

AGENDA



Town of Lunenburg Council Meeting

Tuesday, June 23, 2020 at 2:00 p.m. – 4:00 p.m.

Zoom/YouTube Live Broadcast

~ **Welcome and Moment of Silence in recognition of Councillor Carnevale's passing – Mayor Rachel Bailey.**

1. Agenda - motion to approve. (Note: priority items are **bolded**).
2. June 9 and 16, 2020 Council meeting minutes - motion to approve.
3. Public Hearings and Presentations
Nil.
4. Correspondence
 - a. **Housing Nova Scotia notice of Town of Lunenburg's \$15,710 subsidized housing contribution for 2019/20 vs. projected 2020/21 contribution of \$37,728 - 41,595 as opposed to actual approved 2020/21 Town budget of \$22,000 – suggested letter of concern to Housing Nova Scotia in response.**
5. Committee Meeting Minutes and Recommendations
 - a. Waste Reduction Strategy Working Group March 5 and May 14 meeting minutes.
6. Unfinished Business
 - a. Corporate Services
 - i. **Municipal and CSAP elections 2020 proposed motions to rescind Council's October 22, 2019 motion authorizing a paper-only election ballot system and first reading of the adoption of an Alternative Voting Bylaw for public advertisement and submissions before second/final reading – Councillor Risser,**
 - ii. **Lunenburg Academy school bell, hand rail and signage project proposal – staff report;**

- iii. Planning Advisory Committee 2020 citizen appointment application(s) – *motion to approve*; and
 - iv. Bee population and climate crisis action initiatives – *staff report*.
- b. Public Works Department
- i. Additional Waste Water Treatment Lift Station Pump Repair Budget – *staff report*.
7. New Business
- a. Public Works Department
- i. Lunenburg Board of Trade Montague Street south side parking restriction request – *discussion*.
8. Consideration of Council in camera meeting recommendation
- a. Lunenburg Heritage Society transfer of Lunenburg Heritage Bandstand to the Town of Lunenburg - *resolution to approve (April 21 Council in camera meeting)*.
9. Motion to recess and resume the meeting in camera on July 21, 2020 to consider Town land leases and sales and contract negotiations pursuant to section 22, Municipal Government Act and rise and report any recommendations at the July 28, 2020 public Council meeting – motion to approve.

Agenda items awaiting staff reports, etc. for further consideration

<u>Agenda Item</u>	<u>Department</u>	<u>Council Meeting Assigned</u>	<u>Status</u>
Proposed amendments to Hack and Trolley Bylaw, Street Encroachment for Building Access Bylaw and Parking Meter Bylaw	Corporate Services and Council	Various	Proposed amendments advertised for public submissions and possible second/final reading at the July 28, 2020 Council meeting
Solar initiatives and water meters update	Corporate Services and Public Works	January 7 and 14, 2020	Staff report will now be prepared since Budget 2020/21 approved
Wastewater Treatment Plant retrofit engineering pre-design	Public Works	Various	Staff completing process map and report for July special Council meeting (TBA)
Tannery Road sidewalk project	Public Works	May 12, 2020	Public Works preparing a revised staff report
Blockhouse Hill development proposal Redmond Properties/3007464 Nova Scotia Inc.	Corporate Services and Public Works	February 11, 2020	Planning and Development Manager report being prepared for July 28, 2020 Council meeting
Nova Scotia Environment Department and Legislative Office inquiries about process to expand the watershed boundary to include the full natural watershed	Public Works and Corporate Services	June 9, 2020	Staff is making these Provincial inquiries to Environment Department and will prepare a staff report regarding next steps

TOWN OF LUNENBURG COUNCIL MEETING MINUTES

TUESDAY, JUNE 16, 2020 AT 3:35 P.M.

VIA AUDIO/VIDEO CONFERENCE DURING COVID-19 PANDEMIC

PRESENT: Mayor Rachel Bailey
Deputy Mayor John McGee
Councillor Ronnie Bachman
Councillor Danny Croft
Councillor Peter Mosher
Councillor Matt Risser

ALSO PRESENT: Lisa Dagley, CPA, CGA, Finance Director
Heather McCallum, Assistant Municipal Clerk
Bea Renton, Chief Administrative Officer

ABSENT: Councillor Joseph Carnevale

The Mayor called the meeting to order at 3:35 p.m.

1. Park View Educational Centre Grade 12 Graduation event funding request – Mayor Bailey

Motion: moved by Deputy Mayor McGee, seconded by Councillor Bachman to approve a \$500 grant to assist with the PVEC 2020 graduation ceremony. Motion carried. Councillor Croft voted in the negative.

2. Adjournment

Motion: moved by Councillor Risser, seconded by Councillor Croft to adjourn the meeting. Motion carried.

The meeting was adjourned at 3:47 p.m. approx.

Bea Renton, CAO

TOWN OF LUNENBURG COUNCIL MEETING MINUTES

TUESDAY, JUNE 9, 2020 AT 2:00 P.M.

VIA AUDIO/VIDEO CONFERENCE DURING COVID-19 PANDEMIC

PRESENT: Mayor Rachel Bailey
Deputy Mayor John McGee
Councillor Joseph Carnevale (3:27 p.m. left the meeting)
Councillor Danny Croft
Councillor Ronnie Bachman
Councillor Peter Mosher
Councillor Matt Risser

ALSO PRESENT: Marc Belliveau, P. Eng., Consultant
Paul Bracken, Facilities Superintendent
Pat Burke, Q.C., Town Solicitor/Returning Officer
Lisa Dagley, CPA, CGA, Finance Director
Arthur MacDonald, Heritage Manager
Heather McCallum, Assistant Municipal Clerk
Bea Renton, Chief Administrative Officer
Ian Tillard, P. Eng., Town Engineer

The Mayor called the meeting to order at 2:00 p.m. Her Worship expressed best wishes and congratulations for the Town's June 7, 267th birthday celebrations last week and the Heritage Property Recognition Awards presented to:

- Ironworks Distillery Inc., 2 Kempt Street;
- Travis Hiltz and Mary Anne Donovan, 80 Creighton Street;
- SMP Holdings Inc./Shane M. Pittman, 194 Montague Street;
- David R. Hirtle, 205 Pelham Street;
- Garth Turner, 12 King Street; and
- B2 Holdings Limited/Marilyn MacKay-Lyons and Brian MacKay-Lyons, 160 Montague Street.

She commented on the recent "Black Lives Matter" demonstrations in recognition of racial tragedies in Canada and the US.

1. Agenda

Motion: moved by Councillor Risser, seconded by Councillor Carnevale to approve the agenda. Motion carried.

2. May 26, 2020 Council meeting minutes

Motion: moved by Councillor Mosher, seconded by Councillor Croft to approve the May 26, 2020 Council meeting minutes. Motion carried.

3. Public Hearings and Presentations

Nil.

4. Correspondence

Nil.

5. Committee Meeting Minutes and Recommendations

a. General Government Committee June 3, 2020 meeting minutes

Motion: moved by Deputy Mayor McGee, seconded by Councillor Risser to approve the award of Town 2020/21 non-profit community grants in the amount of \$18,115 (Schedule "A").

Councillor Croft asked that his name be removed from the meeting minutes as he was not in attendance.

The motion was put and passed. Councillor Croft voted in the negative.

b. Audit Committee June 4, 2020 meeting minutes

These minutes were received for information.

c. Lunenburg County Seniors' Safety Program May 2020 report

This report was received for information.

6. Unfinished Business

a. Corporate Services

- Proposed Property Tax Financing Program Policy and short term borrowing resolution for the Property Tax Financing Program

Motion: moved by Councillor Bachman, seconded by Councillor Carnevale to approve the Proposed Property Tax Financing Program Policy (Schedule "B"). Motion carried.

Motion: moved by Deputy Mayor McGee, seconded by Councillor Bachman to approve the short term operating loan resolution (Schedule "C") to fund the Property Tax Financing Program in an amount not to exceed \$1,800,000. Motion carried.

ii. Municipal and CSAP elections 2020 – Returning Officer report/resolutions regarding proposed Bylaw for alternative voting methods

The Town Solicitor/Returning Officer summarized his report and recommendations (Schedule “D”) for Council. He said that the draft Alternative Voting Bylaw (Schedule “D”) requires amendment in section 7B (1) by deleting the word “may” in the second line and inserting the word “shall” instead, plus inserting on each advance polling day in 7B(2).

Councillor Risser gave notice of motion of the proposed rescinding of Council’s earlier paper ballot election process in view of the need for alternative voting as follows:

WHEREAS

1. Town Council passed the following motion on October 22, 2019:

"Motion: moved by Councillor Risser, seconded by Councillor Carnevale that the Town of Lunenburg continue to use paper-only balloting for the 2020 municipal election. Motion carried.

2. The COVID-19 Pandemic has created potentially serious difficulties for holding a paper-balloting election,

I therefore give notice that I will, at the June 23, 2020 meeting of Council, be introducing (moving) a motion to rescind the aforesaid motion dated October 22, 2019.

Councillor Risser also gave notice of motion of the proposed Bylaw adoption as follows:

WHEREAS the COVID-19 pandemic will create significant challenges and risks associated with a paper balloting election,

I therefore give notice that I will, at the June 23, 2020 meeting of Council, be introducing (moving) a motion to give first reading of the Alternative Voting Bylaw attached hereto as Schedule “D” and as amended as noted above.

The Town Solicitor/Returning Officer was asked to comment on ways in which computer and phone voting can be protected against fraud. He advised that the e-voting supplier has system controls in place. Computers will be made available by the Town to vote at a prescribed polling station and election workers available to assist voters with e-voting and for those who may not have a personal smart phone or computer to cast their ballots.

iii. Blockhouse Hill development proposal of Richard Redmond, Redmond Properties/3007464 Nova Scotia Inc. staff report preparation – discussion

Council expressed their interest in developing these lands subject to a public procurement process. The Planning and Development Manager explained that staff have met with Mr. Redmond and clarified the current zoning which may require a comprehensive development district to coordinate the future development of the area. If the land is to be sold this would have to be done at fair market value unless there are some subsidized forms of housing development Council wishes to consider. Ideally, the Town's Project Lunenburg Comprehensive Community Plan and revised Municipal Planning Strategy, Land Use Bylaw and Subdivision Bylaws should be completed in advance. How the lands will be serviced with water and sewer and capacity of same with existing Town infrastructure must be considered as there may be capacity issues as mentioned in preliminary Project Lunenburg documents. The Planning and Development Manager's staff report will be completed in July for Council consideration and she will outline in it what tasks are needed to consider its potential sale and development, e.g., a survey, infrastructure analysis, etc.

b. Public Works Department

i. Source Water Protection Management Plan update - Consultant's report presentation and recommendations

Mr. Belliveau recapped his research to update the Plan noting that he checked Nova Scotia Environment Department documents and determined that nothing there required the Town to be amended. He also considered internal documents such as emergency contact procedures some of which had to be updated and are included in the revised Plan (**Schedule "E"**). There were some other documents in its appendix which were replaced with current versions.

He toured the watershed and recommends more Water Utility signage notifying people that it is a protected watershed. Signs were earlier ordered and will be installed by the Town Public Works Department. The Lunenburg and District Fire Department has done an overhead drone video of the watershed for viewing to assess current activities in the watershed.

Council asked about the potential expansion of the Town watershed boundary and regulations. Staff are asked to inquire of the Nova Scotia Environment Department and Legislative Office what the process would be to expand the watershed boundary to include the full natural watershed in a revised Provincial Regulation and report back to Council.

Motion: moved by Deputy Mayor McGee, seconded by Councillor Croft to approve the amendments in the revised Source Water Protection Plan (Schedule "E"). Motion carried.

Motion: Councillor Risser, seconded by Councillor Bachman that the other recommendations in the report (Schedule "E") also be incorporated in the updated Plan

and actioned by staff. An annual walk through the watershed for a visual inspection will also be conducted. Motion carried.

3:27 pm –Councillor Carnevale left the meeting. Council recessed until 3:40 p.m. when the meeting resumed.

i. Sidewalk and pot hole repair work update - staff report

The Town Engineer gave an overview of the mapping and detailed records management he developed with Public Works staff to prioritize this work which will be incorporated in the weekly work planner he has also created with the assistance of staff. Physical distancing and additional personal protective equipment procedures will be utilized during the pandemic so they can safely do this work (Schedule "F").

Council thanked staff for the preparation of the report and requested that Centennial Avenue near where it connects to Green Street be added to the pot hole repair list.

ii. April 2020 Water Utility and Wastewater treatment results and general information - staff report

The Town Engineer advised that all test results are within permitted levels. The Wastewater Treatment Plant aeration tanks are being retrofitted now and there is a temporary bypass with partially treated wastewater being discharged as permitted by senior governments (Schedule "G"). There are some parts delivery issues, but these are currently being resolved. Public notification of the temporary bypass has been given.

Council next considered agenda item #7. b. i.

7. New Business

a. Corporate Services

i. Lunenburg Academy school bell, handrail and signage project proposal – staff report

Deferred.

b. Public Works Department

i. Rotary Club Sign "Nova Scotia Strong" planter installation request – motion for Council approval to install without the requirement of a Development Permit pursuant to section 24.14 e., Land Use Bylaw

The Planning and Development Manager advised that with the permission of Council pursuant to the Land Use Bylaw section there is no need for a Development Permit for this sign request which is for general community support during the pandemic and recent tragedies in NS (Schedule "H").

Motion: moved by Councillor Croft, seconded by Councillor Risser that we approve the Rotary sign request (Schedule "H"), let staff determine the location and notify the Rotary with thanks that the sign will need to be removed by the end of the year. Motion carried.

8. Consideration of Council in camera meeting recommendation

- a. Lunenburg Heritage Society transfer of Lunenburg Heritage Bandstand to the Town of Lunenburg - resolution to approve (April 21 Council in camera)

Deferred.

9. Adjournment

Motion: moved by Councillor Croft, seconded by Councillor Risser to adjourn the meeting. Motion carried. Mayor Bailey voted against the motion.

The meeting was adjourned at 4:01 p.m.

Bea Renton, CAO



Lori Currie

Chief Financial Officer

PO Box 702 STN Central

Halifax, N.S. B3J 2T3

Email : lori.currie@novascotia.ca

www.housingns.ca

June 11, 2020

Beatrice Renton
Chief Administrative Officer
Town of Lunenburg
PO Box 129
Lunenburg NS B0J 2C0

RE: 2019-20 Municipal Contribution - Western Regional Housing Authority

Dear Ms Renton,

Housing Nova Scotia prides itself in providing safe, affordable homes to more than 17,600 Nova Scotians who live in one of our over 11,000 public housing units. Through our five regional housing authorities, we invest more than \$140 million each year to operate and maintain our public housing stock. Municipalities are key partners as they contribute to the delivery of the program by funding a percentage of the housing authorities' net operating losses, in accordance with joint operating agreements.

The **Town of Lunenburg's** share of the Public Housing net operating losses (NOL) for the fiscal year ending March 31, 2020, is \$15,710.12. This municipal contribution helps offset operating costs, which includes property taxes and major maintenance investments that are necessary to preserve and upgrade our public housing portfolio.

We would appreciate receiving your payment for \$15,710.12 at your earliest convenience. Please make the cheque payable to "Housing Nova Scotia" and send to the attention of Cindy McAlpine-MacKenzie, Financial Services Officer, at the above noted address to ensure that the payment is properly recorded.

In response to recent comments we have received from municipal units requesting greater insight into NOL share billings, we would like to take this opportunity to inform you of your municipal unit's projected NOL share billings for the fiscal year ending March 31, 2021.

We are projecting that your municipal unit's NOL share billing will be between the following range for the fiscal year ending March 31, 2021:

\$37,728 - \$41,595

Please note that while the projection is Housing Nova Scotia's best estimate of your municipal unit's share of NOL billings at this point in time, it is a projected range that is subject to change as the fiscal year unfolds.



Lori Currie

Chief Financial Officer

PO Box 702 STN Central

Halifax, N.S. B3J 2T3

Email : lori.currie@novascotia.ca

www.housingns.ca

We want to thank you for your important contribution to help meet the housing needs of your residents. Should you wish to receive more detailed information regarding your municipal unit's 2019-20 NOL share billing or 2020-21 projected NOL share billing, please contact John Campbell, Housing Director, Western Regional Housing Authority, 1-902-681-3179.

Sincerely,

A handwritten signature in blue ink that reads "Lori Currie".

Lori Currie, CPA, CMA
Chief Financial Officer
Housing Nova Scotia

WASTE REDUCTION STRATEGY WORKING GROUP MEETING NOTES

THURSDAY, MARCH 5, 2020 AT 9:00 A.M.

(TOWN HALL)

PRESENT: Mayor Rachel Bailey, Chair
Councillor Ronnie Bachman
Kandace Forward, Campground Manager, Lunenburg Board of Trade
Sue Kelly, Organizing Team, Plastic Free Lunenburg
Jamie Myra, Vice President, Lunenburg Board of Trade Council

ALSO PRESENT: Heather McCallum, Assistant Municipal Clerk

ABSENT: Peter Baker, Public Works Superintendent
Ariel Smith, Team Lead, Coastal and Marine, Coastal Action
Kirk Symonds, Regional Educator, Region 6 Solid Waste Management and Divert Nova Scotia

Agenda Item	Discussion & Consensus	Action Items (follow up)
1. Agenda	<ul style="list-style-type: none">• The meeting was called to order at 9:03 a.m. It was noted that Mr. Symonds is leaving his role at Region 6 to take a new position with HRM as the Team Lead Education and Promotion with their Solid Waste department. His last day is March 18th. A replacement should be in place in April. Congratulations to Kirk, and we will miss you!• The agenda was approved as circulated.	
2. Meeting Notes	<ul style="list-style-type: none">• The notes were approved as circulated.	
3. Unfinished Business	<ul style="list-style-type: none">• In the absence of Ms. Smith, this item was deferred to the next meeting.	
a. Ocean Friendly NS Status		
b. Stakeholder Consultation	<ul style="list-style-type: none">• Survey distribution: The survey will be circulated to LBOT membership, and a list of non-members will be compiled by the Town with assistance from the LBOT.• Survey questions: The questions were reviewed by the group and revisions identified (Attachment "A").	<ul style="list-style-type: none">• Staff to compile a business list, as well as update survey and circulate to the group for approval to send out.

Agenda Item	Discussion & Consensus	Action Items (follow up)
c. Other Business Arising	<ul style="list-style-type: none"> • Municipal election signage: The group discussed the Yarmouth example (Attachment “B”) and agreed that the restriction of plastic campaign lawn signs for the municipal election will be a recommendation in the group’s March 31 report to Council. • Council update March 10: A reminder to the group that this will be a brief update on initiatives under discussion from the Chair, Mayor Bailey. • Farmer’s Market March 12: Waste reduction and diversion information to be discussed with members of the public at the market was reviewed, including: <ul style="list-style-type: none"> ○ Lunenburg’s waste management processes (Mr. Symond’s slides); ○ Waste reduction and diversion; ○ Awareness of strategy development in progress and membership; and ○ Efforts at the campground and from local businesses. 	<ul style="list-style-type: none"> • Staff to prepare a one-page précis of initiatives being discussed for Council, including the proposed Farmer’s Market display.
4. New Business a. Policy vs. Bylaw	<ul style="list-style-type: none"> • An excerpt from the province’s Municipal Councillor Training Guide on resolutions, policies and bylaws was shared for information (Attachment “C”). 	
b. Strategy Objectives	<ul style="list-style-type: none"> • Discussion of the final three proposed strategy objectives was deferred to the next meeting. 	
c. Pitch-in Week Canada (April 19-26)	<ul style="list-style-type: none"> • Discussion of the Town’s possible participation in this event (www.pitch-in.ca) was deferred to the next meeting. 	
d. Next Steps	<ul style="list-style-type: none"> • March 10th: Council brief update. • March 12th: Members of the group will join Mr. Symonds at the Farmers’ Market. • Business survey to be circulated ASAP. • Remaining strategy objectives and other deferred items. 	
5. Next Meeting	<ul style="list-style-type: none"> • The next meeting is scheduled for: March 19 at 9:00 a.m. 	
6. Adjournment	<ul style="list-style-type: none"> • The meeting was adjourned at 11:00 a.m. 	

