency and effectiveness of employees.
43. Supervisors shall be mindful of providing both formal and informal mentoring and coaching opportunities for their employees.
44. As deemed appropriate by the CAO and supervisors, employees will be required or encouraged to be members of relevant professional development agencies or associations. The municipality will pay the costs of such memberships.
45. At the discretion of the applicable supervisor, employees that attend or complete any professional development session or program may be required to prepare and present a report to other staff or Council.

### **Employee Classification, Salary Scales, Wage Rates**

46. The municipality's employee classification system includes the approved organization chart, a listing and number of approved positions and salary scales.
47. The authority to approve changes to positions / job descriptions rests solely with the CAO. The Human Resources Administrator has the responsibility for drafting and maintaining revisions to the position descriptions.
48. A salary scale and responsibility review and comparison to other rural municipalities will be conducted every five (5) years commencing in the 2023 / 2024 fiscal year.
49. Salary scale increments for individual employees are based on performance evaluation, demonstrated commitment to the strategies and objectives of the municipality, and dedication to quality public service.

50. Council has the responsibility and authority to approve salary scale increments for the CAO position.
51. The CAO has the responsibility and authority to approve salary scale increments for all other employees of the municipality.
52. The CAO, in consultation with the Human Resources Administrator, has the responsibility and authority for initial placement of that new employee at the appropriate level on the salary scale. This placement will be based on the following factors:
  - a) the academic qualifications, training, and skill achievements of the new employee compared to those set out in the position description as being required or desirable; and
  - b) market conditions and market demands for candidates.
53. The CAO may consider making changes to the approved classification system or salary scales in consultation with directors and managers.
54. In some cases the CAO may agree in advance that attainment of specific career track goals or assumption of increased responsibilities will result in a specified salary scale change.
55. The municipality shall annually consider an increase to all non-union employee salary scales in consideration of cost of living changes.

### **Overtime**

#### **(For non-union employees other than Managers and Directors)**

56. The municipality shall endeavor to maintain appropriate staffing levels for the management, administration and operations of the municipality so as to minimize overtime requirements.
57. Management and employees should be mindful of the need to reduce and contain costs while striving to maintain and improve the quality and effectiveness of services. Accordingly, it is incumbent upon all staff to first question the necessity of overtime, while exercising critical judgement concerning the issues of productivity, cost and customer service.
58. Supervisors have the authority to approve all overtime and time off in lieu in accordance with the provisions of this policy and the county's standard operating procedures, subject to budget limitations.
59. Time off in lieu of overtime pay shall be used to the greatest extent possible.

#### **(For Managers and Directors)**

60. Managers and directors may be required to work a reasonable number of hours outside normal office hours without additional compensation as required to ensure the responsibilities of those positions are performed.
61. Directors and managers may be provided time off in lieu on a straight time basis for attending meetings outside of their normal work hours when the meeting exceeds two (2) hours in duration.
62. Directors and managers may be compensated on a straight time basis for other work activities outside regular hours, at the discretion of the CAO.

### **Paid Holidays**

63. The following are recognized as paid holidays:

- a) New Year's Day
- b) Nova Scotia Heritage Day
- c) Good Friday
- d) Easter Monday
- e) Victoria Day
- f) Canada Day
- g) Civic Holiday / Natal Day
- h) Labour Day
- i) National Day for Truth and Reconciliation
- j) Thanksgiving Day
- k) Remembrance Day
- l) Christmas Eve
- m) Christmas Day
- n) Boxing Day

and any other day declared or proclaimed as a holiday by the Employer.

64. When Christmas Day falls on a Wednesday, Thursday, Friday or Saturday, the municipality shall grant each employee one-half day holiday with pay on Christmas Eve. When Christmas Day falls on a Tuesday, the municipality shall grant each employee a full day holiday with pay on Christmas Eve.
65. An employee shall be paid for a holiday in accordance with the *Labour Standards Code*.
66. An employee shall be paid for a holiday if the employee has received or is entitled to receive pay for at least 15 days during the 30 calendar days immediately preceding the non-statutory holiday and the employee has worked on the employees' scheduled day immediately preceding and immediately following the non-statutory holiday(s).
67. Municipal Offices will be closed to the public from the last working day before Christmas Day to New Year's Day without the requirement for employees to take this time from banked overtime or vacation time (as approved in May 2010 in lieu of pay increase).

### **Paid Vacations**

68. All vacation entitlements shall be calculated based on the Municipality's fiscal year (April 1 to March 31), and shall be prorated in accordance with commencement, anniversary and end of employment dates.
69. Temporary or term employees shall receive vacation time or pay in lieu in accordance with the *Labour Standards Code* unless they have been provided additional benefits in an employment agreement with the Municipality.
70. Employees on leave of absence without pay do not accumulate vacation or sick leave entitlement.

71. Effective April 1, 2024, permanent full time employees and probationary employees hired after 1992 shall be entitled to vacation in accordance with the following schedule:
- a) 1.25 days per month up to and including the fourth year of employment calculated from the employee's commencement date,
  - b) 1.67 days per month from the commencement of the fifth year of employment and up to and including the thirteenth year, and
  - c) 2.083 days per month from the commencement of the fourteenth year of employment up to and including the twentieth year, and
  - d) 2.5 days per month from the commencement of the twenty-first year and henceforth.
72. Employees hired in 1992 or before will continue to be entitled to one additional day per year of service to a maximum ten additional days.
73. Permanent part-time employees are eligible for vacation with pay on a pro-rata basis in accordance with the schedule above.
74. Paid holidays that occur during an employee's vacation leave are not deducted from an employee's vacation leave entitlement.
75. Any employee who leaves the employ of the Municipality during the fiscal year shall have their vacation entitlement prorated, and in the event vacation in excess of the prorated entitlement has been taken, the salary received for the excess shall be repaid to the Municipality.
76. Upon separation of employment for any reason, unused, earned vacation leave owing to an employee is to be paid at the regular rate of pay the employee received immediately prior to separation.
77. The Chief Administrative Officer, or someone designated or delegated to act on their behalf, has discretionary authority to recognize acceptable equivalent service in determining the accumulation of vacation leave entitlement of to be offered to new employees and such determination shall be explicitly stated in the employment agreement.

### **Pension and Group Insurance Plans**

78. Any employee who has obtained a permanent position is eligible to participate in the Municipality's registered pension plan, subject to the requirements of that plan.
79. Any employee who has obtained a permanent position is eligible to participate in the Municipality's extended health, dental, life insurance, accidental death and dismemberment, and long term disability plans (subject to the requirements of those plans). Eligible employees are required to participate in the life insurance, accidental death and dismemberment, health and long term disability plans. If an employee's spouse has similar coverage, an employee may sign a waiver with respect to their participation in health and dental coverage.

## **Bereavement Leave**

80. Employees bereaved by the death of a family member will be granted time off from work, without loss of pay, in accordance with the following schedule and conditions:
  - a) In the event of a regular full-time or part-time employee's current spouse or partner, parent, brother, sister, grandchild, child (including those acquired through legal adoption) and the mother, father, brother, sister, grandchild or child of the employee's current spouse or partner, including current step relations, or any other person who at the time of their death resided with the Employee, the Employee shall be entitled to be absent from work for a period not to exceed five (5) consecutive working days.
  - b) In the event of a regular full-time or part-time Employee's grandparent, the grandparent of the Employee's spouse, aunt, uncle, the aunt or uncle of the Employee's spouse or partner, including current step relations, niece, nephew, the niece or nephew of the Employee's spouse or partner, the Employee shall be entitled to be absent from work for a period not to exceed two (2) consecutive working days.
81. All bereavement leave is subject to the approval of the supervisor to whom the employee reports.
82. When the funeral is held at considerable distance and the employee attends, a maximum of two additional days may be granted for travel at the discretion of the supervisor.
83. In the event additional time is necessary for compassionate purposes, an employee may request vacation, lieu time or additional days of unpaid leave and such days may be granted at the same time as the initial leave at the discretion of the Chief Administrative Officer.

## **Sick Leave**

84. The Municipality allows employees to earn and accumulate sick leave benefits ("sick leave") in order to provide some protection against loss of pay:
  - a) in the case of long term incapacity, during the period between cessation of work and commencement of other benefits, plans or insurance; and
  - b) in the case of short term inability to work due to illness, injury or the need to obtain medical treatment.
85. Normally all sick leave earned will not be used in short term situations and, with the passage of time, employees will accumulate the maximum allowable in order to give them protection in the event of serious and extended health problems.
86. Employees shall earn sick leave at the rate of one and one-half days per month worked. Unused sick leave can be accumulated to a maximum of one hundred twenty (120) days [short term sick leave bank].
87. Permanent part-time employees shall earn sick leave credits on a pro-rated basis of twelve (12) hours per 173 hours worked. The maximum accumulation will be one hundred twenty (120) days (hours pro-rated to 120 working days) [short term sick leave bank].
88. An employee may take no more than one hundred twenty (120) consecutive paid sick days.

89. An employee who has a specialist, dental or medical appointment and provides documentation to that effect shall be entitled to use sick days from their sick leave bank to attend such appointments provided the employee has banked those days.
90. In the case where an employee is considered to be using a habitual, unusual or excessive amount of sick time, the municipality reserves the right to require written reports from the employee and a physician / medical professional.
91. It is the responsibility of the employee to make arrangements for the needs during illness or injury of a person dependent on the employee for care. When no one other than the employee can provide these needs, an employee shall be allowed to use up to five (5) days leave with pay in any one fiscal year. Such leave shall be charged against and only available to the extent of available earned or accumulated sick leave. The employee also has the option to use vacation leave for such purposes.
92. Abuse of sick leave benefits is subject to corrective action up to and including dismissal.
93. No payment shall be made for accumulated sick leave upon retirement or if an employee separates for any reason.

#### **Return to Work**

94. The County of Annapolis supports early intervention and gradual return to work practices (such as modified duties or hours) to allow employees to return to work while they recover from an injury or illness.
95. Human Resources Administrator shall support and facilitate the early and safe return to work of the employee by:
  - (a) contacting the employee as soon as possible after the injury / illness occurs and maintaining communication throughout the period of the worker's recovery;
  - (b) coordinating suitable return to work arrangements that are consistent with the worker's functional abilities and that, when possible, restores the employee's pre-injury earnings;
  - (c) keeping the CAO and the employee's supervisor informed of the employee's recovery; and
  - (d) doing such other things as may be prescribed by legislation.
96. The employee shall co-operate in their early and safe return to work by:
  - (a) contacting the Human Resources Administrator as soon as possible after the injury or illness occurs and maintaining communication in a timely manner throughout their period of recovery;
  - (b) cooperating to identify suitable return to work arrangements, tasks, hours and conditions consistent with the worker's functional abilities and that, when possible, restores their pre-injury earnings;
  - (c) arranging for and providing such reports from their medical professional as are requested in a timely manner; and
  - (e) doing such other things as may be prescribed under this policy or other relevant legislation.