Waste Reduction Strategy Working Group – March 5, 2020

Business Survey REVISED

**To be built in Survey Monkey for e-distribution*

The Town of Lunenburg is currently developing a Waste Reduction Strategy with assistance from community stakeholders: the Lunenburg Board of Trade, Region 6 Solid Waste Management/Divert Nova Scotia, Coastal Action, and Plastic Free Lunenburg.

We need input from our business community to understand your situation with solid waste management. Thank you for taking the time to complete this survey.

Garbage collection in the Town is currently regulated by Bylaw #38 Solid Waste Management.

1. What type of business are you? How many employees and/or contractors does your business have?
 - Type _____
 - Number of staff: 1-5, 5-10, 11-50, 50-100, 100+
2. How does your business handle garbage disposal? Check all that apply.
 - Town curbside collection
 - Private hauling
 - Self-haul
 - Share waste bins/hauling with another business
 - Comment ____
3. For curbside garbage collection, are you aware that:
 - a. There is a maximum number of one (1) black/green and five (5) clear bags permitted per collection day? Y/N
 - b. That if a business has a waste container for mixed waste brought in by customers (and not generated on the premises), the business can make an application to Public Works for additional black/green bag(s) for collection? Y/N
 - Comment _____
4. If you are in the food & beverage or hospitality business, are you aware that oil and grease, liquid residues with high organic concentration, and food scraps should not be disposed of down your sink or sewer? How do you dispose of this material?
 - Yes/No
 - Comment _____
5. Within your premises, does your business:
 - a. Offer the opportunity to your customers to sort waste into garbage, recycling and compost? Y/N
 - b. Offer the opportunity to your staff to sort waste into garbage, recycling and compost? Y/N
 - Comment _____
6. Does your business reduce waste, by methods such as:
 - a. Providing real dishes and utensils to customers and employees Y/N

- b. Re-using items/supplies/materials Y/N
 - c. Making it your policy to buy supplies with less packaging Y/N
 - d. Other/comment _____
 - e. If yes, how long has your business been practicing waste reduction? Under 6 months, 6 mos-1 yr, 1-2 yr, 3-5 yr, 5+ yr
7. Nova Scotia: Will the October 2020 provincial single-use plastic bag ban affect you? Please explain.
- Scale of 1-5
 - Comment _____
8. Should the Town continue to lobby the province:
- a. To expand their single-use plastic bag ban to include other single-use items? Y/N
 - b. Bring in extended producer responsibility that would require manufacturers to pay for the disposal of their products, and rethink the type and quantity of materials in their products and packaging? Y/N
 - Other/Comment _____
9. Education: Have you ever attended or hosted a workshop or session on waste management for your business?
- Yes/No
 - Comment _____
10. Is there anything else that you think we should know? Is there anything else our Waste Reduction Strategy should include?
- Comment _____

If you have questions about this survey, please contact Heather McCallum, Assistant Municipal Clerk, at hmccallum@explorelunenburg.ca or 902-634-4410, ext. 240.

If you have questions about disposal of any waste materials, please refer to the following:

- *Download the "R6RECYCLES" app for a searchable database of what goes where, available for Apple and Android.*
- *Visit the Town website pages <https://explorelunenburg.ca/garbage-collection.html> and <https://explorelunenburg.ca/wastewater-treatment.html>*
- *Contact Town of Lunenburg Public Works at 902-634-8992.*

Business Survey reply

Note: We'll have to see if I can include this much in the reply template.

Thank you for taking the time to respond to this survey – your input is appreciated and valuable to the Town of Lunenburg's Waste Reduction Strategy Working Group.

Did you know that...

- Certain materials are banned from Nova Scotia landfills – paper, recyclables, organics, electronics, and hazardous waste?
- Nova Scotia is a leader in waste management, yet garbage collection increased by 20kg/person last year?
- Nova Scotia currently diverts 47% of its solid waste, and that all garbage, recyclables, and compost generated in Nova Scotia is handled within Nova Scotia?

Reduced and diverted garbage volume means reduced costs.

If you have questions about disposal of any waste materials, please refer to the following:

- *Download the “R6RECYCLES” app for a searchable database of what goes where, available for Apple and Android.*
- *Visit the Town website pages <https://explorelunenburg.ca/garbage-collection.html> and <https://explorelunenburg.ca/wastewater-treatment.html>*
- *Contact Town of Lunenburg Public Works at 902-634-8992.*

Election sign ban: Town of Yarmouth wants to end 'sign war' and level the playing field

Tina Comeau (tina.comeau@tricityvanguard.ca)

Published: Jan 14 at 6:11 p.m.

Updated: Feb 19 at 1:50 p.m.



Election signs during a former provincial election in Yarmouth. FILE PHOTO



YARMOUTH, N.S. — Will a ban on election signs be a sign of the times in the Town of Yarmouth?

It looks that way.

A discussion took place at council's Jan. 9 meeting on the issue of banning campaign lawn signs during this year's upcoming municipal election in October, but also extending that ban to

provincial and federal elections as well.

A resolution to ban election signs was brought to the table by Deputy Mayor Phil Mooney, who noted that, particularly in municipal elections, lawn signs are produced at great personal expense to candidates. In if parties are paying for signs, some political parties are still at a disadvantage because they don't have access to the same level of funds.

After elections many signs get stored in barns and garages for the next kick at the election can by some candidates. Other times signs are never used again and end up in the waste stream. During the discussion, Mooney and some others around the council table noted some candidates may not have the financial means to have a lot of signs made and that may deter some people from getting involved in elections because they worry reduced visibility will put them at a disadvantage.



Yarmouth town hall. TINA COMEAU PHOTO

Said Mooney said banning election signs, it would put "an end to the election 'sign war' and would help level the playing field for all candidates regardless of financial means, and help voters and candidates focus on real issues, not who has the most signs."

Very importantly, he said, banning election signs would be better for the environment since at some point election signs are discarded. He noted there are other municipal units in Canada where election signs have been banned or bans are being considered.

And although election signs are an important source of revenue for local sign-making

businesses, Mooney said many signs during elections aren't necessarily made within the local area.

The issue led to some interesting discussion and debate. Coun. Jim MacLeod said he's offered for election four times and doesn't use signs. Still, he wasn't sure how to react to the motion. "Everybody has their own way of becoming known," he said.

Mooney noted in a 2019 byelection in the town, Coun. Steve Berry ran a successful campaign, largely on social media.

"He probably ran the most effective, digital, people-focused campaign that I've seen in Yarmouth in the last 20 years," Mooney said. "He did most of that on social media, plus friends, plus neighbours, he got those people involved in a different way." Berry did note that he also had about 35 election signs made, but they were made of a recycled, biodegradable material that had a very short shelf life.

Coun. Don Berry, meanwhile, said he was on the fence about a sign ban. He said he's not on Facebook and not tech savvy when it comes to different methods of social media. And he said he's not alone in that. He also said not everyone has computers or access to the internet – whether it's the public or candidates.

"In my opinion I believe there has to be some other method," he said about getting known during an election, saying for him, election signs are the option that works best. "From my perspective, to eliminate it means that the person who is now the internet/Facebook type of person (now has) an advantage. So you've taken away equal opportunity. . . There's two ways to look at this."

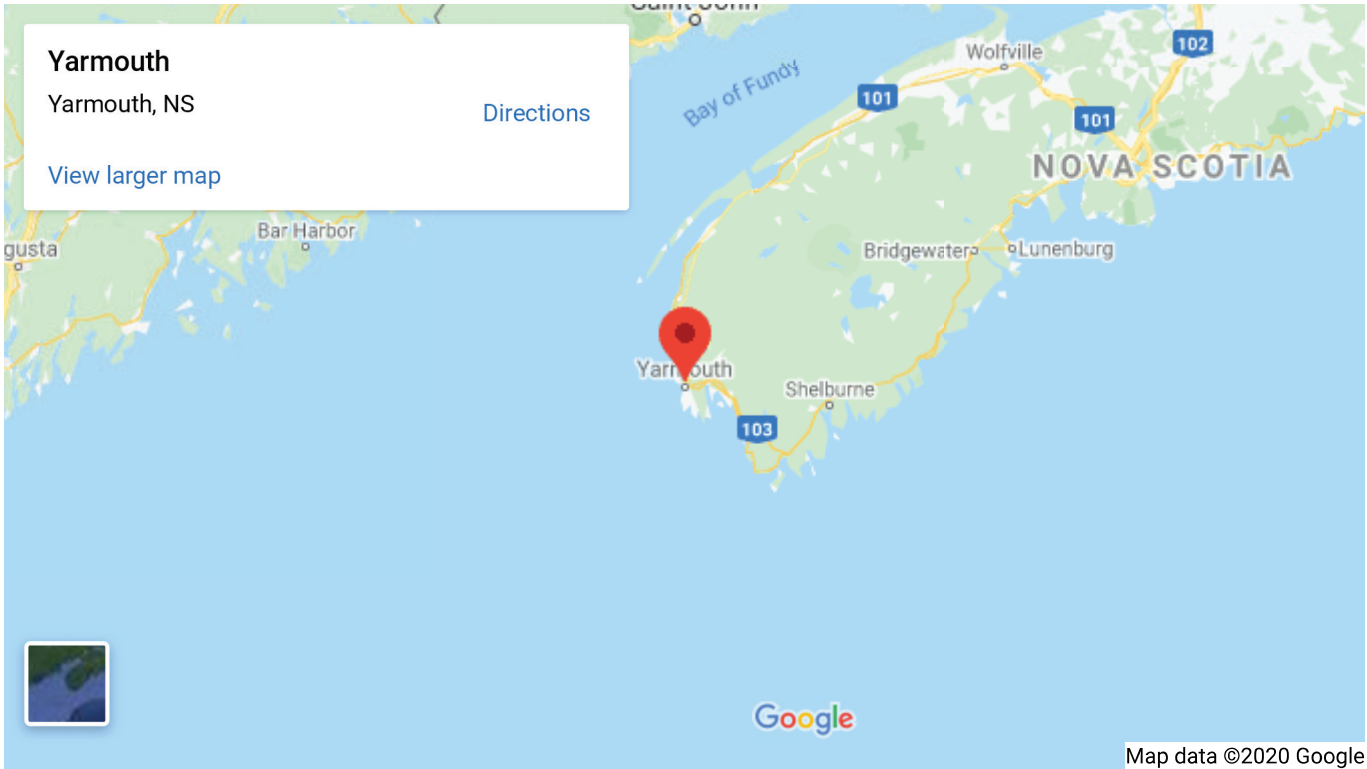
A question arose about the implications of a ban for town staff when it comes to enforcement. Town CAO Jeff Gushue didn't see any issues, as candidates would be notified from the get-go that a ban is in place. He also said it would require the drafting of a bylaw.

Mayor Pam Mood, meanwhile, summed things up this way: "I would hate to think that you win an election simply because you had the most signs out," she said. "That's really sad and it goes right back to we really want everybody to have an equal opportunity to be able to put their name in the hat and not have to worry about funds."

"There are, I believe, many ways, besides social media (to reach the voter)," said Mood, who favours a sign ban. "We're still knocking on doors and we're still talking to people. There's many, many ways to meet people face to face and have an opportunity to talk to people without littering a town with thousands of signs that either get stuffed somewhere or thrown in the garbage."

At the end of the discussion the motion to ban election signs did pass, although not unanimously. Coun. Don Berry voted nay when the vote was taken.

[What do you think of the issue? Join the conversation on this article at SaltWire.com.](#)



On a scale of 1-10, how likely are you to recommend The Chronicle Herald?

To: Town Council

Request: For the municipality/town to set a resolution/policy eliminating all plastic election campaign signs.

Background

Political election signs are used in municipal, provincial, and federal elections. This October 17, 2020 (and every four years), Nova Scotia will hold elections across all 50 municipalities. As early as 2020 we will face a provincial election, and then a Federal one. And so on.

Most candidates each produce dozens, hundreds or thousands of plastic signs that are used once (or, at most, a few times) before being thrown out. They are not recyclable, many end up blown or washed away, and all remain a liability in the environment for future generations to deal with.

We must do better. Starting now.

Why plastic election signs no longer make sense

- **Signs don't win elections.** While they are a familiar sight and candidates may take comfort in having bigger or more signs than the competition, [research](#) shows signage has very little impact on voting decisions.
- **Signs do not enhance democracy.** Eliminating signs would help put an end to election "sign wars." Traditionally, signage is the single largest expense (by far!) for the vast majority of candidates. Municipal regulation would help level the playing field for all candidates regardless of financial means and open the door to more people who are considering running for office.

A plastic free election policy would also help voters and candidates focus on real issues including candidate quality and competence. Cape Breton University political scientist [Tom Urbaniak says](#) more interest could be generated if candidates were forced to use different means of getting out their message. "That means more door to door, that means more excitement on social media, that means more public events and assemblies."

- **Plastic signs are costly to the environment:** Most candidates each produce dozens, hundreds or thousands of plastic signs that are used once (or, at most, a few times) before being [discarded](#) into municipal landfills. They are not recyclable, many end up blown or washed away, and all remain a liability in the environment for future generations to deal with. We simply cannot continue to practice this kind of wasteful linear production.

Whether or not municipalities have formally declared it yet, we are in a **climate emergency**. Linear economies, single use plastic signs made from fossil fuels and other high

environmental impact practices just need to stop - now! Election campaigns are only weeks long - the environmental impact shouldn't last hundreds of years.

- **Political signs are costly to the community and municipality:** During elections, more and more signs compete with each other, disturbing views, reducing traffic visibility, being vandalized and blowing away. Municipal staff must respond to complaints regarding sign safety, illegal placement, etc. and must deal with signs not properly disposed of post-election. Plastic signs place a burden on municipal waste facilities - which is a significant toll on taxpayers.
- **There are many effective alternatives to plastic signs and wasteful swag.** So many things candidates could and should do more of, like: communicate through social media, news events and releases, public all-candidates debates, open houses, door-to-door canvassing, getting out and meeting your community, indoor paper window signs, radio interviews and advertising... really, a campaign is a chance to stand out by showing leadership and [creativity](#).

Precedent for municipal elimination of election signs

Plastic Free Elections Nova Scotia is calling on all NS municipalities to eliminate ALL plastic campaign signs **through policy or resolution**. Municipalities may choose to set such a policy or resolution for municipal elections. By deciding centrally, the sign wars are over and the playing field is level - the community wins!

The **Town of Yarmouth** has led the way for the rest of us in N.S.. below is the [resolution](#) they passed on January 9, 2020 and some of the [media attention](#) they gained.

Implementation

Additionally, there are many ways a municipality can enhance democracy and ensure high election day visibility. Municipalities have access to many communication vehicles including permanent/portable outdoor signage, website, social media, mailers, email lists, flyers, etc. to:

- Remind residents to vote on election day/early ballot
- List the names of all candidates in a neutral way
- Facilitate the hosting of all-candidates open houses and/or debates

Proposed motion for Council consideration (Note: this is adapted from the Town of Yarmouth resolution and may be adapted by a municipality, as a Resolution or a Policy)

Whereas, 2020 is a Municipal election year, which will be followed by a Provincial election, and yet another, inevitable, Federal election;

And whereas, this means thousands of plastic lawn signs will be produced at great personal expense to the candidates and their supporters, with the majority being discarded following the election;

And whereas, while election signs are a source of revenue for some local sign-making businesses, it should be noted that many signs are produced elsewhere, and discarded signs are a risk for adding dangerous plastics to our oceans from which many more local citizens make a living;

Whereas, putting an end to the election “sign war” would help level the playing field for all candidates regardless of financial means, and help voters and candidates focus on real issues, not who has the most signs, all with the added benefit of preventing more plastics from entering our environment, waterways and oceans;

Therefore OUR MUNICIPALITY/TOWN Resolves/Wishes to set a Policy to eliminate the display of plastic campaign signs during elections.

MOTION options:

Council may make a MOTION to vote/accept the above as a resolution.

OR

Council may direct staff to draft a Policy to eliminate the display of plastic campaign signs during elections.

WASTE REDUCTION STRATEGY WORKING GROUP MEETING NOTES

THURSDAY, MAY 14, 2020 AT 9:00 A.M.

(VIA VIDEO CONFERENCE)

PRESENT: Mayor Rachel Bailey, Chair
Kandace Forward, Campground Manager, Lunenburg Board of Trade (LBOT)
Sue Kelly, Organizing Team, Plastic Free Lunenburg (PFL)
Ariel Smith, Team Lead, Coastal and Marine, Coastal Action
Valda Walsh, Region 6 Solid Waste Management

ALSO PRESENT: Peter Baker, Public Works Superintendent
Heather McCallum, Assistant Municipal Clerk

ABSENT: Councillor Ronnie Bachman
Jamie Myra, Interim President, Lunenburg Board of Trade Council

Agenda Item	Discussion & Consensus	Action Items (follow up)
1. Agenda	<ul style="list-style-type: none">• The meeting was called to order at 9:01 a.m.• The agenda was approved as circulated.• There was a roundtable of introductions, as Valda Walsh is sitting in from Region 6 with the departure of Kirk Symonds. Ms. Walsh informed the group that Angela Taylor has been hired as the new educator and will be starting work soon.	-Ms. Walsh to confirm Divert NS's continued desire to participate with this group, as Mr. Symonds had been representing both Region 6 and Divert NS.
2. Meeting Notes	<ul style="list-style-type: none">• The notes were approved as circulated.• It was noted that the Lunenburg Farmer's Market visit on March 12th was a success, with all members of the group in attendance for at least part of the morning. Ms. Kelly noted that the green "3 Rs" shirts and the banner are with her for safekeeping.	

Agenda Item	Discussion & Consensus	Action Items (follow up)
<p>3. Unfinished Business</p> <p>a. Business Arising</p>	<p><u>Plastic election signs</u> The Province has confirmed the municipal election on October 17, 2020 will be going ahead as scheduled. Council was informed of the group’s considerations around banning plastic signs, but the matter was not debated. One letter from a concerned candidate has been received.</p> <p>Mayor Bailey advised that she raised the ban idea in one of the weekly NSFM/AMANS meetings with other municipalities.</p> <p><u>Curbside Giveaway Weekend</u> HRM holds an event in October to allow unwanted, gently used items to be put out for others to take home: https://www.halifax.ca/home-property/garbage-recycling-green-cart/education-outreach/curbside-give-away-weekend</p> <p>This year, there is a pilot event being done the weekend of October 3-4 in Lunenburg County with MODL, Bridgewater, and Mahone Bay: https://www.communityrecycling.ca/538-uncategorised/1050-curbside-giveaway</p> <p>Ms. Walsh noted that liability precautions include that items must be placed on the resident’s property not on the road – the ownership of giveaway items remain the resident’s not the municipality’s. Residents are responsible for removing from the curb anything not taken. A “free” sign must also be placed on giveaway items so they are not confused with other items that may be in the resident’s yard.</p>	<p>-The WRSWG’s recommendation banning plastic signs from the municipal election will be included in its report to Council.</p> <p>-Staff discussions to follow with Region 6 regarding the Town of Lunenburg’s potential participation in the Lunenburg County pilot.</p>
<p>b. Ocean Friendly NS Status</p>	<ul style="list-style-type: none"> • Ms. Smith provided an update on the status of the Ocean Friendly NS program. <p>Coastal Action is awaiting funding information (expected in early summer). There has been interest in expanding the project beyond Lunenburg from Mahone Bay, Chester, and a partner organization in</p>	<p>-Ms. Walsh will schedule Ms. Smith to present on the Ocean Friendly NS program to the membership of Region 6 at an upcoming meeting.</p>

Agenda Item	Discussion & Consensus	Action Items (follow up)
	<p>the Bay of Fundy. PFL will be providing assistance with face-to-face visits in Mahone Bay once the Covid-19 restrictions are lifted. Coastal Action is preparing an Ocean Friendly NS toolkit for restaurants and a guidebook for interested partner organizations and municipalities.</p> <p>It was recommended Coastal Action that present at a Region 6 membership meeting. (They had been scheduled in the winter but was cancelled due to a snowstorm.)</p>	
<p>c. Business Survey</p>	<ul style="list-style-type: none"> The AMC presented the Business Survey Response Report (Attachment "A"). There were 44 responses received, all in the month of March. <p>Question 1A: There was a cross-section of business sectors represented. The 1A chart is difficult to read, as answers were typed in. A breakdown will be made available (Attachment "B").</p> <p>Question 10: Discussion regarding other suggestions provided by respondents:</p> <ul style="list-style-type: none"> -Boat Wraps - PFL is corresponding with a facility in PEI about recycling boat wraps. Region 6 is discussing a solution for boat wraps with an organization that deals with hay wraps. It was noted that Develop NS, as a major property owner on the Lunenburg waterfront, should be included in those discussions. -Cigarette butts - A little-known source of plastic pollution as well as littering. The Town receives complaints every year about Bluenose Drive and Montague Streets. This is an ongoing issue: there are stainless steel butt boxes in tourist areas, etc. The group noted that efforts the Town makes on this issue should be reflected in promoting proper cigarette butt disposal and informing about plastic content. 	<ul style="list-style-type: none"> -Staff to provide a breakdown of business respondents in question 1A from the Excel data. UPDATE: Provided. -A reference to the survey respondents' suggestions will be included in the report. -A thank you to survey respondents will be included in an upcoming LBOT newsletter. UPDATE: Completed. -Mayor Bailey will contact Develop NS regarding boat wraps. -Staff will follow up on the statistical relevance of the response rate.