97. The Administrator may contact the employee to obtain an update on the progress of their recovery and to offer assistance to enable the employee's return to work.
98. The Administrator may contact the employee's medical professional to obtain an update on the progress of the employee's recovery and to offer assistance to enable the employee's return to work. Any associated cost shall be borne by the municipality.
99. The County shall accommodate the tasks, hours or the workplace location for the employee to the extent that the accommodation does not cause undue hardship.

#### **Maternity / Parental Leave**

100. The Municipality shall grant such maternity and paternity leave as is prescribed by federal and provincial regulations.
101. The municipality shall continue to cost-share on benefits for any employee that is on maternity or paternity leave provided that the employee on leave contributes the employee share of the required premiums. Such premiums may be deducted in advance of the leave or paid during the leave by pre-authorized payment. Payment arrangements must be made in advance through Finance and Payroll Clerk to ensure there is no interruption to employee benefits coverage.
102. Employees on Parental Leave will receive a top-up payment of their Parental Leave EI benefits for a period of up to sixteen (16) weeks to 70% of their weekly rate of pay. Top-up payments will be reduced by applicable deductions and any other earnings received by the Employee during the benefit period.

#### **Leave Without Pay**

103. Requests for leave without pay will be considered on a case-by-case basis and may be granted or refused at the sole discretion of the CAO.
104. The maximum cumulative amount of leave without pay that may be granted to an employee is six (6) months after an employee has been employed over three (3) years.

#### **Compassionate / Critical Care Leave**

105. The *Labour Standards Code* requires an employer to provide unpaid leave for employees providing care and support to injured or critically ill family members under certain circumstances.
106. Employees must give their employer as much notice as possible before taking such leave.
107. Depending on the employee's job description and length of leave, a temporary employee may be hired to cover their tasks or another employee designated to temporarily cover their duties.

#### **Emergency Service Volunteers Leave**

108. The Municipality supports local volunteer emergency service providers and recognizes the contributions these organizations and their members make to the health, safety, and wellbeing of the public.



109. Volunteer Fire Departments, Ground Search and Rescue, Canadian Red Cross, St. John's Ambulance, Medical First Responders, EMO Responders, (including radio operators) and any other volunteer emergency response organizations approved in writing by the CAO are approved organizations for the purpose of Emergency Service Provider Leave.
110. Employees wishing to be eligible for Emergency Service Provider Leave must inform the Municipality in writing of their membership in an organization, and in advance of any such leave being taken pursuant to this policy.
111. Employees who are members of approved organizations, and who do not receive any remuneration relative to emergency response activities, will be permitted to respond to emergency situations as a member of the organization without loss of regular pay and benefits.
112. The Municipality reserves the right to require that an employee return to regular duties, notwithstanding that the emergency response may be ongoing.
113. Use of County-owned vehicles should be only for the purpose for which they are issued and they should not be deployed as emergency service vehicles.
114. The Municipality will grant up to ½ day leave from 8:30 a.m. to 12:00 p.m. with pay to an employee who is a volunteer emergency responder and who has been out on a call for more than two (2) hours between the hours of 12:00 a.m. and 6:00 a.m. the night before. Leave must be approved by the Department Manager.

#### **Paid Volunteer Work Day**

115. The Municipality supports and encourages employees to be members of registered charitable and not for profit organizations that provide services to the residents of the County of Annapolis.
116. The County will provide one (1) full day per fiscal year with pay for its employees to participate in such activities.
117. An employee's supervisor has the authority to approve this paid volunteer work day.
118. Employees must give their supervisor as much notice as possible before taking the leave.

#### **Building or Facility Closures / Delayed Openings**

##### ***Definitions***

119. Designated Services – Services determined by the Chief Administrative Officer to be essential or necessary in their nature (e.g., snow removal; operation of water / wastewater treatment facilities; emergency management operations during periods of activation or declared emergency).

##### ***General***

120. Employees are expected to make every effort to report for work and continue to work during their scheduled working hours. With the exception of those employees who provide designated services as defined in this policy, employees should assess their own ability to get to and from work safely and consult with their supervisor / manager. Employees may make alternate arrangements with the approval of their immediate supervisor / manager including approval to take paid time off (lieu time or vacation).

121. In the event that offices or worksites are closed due to extreme storm or hazardous conditions, employees who provide designated services are required to report to or remain at work, or be able to work from home or another safe location.
122. The decision to close municipal buildings or facilities will be the responsibility of the CAO (or designate). In recognition that weather and other conditions will differ from one location to another, it may be appropriate for worksites or facilities in one or more locations to close while others remain open. Factors that may contribute to the closure include: weather conditions or forecasts, pandemics, school or government office closures, road conditions, declared state of emergency and issuance of police / public health warnings.
123. In the event a building or facility is closed pursuant to the preceding section there will be no loss of pay or other benefits.
124. All employees shall be paid for their regularly scheduled hours of work during periods of office closures.
125. Those employees that choose to remain at work during such building closures or that may be required to work at home are not eligible to receive incremental pay or accumulate overtime during regular work hours.

#### **Expense Reimbursement / Travel Allowances**

126. The Municipality shall reimburse employees for allowable expenses incurred that are associated with employees carrying out the responsibilities of their positions.
127. All requests for reimbursement of expenses and travel allowances will be in accordance with *AM-1.8.1 Travel and Expenses Policy*.

#### **Use of Personal Vehicle for Work Travel**

128. Whenever possible and practical, employees shall use county vehicles for travel.
129. Travel reimbursement rates are as set out in *AM-1.8.1 Travel and Expenses Policy* and may be adjusted from time to time.
130. Employees who are working from an external location (i.e., flexible work arrangement / work from home) shall not be entitled to reimbursement for travel between the external site and their designated employer worksite.
131. Employees shall only be authorized to use their personal vehicle for carrying out county business if they meet (and continue to meet) the following conditions:
  - Possess a valid driver's license in good standing and valid for the type of motor vehicle being used;
  - Vehicle is legally registered;
  - Vehicle passes safety inspection and maintained as such;
  - Current minimum automobile insurance is in place and maintained;
132. The municipality does not accept any liability under any circumstances for claims arising from the use of privately owned automobiles. Person(s) using privately owned automobile(s) for municipal business travel are responsible for ensuring: the automobile(s) is properly insured for such use; compliance with all relevant statutory requirements; and payment of insurance premiums.

133. Employees travelling for municipal business are considered to be at work. Regardless of the time the employee chooses to leave, they shall be considered as having left at the appropriate time. (For example: for a meeting in Halifax the following morning, an employee would be expected to leave after lunch. If an employee chooses to leave earlier, they will be expected to use vacation leave. If an employee chooses to leave after work, they will not accumulate overtime.) Travel on a Sunday for a Monday morning meeting will be compensated at straight time with time in lieu. Travel times will be subject to weather conditions at the discretion of the CAO.

#### **Use of Municipally-Owned Vehicles / GPS**

134. Any employee who has their driver's license revoked or suspended shall notify their supervisor immediately. In this circumstance, the employee shall immediately cease any use of personal vehicles for work travel.
135. Driver's abstracts must be obtained and provided to the county upon request.
136. All employees are required to comply with all laws and regulations related to the operation of motor vehicles, as well as county policies.
137. The employer shall not be responsible for any fines or charges resulting from negligent or illegal operation of municipal vehicles by an employee.
138. Personal use of county vehicles is not permitted.
139. The County's commitment to highway safety and employee welfare, in addition to the wellbeing of the general public, are the primary reasons for utilization of GPS tracking on all municipally-owned vehicles.
140. GPS units in County vehicles will monitor:
- Speed of travel
  - Time vehicle is spent idling
  - Location of the vehicle at stops
  - Seat Belt Use
  - Vehicle Mileage
  - Acceleration and Deceleration
  - Rapid starts or hard braking
  - Erratic driving
  - Engine and battery health
141. GPS tracking devices will enable the County to monitor employee compliance.
142. Employee driving habits, patterns, and usage shall be reviewed regularly.
143. IT personnel are responsible for installing GPS Tracking units in county vehicles. Any tampering, or attempts to remove or disable the GPS equipment is prohibited and such actions will be subject to disciplinary action up to and including termination.

## **Problem Resolution and Complaint Process**

144. *AM-2.8.9 Respectful Workplace Policy* applies to all employees of the Municipality. Any employee who believes they have been subjected to harassment or abuse in the workplace is encouraged to use the procedure set out herein to resolve such problem and can do so without fear of recrimination.
145. *AM- 2.4.3 Whistleblower Policy* applies to all employees of the Municipality. Any employee who believes any situation affecting them in the workplace is unjust or inequitable is encouraged to use the procedure set out herein to resolve such problem and can do so without fear of recrimination.

## **Performance Review**

146. The Municipality is committed to supporting employees to perform and grow in their current and future roles through effective performance management. A key element of performance management is the alignment of individual and team goals with department business planning to support government priorities.
147. Employee performance must be formally reviewed in relation to the employee's goals and expected results.
148. Each employee will have a performance planning and development review conducted annually, or on a change of position or appointment, or more frequently as required.
149. A performance planning and development review must be documented using the Performance Planning and Development Form developed by Human Resources. This form establishes goals jointly by the supervisor and employee to provide a clear understanding of goals and expected results.
150. Individual employee goals must be based on SMART objectives (specific, measurable, attainable, relevant, time-based) and linked to the County's strategic priorities.
151. Employees must be given the opportunity in the formal review to discuss, comment, and sign the form according to this policy and applicable collective agreements.
152. Once the Performance Planning and Development Form is finalized, employees will be provided with a signed copy of the form. Managers / supervisors must file the original signed Performance Planning and Development Forms in the employee personnel record at the end of the performance cycle.