Agenda Item	Discussion & Consensus	Action Items (follow up)
<p>d. WRSWG Guidelines</p> <ul style="list-style-type: none"> • Revisions due to Covid-19 • Discussion of final three proposed strategy Objectives 	<ul style="list-style-type: none"> • Revisions are needed in response to Covid-19 situation with respect to the timeline – the due date to be bumped from March 31 to June 30. • Discussion of final three proposed strategy Objectives (Schedule “C”): <ul style="list-style-type: none"> -“Encourage the province to enforce producer responsibility” – Region 6 recommended some verbiage changes agreed to by the group. -“Ensure the Town leads by example” – No changes. -“Support collaborative efforts” – No changes. -Recommendation that an addition be made regarding encouraging the Province to broaden their single-use plastic bag ban, per the business survey. 	<ul style="list-style-type: none"> -Staff will revise the Guidelines per discussion directives. -Region 6 to provide information summarizing extended producer responsibility for the public and small businesses. UPDATE: Received.
<p>4. New Business</p> <p>a. TOL Bylaw #38 Solid Waste Management</p>	<ul style="list-style-type: none"> • Background: Bylaw #38 is currently being revised at the General Government Committee to reflect the new bulky items collection. <p>Recommended additional changes from the group for inclusion in the report to Council:</p> <ul style="list-style-type: none"> -Item 20 – “Leaf and yard waste may also be deposited into paper, clear, transparent or biodegradable plastic bags.” Large paper yard waste bags only – these are widely available and very sturdy. Public Works agrees this would be acceptable, or use of a cardboard box. A similar revision would be required for Item 52 (a). -Item 30: The maximum number of six bags is being enforced. Is this too many? Region 6 confirms that six is standard in the area, although there are bylaws with four or with none. Mr. Baker reports that the Town’s garbage hauler reported there were 43 stops in New Town that were over the limit the first day they improved enforcement, and most recently there were 13. Mr. Baker noted that some residents claim to have permission for an extra privacy bag. 	<ul style="list-style-type: none"> -Recommended the changes to be included in report to Council. -Region 6 to provide examples of area bylaws allowing only paper for yard waste. UPDATE: Received. -Staff to ask haulers if residents regularly take advantage of a maximum of six garbage bags or do they put out less? -Staff to confirm addresses of residents who have permission for an extra privacy bag for provision to garbage haulers.

Agenda Item	Discussion & Consensus	Action Items (follow up)
b. Other	<ul style="list-style-type: none"> There is an emerging problem with improper disposal of non-emergency PPE during the Covid-19 crisis, such as gloves and wipes. <p>It was noted that cloth re-usable masks and handwashing/sanitizing rather than gloves are more sustainable and still effective.</p>	<ul style="list-style-type: none"> Region 6 to share an FAQ on disposing of PPE for public information. <p>UPDATE: Completed.</p>
c. Report to Council preparation	<ul style="list-style-type: none"> Next steps – Targeting a Draft Report to Council to be ready for June 23rd Council Meeting. <p>A first draft to be reviewed by the WRSWG at the group's next meeting.</p>	<ul style="list-style-type: none"> Staff (AMC) to prepare draft report.
5. Next Meeting(s)	<ul style="list-style-type: none"> The next meetings are scheduled for: Wednesday, June 3 and Thursday, June 11 at 9:00 a.m. 	<ul style="list-style-type: none"> Calendar invitations issued.
6. Adjournment	<ul style="list-style-type: none"> The meeting was adjourned at 11:06 a.m. 	

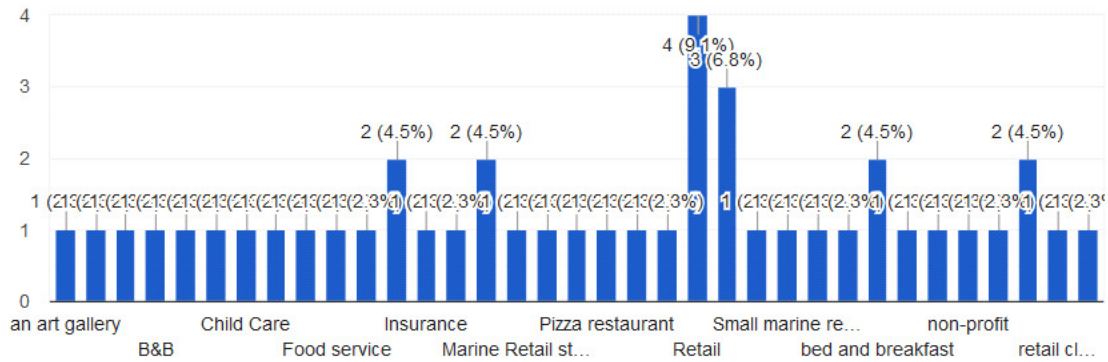


Lunenburg Waste Reduction - Business Survey Report

44 responses (March 2020)

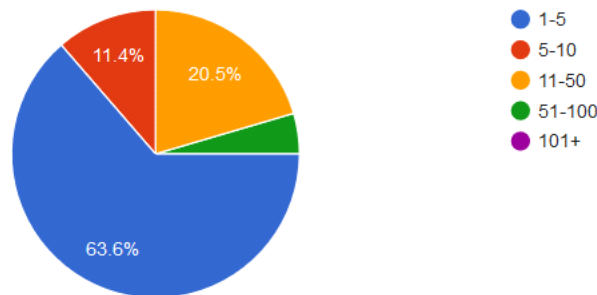
1.A What type of business are you?

44 responses



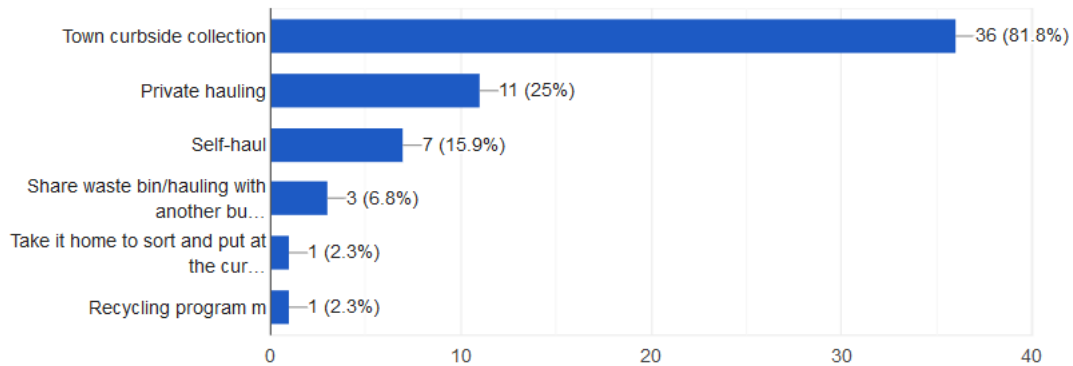
1.B How many employees and/or contractors does your business have?

44 responses



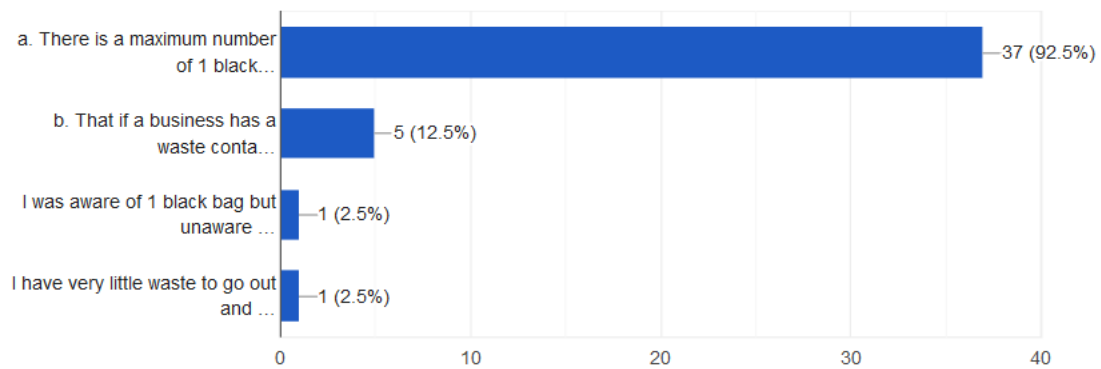
2. How does your business handle garbage disposal (check all that apply)?

44 responses



3. For curbside garbage collection, are you aware that (check all that apply):

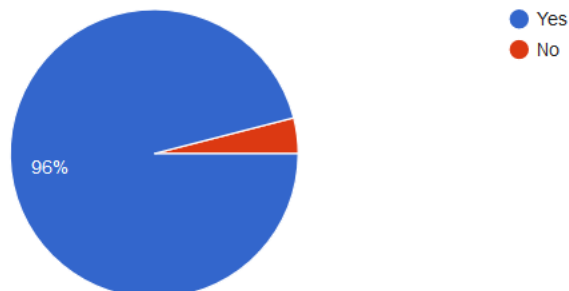
40 responses



Other: I was aware of 1 black bag but unaware of 5 clear bags permitted; I have very little waste to go out and sort whatever comes in

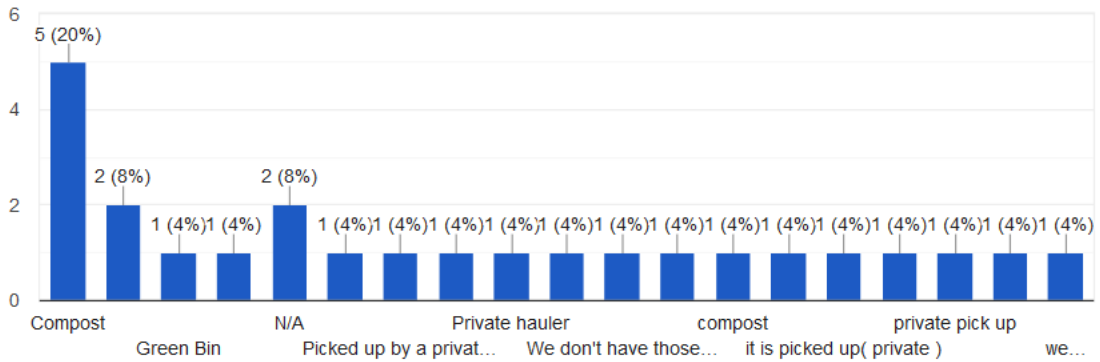
4.A If you are in the food & beverage or hospitality business, are you aware that oil and grease, liquid residues with high organic concentration, and food scraps should not be disposed of down your sink or sewer?

25 responses



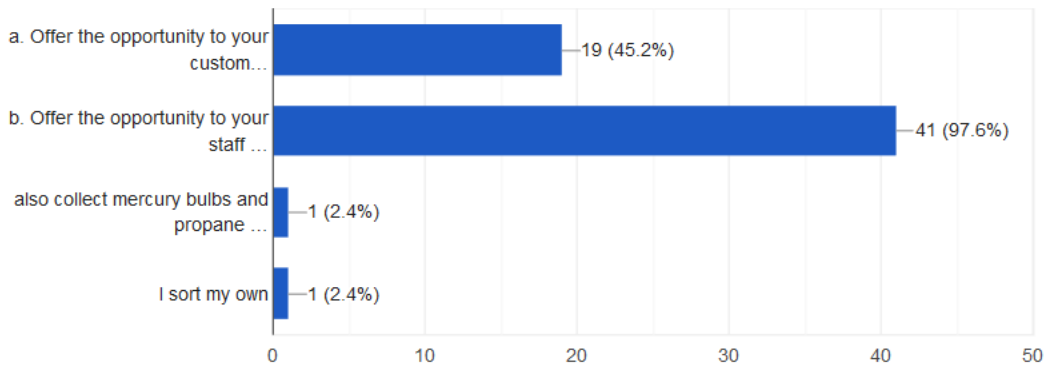
4.B How do you dispose of this material?

25 responses



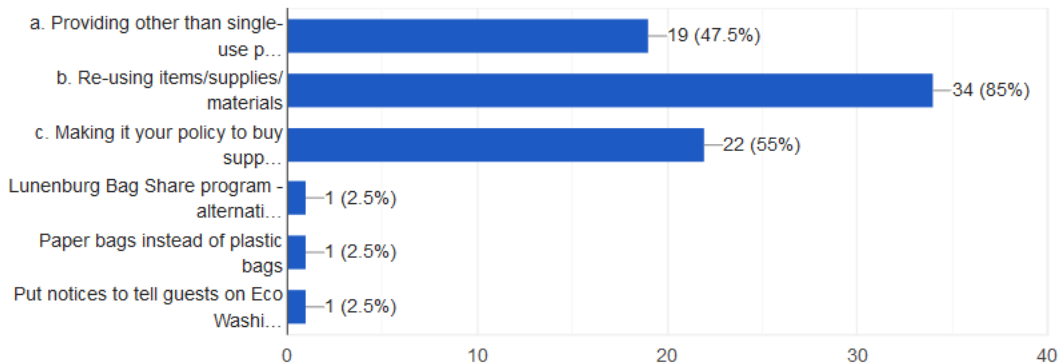
5. Within your premises, does your business (check all that apply):

42 responses



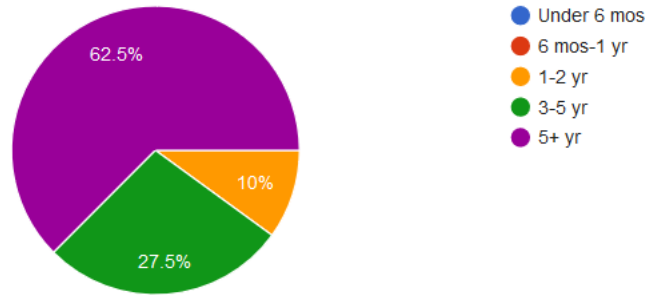
6.A Does your business reduce waste by methods such as (check all that apply):

40 responses



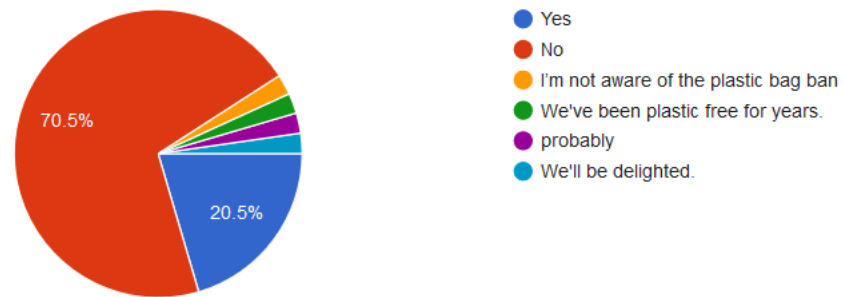
6.B If yes to above, how long has your business been practicing waste reduction?

40 responses



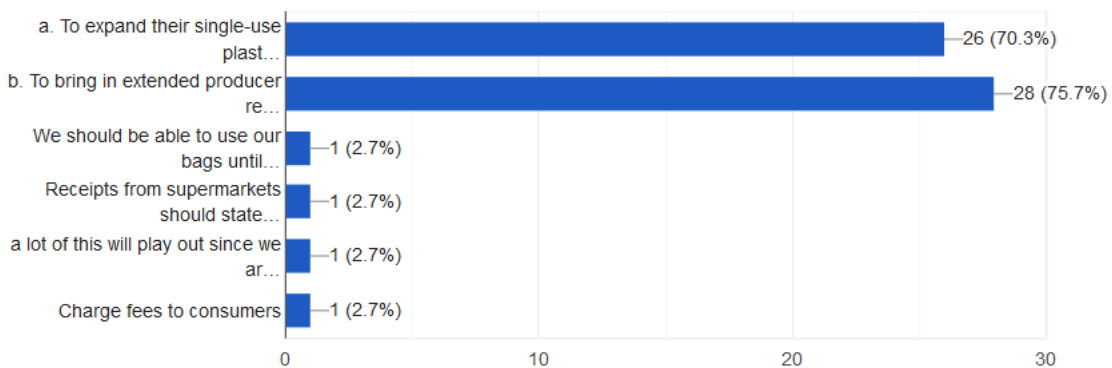
7. Will the October 2020 provincial single-use plastic bag ban affect you?

44 responses



8. Should the Town continue to lobby the Province (check all that apply):

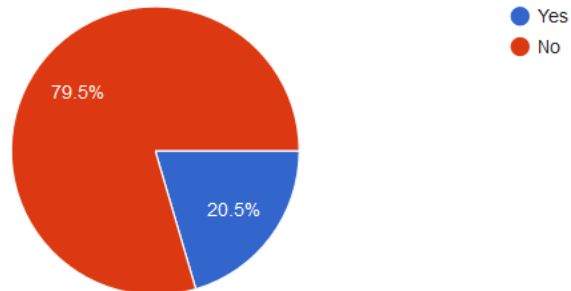
37 responses



Other: We should be able to use our bags until they are gone. Defeats the purpose to have to throw them out; Receipts from supermarkets should state how much packaging; A lot of this will play out since we are all moving this direction; Charge fees to consumers

9. Have you ever attended or hosted a workshop or session on waste management for your business?

44 responses



10. Is there anything else that you think we should know? Is there anything else our Waste Reduction Strategy should consider?

7 responses

Boat wraps

The current program is very much focused on restaurants and cafes. There are other business in town who are also keen to reduce waste and single use plastics.

Cleaning trash from public areas, ditches, along the trails, harbourfront.

Can we get smaller compost bins? https://images-na.ssl-images-amazon.com/images/I/71yxhpQv4WL_AC_SL1300_.jpg I will pay

that cigarette butts are a giant environmental hazard also, have MORE waste bins, not only for garbage but also for cigarette butts.

smoking and cigarette butts. They are a big problem and not just with visitors. We have outdoor tables and the butts everywhere. Signage and fines should be implemented!

No, looks like you have covered it all.

1.A What type of business are you?

- Motel
- Festival & Conference
- an art gallery
- Hotel
- Bed & Breakfast
- pub and eatery
- bed and breakfast
- Retail
- Retail
- Marine Retail store
- Manufacturing
- Manufacturing
- bed and breakfast
- Custom service
- Retail
- Trades
- Retail
- Retail
- Tours for tourists.
- Insurance
- retail clothing
- B&B
- Child Care
- Retail
- customer service
- Food service
- Retail
- Seasonal recreational facility
- cafe/retail
- retail
- Bowling alley
- retail
- ART GALLERY
- Restaurant
- Lunenburg Tennis Club
- Auto parts store
- non-profit
- Handweaving studio with retail space
- Pizza restaurant
- Small marine repair.
- retail&Art studio
- Museum
- Recreation and Restaurant
- Hotel

Summary	
Accommodations	7
Festival	1
Art Gallery/Studio/Museum	5
Restaurant/Food Service	6
Manufacturing	4
Retail	12
Recreation	3
Services	6
	44

TOWN OF LUNENBURG

WASTE AND PLASTICS REDUCTION WORKING GROUP GUIDELINES

Revised: May 14, 2020

1.0 DEFINITIONS

“Town” means the Town of Lunenburg.

“Council” means the Council of the Town of Lunenburg.

“Working Group” means the Waste and Plastics Reduction Working Group, an advisory body reporting to Council.

2.0 PURPOSE

The purpose of the Working Group is to coordinate stakeholder consultation, review consultation data, and develop a Waste Reduction Strategy with recommendations for action to Council. This may or may not include Town legislative or policy changes.

3.0 RESPONSIBILITIES

3.1 The responsibilities of the Working Group include:

- a. Confirm or revise the draft Objectives of the Strategy, as below:
 - Increase resident and business participation in waste prevention and diversion, including single-use materials like plastics, styrofoam, etc.
 - Develop and/or promote education programs
 - Encourage the Province to **regulate extended** producer responsibility for end-of-life management of products and **packaging**, lifting the burden from municipal taxpayers
 - **Encourage the Province to expand its Single-Use Plastic Bag Ban legislation to include more single-use items**
 - Ensure the Town of Lunenburg leads by example by reducing waste in all municipal government work
 - Support collaborative efforts for waste reduction with other organizations
- b. Stakeholder consultation via meetings, surveys or other means; stakeholders to be defined as:
 - Residents – permanent and seasonal

- Businesses – including tourism, grocery, restaurant, retail, and other affected businesses directly and via the Lunenburg Board of Trade
- Advocacy groups – including Coastal Action’s Ocean Friendly Nova Scotia and Plastic Free Lunenburg
- Intra-municipal – Region 6 Solid Waste Management, the Federation of Nova Scotia Municipalities (re: extended producer responsibility in NS)
- Provincial – Environment NS, Divert NS, Develop NS – NS Bill #152 Plastic Bags Reduction Act (received royal assent on Oct. 30, 2019 and commences Oct. 30, 2020)
- Federal – Environment Canada – July 2019 national plastics reduction strategy announcement, confirmed by Prime Minister’s Twitter December 30, 2019 (details to come)

- c. Review materials to include:
 - The Town’s current bylaw and policies on waste management or reduction for potential amendment (Bylaw #38, Procedural Policy #90);
 - Existing public consultation data from Project Lunenburg and Plastic Free Lunenburg;
 - Conduct a survey of businesses’ waste reduction challenges and opportunities
 - Consultation meetings with stakeholders as required
 - Consider issuing an invitation for further comment via email
 - Region 6 audit of public waste units November 2019
- d. Provide a recommendation to Council for a Town-specific Waste Reduction Strategy and/or Action Plan, including estimated costs.

3.2 The Working Group may consult with Town staff, Council and stakeholders as necessary.

3.3 The Working Group may seek outside expertise as necessary.

4.0 MEMBERSHIP

4.1 The members of the Working Group shall consist of

- Town elected official(s): chaired by a member of Council;
- Staff assigned by the CAO: Assistant Municipal Clerk and Public Works Superintendent;
- An invited representative from stakeholder organizations: Region 6 Solid Waste Management, Divert NS, the Lunenburg Board of Trade, Coastal Action and Plastic Free Lunenburg.

- 4.2 Members of the Working Group are appointed until such time as the Working Group has fulfilled its mandate or has been terminated by motion of Council.

5.0 MEETINGS

- 5.1 The time and schedule of Working Group meetings shall be determined by the Chair in consultation with the Working Group members.
- 5.2 A quorum of the Working Group shall consist of a majority of its members.
- 5.3 All meetings of the Working Group shall be held in public.
- 5.4 The Working Group shall operate in accordance with the procedures provided in the Municipal Government Act and Roberts Rules of Order.

6.0 FINAL REPORT

- 6.1 The Working Group shall submit a written report to Council outlining its findings and recommendations or progress report by **June 30, 2020**.
- 6.2 The Working Group's report shall be a public document and will contain reasons and justification for all recommendations.



**Burke,
Macdonald
& Luczak**
Barristers & Solicitors

Patrick A. Burke, QC
David K. Macdonald, BSc, LLB(Retired)
Piotr Luczak, BA, LLB

June 16, 2020

Bea Renton
CAO
Town of Lunenburg

Via Email

Dear Bea:

Re: Municipal Election 2020

Enclosed herewith is a revised Alternative Voting Bylaw which in 7B(1)(second line) changes “may” to “shall” [in relation to the establishment of one polling station]. In 7B(2)(b), we have noted that any polling station shall be open on each advance polling day as well.

I am enclosing herewith a re-draft of the Motion re First Reading of the Bylaw for the June 23, 2020 meeting.

Kindly review same and contact me if you have any questions.

Yours very truly,

BURKE, MACDONALD & LUCZAK

Patrick A. Burke, Q.C.
PAB/js

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**RESOLUTION OF COUNCIL
OF THE TOWN OF LUNENBURG
FIRST READING OF BYLAW (June 23, 2020)**

WHEREAS the COVID-19 Pandemic will create significant challenges and risks associated with a paper-balloting election,

BE IT RESOLVED THAT:

- a) First Reading of the Alternative Voting Bylaw [attached hereto as Schedule AVB] is hereby given;
- b) at least 14 days before the Bylaw is read for a second (and final) time, Notice of the Council's intent to consider the Bylaw shall be published in a newspaper circulating in the Town as provided in section 168(2) of the Municipal Government Act; and
- c) the Second and Final Reading of the Bylaw shall take place at the Zoom Council meeting to be held on July 28, 2020 at 2:00 pm.

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Schedule AVB

TOWN OF LUNENBURG
ALTERNATIVE VOTING BY-LAW

BE IT ENACTED by the Council of the Town of Lunenburg, under the authority of Section 146A of the Municipal Elections Act, 1989 R.S.N.S. c. 300, as amended, as follows:

Short Title

1. This By-law shall be known as the "Alternative Voting By-law".

Definitions

2. In this by-law:
 - (a) "Act" means the Municipal Elections Act, 1989 R.S.N.S. c. 300, as amended;
 - (b) "advance poll" means the Tuesday immediately preceding ordinary polling day; and either
 - i. one other day fixed by the Council by resolution that is either Thursday, the ninth day before ordinary polling day, or Saturday the seventh day before ordinary polling day; or
 - ii. if Council has delegated its authority to fix a day to the Returning Officer, one other day fixed by the Returning Officer that is either Thursday, the ninth day before ordinary polling day, or Saturday the seventh day before ordinary polling day;
 - (c) "alternative polling days" means any hours and dates fixed by a resolution of Council for alternative voting;
 - (d) "alternative voting" means voting by telephone or via the internet and includes a combination of telephone and internet voting;
 - (e) "ballot box" means a computer database in the system where cast internet ballots and telephone ballots are put;
 - (f) "candidate" means a person who has been nominated as a candidate pursuant to the Act;
 - (g) "Council" means the Council of the municipality;
 - (h) "Deputy Returning Officer" means a person appointed under the Act to preside over a polling station;
 - (i) "Education Act" means the Education (CSAP) Act, S.N.S. 1995-1996 c. 1, as amended;

- (j) "election" means an election held pursuant to the Act, including a school board election, special election and a plebiscite;
- (k) "Election Officer" means an "election officer" under the Act;
- (l) "elector" means a person:
 - i. qualified to vote pursuant to the Act and the Education (CSAP) Act; and
 - ii. entitled to vote for an election pursuant to section 7 of this by-law;
- (m) "friend voter" means a friend who votes for an elector pursuant to section 9 of this by-law;
- (n) "internet ballot" means an image of a ballot on a personal computing device including all the choices available to an elector and the spaces in which an elector marks a vote;
- (o) "list of electors" means:
 - i. prior to the list of electors being completed and certified by the Returning Officer pursuant to section 50A of the Act, the list of electors that has been amended and corrected by the Returning Officer pursuant to subsections 2 and 3 of section 38 of the Act; or
 - ii. the list of electors that has been completed and certified by the Returning Officer pursuant to section 50A of the Act;
- (p) "municipality" means the Town of Lunenburg;
- (q) "normal business hours" means the time between 8:30 am and 4:30 pm Monday through to and including Friday;
- (r) "ordinary polling day" means the third Saturday in October in a regular election year and in the case of any other election means the Saturday fixed for the election;
- (s) "PIN" means the Personal Identification Number issued to an elector for alternative voting on alternative polling days;
- (t) "plebiscite" means a plebiscite directed to be held by the Council pursuant to section 53 of the Municipal Government Act;
- (u) "proxy voter" means an elector who votes by a proxy pursuant to the Act;
- (v) "regular election year" means 2016 and every fourth year thereafter;
- (w) "rejected ballot" means an internet ballot or a telephone ballot that has not been marked for any candidate;

- (x) "Returning Officer" means a Returning Officer appointed pursuant to the Act;
- (y) "school board" means the Conseil scolaire acadien provincial as referred to in the Education (CSAP) Act;
- (z) "seal" means to secure the ballot box and prevent internet and telephone ballots from being cast;
- (aa) "special election" means a special election held pursuant to the Act, including a special election for a vacancy on a school board;
- (bb) "system" means the technology, including software, that:
 - i. records and counts votes; and
 - ii. processes and stores the results of alternative voting during alternative polling days;
- (cc) "System Elections Officer" means:
 - i. a person who maintains, monitors, or audits the system, and
 - ii. a person who has access to the system beyond the access necessary to vote by alternative voting.
- (dd) "telephone ballot" means:
 - i. an audio set of instructions which describes the voting choices available to an elector; and
 - ii. the marking of a selection by an elector by depressing the number on a touch tone keypad;

Alternative Voting Permitted

- 3.
 - (1) Subject to this by-law, alternative voting shall be permitted on alternative polling days.
 - (2) Council may, by resolution, provide that voting by telephone and by a personal computing device shall be the only means of voting for an election.

Notification of Electors

- 4.
 - (1) The Returning Officer shall cause notice of alternative polling days to be published in a newspaper circulating in the municipality.
 - (2) The notice of alternative polling days shall:
 - (a) identify the alternative polling days for alternative voting; and

- (b) inform the elector that telephone voting and internet voting is permitted during alternative polling days.
- (3) The notice may include any other information the Returning Officer deems necessary.

Form of Telephone and Internet Ballots

- 5.
 - (1) A telephone ballot and internet ballot shall:
 - (a) identify the title "Election for Mayor" or "Election for Councillor" or "Election for School Board Member", as the case may be;
 - (b) identify the names or names by which they are commonly known of the candidates with given names followed by surnames, arranged alphabetically in order of their surnames and, where necessary, their given names, and
 - (c) warn the elector to "vote for one candidate only" or "vote for not more than (the number of candidates to be elected) candidates" as the case may be.
 - (2) No title, honour, decoration or degree shall be included with a candidate's name on an internet ballot or telephone ballot.

Oath

- 6. Any oath that is authorized or required shall be made:
 - (a) In the form specified by the procedures and forms, or
 - (b) If the form is not specified by the procedures and forms, in the form required by the Act.

Electors

- 7. No person shall vote by alternative voting unless:
 - (a) the person's name appears on the applicable list of electors; or
 - (b) the person is added to the applicable list of electors pursuant to section 36 of the Act or section 7A of the by-law.
- 7A (1) Notwithstanding sections 33 and 38 of the Act, in addition to section 36 of the Act, a person may apply for an amendment to any list of electors by telephone after the first notice of the preliminary lists of electors is given pursuant to section 34 of the Act and before the end of alternative polling days and such amendment may be made by a revising officer or the Returning Officer in accordance with subsection 2.

- (2) Notwithstanding subsection 36(2) of the Act, an application by telephone to be added to any list of electors shall be sufficiently detailed to allow the revising officer or Returning Officer to determine whether the information can be verified from other sources available to the revising officer or Returning Officer and, if the revising officer or Returning Officer determines that this is not possible, then the applicant shall be required to personally appear, at the location and time determined by the revising officer or Returning Officer, and make an application accompanied by a declaration under oath administered by the revising officer or the Returning Officer of the facts that support the application.

Polling Station for Alternative Voting

- 7B (1) If Council decides that voting by a telephone and by a personal computing device are the only means of voting for an election, the Returning Officer shall establish at least one polling station for alternative voting and each polling station established shall be equipped with at least one device that is capable of casting either an internet ballot or telephone ballot.
- (2) Any polling station for alternative voting shall be:
 - (a) available for electors who are voting with friend voters and for any other electors; and
 - (b) open on each advance polling day, ordinary polling day and such other days and times as decided by the Returning Officer.
- (3) Despite s. 58(1) of the Act, the Returning Officer may appoint a Deputy Returning Officer and Poll Clerk for each polling station for alternative voting, but is not required to do so.

Proxy Voting

8. A proxy voter shall not vote for an elector by alternative voting.

Friend Voting

9.
 - (1) A friend voter shall only vote for an elector by alternative voting if:
 - (a) an elector is unable to vote because :
 - i. the elector is blind;
 - ii. the elector cannot read; or
 - iii. the elector has a physical disability that prevents him or her from voting by alternative voting.
 - (b) the elector and the friend appear, in person, before the Returning Officer or the Deputy Returning Officer and take the prescribed oaths.

- (2) A candidate shall not act as a friend voter unless the elector is a child, grandchild, brother, sister, parent, grandparent, or spouse of the candidate.
- (3) The elector shall take an oath in the form prescribed by the Act providing that he or she is incapable of voting without assistance.
- (4) The friend of the elector shall take an oath in the prescribed form to this by-law that:
 - (a) the friend has not previously acted as a friend for any other elector in the election other than an elector who is a child, grandchild, brother, sister, parent, grandparent, or spouse of the friend of the elector;
 - (b) the friend will mark the ballot as requested by the elector; and
 - (c) the friend will keep secret the choice of the elector.
- (5) Where the elector requests assistance, the Deputy Returning Officer or Returning Officer may act as a friend of the elector but shall not be required to take the oath referred to in subsections (1) and (4)
- (6) The Returning Officer or Deputy Returning Officer or Poll Clerk shall enter in the poll book:
 - (a) the reason why the elector is unable to vote;
 - (b) the name of the friend; and
 - (c) the fact that the oaths were taken.

System Elections Officer

- 9A (1) A System Elections Officer shall have access to the system prior to the commencement of alternative voting to verify the count for each candidate is zero.
- (2) Notwithstanding the day and time set for alternative voting, alternative voting shall not commence until the counts for each of the candidates is zero.
- 9B A System Elections Officer shall comply with the procedures and forms established by the Returning Officer pursuant to the subsection 146A (4) of the Act.

Voting

10.

- (1) The system shall put internet ballots and telephone ballots cast by an elector in the ballot box.

- (2) The system shall put spoiled ballots in the ballot box.

Seal

11.

- (1) Where alternative voting closes before the close of the polls on ordinary polling day, the system shall seal the ballot box until after the close of the poll on ordinary polling day.
- (2) The system shall seal the ballot box even where fewer than ten persons from any polling district voted for a candidate during alternative polling days.

List of persons who voted

12. Where alternative voting closes before the close of the polls on ordinary polling day, the system shall:

- (a) generate a list of all electors who voted by alternative voting; and
- (b) on the applicable list of electors cause a line to be drawn through the name of all the electors who voted during alternative polling days.

13.

- (1) A printed and electronic copy of the lists under section 12 shall be delivered to the Returning Officer within 24 hours of the close of alternative voting.
- (2) Where alternative voting closes at the close of the polls on ordinary polling day, the system shall generate a list of all electors who voted by alternative voting.

Counting

14.

- (1) At the close of ordinary polling day, the system shall generate a count of the telephone ballots and internet ballots in the ballot box that were cast for each candidate during alternative polling days.
- (2) In counting the votes that were cast for each candidate during alternative polling days, the system shall not count rejected ballots.

Tallying of Rejected Ballots

15. At the close of ordinary polling day, the system shall tally the number of rejected ballots that were cast during alternative polling days and the tally shall be delivered to the Returning Officer.

Recount by System

16. In the event of a recount, the system shall regenerate the election count and a printed copy of the regenerated count shall be given to the Returning Officer.

17. If the initial count and the regenerated count match, the regenerated count shall be the final count of the votes cast by alternative voting.

18.

- (1) If the regenerated count and the initial count do not match, the Returning Officer shall:
 - a) direct one final count be regenerated by the system of the votes cast by alternative voting, and
 - b) attend while the final count is being regenerated.
- (2) The regenerated final count pursuant to subsection (1) shall be the final count of the votes cast by alternative voting.

Recount by Court

19.

- (1) For a recount, the judge shall only consider the final count by the system, as determined by section 17 or 18, of the total number of votes that were cast by alternative voting for each candidate.
- (2) The final count by the system, as determined by section 17 or 18, of the total number of votes that were cast by alternative voting for each candidate shall be added to the judge's count of the number of votes for each candidate cast by non-alternative voting.
- (3) For elections for which there is no voting by paper ballot, there shall be no recount by a judge.

Secrecy

20. An election officer and System Elections Officer shall maintain and aid in maintaining the secrecy of the voting.

21. Every person in attendance at a polling station, or at the counting of the votes, shall maintain and aid in maintaining the secrecy of the voting.

Other Methods of Voting

22.

- (1) If voting via the Internet through the unsupervised use of a personal computing device is permitted during an election, voting shall be permitted by some other means on each alternative polling day.
- (2) Council may, by resolution, provide that voting by telephone and by personal computing device shall be the only means of voting for an election.

Severability

23. If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the by-law and it is hereby declared that the remainder of the by-law shall be valid and shall remain in force.

Prohibitions

24. No person shall:

- (a) use another person's PIN to vote or access the system unless the person is a friend voter;
- (b) take, seize, or deprive an elector of his or her PIN; or
- (c) sell, gift, transfer, assign or purchase a PIN.

25. No person shall:

- (a) interfere or attempt to interfere with an elector who is casting an internet ballot or telephone ballot;
- (b) interfere or attempt to interfere with alternative voting; or
- (c) attempt to ascertain the name of the candidate for whom an elector is about to vote or has voted.

26. No person shall, at any time, communicate or attempt to communicate any information relating to the candidate for whom an elector has voted.

26A No
(a) candidate,
(b) recognized agent, or
(c) person acting on behalf of or in support of a candidate,

shall provide a person with a personal computing device or telephone for the purposes of casting an internet ballot or a telephone ballot.

Offences and Penalty

27. (1) A person who:

- (a) violates any provision of this by-law; or
- (b) makes a false statement in a declaration; or
- (c) permits anything to be done in violation of any provision of this by-law;

is guilty of an offence.

(2) A person who contravenes subsection (1) of this section is guilty of an offence and is liable, on summary conviction, to a penalty of not less than five thousand

dollars and not more than ten thousand dollars and in default of payment, to imprisonment for a term of two years less a day, or both.

- (3) In determining a penalty under subsection (2), a judge shall take into account:
 - (a) the number of votes attempted to be interfered with;
 - (b) the number of votes interfered with; and
 - (c) any potential interference with the outcome of an election.
- (4) Pursuant to section 146A of the Act:
 - (a) the limitation period for the prosecution of an offence under this by-law is two years from the later of the date of the commission of the offence and the date on which it was discovered that an offence had been committed; and
 - (b) The Remission of Penalties Act, 1989 SNS c. 397, as amended, does not apply to a pecuniary penalty imposed by this by-law.