## **Repeal of Previous Policies**

153. This policy repeals and replaces the following municipal policies:
  - *AM-2.1.1 Daily Work Schedule Policy*
  - *AM-2.1.2 Bereavement Leave Policy*
  - *AM-2.1.3 Statutory Holidays and Paid Holidays Policy*
  - *AM-2.1.4 Vacation Leave Policy*
  - *AM-2.1.5 Sick Leave Policy*
  - *AM-2.1.22 Inclement Weather / Unsafe Travel Conditions Policy*
  - *AM-2.1.23 Office Worksite Closures Policy*

- *AM-2.2.3 Overtime Policy*
- *AM-2 5 2 Employee Training and Development Policy*
- *AM-3.2.1 Hiring Policy*

**Effective Date**

154. This policy is effective upon adoption.

Municipal Clerk's Annotation for Official Policy Book

I certify that this policy was approved by Municipal Council as indicated below:

*Seven (7) Day Notice* ..... ***PENDING***

*Council Approval* ..... ***PENDING***

**PENDING**

\_\_\_\_\_  
Municipal Clerk

Date

At **Annapolis Royal** Nova Scotia



# STAFF REPORT

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**Report To:** Committee of the Whole  
**Meeting Date:** September 12, 2023  
**Prepared By:** Amy Barr, Policy and Development Coordinator  
**Report Number:** **SR2023-71 East End Servicing Study**  
**Subject:** Additional Funding Request- East End Servicing Study

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## RECOMMENDATION(S):

That Municipal Council authorize an additional \$97,218 in funding from county water and sewer reserves for the expanded scope of the East End Servicing Study.

## LEGISLATIVE AUTHORITY

*Municipal Government Act s. 65(A)(4)*

## BACKGROUND

The East End Advisory Committee had recommended that a servicing study be undertaken on the East End of the Municipality to evaluate the costs and benefits related to expanding sewer and water infrastructure in currently un-serviced areas. The estimated budget for this study was \$50,000.00 which was included in the 2023/24 Capital Budget. The proposed servicing area for this study are Highway 101 to the north, Dodge Road and Bayard Road to the west, Highway 201 and Meadowvale Road to the south and the Kings County boundary line to the east.

## DISCUSSION

After evaluating the proposal and meeting with the consultant on the servicing study, the East End Advisory Committee requested that the Municipality expand the scope of the consultant's study to include a more comprehensive servicing plan for the entire area. The study would evaluate complete infrastructure options from Greenwood and Kingston to the east, and Nictaux and Middleton to the west. Expanding the scope of this study will allow for the Municipality to visualize services that connect the area, pave the way for development, and avoid duplication of infrastructure with other municipalities.

## FINANCIAL IMPLICATIONS

Staff recommend that the additional expense is funded from the County Water Reserves (\$77,218) and the County Sewer Reserves (\$20,000). If approved, the projected balance of each would be approximately as follows:

- County Water Reserves ~\$68,700
- County Sewer Reserves ~\$245,100

## POLICY IMPLICATIONS

N/A



## **ALTERNATIVES / OPTIONS**

- Do not authorize the additional capital funds to expand the study.

## **NEXT STEPS**

If approved, staff will authorize the consultants to move forward with this study.

## **ATTACHMENTS**

- **Proposal for East End Servicing Study, CBCL (August 30, 2023)**

### **Prepared by:**

Amy Barr, Policy and Development Coordinator


### **Reviewed by:**

Jim Young, P.Eng, Director of Municipal Operations

### **Approved by:**

  
Chris McNeill, Chief Administrative Officer

### **Approval Date:**

  
(Date)

August 30, 2023

Jim Young, P.Eng.  
Director Municipal Operation  
Municipality of the County of Annapolis  
752 St. George Street  
Annapolis Royal, NS B0S 1A0

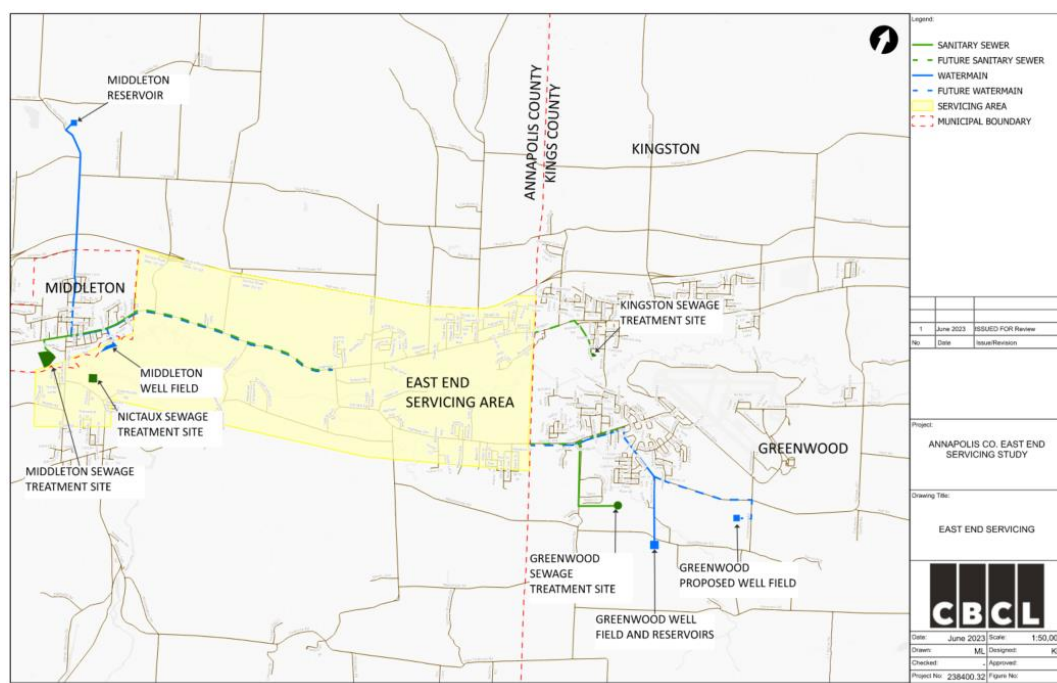
Dear Mr. Young:

RE: *Proposal for East End Servicing Study*

CBCL Limited (CBCL) is pleased to provide this letter proposal to the County of Annapolis (County) for engineering services for the East End Servicing Study.

## Project Understanding

The County has requested a servicing study to explore water and wastewater servicing and treatment options to accommodate potential growth within the County's east end. This area is currently serviced by private wells and on-site wastewater treatment systems. Figure 1 shows the approximate East End Servicing Area boundary and is based on infilling along Highway 1 and Highway 201.



**Figure 1: East End Servicing Area Boundary**



The object of the study is to explore options to provide central water and sewer services to the proposed service area. The proposed service area is located between Greenwood and Kingston to the east and Nictaux and Middleton to the west. These communities currently have central water and sewer services as shown in Figure 1 on the previous page.

Greenwood has an existing water treatment plant, wells and two reservoirs on Meadowvale Road. Design is in progress of a new water treatment plant, well field and water transmission main extension along Highway 201 to connect this new water supply to existing Greenwood water system. Figure 2 on the next page identifies the location of the water system in Greenwood, as provided by Kings County.

Kingston does not have an existing public water source but is interested in developing one and have explored potential aquifers.

Greenwood and Kingston both have wastewater treatment plants. The Greenwood plant is located east of Tremont Mountain Road and the Kingston plant is located off Windsor Street. Figures 3 and 4 on the next pages identify the location of the sewer system in Greenwood and Kingston respectively, as provided in the Kings County Municipal Planning Strategy.

Middleton has an existing water treatment plant. The existing wells are located southeast of Middleton Town boundary in Annapolis County. Figure 3 on the following page identifies the location of the water system in Middleton, as provided by the Town of Middleton. Middleton has designed a new reservoir and booster station to replace the existing reservoir, construction is dependent on funding. Middleton has an existing sewage treatment plant located at the south boundary, and south of Middleton's central core.

We will explore servicing options the utilize the existing infrastructure as well as develop new infrastructure. The options discussed at the community council meeting are summarized below and will be evaluated in this study.

### Potential Water Servicing Options

1. Services from Greenwood and Middleton systems.
2. Develop an independent water system within the service area.
3. Work with Kingston to develop a shared water system.
4. A combination of all the above with extension of existing systems is supported by new infrastructure (wells, reservoir, pumping, etc.) with the proposed service area and Kingston. This would essentially combine all the existing water systems together which will allow them to maximize the use of the existing systems.

## Potential Wastewater Servicing Options

1. Services extensions from Greenwood, Nictaux, Kingston, and Middleton systems with upgrades to the individual systems and treatment plants.
2. Develop an independent wastewater system within the service area.
3. A new wastewater system that would support all communities as well as the proposed service area. This option may see some extension of services from existing facilities in the near future as an initial phase with the ultimate objective of constructing a new facility when existing capacity is reached.

## Project Approach and Methodology

This study will evaluate the impacts the proposed flows from the service area will have on the existing collection/distribution and treatment systems. It will not take into account any future flows within the service areas of the existing treatment plant, the intent will be to determine what infrastructure needs to be upgraded to accommodate the proposed service area while maintaining the same level of service (treatment and conveyance capacity) for the existing customers and what that cost would be.

As part of this project, we will need to engage in conversations with the existing owners of the wastewater and water systems and obtain information from them on the operation and design of their existing systems. We are assuming that all communities will be open and provide the required information.

The project approach and methodology has been developed based on our understanding of the project and is presented below.

### Kickoff Meeting

CBCL will conduct a virtual project kick-off meeting with the County to discuss the proposed scope of work, approach, safety protocols, and project particulars. Additional objectives of this meeting are to understand the County's objectives and goals for the project, communication strategy, request background data, identify project stakeholders and finalize the schedule outlined below (if required) to suit the County's objectives.

### Data Collection

Data collection for this project will consist of existing record information such as reports, studies, flow records, sampling records, lidar data, high resolution orthophotographs, record drawings and GIS data provided by Annapolis County, Kings County and Town of Middleton for the water distribution and wastewater systems in the neighbouring Villages of Kingston and

Greenwood and the Town of Middleton. CBCL will evaluate this information to determine if there are any gaps and request additional information if needed.

In anticipation of some gaps in the sewer collection data we have allowed for 5 days of survey to pick up sewer pipe inverts from the point of connection to the existing collection system to the treatment plant. This information will be critical in determining pipe capacities and upgrade requirements. We assume that County staff will provide traffic control and access to the manholes and pumpstations.

We have allowed for 2 days onsite to conduct pump station drawdown tests to confirm pumping rates.

## Service Population and Boundary

The service boundary will be confirmed with Planning Staff. The future service population is a critical variable which will need to be discussed and a number agreed to for planning purposes. Based on our community council meeting it is expected that the future development will be along Highway 1 and 201 initially with infilling occurring up to Highway 101 with similar development as Kingston. We will work with Municipal Planning staff to develop population densities for the proposed service area. We will also work with planning on where growth will be initially focused through their land use planning as it is expected that development close to existing services would allow for easy extensions of infrastructure at low costs for initial phases of growth within the proposed service area.

## Water and Sewer Demands

We will use the agreed upon service population to estimate the wastewater generation and water demands from the proposed service area. We will work with the County to determine phasing so we can establish initial and long-term infrastructure needs.

It is assumed that existing water and sewer demands from the existing communities can be obtained from their staff. We will estimate the flows for the proposed development based on industry standards as well as actual demands from the existing communities.

## Wastewater Infrastructure

Under this task we will review the capacity of the existing wastewater infrastructure and determine what upgrades would be needed to accommodate flows from the proposed service area. We will also look at a regional treatment plant that could be a more cost effective solution in the future.

## Existing Wastewater Treatment Plant Analysis

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We will develop design criteria of the characteristics of the wastewater to be treated, including the projected volumetric flowrates and contaminant loadings. We will use this information to evaluate available capacity at the existing treatment facilities. Current loading on the existing treatment facilities will be confirmed. The impact of additional flows/loads on effluent quality will also be reviewed.

## Existing Wastewater Collection and Pump Station

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We will determine viable connection points to the Greenwood, Kingston, Nictaux, and/or Middleton sanitary systems and determine what upgrades would be needed to convey the addition wastewater to the treatment plant. We will size new sewers and pump stations to accommodate the East End demands plus the existing demands. Conceptual pipe sizes will be established to service the East End based on available lidar data. Recommendations for phasing the East End wastewater system will also be provided.

## Wastewater Collection and Pumping

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This task will look at how to convey wastewater from the proposed service area to an existing system. It is assumed that sewer extensions and upgrades will be needed to accommodate this approach.

## New Regional Wastewater Treatment Plant

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We will review the option of a new regional treatment plant that could service all the existing serviced area as well as the proposed service area. This could be a new plant or an expansion to an existing plant to accommodate all flows. The location of the new or modified plant will impact the required collection system modifications.

The anticipated effluent discharge criteria for the receiving water will be identified. Receiving water will be based on conceptual desktop siting. Discharge criteria will be established based on experience and anticipated regulatory requirements only. An Environmental Risk Assessment is not included. Selection of the discharge criteria is intended to guide the selection of an applicable treatment technology.

It is assumed that this facility would be built in the future when the existing treatment plants were beyond their service life or required upgrades to meet higher effluent quality.

## Water Infrastructure

This task evaluates the existing Middleton and Greenwood water systems and provides upgrades to connect and service the East End. This task also looks at a new dedicated water

distribution system and new water source by installing new wells throughout the East End as a method of growth.

## Source Water

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The goal of this task is to support the design and installation of wells to provide the best possible quality and quantity of raw water to communities in the study area. Key objectives are:

- ▶ Review existing conceptual models of subsurface conditions.
- ▶ Review capacity of existing municipal wells in Greenwood (Tremont and South Greenwood) in the context of servicing areas outside of the existing distribution system.
- ▶ Review capacity of existing municipal wells in Middleton in the context of servicing areas outside of the existing distribution system.
- ▶ Perform site reconnaissance to assess site specific conditions and land/drill rig access.
- ▶ Mapping of potential well locations for varying configurations of new water mains and distribution system.

A desktop review will allow for development of a preliminary conceptual site model (CSM). The CSM will provide a 3D framework for selection of drilling sites and help in interpretation of any data gathered when wells are drilled and tested. Data to be collated includes property mapping, bedrock and surficial geology mapping, air photos, groundwater quality data, ground surface elevation data, surface water and watershed mapping, and government pumping test and well record databases. The desk-top review may include an Environmental Site Registry Search if potential land uses, or contaminant sources are identified as part of site reconnaissance.

The recommended drilling sites will be provided on mapping and using GPS coordinates. The recommended drilling location will be based on available desk-top information and observations of site conditions at the time of the site visit. Drilling location(s) will be selected with the intent to:

- ▶ Target any productive aquifers that have been mapped to underlie the site.
- ▶ Minimize GUDI potential.
- ▶ Minimize potential to be affected by known potential sources of contamination.
- ▶ Avoid zones / aquifers with known background water quality issues (elevated manganese concentrations are a concern throughout Kingston).
- ▶ Use available confining units to provide added protection to the borehole.
- ▶ Minimize costs associated with transmission and rig access.

Previous test drilling in the Kingston area identified aquifers in both the surficial sand unit and the deeper bedrock aquifer. Both aquifers appear to be capable of supplying a municipal system, but provide water with naturally elevated concentrations of iron, manganese, and sulphate. CBCL will provide preliminary commentary on the feasibility of treatment, based on

existing water quality data in the province's database. CBCL is currently working with the Village of Kingston on doing field investigations around identifying a suitable aquifer. We will confirm with the Village this information can be used for this study.

CBCL is working with the County of Kings to develop a new well field to provide redundancy to the Greenwood system, which also supplies water to CFB Greenwood. CBCL's work on the Greenwood water system has included assessment of sustainable yields through aquifer testing and numerical modelling. We will review the results of this work to determine the average daily yield that the Greenwood wells could provide if used simultaneously rather than being operated on an alternating basis.

Other options may be new well fields within the proposed service area dedicated to servicing the new area. This would require a significant build out of the area before it becomes viable and may require extensions of existing system prior to the development of an independent system.

## Source Water Pumping and Treatment

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We will evaluate the Kingston well data to develop preliminary treatment options and withdrawal rates. We will compare this to the water demand for Kingston and determine if this aquifer has additional capacity to service the proposed development area.

We will also review existing well pumping rates and treatment system (from existing water systems). If excess aquifer capacity is identified and the pumping rate and treatment system can be upgraded to maximize the withdrawal this will be explored. Discussions with the existing community's that owns this infrastructure will need to be facilitated to come to an agreement if the excess capacity can be utilized by the proposed service area.

Current disinfection is the only treatment, with some pH adjustment, in the well fields. Depending on the available water quality, additional treatment beyond disinfection, may be required. Options for treatment with probable capital and operating costs will be presented along with a recommendation for the best available option to meet all regulatory requirements for water quality, monitoring and control.

## Hydraulic Assessment & Modelling

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The focus of the hydraulic assessment task is to:

- ▶ Determine viable water supply connection points to the existing water systems.
- ▶ Determine if upgrades within the Greenwood and Middleton distribution system will be required to service the East End.

- ▶ Establish pipe sizes for servicing of the water demands within the East End as well as upsizing the pipes if water is conveyed through Kingston to allow for future servicing in that community. It is assumed that both Kings and the East End will be serviced with both domestic supply and fire protection.
- ▶ Determine operating pressures based for the East End along with the operating Hydraulic Grade Lines (HGLs).
- ▶ Determine storage requirements. The existing storage capacity within Greenwood and Middleton will be assessed to determine if there is capacity to service the East End and Kingston.
- ▶ Phasing of the development of the East End distribution system.

We will obtain the existing Greenwood water model from the County of Kings which will be used for the hydraulic assessment. We will collaborate with King's County public works staff to obtain any new or planned system upgrades and incorporate this into the model. SCADA information will also be requested to validate model boundary conditions. The probable water distribution system networks for both Kingston and the East End will then be added to the model. We understand that a calibrated water model will be provided by Greenwood for this assessment. CBCL have a copy of the calibrated water model for the Town of Middleton that can be used for this assessment, with their permission.

It is expected that water storage will be needed to ensure a reliable water supply for the East End. We will undertake a storage analysis in accordance with the Atlantic Canada Guidelines for Drinking Water Supply Systems. Storage volumes will be calculated in accordance with current and future demands. Depending on the option selected, it is expected the chlorine contact time will be required. This time can be achieved within a storage facility or dedicated contact chamber or pipe. Contact time volume will be included in the storage requirements should that be the method chosen.

## New Distribution and Storage

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We will establish a concept layout of the distribution and storage tanks for the proposed service area. This will provide for interconnection between the existing waster system as well as independent optional, assuming source water is available within the proposed service area.

## Reporting and Probable Cost Estimates

Following the assessments, a water and wastewater servicing report will be prepared. The report will summarize the serviceable sanitary boundary, estimated wastewater flows based on existing and proposed zoning for current and future growth scenarios, design criteria (influent/effluent), identification of options, advantages/disadvantages of options, sanitary sewer sizing and recommendations for upgrades/expansion to accommodate the East End servicing. The report



will also summarize the serviceable water boundary with the determination of system demands, data sources, field testing and model outputs. For the source water analysis, we will discuss the potential for exploration and drilling work. The report will include concept level (Class D) Opinions of Probable Costs (OPCs) would be prepared for the water servicing options and the sanitary servicing options. A meeting to review the letter report and confirm recommendations will be scheduled. The report will be issued as draft for comments and review with a final report issued following receipt of comments.

## Exclusions

The scope of work does not include the following:

- ▶ Topographic survey.
- ▶ Legal surveys and establishment of easements.
- ▶ Geotechnical Investigation.
- ▶ Preliminary and Detailed Design of watermain, sewers and other capital infrastructure.
- ▶ Tender and Construction Services.

## Proposed Project Team

Aaron Baillie will be the main project contact and project manager; his contact information is as follows:

Aaron Baillie  
Direct: 902-421-6750  
Email: aaronb@cbcl.ca

The key project team members are identified below with short bios describing their work experience.

### Aaron Baillie, P.Eng. – Project Manager



Aaron is the Municipal Department Manager in CBCL's Halifax office. He has degrees in Environmental Engineering (P.Eng.) and Agricultural Mechanization (B.Sc.) with more than 23 years of experience in infrastructure assessment, review, upgrade, and design. Aaron has been involved in all aspects of project delivery including planning, detail design, assessments, project management, construction administration, and commissioning. His design experience includes pump stations, water distribution/storage, wastewater collection, water/wastewater treatment, coastal protection, residential/commercial developments.



### Kim Doyle, P.Eng. – Wastewater Collection Lead



Kim will coordinate the activities of the other project team members, provide direct liaison with the County and ensure that the project meets technical, budget, and schedule requirements. She is a municipal engineer with over 17 years of experience in design of linear municipal infrastructure within municipal rights-of-way and private developments. Her experience includes preliminary and detailed design, tender, approvals and contract administration for the reconstruction of local watermain, sanitary sewers, storm sewers, forcemains and roads, construction of large-diameter water transmission mains and microtunneling large diameter trunk wastewater mains. Prior to joining CBCL in 2022, she designed numerous multi-million-dollar linear infrastructure reconstruction projects for some of the larger municipalities in and around the Greater Toronto Area (GTA) and Ottawa, as well as smaller municipal clients outside the urban boundaries. Kim holds professional engineering designations with Engineers Nova Scotia and Professional Engineers Ontario.