TOWN OF LUNENBURG
ALTERNATIVE VOTING BY-LAW

BE IT ENACTED by the Council of the Town of Lunenburg, under the authority of Section 146A of the Municipal Elections Act, 1989 R.S.N.S. c. 300, as amended, as follows:

Short Title

1. This By-law shall be known as the "Alternative Voting By-law".

Definitions

2. In this by-law:

- (a) "Act" means the Municipal Elections Act, 1989 R.S.N.S. c. 300, as amended;
- (b) "advance poll" means the Tuesday immediately preceding ordinary polling day; and either
 - i. one other day fixed by the Council by resolution that is either Thursday, the ninth day before ordinary polling day, or Saturday the seventh day before ordinary polling day; or
 - ii. if Council has delegated its authority to fix a day to the Returning Officer, one other day fixed by the Returning Officer that is either Thursday, the ninth day before ordinary polling day, or Saturday the seventh day before ordinary polling day;
- (c) "alternative polling days" means any hours and dates fixed by a resolution of Council for alternative voting;
- (d) "alternative voting" means voting by telephone or via the internet and includes a combination of telephone and internet voting;
- (e) "ballot box" means a computer database in the system where cast internet ballots and telephone ballots are put;
- (f) "candidate" means a person who has been nominated as a candidate pursuant to the Act;
- (g) "Council" means the Council of the municipality;
- (h) "Deputy Returning Officer" means a person appointed under the Act to preside over a polling station;
- (i) "Education Act" means the Education (CSAP) Act, S.N.S. 1995-1996 c. 1, as amended;
- (j) "election" means an election held pursuant to the Act, including a school board election, special election and a plebiscite;

- (k) "Election Officer" means an "election officer" under the Act;
- (l) "elector" means a person:
- i. qualified to vote pursuant to the Act and the Education (CSAP) Act; and
 - ii. entitled to vote for an election pursuant to section 7 of this by-law;
- (m) "friend voter" means a friend who votes for an elector pursuant to section 9 of this by-law;
- (n) "internet ballot" means an image of a ballot on a personal computing device including all the choices available to an elector and the spaces in which an elector marks a vote;
- (o) "list of electors" means:
- i. prior to the list of electors being completed and certified by the Returning Officer pursuant to section 50A of the Act, the list of electors that has been amended and corrected by the Returning Officer pursuant to subsections 2 and 3 of section 38 of the Act; or
 - ii. the list of electors that has been completed and certified by the Returning Officer pursuant to section 50A of the Act;
- (p) "municipality" means the Town of Lunenburg;
- (q) "normal business hours" means the time between 8:30 am and 4:30 pm Monday through to and including Friday;
- (r) "ordinary polling day" means the third Saturday in October in a regular election year and in the case of any other election means the Saturday fixed for the election;
- (s) "PIN" means the Personal Identification Number issued to an elector for alternative voting on alternative polling days;
- (t) "plebiscite" means a plebiscite directed to be held by the Council pursuant to section 53 of the Municipal Government Act;
- (u) "proxy voter" means an elector who votes by a proxy pursuant to the Act;
- (v) "regular election year" means 2016 and every fourth year thereafter;
- (w) "rejected ballot" means an internet ballot or a telephone ballot that has not been marked for any candidate;
- (x) "Returning Officer" means a Returning Officer appointed pursuant to the Act;

- (y) "school board" means the Conseil scolaire acadien provincial as referred to in the Education (CSAP) Act;
- (z) "seal" means to secure the ballot box and prevent internet and telephone ballots from being cast;
- (aa) "special election" means a special election held pursuant to the Act, including a special election for a vacancy on a school board;
- (bb) "system" means the technology, including software, that:
 - i. records and counts votes; and
 - ii. processes and stores the results of alternative voting during alternative polling days;
- (cc) "System Elections Officer" means:
 - i. a person who maintains, monitors, or audits the system, and
 - ii. a person who has access to the system beyond the access necessary to vote by alternative voting.
- (dd) "telephone ballot" means:
 - i. an audio set of instructions which describes the voting choices available to an elector; and
 - ii. the marking of a selection by an elector by depressing the number on a touch tone keypad;

Alternative Voting Permitted

- 3.
 - (1) Subject to this by-law, alternative voting shall be permitted on alternative polling days.
 - (2) Council may, by resolution, provide that voting by telephone and by a personal computing device shall be the only means of voting for an election.

Notification of Electors

- 4.
 - (1) The Returning Officer shall cause notice of alternative polling days to be published in a newspaper circulating in the municipality.
 - (2) The notice of alternative polling days shall:
 - (a) identify the alternative polling days for alternative voting; and

- (b) inform the elector that telephone voting and internet voting is permitted during alternative polling days.
- (3) The notice may include any other information the Returning Officer deems necessary.

Form of Telephone and Internet Ballots

- 5.
 - (1) A telephone ballot and internet ballot shall:
 - (a) identify the title "Election for Mayor" or "Election for Councillor" or "Election for School Board Member", as the case may be;
 - (b) identify the names or names by which they are commonly known of the candidates with given names followed by surnames, arranged alphabetically in order of their surnames and, where necessary, their given names, and
 - (c) warn the elector to "vote for one candidate only" or "vote for not more than (the number of candidates to be elected) candidates" as the case may be.
 - (2) No title, honour, decoration or degree shall be included with a candidate's name on an internet ballot or telephone ballot.

Oath

- 6. Any oath that is authorized or required shall be made:
 - (a) In the form specified by the procedures and forms, or
 - (b) If the form is not specified by the procedures and forms, in the form required by the Act.

Electors

- 7. No person shall vote by alternative voting unless:
 - (a) the person's name appears on the applicable list of electors; or
 - (b) the person is added to the applicable list of electors pursuant to section 36 of the Act or section 7A of the by-law.
- 7A (1) Notwithstanding sections 33 and 38 of the Act, in addition to section 36 of the Act, a person may apply for an amendment to any list of electors by telephone after the first notice of the preliminary lists of electors is given pursuant to section 34 of the Act and before the end of alternative polling days and such amendment may be made by a revising officer or the Returning Officer in accordance with subsection 2.

- (2) Notwithstanding subsection 36(2) of the Act, an application by telephone to be added to any list of electors shall be sufficiently detailed to allow the revising officer or Returning Officer to determine whether the information can be verified from other sources available to the revising officer or Returning Officer and, if the revising officer or Returning Officer determines that this is not possible, then the applicant shall be required to personally appear, at the location and time determined by the revising officer or Returning Officer, and make an application accompanied by a declaration under oath administered by the revising officer or the Returning Officer of the facts that support the application.

Polling Station for Alternative Voting

- 7B (1) If Council decides that voting by a telephone and by a personal computing device are the only means of voting for an election, the Returning Officer shall establish at least one polling station for alternative voting and each polling station established shall be equipped with at least one device that is capable of casting either an internet ballot or telephone ballot.
 - (2) Any polling station for alternative voting shall be:
 - (a) available for electors who are voting with friend voters and for any other electors; and
 - (b) open on each advance polling day, ordinary polling day and such other days and times as decided by the Returning Officer.
 - (3) Despite s. 58(1) of the Act, the Returning Officer may appoint a Deputy Returning Officer and Poll Clerk for each polling station for alternative voting, but is not required to do so.

Proxy Voting

8. A proxy voter shall not vote for an elector by alternative voting.

Friend Voting

9.
 - (1) A friend voter shall only vote for an elector by alternative voting if:
 - (a) an elector is unable to vote because :
 - i. the elector is blind;
 - ii. the elector cannot read; or
 - iii. the elector has a physical disability that prevents him or her from voting by alternative voting.
 - (b) the elector and the friend appear, in person, before the Returning Officer or the Deputy Returning Officer and take the prescribed oaths.

- (2) A candidate shall not act as a friend voter unless the elector is a child, grandchild, brother, sister, parent, grandparent, or spouse of the candidate.
- (3) The elector shall take an oath in the form prescribed by the Act providing that he or she is incapable of voting without assistance.
- (4) The friend of the elector shall take an oath in the prescribed form to this by-law that:
 - (a) the friend has not previously acted as a friend for any other elector in the election other than an elector who is a child, grandchild, brother, sister, parent, grandparent, or spouse of the friend of the elector;
 - (b) the friend will mark the ballot as requested by the elector; and
 - (c) the friend will keep secret the choice of the elector.
- (5) Where the elector requests assistance, the Deputy Returning Officer or Returning Officer may act as a friend of the elector but shall not be required to take the oath referred to in subsections (1) and (4)
- (6) The Returning Officer or Deputy Returning Officer or Poll Clerk shall enter in the poll book:
 - (a) the reason why the elector is unable to vote;
 - (b) the name of the friend; and
 - (c) the fact that the oaths were taken.

System Elections Officer

- 9A (1) A System Elections Officer shall have access to the system prior to the commencement of alternative voting to verify the count for each candidate is zero.
- (2) Notwithstanding the day and time set for alternative voting, alternative voting shall not commence until the counts for each of the candidates is zero.
- 9B A System Elections Officer shall comply with the procedures and forms established by the Returning Officer pursuant to the subsection .146A (4) of the Act.

Voting

10.

- (1) The system shall put internet ballots and telephone ballots cast by an elector in the ballot box.

- (2) The system shall put spoiled ballots in the ballot box.

Seal

11.
 - (1) Where alternative voting closes before the close of the polls on ordinary polling day, the system shall seal the ballot box until after the close of the poll on ordinary polling day.
 - (2) The system shall seal the ballot box even where fewer than ten persons from any polling district voted for a candidate during alternative polling days.

List of persons who voted

12. Where alternative voting closes before the close of the polls on ordinary polling day, the system shall:
 - (a) generate a list of all electors who voted by alternative voting; and
 - (b) on the applicable list of electors cause a line to be drawn through the name of all the electors who voted during alternative polling days.
13.
 - (1) A printed and electronic copy of the lists under section 12 shall be delivered to the Returning Officer within 24 hours of the close of alternative voting.
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Counting

14.
 - (1) At the close of ordinary polling day, the system shall generate a count of the telephone ballots and internet ballots in the ballot box that were cast for each candidate during alternative polling days.
 - (2) In counting the votes that were cast for each candidate during alternative polling days, the system shall not count rejected ballots.

Tallying of Rejected Ballots

15. At the close of ordinary polling day, the system shall tally the number of rejected ballots that were cast during alternative polling days and the tally shall be delivered to the Returning Officer.

Recount by System

16. In the event of a recount, the system shall regenerate the election count and a printed copy of the regenerated count shall be given to the Returning Officer.

17. If the initial count and the regenerated count match, the regenerated count shall be the final count of the votes cast by alternative voting.

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- (1) If the regenerated count and the initial count do not match, the Returning Officer shall:
 - a) direct one final count be regenerated by the system of the votes cast by alternative voting, and
 - b) attend while the final count is being regenerated.
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Recount by Court

19.

- (1) For a recount, the judge shall only consider the final count by the system, as determined by section 17 or 18, of the total number of votes that were cast by alternative voting for each candidate.
- (2) The final count by the system, as determined by section 17 or 18, of the total number of votes that were cast by alternative voting for each candidate shall be added to the judge's count of the number of votes for each candidate cast by non-alternative voting.
- (3) For elections for which there is no voting by paper ballot, there shall be no recount by a judge.

Secrecy

20. An election officer and System Elections Officer shall maintain and aid in maintaining the secrecy of the voting.

21. Every person in attendance at a polling station, or at the counting of the votes, shall maintain and aid in maintaining the secrecy of the voting.

Other Methods of Voting

22.

- (1) If voting via the Internet through the unsupervised use of a personal computing device is permitted during an election, voting shall be permitted by some other means on each alternative polling day.
- (2) Council may, by resolution, provide that voting by telephone and by personal computing device shall be the only means of voting for an election.

Severability

23. If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the by-law and it is hereby declared that the remainder of the by-law shall be valid and shall remain in force.

Prohibitions

24. No person shall:

- (a) use another person's PIN to vote or access the system unless the person is a friend voter;
- (b) take, seize, or deprive an elector of his or her PIN; or
- (c) sell, gift, transfer, assign or purchase a PIN.

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- (a) interfere or attempt to interfere with an elector who is casting an internet ballot or telephone ballot;
- (b) interfere or attempt to interfere with alternative voting; or
- (c) attempt to ascertain the name of the candidate for whom an elector is about to vote or has voted.

26. No person shall, at any time, communicate or attempt to communicate any information relating to the candidate for whom an elector has voted.

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- (a) candidate,
- (b) recognized agent, or
- (c) person acting on behalf of or in support of a candidate,

shall provide a person with a personal computing device or telephone for the purposes of casting an internet ballot or a telephone ballot.

Offences and Penalty

27. (1) A person who:

- (a) violates any provision of this by-law; or
- (b) makes a false statement in a declaration; or
- (c) permits anything to be done in violation of any provision of this by-law;

is guilty of an offence.

- (2) A person who contravenes subsection (1) of this section is guilty of an offence and is liable, on summary conviction, to a penalty of not less than five thousand

dollars and not more than ten thousand dollars and in default of payment, to imprisonment for a term of two years less a day, or both.

- (3) In determining a penalty under subsection (2), a judge shall take into account:
 - (a) the number of votes attempted to be interfered with;
 - (b) the number of votes interfered with; and
 - (c) any potential interference with the outcome of an election.
- (4) Pursuant to section 146A of the Act:
 - (a) the limitation period for the prosecution of an offence under this by-law is two years from the later of the date of the commission of the offence and the date on which it was discovered that an offence had been committed; and
 - (b) The Remission of Penalties Act, 1989 SNS c. 397, as amended, does not apply to a pecuniary penalty imposed by this by-law.

Report to Council

To: Town of Lunenburg
From: Patrick A. Burke, Q.C., Town Solicitor
Re: Municipal Election 2020 – Voting
Date: June 2, 2020

- 1. The Town passed a Resolution on October 22, 2019 that the 2020 Election would be by paper balloting only.**
- 2. Since that time, we have had the COVID-19 Pandemic which has created challenges in conducting all business activities.**
- 3.**
 - a. Concern has been raised about the ability to conduct a paper-balloting election, from the perspective of adequately protecting any poll workers as well as voters.**
 - b. It may be difficult to obtain poll workers who are prepared to work in this environment. (If we need to have a mobile poll for Harbourview Haven and Fishermen’s Memorial Hospital, we may have to get one of the nurses to be the DRO).**
- 4. HRM has prepared a report dated April 14, 2020, (a copy of which is attached) which addresses many of the issues associated with electronic voting. Obviously, this decision is impacted by the geographical size of, and population in, their municipality.**
- 5. HRM has recently conducted a by-election involving approximately 20,000 electors which was entirely electronic and telephone voting (alternative voting).**
- 6. The Minister of Municipal Affairs has determined that the October 17, 2020 municipal election will be proceeding as scheduled.**
- 7. It is submitted that alternative voting (and no paper ballots) is the safest method of conducting an election during this pandemic, particularly given that there may be a second wave outbreak in the Fall of 2020.**
- 8. It is admitted that there are always risks of voter fraud with electronic voting (example – someone voting someone else’s pin), but this must be balanced against the risks to the health of the public in trying to conduct an election with paper balloting during a Pandemic.**

9. There will be costs associated with conducting an election of this nature:

a. Help Desk Staffing

It is anticipated that the alternative voting days would be 8 days long (October 10 – October 17 inclusive) and it is recommended that a person staff the Help Desk from 8:30 am – 4:30 pm during those 8 days (even though voting may occur 24 hours per day).

b. Intelivote

The cost of Intelivote is \$1.25 per elector plus \$1.20 for the letter and printing and postage which results in \$2.45 per elector. We have under 1900 electors in the Town of Lunenburg.

c. Auditor (IT Person)

There will need to be an auditor who will audit the functions of the electronic voting. (For Example – the auditor will ensure that the voting cannot commence until the start of alternative voting days and will do various security checks on the system during the course of the election to ensure the integrity thereof).

It is likely that a local IT person could perform this function. The cost is not known but would likely be at least \$1500.00.

d. Increased Costs for Returning Officer

There will be an increased cost for the Returning Officer (with the amount to be determined).

e. Increased Advertising Costs

There will be increased advertising costs. (This could be at least \$2000.00 as it is imperative that we ensure that the public is aware of the new voting system and accordingly, we should have substantial advertising, and circulars in the electric bills).

f. Savings

There will be some savings on DRO's and Poll Clerks as you would not likely have more than one poll (if any).

Provided nevertheless, there will need to be a mobile poll for Harbourview Haven and the Hospital and that will likely mean that staff members will have to be appointed as DRO's and Poll Clerks and would circulate in the facility on Ordinary Polling Day with an iPad for those who are interested in voting.

g. Additional Hardware Costs

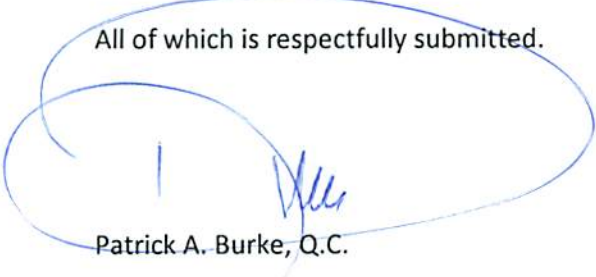
It may be necessary to have 3 or 4 iPads which will need to be used during the election. (These could likely be wiped clean and utilized by the new Councillors after the election).

I am enclosing herewith the following:

- A. Notice of Motion to rescind the earlier Resolution concerning paper balloting;
- B. The Resolution to rescind the Motion (which would be dealt with at the June 23, 2020 Council Meeting);
- C. Report from Intelivote Systems Inc.
- D. Draft Bylaw;
- E. Notice of Motion to be given on June 9, 2020 for the June 23, 2020 Meeting; and
- F. Resolution for the June 23, 2020 meeting to give first reading of the Bylaw.

[Once the Bylaw is passed (which is anticipated to take place in the July 28, 2020 Meeting), Council will need to pass a Resolution to proceed by electronic and telephone voting only].

All of which is respectfully submitted.



Patrick A. Burke, Q.C.

Town Solicitor

HALIFAX

P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 8.1.3
Halifax Regional Council
April 14, 2020

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY: Original Signed by 
Jacques Dubé, Chief Administrative Officer

DATE: March 19, 2020

SUBJECT: 2020 Municipal and CSAP Elections – election methods and Alternative voting dates

RECOMMENDATION REPORT

ORIGIN

This report originates with staff. The Election Office has commenced planning for the 2020 Municipal and CSAP Elections (Election) and requires Council direction on the following to proceed with planning:

- Method of voting for the 2020 Municipal and CSAP Election
- Dates for the advance polling period for the 2020 Municipal and CSAP Election

Halifax Regional Council is required by resolution to address administrative matters under the *Municipal Elections Act* to conduct any election, including setting dates for alternative voting for the 2020 Municipal and CSAP Elections.

LEGISLATIVE AUTHORITY

Municipal Elections Act (MEA), subsection 146A(1): "A council may by by-law authorize voters to vote by mail, electronically or by another voting method".

Bylaw A-400, the *Alternative Voting By-law* clauses ©(d) and section 3, as follows:
© "alternative polling days" means any hours and dates fixed by a resolution of Council for alternative voting;

(d) "alternative voting" means voting by telephone or via the internet and includes a combination of telephone and internet voting;

3. (1) Subject to this by-law, alternative voting shall be permitted on alternative polling days.
(2) Council may, by resolution, provide that voting by a telephone and by a personal computing device shall be the only means of voting for an election.

RECOMMENDATION ON PAGE 2

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Adopt Option 1 as outlined in Attachment A of this report and direct:
 - (a) that use of a telephone and a personal computing device as the only method of voting to be used in the 2020 Municipal and CSAP Elections during alternative polling days, including during the advance polls; and
 - (b) that paper ballot be used as the only method of voting on ordinary polling day.
2. Set the dates for alternative voting to commence on Tuesday, October 6, 2020 at 8:00 a.m. and run continuously through to Wednesday, October 14, 2020 at 7:00 p.m.

BACKGROUND

Methodology

Section 146A of the *MEA* provides Regional Council the option, by by-law, to select the method of voting.

Prior to the 2008 municipal election, Council did not have the ability to allow internet or telephone voting. Accordingly, the Municipality conducted the election using in-person paper ballots during two (2) days of advanced voting and on ordinary polling day (Election Day). After the amendments to the *MEA*, in 2007, following extensive discussion, Regional Council directed that electronic (internet & telephone voting) be introduced in the 2008 municipal and school board elections in the HRM.

A description of the voting methods and voter participation rates from previous regular municipal and school Board elections since 2008 is outlined in the table below:

Election	Format	Voting Turnout
2008 Municipal and School Board Election	<ul style="list-style-type: none"> • Electronic Voting available for 4 days prior to the beginning of the Advanced Poll • In person advanced polls with traditional paper ballots conducted for two (2) advanced polling days with no reduction in the number of advanced in-person polls • In person with traditional paper on Election Day 	<ul style="list-style-type: none"> • 36.2% overall voter participation • 28.4% of voters cast votes electronically
2012 Municipal and School Board Election	<ul style="list-style-type: none"> • Electronic Voting only available through 13 days of advance polls • In person paper ballots only available on election day • 37.5% reduction in number of election day in-person polling locations from 2008 	<ul style="list-style-type: none"> • 36.93 % overall voter participation • 60.18% of voters cast their vote electronically

Election	Format	Voting Turnout
2016 Municipal and School Board Election	<ul style="list-style-type: none"> • Electronic voting available for advance period up to two days before Election Day. • Paper and electronic voting available at the Advanced Polls. • In person paper ballots only on election day. 	<ul style="list-style-type: none"> • 33.62% Overall voter participation • 61% of voters cast their vote electronically
2019 Special Election – District 14	<ul style="list-style-type: none"> • Electronic polling only for advance and Election Day. In-person polls were set up with e-voting kiosks and staff to assist voters. 	<ul style="list-style-type: none"> • 22.5% overall voter participation • 100% of voters cast their vote electronically.

With appropriate implementation and electoral oversight, electronic voting has proven to be a well-received method of conducting municipal and school board elections in Nova Scotia and other provinces including Ontario.

Alternative Voting Dates

The *MEA* requires that the first advanced poll to be either Thursday October 8, 2020 or Saturday October 10, 2020. On February 25th, 2020, Council delegated to the Returning Officer the authority to set the date of the first Advance polling date. The Returning Officer is intending to set the date of first Advance Poll to be Saturday, October 10th, 2020. The second Advance Poll is set by the *MEA* to be Tuesday, October 13th, 2020. The hours of the Advanced Polls are also set by the *MEA* to be noon to 8:00pm.

As set out in the recommendations, staff is recommending that Regional Council: (1) set the alternative voting period to commence Tuesday, October 6th, 2020 at 8:00am and run continuously through to Wednesday, October 14th, 2020 at 7:00pm, and (2) direct that internet and telephone voting be the only methods of voting during this period. Paper voting would be the only method of voting on election day (Saturday October 17, 2020).

DISCUSSION

Methodology

The Election Office has undertaken a review of the previous voting methods (as outlined above). Following that review several options for the voting approach and methods were considered in more detail.

In summary the options examined were:

- 1) To conduct the election in a manner similar to the 2012 model using electronic voting only for the advanced voting period and in person paper ballots only on election day.
- 2) To conduct the election in a manner similar to the 2019 special election using electronic voting only for advance voting and election day.
- 3) To conduct the election in a manner similar to the 2016 model using electronic voting during the advance voting period with paper ballots at the in-person polling locations on both advance voting days and election day.

A more detailed overview of the options is provided in Attachment A of this report. The option of continuing electronic voting through to election day was considered. This option is not presented as the size of the municipality and number of polling locations on election day substantially increases both the costs and risks associated with the conduct of the election as each polling station would need a computer and internet access. Instead, it is recommended that alternative voting (voting by telephone or a personal computing device) stop two days before election day.

In light of the review and analysis staff proposes that: Halifax Regional Council adopt Option 1, as outlined in Attachment A of this report, as the method of voting in the 2020 Municipal and CSAP Elections. This method utilizes voting by telephone or a personal computing device as the only method of voting during both advanced polling days. The method of voting on election day would be in-person with paper ballots.

This option is recommended as it provides access to the greatest number of voters and aligns closely with principles previously adopted by Regional Council regarding the conduct of elections which include:

- Security and auditability of the solution – the integrity of the voting process is paramount
- Aligning with NS regulatory requirements
- Increasing voter accessibility (all areas and all demographics in HRM)
- Aligning with experience in other jurisdictions
- Having broad public acceptance
- Providing value for money

Should Council wish to consider other alternatives, the Election Office has prepared several alternative approaches for delivering the election as provided for in Attachment A of this report. All options provided comply with the legislative requirements for conducting Municipal and CSAP Elections and are within the projected 2020 election budget.

Alternative Voting Dates

This report is before Regional Council to comply with the legislative requirements of the *Municipal Elections Act* regarding Municipal Elections.

Regional Council has passed By-law A-400 to permit internet and telephone voting. Specifically, clause 2(c) of the By-law states: (c) "alternative polling days" means any hours and dates fixed by a resolution of Council for alternative voting".

It is recommended that Council set the internet and telephone voting to run continuously from Tuesday, October 6, 2020 at 8:00am and be kept open until Thursday, October 15, 2020 at 7:00pm. Paper ballots will be the only voting method offered on Election Day, which is Saturday October 17th, 2020.

FINANCIAL IMPLICATIONS

There are no financial implications related to the recommendation. The municipal election operating budget (A125) is pending approval of the 2020/21 operating budget and if approved will have a withdrawal of \$2.3 million from Q511, the Election Reserve. An additional \$391,500 has been approved in the 2019/20 capital budget, also funded by Reserve.

COMMUNITY ENGAGEMENT

The municipality completed a citizen engagement initiative in 2015 and 2016 with respect to elections. Where possible, input from the public will be referenced and incorporated in the planning process.

ALTERNATIVES

Methodology

Option 2:

Electronic voting for advance period, including locations, and on Election Day. No paper voting at all.

This was the model used for the 2019 Special Election in Lower Sackville.

Option 3:

Electronic voting for advance period.

Electronic and paper available at one polling location per district on two advance polling days.

Paper only on Election Day. This was the model used for the 2016 election.

Alternative Voting Dates

Council may choose to establish dates other than those recommended.

ATTACHMENT

Attachment 1 - Voting method options

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 802.490.4210.

Report Prepared by: Trish Smith, Elections Coordinator, 802-490-8810

ATTACHMENT 1

VOTING METHOD OPTIONS

Option 1	Description	Comments	Opportunities
RECOMMENDED OPTION			
<p>Electronic Voting (voting by telephone and a personal computing device) only for advanced period (no paper ballots at locations) and paper only voting on Election Day.</p> <p>This was done in 2012</p>	<ul style="list-style-type: none"> • Alternative voting available to electors remotely starting at during the advance voting period. • Electronic voting kiosks available at one polling location per district on two dates during the advance voting period. • Paper ballots only on election day. 	<ul style="list-style-type: none"> • Advance period polling locations will be well staffed with election workers ready to assist electors. • There will be a full staffing component for Election Day with paper ballots at multiple locations per polling division. (approximately 1400 workers for the entire election) • Projected budget: \$2.3 million (unchanged by voting method chosen) 	<ul style="list-style-type: none"> • Offers a variety of voting options for electors. • Municipal electors have familiarity with both paper and electronic voting methods and have used them. • Electronic voting provides opportunity for those who may not otherwise be able, to cast their ballot independently using tools familiar to them. • Recognizes challenges in hiring staff and requires a reduced number of staff during the advanced period by having one polling location per district.

Option 2	Description	Comments	Opportunities
ALTERNATIVE OPTION			
<p>Only electronic voting (voting by telephone and a personal computing device) for the advance polls and on Election Day. No paper voting at all.</p> <p>This was the model used for the 2019 Special Election in Lower Sackville.</p>	<ul style="list-style-type: none"> • Electronic voting available to electors remotely during the advance voting period. • Electronic voting kiosks available at one polling location per district on two dates during the advance voting period. • Electronic voting kiosks only at all polling locations on Election Day. 	<ul style="list-style-type: none"> • All polling locations, both advance and on Election Day, will be well staffed with election workers ready to assist electors. • During the 2019 special election, staff supported electors throughout the voting process as needed. • There will be a full staffing component for Election Day to assist electors at multiple locations per polling division. (approximately 1400 workers for the entire election) • Projected budget: \$2.3 million (unchanged by voting method chosen) 	<ul style="list-style-type: none"> • Municipal voters have familiarity with electronic voting methods and have used them. • Electronic voting provides opportunity for those who may not otherwise be able, to cast their ballot independently using tools familiar to them. • Recognizes challenges in hiring staff and requires a reduced number of staff during the advanced period by having one polling location per district. • Method facilitates a timely reporting of the results.

Option 3	Description	Comments	Opportunities
ALTERNATIVE OPTION			
<p>Electronic voting (voting by telephone and a personal computing device) for advance period.</p> <p>Electronic and paper available at one polling location per district on two advance polling days.</p> <p>Paper voting only on Election Day.</p>	<ul style="list-style-type: none"> • Electronic voting available to electors remotely during the advance voting period. • Electronic voting kiosks and paper ballots available at one polling location per district on two dates during the advance voting period. • Paper ballots only on Election Day. 	<ul style="list-style-type: none"> • This was the 2016 model. • There will be a full staffing component for Election Day with paper ballots at multiple locations per polling division. (approximately 1400 workers for the entire election) • Projected budget: \$2.3 million (unchanged by voting method chosen) 	<ul style="list-style-type: none"> • Offers a variety of voting options for electors. • Municipal electors have familiarity with both electronic voting methods and paper ballots. • Recognizes challenges in hiring staff and requires a reduced number of staff during the advanced period by having one polling location per district.

TOWN OF LUNENBURG
ALTERNATIVE VOTING BY-LAW

BE IT ENACTED by the Council of the Town of Lunenburg, under the authority of Section 146A of the Municipal Elections Act, 1989 R.S.N.S. c. 300, as amended, as follows:

Short Title

1. This By-law shall be known as the "Alternative Voting By-law".

Definitions

2. In this by-law:

- (a) "Act" means the Municipal Elections Act, 1989 R.S.N.S. c. 300, as amended;
- (b) "advance poll" means the Tuesday immediately preceding ordinary polling day; and either
 - i. one other day fixed by the Council by resolution that is either Thursday, the ninth day before ordinary polling day, or Saturday the seventh day before ordinary polling day; or
 - ii. if Council has delegated its authority to fix a day to the Returning Officer, one other day fixed by the Returning Officer that is either Thursday, the ninth day before ordinary polling day, or Saturday the seventh day before ordinary polling day;
- (c) "alternative polling days" means any hours and dates fixed by a resolution of Council for alternative voting;
- (d) "alternative voting" means voting by telephone or via the internet and includes a combination of telephone and internet voting;
- (e) "ballot box" means a computer database in the system where cast internet ballots and telephone ballots are put;
- (f) "candidate" means a person who has been nominated as a candidate pursuant to the Act;
- (g) "Council" means the Council of the municipality;
- (h) "Deputy Returning Officer" means a person appointed under the Act to preside over a polling station;
- (i) "Education Act" means the Education (CSAP) Act, S.N.S. 1995-1996 c. 1, as amended;
- (j) "election" means an election held pursuant to the Act, including a school board election, special election and a plebiscite;

- (k) "Election Officer" means an "election officer" under the Act;
- (l) "elector" means a person:
- i. qualified to vote pursuant to the Act and the Education (CSAP) Act; and
 - ii. entitled to vote for an election pursuant to section 7 of this by-law;
- (m) "friend voter" means a friend who votes for an elector pursuant to section 9 of this by-law;
- (n) "internet ballot" means an image of a ballot on a personal computing device including all the choices available to an elector and the spaces in which an elector marks a vote;
- (o) "list of electors" means:
- i. prior to the list of electors being completed and certified by the Returning Officer pursuant to section 50A of the Act, the list of electors that has been amended and corrected by the Returning Officer pursuant to subsections 2 and 3 of section 38 of the Act; or
 - ii. the list of electors that has been completed and certified by the Returning Officer pursuant to section 50A of the Act;
- (p) "municipality" means the Town of Lunenburg;
- (q) "normal business hours" means the time between 8:30 am and 4:30 pm Monday through to and including Friday;
- (r) "ordinary polling day" means the third Saturday in October in a regular election year and in the case of any other election means the Saturday fixed for the election;
- (s) "PIN" means the Personal Identification Number issued to an elector for alternative voting on alternative polling days;
- (t) "plebiscite" means a plebiscite directed to be held by the Council pursuant to section 53 of the Municipal Government Act;
- (u) "proxy voter" means an elector who votes by a proxy pursuant to the Act;
- (v) "regular election year" means 2016 and every fourth year thereafter;
- (w) "rejected ballot" means an internet ballot or a telephone ballot that has not been marked for any candidate;
- (x) "Returning Officer" means a Returning Officer appointed pursuant to the Act;

- (y) "school board" means the Conseil scolaire acadien provincial as referred to in the Education (CSAP) Act;
- (z) "seal" means to secure the ballot box and prevent internet and telephone ballots from being cast;
- (aa) "special election" means a special election held pursuant to the Act, including a special election for a vacancy on a school board;
- (bb) "system" means the technology, including software, that:
 - i. records and counts votes; and
 - ii. processes and stores the results of alternative voting during alternative polling days;
- (cc) "System Elections Officer" means:
 - i. a person who maintains, monitors, or audits the system, and
 - ii. a person who has access to the system beyond the access necessary to vote by alternative voting.
- (dd) "telephone ballot" means:
 - i. an audio set of instructions which describes the voting choices available to an elector; and
 - ii. the marking of a selection by an elector by depressing the number on a touch tone keypad;

Alternative Voting Permitted

- 3.
 - (1) Subject to this by-law, alternative voting shall be permitted on alternative polling days.
 - (2) Council may, by resolution, provide that voting by telephone and by a personal computing device shall be the only means of voting for an election.

Notification of Electors

- 4.
 - (1) The Returning Officer shall cause notice of alternative polling days to be published in a newspaper circulating in the municipality.
 - (2) The notice of alternative polling days shall:
 - (a) identify the alternative polling days for alternative voting; and

- (b) inform the elector that telephone voting and internet voting is permitted during alternative polling days.
- (3) The notice may include any other information the Returning Officer deems necessary.

Form of Telephone and Internet Ballots

- 5.
 - (1) A telephone ballot and internet ballot shall:
 - (a) identify the title "Election for Mayor" or "Election for Councillor" or "Election for School Board Member", as the case may be;
 - (b) identify the names or names by which they are commonly known of the candidates with given names followed by surnames, arranged alphabetically in order of their surnames and, where necessary, their given names, and
 - (c) warn the elector to "vote for one candidate only" or "vote for not more than (the number of candidates to be elected) candidates" as the case may be.
 - (2) No title, honour, decoration or degree shall be included with a candidate's name on an internet ballot or telephone ballot.

Oath

- 6. Any oath that is authorized or required shall be made:
 - (a) In the form specified by the procedures and forms, or
 - (b) If the form is not specified by the procedures and forms, in the form required by the Act.

Electors

- 7. No person shall vote by alternative voting unless:
 - (a) the person's name appears on the applicable list of electors; or
 - (b) the person is added to the applicable list of electors pursuant to section 36 of the Act or section 7A of the by-law.
- 7A (1) Notwithstanding sections 33 and 38 of the Act, in addition to section 36 of the Act, a person may apply for an amendment to any list of electors by telephone after the first notice of the preliminary lists of electors is given pursuant to section 34 of the Act and before the end of alternative polling days and such amendment may be made by a revising officer or the Returning Officer in accordance with subsection 2.

- (2) Notwithstanding subsection 36(2) of the Act, an application by telephone to be added to any list of electors shall be sufficiently detailed to allow the revising officer or Returning Officer to determine whether the information can be verified from other sources available to the revising officer or Returning Officer and, if the revising officer or Returning Officer determines that this is not possible, then the applicant shall be required to personally appear, at the location and time determined by the revising officer or Returning Officer, and make an application accompanied by a declaration under oath administered by the revising officer or the Returning Officer of the facts that support the application.

Polling Station for Alternative Voting

- 7B (1) If Council decides that voting by a telephone and by a personal computing device are the only means of voting for an election, the Returning Officer may establish at least one polling station for alternative voting and each polling station established shall be equipped with at least one device that is capable of casting either an internet ballot or telephone ballot.
- (2) Any polling station for alternative voting shall be:
- (a) available for electors who are voting with friend voters and for any other electors; and
 - (b) open on ordinary polling day and such other days and times as decided by the Returning Officer.
- (3) Despite s. 58(1) of the Act, the Returning Officer may appoint a Deputy Returning Officer and Poll Clerk for each polling station for alternative voting, but is not required to do so.

Proxy Voting

8. A proxy voter shall not vote for an elector by alternative voting.

Friend Voting

- 9.
- (1) A friend voter shall only vote for an elector by alternative voting if:
- (a) an elector is unable to vote because :
 - i. the elector is blind;
 - ii. the elector cannot read; or
 - iii. the elector has a physical disability that prevents him or her from voting by alternative voting.
 - (b) the elector and the friend appear, in person, before the Returning Officer or the Deputy Returning Officer and take the prescribed oaths.

- (2) A candidate shall not act as a friend voter unless the elector is a child, grandchild, brother, sister, parent, grandparent, or spouse of the candidate.
- (3) The elector shall take an oath in the form prescribed by the Act providing that he or she is incapable of voting without assistance.
- (4) The friend of the elector shall take an oath in the prescribed form to this by-law that:
 - (a) the friend has not previously acted as a friend for any other elector in the election other than an elector who is a child, grandchild, brother, sister, parent, grandparent, or spouse of the friend of the elector;
 - (b) the friend will mark the ballot as requested by the elector; and
 - (c) the friend will keep secret the choice of the elector.
- (5) Where the elector requests assistance, the Deputy Returning Officer or Returning Officer may act as a friend of the elector but shall not be required to take the oath referred to in subsections (1) and (4)
- (6) The Returning Officer or Deputy Returning Officer or Poll Clerk shall enter in the poll book:
 - (a) the reason why the elector is unable to vote;
 - (b) the name of the friend; and
 - (c) the fact that the oaths were taken.

System Elections Officer

- 9A (1) A System Elections Officer shall have access to the system prior to the commencement of alternative voting to verify the count for each candidate is zero.
- (2) Notwithstanding the day and time set for alternative voting, alternative voting shall not commence until the counts for each of the candidates is zero.
- 9B A System Elections Officer shall comply with the procedures and forms established by the Returning Officer pursuant to the subsection 146A (4) of the Act.

Voting

10.

- (1) The system shall put internet ballots and telephone ballots cast by an elector in the ballot box.

Seal (2) The system shall put spoiled ballots in the ballot box.

11.

(1) Where alternative voting closes before the close of the polls on ordinary polling day, the system shall seal the ballot box until after the close of the poll on ordinary polling day.

(2) The system shall seal the ballot box even where fewer than ten persons from any polling district voted for a candidate during alternative polling days.

List of persons who voted

12. Where alternative voting closes before the close of the polls on ordinary polling day, the system shall:

(a) generate a list of all electors who voted by alternative voting; and

(b) on the applicable list of electors cause a line to be drawn through the name of all the electors who voted during alternative polling days.

13.

(1) A printed and electronic copy of the lists under section 12 shall be delivered to the Returning Officer within 24 hours of the close of alternative voting.

(2) Where alternative voting closes at the close of the polls on ordinary polling day, the system shall generate a list of all electors who voted by alternative voting.

Counting

14.

(1) At the close of ordinary polling day, the system shall generate a count of the telephone ballots and internet ballots in the ballot box that were cast for each candidate during alternative polling days.

(2) In counting the votes that were cast for each candidate during alternative polling days, the system shall not count rejected ballots.

Tallying of Rejected Ballots

15. At the close of ordinary polling day, the system shall tally the number of rejected ballots that were cast during alternative polling days and the tally shall be delivered to the Returning Officer.