### Jeff Clair, P.Eng. – Water Distribution Technical Lead



Jeff is a municipal engineer with over 17 years of experience in civil/municipal design, project management, construction administration, and commissioning. He is experienced in potable water pump stations, water treatment plants, sanitary lift stations, storm sewer and water mains, and water feeder mains. He has worked on various, civil, municipal, and process projects on which he has been responsible for project management, master planning studies, preliminary and detailed design, development of tender packages including plan and specification development, writing of technical reports and the technical design for the civil components of multi-disciplinary engineering projects.

### Simon Pellerin, P.Eng. – Water/Sewer Modelling



Simon joined CBCL in 2021 and has over four years of civil engineering experience. Simon has worked on a variety of projects related to sewer design (sanitary and storm), pump station design, water distribution, and hydraulic modelling. Working for CBCL, Simon has worked on the design phases of several projects, performing engineering calculations, hydraulic modelling using WaterCAD, and preparing design drawings using AutoCAD Civil3D. He has been involved with site inspections, contract administration, and commissioning for several lift station projects. Prior to joining CBCL, Simon worked in an engineering role providing design-build-operate services for on-site wastewater collection and treatment systems on large industrial sites.

### David Trudel, P.Eng. – Wastewater Treatment Lead



David is a Process Engineer with CBCL. David holds a Bachelor of Biological Engineering (Environmental Option) from Dalhousie University and has over 20 years of consulting engineering experience spanning the municipal and environmental fields with a strong background in wastewater treatment and municipal infrastructure. He has developed a practical approach to engineering which is founded on his construction inspection experience for projects which he has designed. David has been involved in numerous engineering projects involving desktop studies, pre-design studies, investigations, options analyses, preliminary engineering and detailed design, as well as project management, contract administration, site inspections, shop drawing review and liaison with regulatory officials.

David's experience includes process design (SBRs, lagoons, wetlands, RSFs, RTFs, EA, RBCs, septage receiving, etc.), sanitary conveyance design (gravity sewers, pressure mains, forcemains, pumping stations, stand-by power equipment, etc.), as well as support during start-up & commissioning activities. More recently, David undertook detailed design of the Shelburne WWTF Upgrade, Parrsboro WWTP, Greater Moncton Wastewater Commissions Preliminary/Primary Upgrades, and the Hunter River WWTF Expansion.

### Ben Bickerton, M.A.Sc., P.Eng. – Water Treatment Lead



Ben is an Engineer in the Process Engineering Department with CBCL. He holds a B.Eng. in Environmental Engineering from Dalhousie University, and a M.A.Sc. in Civil Engineering from Dalhousie University specializing in water quality and treatment. Since joining CBCL in 2012, Ben has been involved in dozens of water treatment facility and system design projects, ranging from the very small in residential/commercial applications to the largest facilities in Atlantic Canada. His usual role has evolved since 2012 from providing technical input to completing comprehensive system investigations and preliminary designs, and leading multidiscipline design and project management for a range of drinking water related infrastructure projects. These include several similar design scopes to the proposed Greenwood well house facility, including the Bridgetown Church Street Wellfield (2019), Happy Valley-Goose Bay Wellfield Expansion (2019), Annapolis Valley First Nation Water System Upgrades (2021) and Neils Harbour WTP Upgrades (2022).

## Colin Walker, M.Sc., P.Geo. FGC – Groundwater Lead



Colin provides hydrogeological support to engineering design projects. He uses principals of three-dimensional groundwater flow, regional and local watershed budgets, quantitation of aquifer parameters, and risk analysis to support work throughout Atlantic Canada, Ontario, and the Caribbean. The scope of Colin's work has varied from construction drainage studies to regional scale modelling of groundwater budgets and drinking water protection zones. Investigations have focused on water resources management, water supply development, groundwater vulnerability, well head protection, climate change adaptation, Environmental Assessment, technical peer review, and contaminant mobilization and transport.

With over 20 years of experience his work has supported First Nations Groups, the RCMP, Regional Municipalities, Town Councils, Federal and Provincial agencies, and a project funded by the Caribbean Development Bank. Recent notable projects include a groundwater nutrient loading model of the Placencia lagoon, Belize, and a province-wide source water protection study for over 100 small communities in Newfoundland and Labrador.

Other work has included comprehensive well field development, rehabilitation, and aquifer protection programs for the communities of Greenwood, Nova Scotia, Summerside, PEI, St. George, New Brunswick, and the Town of Wabana, Newfoundland. Colin completed regional watershed servicing studies for Halifax Regional Municipality and the City of St. John's, NL, a groundwater vulnerability assessment of Eastern Newfoundland, and baseline groundwater investigations for the Sydney Tar Ponds clean-up project. Colin developed and teaches the 3<sup>rd</sup> year course Principles of Hydrogeology at St. Mary's University, in Halifax, NS.

## Fees and Schedule

We propose to complete the above scope of work for a lump sum fee of **\$141,168**, including expenses and disbursements, and excluding HST.

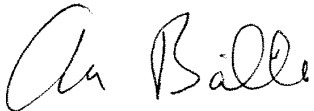
We have capacity to initiate the project upon award and will work with the County to complete this project in 6 – 8 months.

Jim Young, P.Eng.  
August 30, 2023

Please do not hesitate to contact us if you have any questions pertaining to this proposal. We look forward to working with the County on this project.

Yours very truly,

CBCL Limited



Prepared by:  
Aaron Baillie, P.Eng.  
Manager, Municipal Engineering  
Direct: 902-492-6750  
E-Mail: [aaronb@cbcl.ca](mailto:aaronb@cbcl.ca)



Reviewed by:  
Andrew Gates, P.Eng.  
VP Infrastructure Services

Attachments: Figures

Proposal No: 238400.32

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## Attachment A

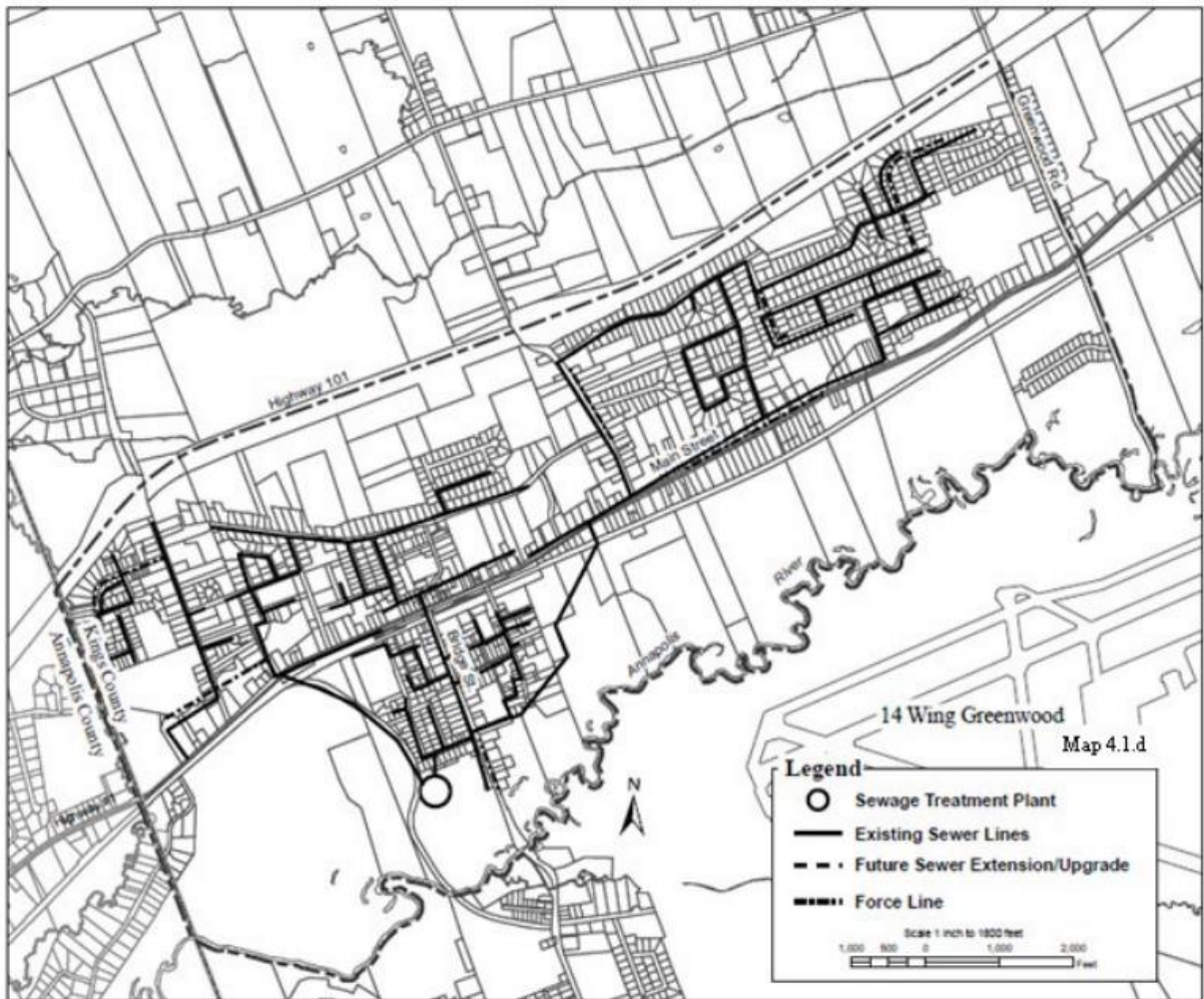
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### Figures