Recount by System

16. In the event of a recount, the system shall regenerate the election count and a printed copy of the regenerated count shall be given to the Returning Officer.

17. If the initial count and the regenerated count match, the regenerated count shall be the final count of the votes cast by alternative voting.
18.
 - (1) If the regenerated count and the initial count do not match, the Returning Officer shall:
 - a) direct one final count be regenerated by the system of the votes cast by alternative voting, and
 - b) attend while the final count is being regenerated.
 - (2) The regenerated final count pursuant to subsection (1) shall be the final count of the votes cast by alternative voting.

Recount by Court

19.
 - (1) For a recount, the judge shall only consider the final count by the system, as determined by section 17 or 18, of the total number of votes that were cast by alternative voting for each candidate.
 - (2) The final count by the system, as determined by section 17 or 18, of the total number of votes that were cast by alternative voting for each candidate shall be added to the judge's count of the number of votes for each candidate cast by non-alternative voting.
 - (3) For elections for which there is no voting by paper ballot, there shall be no recount by a judge.

Secrecy

20. An election officer and System Elections Officer shall maintain and aid in maintaining the secrecy of the voting.
21. Every person in attendance at a polling station, or at the counting of the votes, shall maintain and aid in maintaining the secrecy of the voting.

Other Methods of Voting

22.
 - (1) If voting via the Internet through the unsupervised use of a personal computing device is permitted during an election, voting shall be permitted by some other means on each alternative polling day.
 - (2) Council may, by resolution, provide that voting by telephone and by personal computing device shall be the only means of voting for an election.

Severability

23. If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the by-law and it is hereby declared that the remainder of the by-law shall be valid and shall remain in force.

Prohibitions

24. No person shall:

- (a) use another person's PIN to vote or access the system unless the person is a friend voter;
- (b) take, seize, or deprive an elector of his or her PIN; or
- (c) sell, gift, transfer, assign or purchase a PIN.

25. No person shall:

- (a) interfere or attempt to interfere with an elector who is casting an internet ballot or telephone ballot;
- (b) interfere or attempt to interfere with alternative voting; or
- (c) attempt to ascertain the name of the candidate for whom an elector is about to vote or has voted.

26. No person shall, at any time, communicate or attempt to communicate any information relating to the candidate for whom an elector has voted.

26A No

- (a) candidate,
- (b) recognized agent, or
- (c) person acting on behalf of or in support of a candidate,

shall provide a person with a personal computing device or telephone for the purposes of casting an internet ballot or a telephone ballot.

Offences and Penalty

27. (1) A person who:

- (a) violates any provision of this by-law; or
- (b) makes a false statement in a declaration; or
- (c) permits anything to be done in violation of any provision of this by-law;

is guilty of an offence.

- (2) A person who contravenes subsection (1) of this section is guilty of an offence and is liable, on summary conviction, to a penalty of not less than five thousand dollars and not more than ten thousand dollars and in default of payment, to imprisonment for a term of two years less a day, or both.

- (3) In determining a penalty under subsection (2), a judge shall take into account:**
- (a) the number of votes attempted to be interfered with;**
 - (b) the number of votes interfered with; and**
 - (c) any potential interference with the outcome of an election.**
- (4) Pursuant to section 146A of the Act:**
- (a) the limitation period for the prosecution of an offence under this by-law is two years from the later of the date of the commission of the offence and the date on which it was discovered that an offence had been committed; and**
 - (b) The Remission of Penalties Act, 1989 SNS c. 397, as amended, does not apply to a pecuniary penalty imposed by this by-law.**

**RESOLUTION OF COUNCIL
OF THE TOWN OF LUNENBURG
NOTICE OF MOTION (June 9, 2020)**

WHEREAS

1. Town Council passed the following motion on October 22, 2019:

“Motion: moved by Councillor Risser, seconded by Councillor Carnevale that the Town of Lunenburg continue to use paper-only balloting for the 2020 municipal election. Motion carried.”

2. The COVID-19 Pandemic has created potentially serious difficulties for holding a paper-balloting election,

I therefore give Notice that I will, at the June 23, 2020 meeting of Council, be introducing (moving) a motion to rescind the aforesaid motion dated October 22, 2019.

Councillor

RESOLUTION OF COUNCIL
OF THE TOWN OF LUNENBURG
MOTION TO RESCIND (June 23, 2020)

WHEREAS

1. Town Council passed the following motion on October 22, 2019:

“Motion: moved by Councillor Risser, seconded by Councillor Carnevale that the Town of Lunenburg continue to use paper-only balloting for the 2020 municipal election. Motion carried.”

2. The COVID-19 Pandemic has created potentially serious difficulties for holding a paper-balloting election.

BE IT RESOLVED THAT the aforesaid motion dated October 22, 2019 requiring an election by paper-ballot in the 2020 Municipal Election, is hereby rescinded.



intelivote systems inc

202 Brownlow Avenue, Suite 900, Dartmouth, NS, B3B 1T5 Phone 1(888) 481-1156

Mr. Patrick Burke
Returning Officer – 2020 Municipal Election
Town of Lunenburg
28 King Street
Lunenburg, NS, B0J 2C0

Via Email: burkelaw@wolffhaus.com

May 28, 2020

Re: eVoting Services – Intelivote Systems Inc.

Dear Pat,

Thank you for reaching out to us regarding your potential online voting requirements. As the Canadian leader of evoting services, I am pleased to provide you with this quote and description of our services for electronic voting services for your 2020 Municipal and CSAP School Board voting requirements.

This document is provided to you based on preliminary information I have received from our recent communication, the HRM RFP that was issued and awarded to us, as well as some assumptions we have made based on previously conducting over 45 online Municipal and School Board elections and by-elections in Nova Scotia, and over 215 online Municipal and School Board elections and by-elections in Ontario.

Intelivote has assumed that part of your mandate may be to increase eligible elector participation in your election, reduce and/or contain voting costs and manage administrative efforts and costs associated with the conducting of a local election. I know our solution can address all these issues.

It has also become abundantly clear to many of the election officials we have communicated with, that the current Covid-19 situation has added a further series of issues to the safety and willingness of election workers to work elections that require dealing in close proximity with eligible electors who may be looking to cast a paper ballot at a polling location. Added to this, the uncertainty of a potential second wave of the disease possibly becoming an issue in the fall, seems to be the impetus for many councils and election officials to consider evoting and allowing their citizens the option to vote from the comfort and safety of their homes.

I have attached an overview of our services and a detailed breakdown of the evoting services provided and a fee structure for your municipality, as well as the cost for Intelivote to manage the mail-out, by first class Canada Post mail, of the voter instruction letter including Personal Identification Numbers (PINs) to your eligible electors.

Please do not hesitate to contact me via email or call me at 1-888-481-1156 if you have any questions.

Yours truly,

Dean Smith
President and Founder

Electronic Voting (eVoting) - Solution Overview

Intelivote Systems Inc. (ISI) a Canadian owned and operated company, is the recognized Canadian leader in the successful implementation of eVoting; members casting their ballots using the Internet, wireless devices and mobile or land line telephones.

The Intelivote solution even provides a seamless integration of traditional in-person polling station voting and mail-in balloting, with an electronic voting solution which includes telephone and Internet voting. ISI's leadership position comes as a result of our extensive experience in conducting municipal, union, association, and political leadership elections in a secure and auditable fashion ensuring voter anonymity and ballot privacy.

Intelivote has delivered more eVoting events in Canada than all our competitors combined and in addition to our Canadian elections and events, we have gained international experience and credibility in the successful implementation of both Internet and telephone based voting applications used to deliver elections in the United States and the United Kingdom.



Intelivote understands that, in addition to other event requirements, event officials' mandate includes containing event costs, managing administrative time/effort, and providing overall management for the voting event. These requirements are among the key objectives and benefits available through the implementation of eVoting options.

ISI's extensive subject matter expertise in Union, and Association Elections and voting events, Municipal Elections, and Political Party Leadership Elections, has resulted in a full suite of eVoting system modules that address the needs of both the event officials and members.

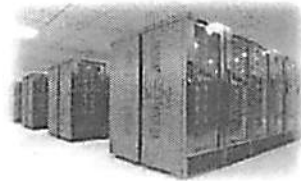
Intelivote does not sell its software; it is provided as a voting service. There is no additional software or hardware for clients to purchase to run a voting event using the Intelivote suite of modules. All the services are provided with our base service and all the modules are Internet enabled; secured by encryption, digital certificates and login IDs and passwords.



Voter anonymity, PIN security and event auditability are paramount in the design and delivery of the eVoting solutions ISI provides. In addition, the ability to import member information from clients' membership or eligible Member Lists, export updated member information and perform demographic and statistical analysis on voting activity, further demonstrates the flexibility of our voting solution.

The ability for authorized event officials to review information on particular aspects of the eVoting event as it progresses (member participation rates, etc.) provides increased visibility to those voting event metrics that can define a successful electronic voting event.

ISI maintains a hosted data centre environment in Halifax through Bell Canada, which also hosts some of the most sensitive government and financial applications running in Atlantic Canada. The full range of services we deliver, including high-speed high-bandwidth data capability, and scaleable IVR (telephone) port availability, further demonstrates our commitment to our ensuring an event with maximum performance, communications path diversity, application redundancy and high survivability.



ISI's project management capability, coupled with our established processes and procedures is delivered by a team of information systems professionals and electronic voting experts, providing clients with the best in-class Internet and telephone voting solution.



Our experience confirms that several other categories of electors; disabled electors, retirees, shift workers and electors travelling are positively impacted by offering electronic voting. It is clear that eVoting specifically and effectively addresses all their requirements while at the same time offering them a new degree of convenience and secrecy not offered in traditional balloting at a polling location.

The ability to cast your ballot using the telephone, in addition to the Internet, addresses another important social-economic issue often cited in Internet-only voting solutions. The fact that Internet enabled electors have a more ample opportunity to cast their ballot than those who do not have Internet service, has been defined as a form of "digital divide" between certain groups of citizens.

This demographic of electors who for various reasons, either are not comfortable with the technology, or cannot afford the technology (PC) and/or Internet service, or that the technology is not offered in their vicinity, are addressed by Intelivote's solution with the use of our telephone enabled voting. Typically, everyone has access to phone service, and this presents an equal opportunity to all electors. In municipal elections and union events conducted by Intelivote over the past several years, on average, up to 20% of eligible electors casting their ballot electronically used a phone to cast their vote, clearly confirming the value of this option. I expect this would be similar in your particular situation.

Intelivote has been proactive in accommodating persons with disabilities facilitating their comfort and participation when using eVoting services. Intelivote's solution is compliant with the guidelines as listed by the W3C technologies website principles which include organization, functionality and readability of information provided, as well as alternative ways of representing information (audio).

As traditional election costs continue to climb and municipal voting participation rates continue to drop, providing electors with choice in how they cast their ballot offers an opportunity to increase voter participation and selecting Intelivote as the service supplier provides our clients with the benefit of having one of Canada's most experienced providers

Town of Lunenburg – 2020 Municipal & CSAP School Board Election

at your side during the entire voting period.

As noted earlier we are the Canadian leader in delivering eVoting services and we are the only eVoting service organization with Federal Government security clearance for all our personnel, and our operations location. This is in support of our selection as the supplier to the Federal Government of Canada for all the security clearance required eVoting performed by the Canadian Industrial Relations Board, and the Public Service Labour Relations Board.

In addition to having delivered the most Municipal Elections of all the service suppliers in Canada, our client list includes many of Canada's largest unions and associations and includes other organizations we have successfully delivered a variety of events that support their AGM's, executive and board elections, job action votes and agreement votes. A sample of our over 2,000 elections include services for these clients:

• Ontario Municipal & School Board Elections - 215 Events	• Nova Scotia Municipal & School Board Elections – 45 Events
• Canada Industrial Relations Board (CIRB) – over 30 events	• State of Washington - Public Employment Relations Commission
• Newfoundland and Labrador Assoc. of Public and Private Employees (NAPE)	• Nova Scotia Gov. Employees Union - NSGEU - over 25 events
• New Brunswick Union of Public and Private Employees (NBPEA)	• Public Service Alliance of Canada – (PSAC) - over 20 events
• Public Service Labour Relations Board	• Nova Scotia Paramedics (IUOE)
• Nova Scotia Nurses Union	• Telecommunications Workers Union
• Elementary Teachers of Toronto (ETT)	• Canadian Flight Attendant Union
• Toronto Secondary Unit Teachers -TSU	• Manitoba Health Authority
• Unifor (numerous locals)	• Association of Cdn. Financial Officers
• Nurses Association of NB	• Teamsters Canada Rail Conference
• CUPE (numerous locals)	• Teamsters (numerous locals)
• IBEW (numerous locals)	• Canadian Merchant Services Guild
• Customs and Immigration Union (CIU)	• ACTRA
• Union of BC Performers	• Canada Actors Equity Assoc. (CAEA)
• Professional Association of Foreign Service Officers (PAFSO)	• United Steelworkers – USW (numerous locals)
• Association of Academic Staff University of Alberta (AASUA)	• Telecommunications Employees Association of Manitoba (TEAM)
• Canadian Broadcasting Corporation	• Doctors Nova Scotia
• Association of Municipal Clerks and Treasurers of Ontario (AMCTO)	• Confédération des syndicats nationaux (CSN) – numerous events
• Canadian Aboriginal and First Nations - over 15 events	• Canadian Political Leadership Elections (14)
• Alberta Labour Relations Board	• Ontario Labour Relations Board

Intellivote Modules

A series of modules are included in the Intelivote system that ensure all the key stakeholders in the eVoting process are provided with the information they require to perform their tasks in support of the event. These include:

- **Auditor Module** – provides support for an independent third party to formally audit the voting and availability of the system during the eVoting period.
- **Ballot Review module** – provides the opportunity for event officials to review the spelling and audio quality of information appearing on the eVoting ballots prior to the voting event starting.
- **Chief Electoral Officer (CEO) module** – provides an interactive monitoring and reporting capability to review the activity of the electors as the eVoting progresses.
- **Voter Help module** – provides assistance to electors who contact the HelpLine by allowing agents to review and query the status of a elector's activity. It is important to note that the agent can never see how a voter has cast their ballot.
- **Voter Help Supervisor module** – provides supervisory administration and management of the Voter HelpLine agents and their activities.
- **Enumerator module** – provides the event officials the opportunity to add eligible elector to the Electors List during a defined enumeration period.
- **Deputy Returning Office (DRO) module** – provides the DRO the capability to manage the electors appearing at a manual polling location by providing a capability to lookup electors, review their status within the eVoting system and strike them off the official list when a paper ballot is issued.
- **Candidate module** – offers candidates the opportunity to review and track elector's "attendance" whether they are using electronic voting or manual voting and assists them in "getting the vote out".
- **Voter module** – facilitates electors casting their ballots using either a phone or an Internet enabled device.

The opportunity to provide your electors with the option of electronic voting is an important step in the evolution of democracy and will give electors the convenience of "Choice" in the method of casting their ballot in your election. Intelivote Systems has the experience and has laid the groundwork to ensure that when this step is taken it will be placed on a firm foundation.

Electronic Voting – Services Table

There is a significant amount of flexibility in both the system capability and the methods by which an electronic vote can occur. Listed below are some of the most common features/services:

1. Voting will be enabled by implementation of the eVoting solution, (phone and Internet) allowing voting over a 7-12 (typically) day period, 24 hours a day.
2. The municipality will provide Voter Help Line services staffed by their personnel. Hours of operation will be determined by the municipality. Intelivote will train your staff to perform the service at no additional cost.
3. Creation and mail-out of the Personal Identification Numbers and Voter Instruction Letters by Canada Post required for electors to vote, will be provided based upon the Electors List provided by the client, through Elections Nova Scotia.
4. Internet and telephone voting are in English and French (if required).
5. All training for election personnel required to assist with the event.

Services Pricing

Pricing ± to be adjusted based on Eligible Electors once the Final Voters List is produced.

Per Elector eVote Fee	Estimated # Eligible Members	Voter Letter Printing & Postage Rate
\$1.25	1,850	\$1.20
eVoting Costs Summary		
Intelivote eVoting Solution	Electronic voting using the Internet and telephone, provided to the list of eligible electors.	\$2,313
Voter Instruction Letter	Cost of creation, production, supplies for producing and mailing the Voter Instruction Letter. This is based on a single page letter with black & white print and includes the cost of Canada Post postage for the mail-out.	\$2,220
Total		\$4,533

Applicable taxes are additional

Notes:

1. An Intelivote eVoting consultant/project manager is included in the services pricing and assigned to your event to assist and direct all aspects of your vote.
2. Training and support during the event are included in the price of the service.

Town of Lunenburg – 2020 Municipal & CSAP School Board Election

Base Services

#	Base Fee Services Included	Description	Not Included
1	Multiple voting channels	Provides the elector with a choice of voting channel: internet, wireless device, and mobile or land line telephone. Includes the activities associated with the telecommunications setup for electronic voting; appropriate bandwidth; phone ports; website registration etc.	Elector equipment / hardware; equipment and internet connections for the Polling Stations (if required).
2	Voting event system setup	This eVoting system is fully configurable, facilitating a wide array of voting configuration options. All activity associated with configuring the event is included in the base service. This includes such activities as: candidate or question assignment; race and candidate name recordings; elector list management; secure ID and password management; configuring and loading races/questions (i.e. type of race, sequence and presentation display).	
3	PIN management	Intelivote Systems will generate the PINs using the eligible elector population to determine the required PIN length and to determine the number of additional PINs required as spares. A unique PIN will be created for each eligible elector based on the file provided by the owner of the list. In addition to the PIN, an eligible elector category is created and finally a file is produced suitable for production of voter instruction letters.	
4	Customization of voter instructions	Creation of the Voter Instruction Letter providing specific instructions on how to successfully use the electronic voting process.	
5	Customized welcome webpage	Generation of a customized webpage working with the client ensuring all legislative issues and association by-laws relating to voter notification are adequately addressed.	
6	Full enumeration capability	Provides the ability to add electors to the official electors list, assign the necessary categorization based on geography or local for example, and issue a PIN for voting purposes.	Equipment or hardware used by the returning officer or clerk. A standard PC with internet access is required.

Town of Lunenburg – 2020 Municipal & CSAP School Board Election

#	Base Fee Services Included	Description	Not Included
7	Support module for Voter's HelpLine	The Voter HelpLine workers will have secure login access to the Voter HelpLine module. It provides a full set of features designed for agents to provide support to electors who may have questions regarding the event or issues relating to the elector profile, PINs, etc.	The Voter HelpLine Centre and the agents who staff it. Telecommunications costs for the Voter HelpLine. Equipment or hardware used by the staff. Standard PCs with internet access are required.
8	Event Official(s) management tools	The Event Officials will have a secure login which will allow for an up-to-the-minute view of critical eVoting data, required for the administration of the eVoting event.	Equipment or hardware used by the Event Official, standard PC with internet access is required.
9	Auditor control & management tools	The Auditor will have a secure login capability to audit the various processes as determined by the eVoting event authorities. They will have the capability to observe the voting event as it progresses, monitoring voting activity to the candidate level in a secure mode available only to them.	Equipment or hardware used by the Auditor. A standard PC with internet access is required.
10	Candidate 'Supporter Tracking' capability	Prior to and during the eVoting event, candidates will have the ability to identify their lists of supporters using a secure login in the Candidate module. During the voting period the candidate or approved designate can track the participation of supporters online.	Equipment or hardware used by the Candidate. A standard PC with internet access is required.
11	Reporting	A series of reports are available both during and after the voting event. These include vote results, audit reports, participation rate reports etc.	
12	Training	Training available on the features and use of the Auditor, CEO, Candidate, Enumeration, and Voter HelpLine modules. Training is normally provided via web training.	
13	Account Management	An experienced eVoting consultant, who assists with all aspects of the event and who is the single point-of-contact for the client.	