## Sewer System



**Figure 3: Greenwood Sewer System**



## Sewer System Map 4.2.e

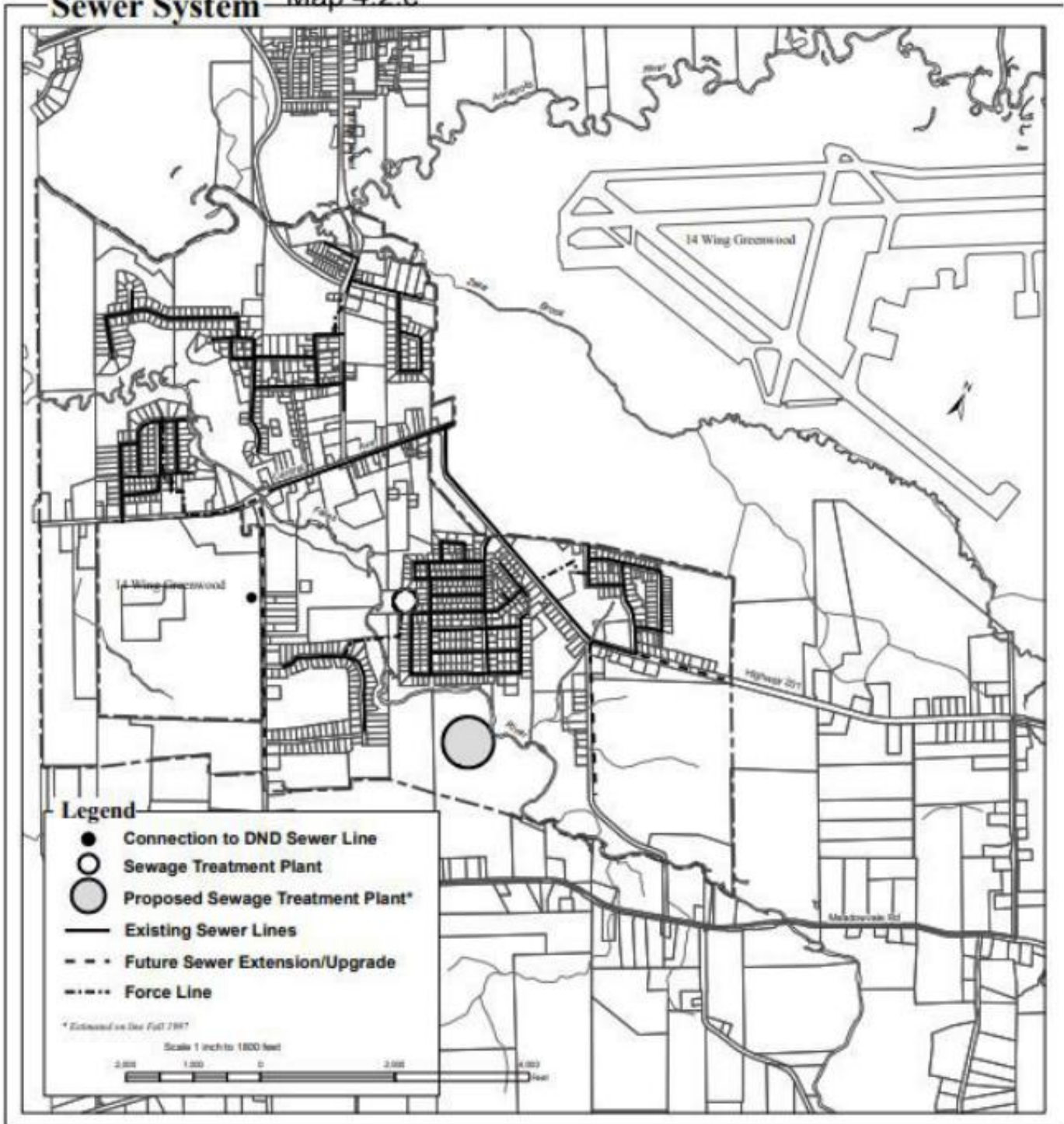


Figure 4: Kingston Sewer System





# STAFF REPORT

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**Report To:** Committee of the Whole  
**Meeting Date:** September 12, 2023  
**Prepared By:** Debra Ryan, Director of Community Development  
**Report Number:** **SR2023-72 Bridgetown Regional Outdoor Sports Hub (BROSH) – Lease to Annapolis County Outdoor Sports Society (ACOSS)**  
**Subject:** Bridgetown Regional Outdoor Sports Hub

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## RECOMMENDATION(S):

That Municipal Council approve a five year renewable lease agreement between the Municipality of the County of Annapolis and the Annapolis County Outdoor Sports Society (ACOSS) to oversee the management of the Bridgetown Regional Outdoor Sports Hub.

## LEGISLATIVE AUTHORITY

*Municipal Government Act 51 (1) and 61 (2)*

## BACKGROUND

The Bridgetown Regional Outdoor Sports Hub was opened to the public in September of 2020 and is owned and managed by the Municipality of the County of Annapolis.

The property was transferred to the County of Annapolis from the Province of Nova Scotia officially on September 28, 2022, however, a letter of authority was given to commence operations in 2020. The province provided a commitment of \$10,000.00 per year for five years for the overall maintenance of the Bridgetown Regional Outdoor Sports Hub.

A new incorporated organization in the county called the Annapolis County Outdoor Sports Society (ACOSS) is interested in overseeing the management of the Sports Hub facility. County staff have met with ACOSS and are recommending the attached lease agreement that would allow the Municipality to enter into a five-year renewable lease agreement to manage the Bridgetown Regional Outdoor Sports Hub, which is located at 30 Faye Road, Bridgetown, NS.

## DISCUSSION

Director of Municipal Operations, Jim Young, had been negotiating with the Bridgetown Community Recreation Association (BCRA) in regard to their interest in overseeing another recreation facility complex in Bridgetown that would include the Sports Hub.

Presently BCRA oversee the operations of the Bridgetown arena, pool, and ballfield under a Memorandum of Association (MOU) with the Municipality.

A tentative offer was made to BCRA and they were considering that possibility.

During those discussions there was another group of interested volunteers that was looking into the possibility of approaching the county with a plan to manage the Sports Hub Facility.

That group of volunteers wanted to have representation across the county that would showcase the importance of the Sports Hub as being a regional facility to benefit the whole county.

The group of volunteers created a new organization to start that process and to work with the county. The group is called the Annapolis County Outdoor Sports Society (ACOSS).

It was felt that ACOSS could expand opportunities at the sports hub to improve the health and wellness of the residents of the county. ACOSS would also work in collaboration with the county, existing groups and volunteers to attract sport tourism opportunities and make Annapolis County a destination for sport development that would benefit both residents and business opportunities in the region. BCRA are supportive of ACOSS'S plans to oversee the operation of the Sports Hub.

ACOSS is planning to create a five-year plan that will address the following into their work planning including managing the Sports Hub from a maintenance perspective; oversee the planning of events and program opportunities; provide promotional and fundraising support; and work with the county on capital projects that would benefit the region at the sports hub.

## **FINANCIAL IMPLICATIONS**

The cost of running the sports hub is in the vicinity of \$40,000.00 per year based on the last three years. We are recommending that we enter into a lease agreement with the ACOSS group and provide them \$50,000 to oversee the management of the sports hub based on the components of the lease agreement and to achieve the general components so described above.

Council has committed \$200,000.00 from the 2023-2024 capital program towards a storage unit facility to be built on site.

The county will work in cooperation with ACOSS in regard to leveraging additional funds where and when possible, to enhance the facility to benefit the region.

ACOSS will be responsible to submit an annual financial statement which is listed in the lease agreement.

Annapolis County will continue with their accessibility plan to complete the accessibility features already planned at the tennis courts/washroom facilities at the sports hub including completion of accessible washrooms building and canteen area; paving parking space east of the washroom for accessibility parking; paving around the washroom facilities to provide accessibility to building; providing 5 % grade of packed crusher dust from washroom building to the track; providing paving and or packed crusher dust in front of the track gate /track ( east side) and or a suitable surface for easy wheelchair access.

## **POLICY IMPLICATIONS**

The group will follow the general policies set by the County of Annapolis in regard to fees and charges for rentals and make appropriate changes as necessary to manage the facility and ACOSS will keep all revenues in the operations of the Sports Hub Facility as per the lease agreement.

**NEXT STEPS**

To execute the signing of the attached lease agreement with the Annapolis County Regional Outdoor Sports Society (ACOSS) and to prepare the Bridgetown Regional Outdoor Sports Hub facility ready for management transfer by January 2024.

**ATTACHMENTS**

Lease Agreement with schedule A and B

**Prepared by:**

Debra Ryan, Director of Community Development

**Reviewed by:**

Jim Young, Director of Municipal Operations

**Approved by:**  
Chris McNeill,  
Chief Administrative Officer**Approval Date:**

SEPT. 7/23  
(Date)

**THIS LEASE** made in duplicate the                      day of September, A.D., 2023.

**BETWEEN:**

**MUNICIPALITY OF THE COUNTY OF ANNAPOLIS**, a body corporate incorporated under the laws of the Province of Nova Scotia, with head office in Annapolis Royal, Nova Scotia

(hereinafter called "**Annapolis**")

**and**

**ANNAPOLIS COUNTY OUTDOOR SPORTS SOCIETY**, a body corporate incorporated under the laws of the Province of Nova Scotia, with its head office in Bridgetown, Nova Scotia

(hereinafter called "**ACOSS**")

**1. PREMISES, EQUIPMENT, AND FURNISHINGS**

- a. In consideration of the rents reserved and the covenants and agreements herein set forth, the Annapolis leases to ACOSS the lands and premises more particularly depicted in Schedule "A" attached hereto (the "premises") and the equipment and furnishings as listed in Schedule "B" attached hereto situated at 30 Faye Road in Bridgetown, County of Annapolis and Province of Nova Scotia bearing PID #05270459, and the adjacent PID #05313630.
- b. The leased lands and premises shall be approximately 45,881 square metres of land. The buildings, furnishings and equipment set forth in Schedule "B" located on and within the property shall be for ACOSS's use, in cooperation with the shared use of the same when being rented by or otherwise used with permission of ACOSS by other parties, during the term of the lease or any extensions thereof. The furnishings and equipment are being leased on an, as is where is, basis.
- c. ACOSS having had full and ample opportunity to inspect the premises agrees to accept the same as it currently exists, with no further alterations or modifications being required to be completed by Annapolis prior to or during the term of the lease except as may be specifically provided for herein.
- d. With respect to the equipment, fixtures and furnishings being leased hereunder the following conditions shall apply:

- i. Annapolis shall not be obligated hereunder to replace or repair any furnishings, fixtures, equipment, or lands leased hereunder which may be damaged or rendered unusable during the term hereof.
- ii. ACOSS shall be responsible to pay all costs associated with the said equipment, fixtures and furnishings noted in Schedule "B", as well as all new FFE that they acquire and place in the buildings or on the properties, including all repair costs, replacement costs, service contract costs and insurance costs.
- iii. Any new furnishings, fixtures and equipment purchased by ACOSS for use in the premises shall remain the property of ACOSS and may be removed by ACOSS at the end of the current term of this lease or any renewal thereof.

## **2. TERM**

- a. Unless otherwise terminated in accordance with the provisions hereof, the term of this lease shall be for a period of five (5) years commencing on January 1, 2024 ("Commencement Date") and ending on December 31, 2028 ("Termination Date").
- b. Notwithstanding Paragraph 2a, ACOSS shall not have the right to assign or sub-lease this agreement, or any part thereof, to another organization carrying on the same, similar, or any other operations without Annapolis' prior written approval, which approval may be withheld or delayed for any reason whatsoever.

## **3. PAYMENT**

- a. Annapolis shall pay as contract fees ("Contract Fees") hereunder during the term of the lease an annualized sum of \$50,000, plus Harmonized Sales Tax if required, to ACOSS to manage, maintain, promote, market, develop, rent, insure, and facilitate the use of the lands under lease payable in equal, quarterly installments in advance on the first day of each quarter to ACOSS.
- b. Annapolis shall deliver up the lands and premises in a neat and clean condition on January 1, 2024.
- c. Contract Fees shall be the full compensation to ACOSS to assume responsibility for the oversight and use of the leased lands and premises during the term of this lease and ACOSS shall be solely responsible for all management and administration fees, utilities, snow removal excluding active transportation sidewalk route, parking, lighting, liability insurance, water, garbage collection

and removal, security, cleaning, maintenance repairs and upgrades, and grounds and building maintenance costs.

#### **4. RIGHT TO RENEW**

Provided it is not in default under this lease, and provided it gives notice to Annapolis at least six (6) months prior to the expiry of the Term, ACOSS shall have the option to renew this lease for one (1) further five (5) year term under the same terms and conditions as herein provided, except as follows:

- a. Unless Annapolis and ACOSS mutually agree otherwise, there shall be no right of further renewal beyond the first renewal term;
- b. Contract Fees as at the renewal date may be increased by an amount equal to the cumulative five year Consumer Price Index for Nova Scotia all-in basket from the previous five years, but shall not exceed an amount that is greater than the cumulative Consumer Price Index noted.
- c. If ACOSS chooses not to exercise the said option to extend within the time and in the manner herein set out, the option to extend shall be null and void and the lease will end at the expiry of the Term and ACOSS then agrees to permit Annapolis or its agents to show the land and premises to other prospective Lessees upon reasonable notice during normal business hours for the last six (6) months of the then current term.

#### **5. CONDITION OF PREMISES**

ACOSS agrees to accept the lands and premises in their current configuration, without alteration or changes.

#### **6. ACOSS IMPROVEMENTS**

- a. ACOSS shall submit for Annapolis' approval a set of detailed working drawings for any work that ACOSS is required or proposes to do or install on the lands or in the Premises. All plans, drawings and specifications for ACOSS's Improvements, and ACOSS's choice of contractors shall be subject to the prior approval of Annapolis, which shall not be unreasonably withheld or delayed. ACOSS further agrees to apply for, and receive, any required building permits prior to work commencing.
- b. ACOSS shall carry on ACOSS's Improvements in a timely and workmanlike manner in compliance with all applicable bylaws and regulations.

## 7. ACOSS'S COVENANTS

ACOSS covenants with Annapolis as follows:

- a. Cleaning and waste removal - to arrange and pay for reasonable custodian and janitorial services and solid waste disposal (excepting that portion of such services normally provided by Annapolis to the non-profit sector).
- b. Repair - to maintain and repair the leased buildings and premises, reasonable wear and tear and damage by fire, lightning and tempest only excepted, and to leave the Premises in good repair. Upon reasonable notice to ACOSS, Annapolis shall be permitted to enter and view the state of repair of the premises on a periodic basis. It is agreed that ACOSS shall not be responsible for major repairs or repairs or replacement which are of a structural nature. ACOSS shall however; be responsible for all minor repairs estimated to cost up to \$5,000 per occurrence.
- c. ACOSS's Insurance - Throughout the Term, including any renewal thereof, ACOSS shall at its expense, take and keep in force the following insurance:
  - (i) Fire and standard extended perils or "all risks" coverage on ACOSS's property;
  - (ii) Two million dollars (\$2,000,000) inclusive limits per occurrence in the form of general commercial liability insurance;
  - (iii) Such other forms of insurance as may be standard for such premises and as reasonably required by Annapolis including insurance in the amount of replacement cost on the equipment and furnishings leased hereunder with Annapolis to be noted as the first loss payee on any such policy;
  - (iv) Copies of all insurance policies as referred to herein shall be provided to Annapolis upon request;
  - (v) At the request of Annapolis, ACOSS will obtain a waiver of the insurer's right of subrogation as against Annapolis under such insurance, provided such waiver is obtainable by ACOSS from its insurers.
- d. Use of Premises – ACOSS shall be allowed to use the buildings and premises as a community recreation facility and/or any other legally permitted uses subject to Annapolis' approval which may be unreasonably withheld.

- e. Observance of law - In its use and occupation of the buildings and premises, ACOSS agrees not to violate any law or ordinance or any order, rule, regulation or requirement of any federal, provincial, or municipal government or any department, commission, board or officer thereof.
- f. Indemnity – Unless caused by gross negligence of Annapolis or by those for whom Annapolis is in law responsible, ACOSS agrees to indemnify and save harmless Annapolis against any and all claims of whatsoever kind and nature by any person, firm, or corporation arising from ACOSS's use or occupancy of the premises or through any act of negligence of ACOSS or any assignee, subtenant, agent, contractor, servant, employee or licensee of ACOSS, with such indemnity to extend to all reasonable costs, counsel fees, expenses and liabilities incurred by Annapolis with respect to any action or proceeding brought against Annapolis, provided that:
  - i. Annapolis has promptly notified ACOSS of any such claim after first becoming aware or having notice thereof;
  - ii. Annapolis has provided ACOSS with the option to participate in the defense of such claim at ACOSS's expense; and
  - iii. The claim does not relate to any peril or hazard against which Annapolis is or ought to have been insured under the terms of this lease.
- g. Alterations and installations - ACOSS shall have the right to make further alterations and installations to the buildings and premises at its sole cost and expense, provided ACOSS has received the prior written consent of Annapolis, which consent shall not be unreasonably withheld or delayed. ACOSS shall not be responsible for removal of any approved alterations or installations at the end of the Term or any earlier termination of the lease and is responsible for surrendering the Premises in a clean, good condition save for normal wear and tear. ACOSS, at ACOSS's option and sole discretion, will have the right but not the obligation to remove fixtures, furniture and equipment which are owned by ACOSS. If ACOSS removes fixtures that cause damage to the buildings or premises, ACOSS agrees to repair said damage;
- h. Signs - ACOSS, at ACOSS's expense shall have the right to install Annapolis approved exterior signage on the front of the lands and premises in locations to be mutually agreed upon. Such Annapolis approval shall not be unreasonably withheld or delayed. ACOSS shall insure, erect and maintain such signage at its sole expense, and shall obtain all necessary municipal and other permits and approvals as may be required with respect to the same from Director of Municipal Operations.



- i. ACOSS assumes all responsibility for any losses, damage, or injuries which may occur as a result of any equipment used except to the extent caused by the negligence or willful misconduct of Annapolis, its agents, employees or contractors.
- j. Financial Reporting - ACOSS agrees to provide Annapolis with financial statements to a minimum of Notice to Reader or equivalent standards each year within 30 days of the annual audit being completed, during the term of this lease.

## **8. ANNAPOLIS' COVENANTS**

Annapolis covenants with ACOSS:

- a. Annapolis shall be responsible for capital replacements of existing capital components where not excluded elsewhere in this agreement defined as; foundation, footings, concrete slab, concrete pier, structural steel, roof deck, roof membrane, exterior walls, façade, underground utilities, parking lot, and drainage based on Annapolis' engineers conclusions of replacement and remedy to such capital items. The definition of maintenance and replacement of capital components shall be based on Generally Accepted Accounting Principles (GAAP), capital replacements required by a governmental authority, operation failure or due to the expiration of the useful life, or as indicated by an engineer and completed during the lease Term and any extension thereof.
- b. To provide sewer services to the leased premises at no cost to ACOSS;
- c. Annapolis' insurance - Annapolis shall take out and keep in force throughout the Term, including any renewal period thereof, upon such terms and conditions and in such amounts as would be maintained by a prudent owner of a property similar to the land and buildings in question, the following insurance:
  - i. Public liability and property damage liability insurance with respect to the lands and premises;
  - ii. Fire and standard extended perils or "all risks" coverage on all real and personal property owned by Annapolis or for which Annapolis is legally responsible located upon the Premises; and

- iii. Such other forms of insurance as Annapolis may from time to time consider advisable.

At the request of ACOSS, Annapolis shall obtain a waiver of subrogation in favour of ACOSS with respect to its casualty insurance provided such waiver is obtainable from Annapolis' insurers.

## **9. PROVISOS**

Provided always that it is agreed as follows between Annapolis and ACOSS:

- a. Fixtures - All installations, alterations, additions, partitions and fixtures except trade or ACOSS's fixtures upon the Premises, whether placed there by ACOSS or Annapolis, are Annapolis' property without compensation therefore to ACOSS and shall not be removed from the Premises at any time, either during or after the Term.
- b. Damage to property – Annapolis is not liable nor responsible in any way for any loss or damage or injury to any property belonging to ACOSS or to its employees or to any other person while the property is on the land or premises or in the buildings unless the loss, damage, or injury is caused by the negligence, act, fault, or default of Annapolis or of its employees, servants, agents.
- c. Non-waiver - Any condoning, excusing or overlooking by Annapolis of any default, breach or non-observance by ACOSS of any covenant, proviso or condition herein contained does not operate as a waiver of Annapolis' rights hereunder in respect of subsequent defaults, breaches or non-observances and does not defeat or affect in any way the rights of Annapolis herein in respect of any subsequent defaults or breaches.
- d. Notice - Any notice required by this lease is deemed sufficiently given if contained in writing and addressed –

In the case of notice to Annapolis:

Municipal Clerk  
Municipality of the County of Annapolis  
P.O. Box 100  
Annapolis Royal, NS B0S 1A0  
Fax: (902)532-2096

In the case of notice to ACOSS:

President  
Annapolis County Outdoor Sports Society  
P.O. Box 40  
Bridgetown, NS B0S 1C0  
E-mail: murrayfreeman606@gmail.com

Notice shall be effective when personally delivered or sent by fax or email on that business day, with confirmation of delivery between the hours of 8:30 am and 4:30 pm, local time. A notice sent by prepaid post shall be deemed to be effective on the third business day after its mailing.

The parties agree to notify each other immediately of any change of address from that set forth above.

#### **10. AMENDMENTS**

Any amendments to this lease shall be in writing and signed by both parties.

#### **11. TIME OF ESSENCE**

Time shall be of the essence in all respects in relation to the interpretation and enforcement of the terms of this lease.

#### **12. SOLE AGREEMENT**

There are no covenants, agreements, conditions or material representations relating to the subject matter of this lease, which will subsist between the parties upon its acceptance, except as expressly set forth herein.

#### **13. EFFECT OF LEASE**

This lease and everything herein contained shall extend to and bind and may be taken advantage of by the successors and permitted assigns, of each of the parties hereto. Should either party request the other's consent to an assignment of this lease, such consent may be unreasonably withheld.

#### 14. DISPUTE RESOLUTION

In the event of a dispute hereunder, the parties shall make all reasonable efforts to resolve their dispute by amicable negotiations. If a dispute has not been resolved within ten (10) days after the responding party has replied (or failing such reply within ten (10) days after receipt of the notice) either party may refer the dispute to be finally resolved by a final, conclusive and binding arbitration by a single arbitrator under the provisions of the Commercial Arbitration Act (Nova Scotia). The parties shall agree jointly on the appointment of an arbitrator, failing which, either party may apply to a court of competent jurisdiction for the appointment of an arbitrator. Each party shall bear its own costs in connection with any matter referred to dispute resolution and the cost of the arbitrator shall be paid in accordance with the decision of the arbitrator.

#### 15. GOVERNING LAW

The Law governing this lease shall be the law of the Province of Nova Scotia, Canada.

**IN WITNESS WHEREOF** the parties hereto have hereunto set their hands and affixed their seals the day and year first above written.

SIGNED, SEALED AND DELIVERED  
in the presence of:

**MUNICIPALITY OF THE COUNTY OF ANNAPOLIS**

\_\_\_\_\_

\_\_\_\_\_  
Warden

\_\_\_\_\_

\_\_\_\_\_  
Municipal Clerk

**ACOSS**

\_\_\_\_\_

\_\_\_\_\_  
President

\_\_\_\_\_

\_\_\_\_\_  
Secretary

**PROVINCE OF NOVA SCOTIA  
COUNTY OF ANNAPOLIS**

**I CERTIFY** that on this            day of September, A. D., 2023, Municipality of the County of Annapolis, one of the parties mentioned in the foregoing and annexed Indenture caused the same to be executed by its duly authorized officers and its corporate seal to be thereunto affixed in my presence and I have signed as a witness to such execution.

---

A Commissioner of the Supreme Court  
of the Province of Nova Scotia

**PROVINCE OF NOVA SCOTIA  
COUNTY OF ANNAPOLIS**

**I CERTIFY** that on this            day of September, A. D., 2023, Annapolis County Outdoor Sports Society, one of the parties mentioned in the foregoing and annexed Indenture caused the same to be executed by its duly authorized officers and its corporate seal to be thereunto affixed in my presence and I have signed as a witness to such execution.

---

A Commissioner of the Supreme Court  
of the Province of Nova Scotia

SCHEDULE "A"



## **SCHEDULE "B"**

### **County of Annapolis Equipment to be supplied:**

Field Grooming Equipment purchased for the artificial field  
One Gator  
One push lawn mower  
One whipper snipper  
One Ride-on Lawn Mower  
Irrigation hoses  
Tennis nets





# STAFF REPORT

**Report To:** Committee of the Whole  
**Meeting Date:** September 12, 2023  
**Prepared By:** Cheryl Mason, Manager of Protective Services  
**Report Number:** SR2023-18 (2) Fire Services Review  
**Subject:** Fire Services Review - Additional Budget Request

## RECOMMENDATION(S):

That Municipal Council authorize an additional \$14,000 in funding as an unfunded liability for the awarding of the Fire Services Review contract.

## LEGISLATIVE AUTHORITY

*Municipal Government Act s. 65(A)(4)*

## BACKGROUND

Council requested a review of fire services in 2022 and after much review and contacts with other municipalities that have already completed a review, staff issued a request for proposals from consultants. A motion was made as follows at the February 21, 2023 Council:

### **MOTION 230221.014 Start Fire Services Review and Issue RFP**

That municipal Council start a fire services review and that a Request for Proposal be put out by the end of March 2023. Moved: Councillor Connell; Seconded: Councillor Gunn. Motion carried.

The budget was estimated based on similar costs for other municipalities however, that was subject to change with industry costs.

## DISCUSSION

The proposal was prepared and made available on the Province's Procurement site with a closing date of August 24, 2023.

Two proposals were received, and a Review Committee was struck to evaluate the bids with the following members: Doug Patterson, Cheryl Mason, Zach Cromwell, Fire Chief Dave McCormick, Bear River Fire Department, and Fire Chief Mike Stoddart, Lawrencetown & District Volunteer Fire Department (of note is he is the newly elected President of the Annapolis County Fire Services Association).

An evaluation was completed by each committee member independently using a scoring matrix that included:

- 1 – Quality and completeness of proposal vs stated needs – Proponent's demonstrated commitment to give us significant personal effort and attention with on-site evaluations was seen as a critical point of credibility.



2 – Quality of the proponent’s experience and references - it was noted that both proponents had the experience and provided references of their work in past reviews.

Two proposal bids received were as follows:

- Sea Hawk - \$85,000 (before taxes)
- Emergency Management Group - \$89,550 (before taxes)

**FINANCIAL IMPLICATIONS**

Staff are recommending the additional expense be funded as an unfunded liability out of the current operating. If approved, the projected project cost would be \$85,000 plus municipal portion of HST for total cost of \$88,643. At the time of budget approval, \$75,000 was budgeted.

**POLICY IMPLICATIONS**

N/A

**ALTERNATIVES / OPTIONS**

None

**NEXT STEPS**

Staff to formalize agreement and coordinate between the Fire Departments and the Consultant.

**ATTACHMENT**

None

**Prepared by:**

Cheryl Mason, Manager of Protective Services

**Reviewed by:**

Dawn Campbell, Director of Corporate Services/Deputy CAO

**Approved by:**



Chris McNeill, Chief Administrative Officer

**Approval Date:**



(Date)

## BOARDS and COMMITTEES Information Report

### Joint, Regional or Community Organizations (AM-1.3.7)

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**Report To:** Committee of the Whole  
**Submitted by:** Councillor Bruce Prout  
**Submission Date:** September 12, 2023  
**Subject:** 2023-07-06 Trans County Transportation Society (TCTS)

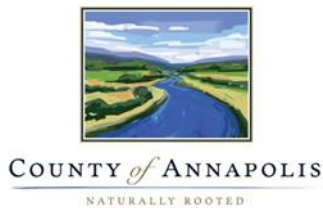
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#### Background

TCTS is a Community Organization which has a MOAC Councillor who attends their meetings.

The July Board Meeting of TCTS was held in the Bridgetown Office on July 6th at 3:30. The following items compose highlights of the meeting:

1. The meeting was called to order at 3:30 with regrets from Peter Whitely.
2. The minutes of the April 19th meeting were approved.
3. A new member of the Board, Kelly Hutton, was introduced.
4. There was no Business Arising.
5. Under Correspondence, funding from the Municipality of Kings and Soldiers Memorial Hospital was received.
6. The General Manager Report was accepted and approved. Highlights included:
  - (a) the June 22nd pickup of the Toyota Sienna Hybrid side-entry van from Malley Industries in Dieppe, N.B.
  - (b) the P3 Pro Master from Move Mobility will be arriving soon and hopefully will be ready to go into service this fall.
  - (c) the CV 96 (2016 Pro Master) is no longer in service and will be sold in the coming weeks.
  - (d) Annapolis County has approved the \$20,000 from the Community Grant Program
  - (e) the number of Charter bookings has been trending upwards since May.
  - (f) the learning process for the new Dispatch System is ongoing.
7. The Treasurer's Report was accepted as presented.
8. Under New Business, possible changes to the Employee and Drivers Handbook were discussed as well as updates to the Policies and Procedures/Bylaws.
9. The date for the next meeting(s) was set for September 20th with the AGM to be held at 3:30 to be followed by the next Regular Meeting. Both meetings will be held at the Bridgetown Legion.



## **BOARDS and COMMITTEES**

### **Recommendations**

**AdHoc, Standing, and Advisory Committees**

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**To:** Committee of the Whole

**Meeting Date:** September 12, 2023

**Subject:** **Recommendations from the 2023-09-12 Nominating Committee Meeting** – *Climate Change Action Plan Review Committee*

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### **RECOMMENDATIONS:**

**Re: Climate Change Action Plan Review Committee (not more than 3 citizens)**

**THAT** Municipal Council appoint Maurya Braun, Clifford Drysdale, and Gregory Heming as citizen members of the Climate Change Action Plan Review Committee (satisfying Section 28(2) of the policy) for a term ending November 30, 2024.

**Re: Climate Change Action Plan Review Committee (not more than 3 councillors)**  
**– Recommended Councillor Appointments**

Rather than the Nominating Committee recommending particular councillors be appointed to the Climate Change Action Plan Review Committee, it was agreed that councillors should be given the opportunity to volunteer for service on the committee at the September 12th meeting of Committee of the Whole.

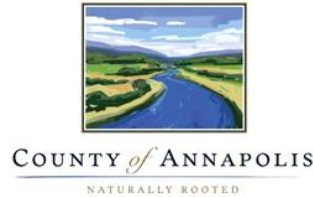
**THAT** Municipal Council put the appointment of council members to the Climate Change Action Plan Review Committee to a vote.

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### **NOTE:**

***AM-1.3.6.18, Section 28(2)***

*“citizen members shall be persons who presently reside or own property in the County of Annapolis.”*



## **BOARDS and COMMITTEES**

### **Information Report**

#### **Joint, Regional or Community Organizations (AM-1.3.7)**

**Report To:** Committee of the Whole  
**Submitted by:** Brad Redden  
**Submission Date:** September 5, 2023  
**Subject:** IMSA Board Update Report

#### **BACKGROUND**

##### Kings Transit

- RFP for Phase one of ISIP funding project has been issued closed, evaluated, ready to be awarded.
- Phase 2 is approved but not announced yet. Was to be announced in late July but the summers emergencies delayed this.
- External audit is completed.

##### Valley Waste

- Contract reviews with Chester have turned up a few minor problems.
  1. Contract was written before recent changes in asset retirement accounting standard change.
  2. The contract expires in 2036 but the facility is scheduled to close in 2033.
- Changed in Asset retirement accounting Standard is holding up Audited books for Valley Waste.
- Valley Waste in moving to a monthly budget system, currently waste levels go up and down ~15%.
- There was a previously unidentified Asbestos liability with one of Valley Wastes buildings. <100k. The impact to annual Amortization is small because of the long life of the building

##### IMSA Board

- Finance position was interviewed for, offered and was declined by the applicant.

#### **ATTACHMENTS**

None