Burke,
Macdonald
& Luczak

Patrick A. Burke Q.C. <burkelaw@wolffhaus.com>

Intelivote information

1 message

Dean Smith <dean.smith@intelivote.com>

Fri, May 29, 2020 at 12:39 AM

To: "burkelaw@wolffhaus.com" <burkelaw@wolffhaus.com>

Hi Pat;

As per your request attached please find an overview of Intelivote and some pricing information for the 2020 Municipal election for the Town of Lunenburg.

Please do not hesitate to contact me if you have any questions.

Regards

Dean

Dean Smith | President and Founder

Intelivote Systems Inc.

202 Brownlow Avenue, Suite 900

Dartmouth, NS, B3B 1T5

Office (902) 481-1156

Mobile (902) 471-1582

www.intelivote.com

 Intelivote eVoting Solution Overview and Quote -Lunenburg Town May 28 2020.pdf
421K

**RESOLUTION OF COUNCIL
OF THE TOWN OF LUNENBURG
NOTICE OF MOTION – BYLAW (June 9, 2020)**

WHEREAS the COVID-19 Pandemic will create significant challenges and risks associated with a paper-balloting election,

I therefore give Notice that I will, at the June 23, 2020 meeting of Council, be introducing (moving) a motion to give first reading of the Alternative Voting Bylaw attached hereto as Schedule AVB.

Councillor

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Schedule AVB

TOWN OF LUNENBURG
ALTERNATIVE VOTING BY-LAW

BE IT ENACTED by the Council of the Town of Lunenburg, under the authority of Section 146A of the Municipal Elections Act, 1989 R.S.N.S. c. 300, as amended, as follows:

Short Title

1. This By-law shall be known as the "Alternative Voting By-law".

Definitions

2. In this by-law:

- (a) "Act" means the Municipal Elections Act, 1989 R.S.N.S. c. 300, as amended;
- (b) "advance poll" means the Tuesday immediately preceding ordinary polling day; and either
 - i. one other day fixed by the Council by resolution that is either Thursday, the ninth day before ordinary polling day, or Saturday the seventh day before ordinary polling day; or
 - ii. if Council has delegated its authority to fix a day to the Returning Officer, one other day fixed by the Returning Officer that is either Thursday, the ninth day before ordinary polling day, or Saturday the seventh day before ordinary polling day;
- (c) "alternative polling days" means any hours and dates fixed by a resolution of Council for alternative voting;
- (d) "alternative voting" means voting by telephone or via the internet and includes a combination of telephone and internet voting;
- (e) "ballot box" means a computer database in the system where cast internet ballots and telephone ballots are put;
- (f) "candidate" means a person who has been nominated as a candidate pursuant to the Act;
- (g) "Council" means the Council of the municipality;
- (h) "Deputy Returning Officer" means a person appointed under the Act to preside over a polling station;
- (i) "Education Act" means the Education (CSAP) Act, S.N.S. 1995-1996 c. 1, as amended;

- (j) "election" means an election held pursuant to the Act, including a school board election, special election and a plebiscite;
- (k) "Election Officer" means an "election officer" under the Act;
- (l) "elector" means a person:
 - i. qualified to vote pursuant to the Act and the Education (CSAP) Act; and
 - ii. entitled to vote for an election pursuant to section 7 of this by-law;
- (m) "friend voter" means a friend who votes for an elector pursuant to section 9 of this by-law;
- (n) "internet ballot" means an image of a ballot on a personal computing device including all the choices available to an elector and the spaces in which an elector marks a vote;
- (o) "list of electors" means:
 - i. prior to the list of electors being completed and certified by the Returning Officer pursuant to section 50A of the Act, the list of electors that has been amended and corrected by the Returning Officer pursuant to subsections 2 and 3 of section 38 of the Act; or
 - ii. the list of electors that has been completed and certified by the Returning Officer pursuant to section 50A of the Act;
- (p) "municipality" means the Town of Lunenburg;
- (q) "normal business hours" means the time between 8:30 am and 4:30 pm Monday through to and including Friday;
- (r) "ordinary polling day" means the third Saturday in October in a regular election year and in the case of any other election means the Saturday fixed for the election;
- (s) "PIN" means the Personal Identification Number issued to an elector for alternative voting on alternative polling days;
- (t) "plebiscite" means a plebiscite directed to be held by the Council pursuant to section 53 of the Municipal Government Act;
- (u) "proxy voter" means an elector who votes by a proxy pursuant to the Act;
- (v) "regular election year" means 2016 and every fourth year thereafter;
- (w) "rejected ballot" means an internet ballot or a telephone ballot that has not been marked for any candidate;

- (x) "Returning Officer" means a Returning Officer appointed pursuant to the Act;
- (y) "school board" means the Conseil scolaire acadien provincial as referred to in the Education (CSAP) Act;
- (z) "seal" means to secure the ballot box and prevent internet and telephone ballots from being cast;
- (aa) "special election" means a special election held pursuant to the Act, including a special election for a vacancy on a school board;
- (bb) "system" means the technology, including software, that:
 - i. records and counts votes; and
 - ii. processes and stores the results of alternative voting during alternative polling days;
- (cc) "System Elections Officer" means:
 - i. a person who maintains, monitors, or audits the system, and
 - ii. a person who has access to the system beyond the access necessary to vote by alternative voting.
- (dd) "telephone ballot" means:
 - i. an audio set of instructions which describes the voting choices available to an elector; and
 - ii. the marking of a selection by an elector by depressing the number on a touch tone keypad;

Alternative Voting Permitted

- 3.
 - (1) Subject to this by-law, alternative voting shall be permitted on alternative polling days.
 - (2) Council may, by resolution, provide that voting by telephone and by a personal computing device shall be the only means of voting for an election.

Notification of Electors

- 4.
 - (1) The Returning Officer shall cause notice of alternative polling days to be published in a newspaper circulating in the municipality.
 - (2) The notice of alternative polling days shall:
 - (a) identify the alternative polling days for alternative voting; and

- (b) inform the elector that telephone voting and internet voting is permitted during alternative polling days.
- (3) The notice may include any other information the Returning Officer deems necessary.

Form of Telephone and Internet Ballots

- 5.
 - (1) A telephone ballot and internet ballot shall:
 - (a) identify the title "Election for Mayor" or "Election for Councillor" or "Election for School Board Member", as the case may be;
 - (b) identify the names or names by which they are commonly known of the candidates with given names followed by surnames, arranged alphabetically in order of their surnames and, where necessary, their given names, and
 - (c) warn the elector to "vote for one candidate only" or "vote for not more than (the number of candidates to be elected) candidates" as the case may be.
 - (2) No title, honour, decoration or degree shall be included with a candidate's name on an internet ballot or telephone ballot.

Oath

- 6. Any oath that is authorized or required shall be made:
 - (a) In the form specified by the procedures and forms, or
 - (b) If the form is not specified by the procedures and forms, in the form required by the Act.

Electors

- 7. No person shall vote by alternative voting unless:
 - (a) the person's name appears on the applicable list of electors; or
 - (b) the person is added to the applicable list of electors pursuant to section 36 of the Act or section 7A of the by-law.
- 7A (1) Notwithstanding sections 33 and 38 of the Act, in addition to section 36 of the Act, a person may apply for an amendment to any list of electors by telephone after the first notice of the preliminary lists of electors is given pursuant to section 34 of the Act and before the end of alternative polling days and such amendment may be made by a revising officer or the Returning Officer in accordance with subsection 2.

- (2) Notwithstanding subsection 36(2) of the Act, an application by telephone to be added to any list of electors shall be sufficiently detailed to allow the revising officer or Returning Officer to determine whether the information can be verified from other sources available to the revising officer or Returning Officer and, if the revising officer or Returning Officer determines that this is not possible, then the applicant shall be required to personally appear, at the location and time determined by the revising officer or Returning Officer, and make an application accompanied by a declaration under oath administered by the revising officer or the Returning Officer of the facts that support the application.

Polling Station for Alternative Voting

- 7B (1) If Council decides that voting by a telephone and by a personal computing device are the only means of voting for an election, the Returning Officer may establish at least one polling station for alternative voting and each polling station established shall be equipped with at least one device that is capable of casting either an internet ballot or telephone ballot.
- (2) Any polling station for alternative voting shall be:
- (a) available for electors who are voting with friend voters and for any other electors; and
 - (b) open on ordinary polling day and such other days and times as decided by the Returning Officer.
- (3) Despite s. 58(1) of the Act, the Returning Officer may appoint a Deputy Returning Officer and Poll Clerk for each polling station for alternative voting, but is not required to do so.

Proxy Voting

8. A proxy voter shall not vote for an elector by alternative voting.

Friend Voting

- 9.
- (1) A friend voter shall only vote for an elector by alternative voting if:
- (a) an elector is unable to vote because :
 - i. the elector is blind;
 - ii. the elector cannot read; or
 - iii. the elector has a physical disability that prevents him or her from voting by alternative voting.
 - (b) the elector and the friend appear, in person, before the Returning Officer or the Deputy Returning Officer and take the prescribed oaths.

- (2) A candidate shall not act as a friend voter unless the elector is a child, grandchild, brother, sister, parent, grandparent, or spouse of the candidate.
- (3) The elector shall take an oath in the form prescribed by the Act providing that he or she is incapable of voting without assistance.
- (4) The friend of the elector shall take an oath in the prescribed form to this by-law that:
 - (a) the friend has not previously acted as a friend for any other elector in the election other than an elector who is a child, grandchild, brother, sister, parent, grandparent, or spouse of the friend of the elector;
 - (b) the friend will mark the ballot as requested by the elector; and
 - (c) the friend will keep secret the choice of the elector.
- (5) Where the elector requests assistance, the Deputy Returning Officer or Returning Officer may act as a friend of the elector but shall not be required to take the oath referred to in subsections (1) and (4)
- (6) The Returning Officer or Deputy Returning Officer or Poll Clerk shall enter in the poll book:
 - (a) the reason why the elector is unable to vote;
 - (b) the name of the friend; and
 - (c) the fact that the oaths were taken.

System Elections Officer

- 9A (1) A System Elections Officer shall have access to the system prior to the commencement of alternative voting to verify the count for each candidate is zero.
- (2) Notwithstanding the day and time set for alternative voting, alternative voting shall not commence until the counts for each of the candidates is zero.
- 9B A System Elections Officer shall comply with the procedures and forms established by the Returning Officer pursuant to the subsection 146A (4) of the Act.

Voting

10.

- (1) The system shall put internet ballots and telephone ballots cast by an elector in the ballot box.

- Seal**
- (2) The system shall put spoiled ballots in the ballot box.

- 11.
- (1) Where alternative voting closes before the close of the polls on ordinary polling day, the system shall seal the ballot box until after the close of the poll on ordinary polling day.
 - (2) The system shall seal the ballot box even where fewer than ten persons from any polling district voted for a candidate during alternative polling days.

List of persons who voted

12. Where alternative voting closes before the close of the polls on ordinary polling day, the system shall:
- (a) generate a list of all electors who voted by alternative voting; and
 - (b) on the applicable list of electors cause a line to be drawn through the name of all the electors who voted during alternative polling days.
- 13.
- (1) A printed and electronic copy of the lists under section 12 shall be delivered to the Returning Officer within 24 hours of the close of alternative voting.
 - (2) Where alternative voting closes at the close of the polls on ordinary polling day, the system shall generate a list of all electors who voted by alternative voting.

Counting

- 14.
- (1) At the close of ordinary polling day, the system shall generate a count of the telephone ballots and internet ballots in the ballot box that were cast for each candidate during alternative polling days.
 - (2) In counting the votes that were cast for each candidate during alternative polling days, the system shall not count rejected ballots.

Tallying of Rejected Ballots

15. At the close of ordinary polling day, the system shall tally the number of rejected ballots that were cast during alternative polling days and the tally shall be delivered to the Returning Officer.

Recount by System

16. In the event of a recount, the system shall regenerate the election count and a printed copy of the regenerated count shall be given to the Returning Officer.

17. If the initial count and the regenerated count match, the regenerated count shall be the final count of the votes cast by alternative voting.

18.

- (1) If the regenerated count and the initial count do not match, the Returning Officer shall:
 - a) direct one final count be regenerated by the system of the votes cast by alternative voting, and
 - b) attend while the final count is being regenerated.
- (2) The regenerated final count pursuant to subsection (1) shall be the final count of the votes cast by alternative voting.

Recount by Court

19.

- (1) For a recount, the judge shall only consider the final count by the system, as determined by section 17 or 18, of the total number of votes that were cast by alternative voting for each candidate.
- (2) The final count by the system, as determined by section 17 or 18, of the total number of votes that were cast by alternative voting for each candidate shall be added to the judge's count of the number of votes for each candidate cast by non-alternative voting.
- (3) For elections for which there is no voting by paper ballot, there shall be no recount by a judge.

Secrecy

20. An election officer and System Elections Officer shall maintain and aid in maintaining the secrecy of the voting.

21. Every person in attendance at a polling station, or at the counting of the votes, shall maintain and aid in maintaining the secrecy of the voting.

Other Methods of Voting

22.

- (1) If voting via the Internet through the unsupervised use of a personal computing device is permitted during an election, voting shall be permitted by some other means on each alternative polling day.
- (2) Council may, by resolution, provide that voting by telephone and by personal computing device shall be the only means of voting for an election.

Severability

23. If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the by-law and it is hereby declared that the remainder of the by-law shall be valid and shall remain in force.

Prohibitions

24. No person shall:

- (a) use another person's PIN to vote or access the system unless the person is a friend voter;
- (b) take, seize, or deprive an elector of his or her PIN; or
- (c) sell, gift, transfer, assign or purchase a PIN.

25. No person shall:

- (a) interfere or attempt to interfere with an elector who is casting an internet ballot or telephone ballot;
- (b) interfere or attempt to interfere with alternative voting; or
- (c) attempt to ascertain the name of the candidate for whom an elector is about to vote or has voted.

26. No person shall, at any time, communicate or attempt to communicate any information relating to the candidate for whom an elector has voted.

26A No

- (a) candidate,
- (b) recognized agent, or
- (c) person acting on behalf of or in support of a candidate,

shall provide a person with a personal computing device or telephone for the purposes of casting an internet ballot or a telephone ballot.

Offences and Penalty

27. (1) A person who:

- (a) violates any provision of this by-law; or
- (b) makes a false statement in a declaration; or
- (c) permits anything to be done in violation of any provision of this by-law;

is guilty of an offence.

(2) A person who contravenes subsection (1) of this section is guilty of an offence and is liable, on summary conviction, to a penalty of not less than five thousand

dollars and not more than ten thousand dollars and in default of payment, to imprisonment for a term of two years less a day, or both.

- (3) In determining a penalty under subsection (2), a judge shall take into account:**
 - (a) the number of votes attempted to be interfered with;**
 - (b) the number of votes interfered with; and**
 - (c) any potential interference with the outcome of an election.**

- (4) Pursuant to section 146A of the Act:**
 - (a) the limitation period for the prosecution of an offence under this by-law is two years from the later of the date of the commission of the offence and the date on which it was discovered that an offence had been committed; and**
 - (b) The Remission of Penalties Act, 1989 SNS c. 397, as amended, does not apply to a pecuniary penalty imposed by this by-law.**

RESOLUTION OF COUNCIL
OF THE TOWN OF LUNENBURG
FIRST READING OF BYLAW (June 23, 2020)

WHEREAS the COVID-19 Pandemic will create significant challenges and risks associated with a paper-balloting election,

BE IT RESOLVED THAT First Reading of the Alternative Voting Bylaw [attached hereto as Schedule AVB] is hereby given

[BEA – Do we refer to the date of the 2nd and Final Reading and the Advertisement?]

Z:\PAB - WIP\1 - OPEN\4 - Town Files\Town - Municipal Election 2020\Resolutions\May 28, 2020 Resolutions - Alternative Voting\RESOLUTION OF COUNCIL motion to rescind.docx

Schedule AVB

TOWN OF LUNENBURG
ALTERNATIVE VOTING BY-LAW

BE IT ENACTED by the Council of the Town of Lunenburg, under the authority of Section 146A of the Municipal Elections Act, 1989 R.S.N.S. c. 300, as amended, as follows:

Short Title

1. This By-law shall be known as the "Alternative Voting By-law".

Definitions

2. In this by-law:

- (a) "Act" means the Municipal Elections Act, 1989 R.S.N.S. c. 300, as amended;
- (b) "advance poll" means the Tuesday immediately preceding ordinary polling day; and either
 - i. one other day fixed by the Council by resolution that is either Thursday, the ninth day before ordinary polling day, or Saturday the seventh day before ordinary polling day; or
 - ii. if Council has delegated its authority to fix a day to the Returning Officer, one other day fixed by the Returning Officer that is either Thursday, the ninth day before ordinary polling day, or Saturday the seventh day before ordinary polling day;
- (c) "alternative polling days" means any hours and dates fixed by a resolution of Council for alternative voting;
- (d) "alternative voting" means voting by telephone or via the internet and includes a combination of telephone and internet voting;
- (e) "ballot box" means a computer database in the system where cast internet ballots and telephone ballots are put;
- (f) "candidate" means a person who has been nominated as a candidate pursuant to the Act;
- (g) "Council" means the Council of the municipality;
- (h) "Deputy Returning Officer" means a person appointed under the Act to preside over a polling station;
- (i) "Education Act" means the Education (CSAP) Act, S.N.S. 1995-1996 c. 1, as amended;

- (j) "election" means an election held pursuant to the Act, including a school board election, special election and a plebiscite;
- (k) "Election Officer" means an "election officer" under the Act;
- (l) "elector" means a person:
 - i. qualified to vote pursuant to the Act and the Education (CSAP) Act; and
 - ii. entitled to vote for an election pursuant to section 7 of this by-law;
- (m) "friend voter" means a friend who votes for an elector pursuant to section 9 of this by-law;
- (n) "internet ballot" means an image of a ballot on a personal computing device including all the choices available to an elector and the spaces in which an elector marks a vote;
- (o) "list of electors" means:
 - i. prior to the list of electors being completed and certified by the Returning Officer pursuant to section 50A of the Act, the list of electors that has been amended and corrected by the Returning Officer pursuant to subsections 2 and 3 of section 38 of the Act; or
 - ii. the list of electors that has been completed and certified by the Returning Officer pursuant to section 50A of the Act;
- (p) "municipality" means the Town of Lunenburg;
- (q) "normal business hours" means the time between 8:30 am and 4:30 pm Monday through to and including Friday;
- (r) "ordinary polling day" means the third Saturday in October in a regular election year and in the case of any other election means the Saturday fixed for the election;
- (s) "PIN" means the Personal Identification Number issued to an elector for alternative voting on alternative polling days;
- (t) "plebiscite" means a plebiscite directed to be held by the Council pursuant to section 53 of the Municipal Government Act;
- (u) "proxy voter" means an elector who votes by a proxy pursuant to the Act;
- (v) "regular election year" means 2016 and every fourth year thereafter;
- (w) "rejected ballot" means an internet ballot or a telephone ballot that has not been marked for any candidate;

- (x) "Returning Officer" means a Returning Officer appointed pursuant to the Act;
- (y) "school board" means the Conseil scolaire acadien provincial as referred to in the Education (CSAP) Act;
- (z) "seal" means to secure the ballot box and prevent internet and telephone ballots from being cast;
- (aa) "special election" means a special election held pursuant to the Act, including a special election for a vacancy on a school board;
- (bb) "system" means the technology, including software, that:
 - i. records and counts votes; and
 - ii. processes and stores the results of alternative voting during alternative polling days;
- (cc) "System Elections Officer" means:
 - i. a person who maintains, monitors, or audits the system, and
 - ii. a person who has access to the system beyond the access necessary to vote by alternative voting.
- (dd) "telephone ballot" means:
 - i. an audio set of instructions which describes the voting choices available to an elector; and
 - ii. the marking of a selection by an elector by depressing the number on a touch tone keypad;

Alternative Voting Permitted

- 3.
 - (1) Subject to this by-law, alternative voting shall be permitted on alternative polling days.
 - (2) Council may, by resolution, provide that voting by telephone and by a personal computing device shall be the only means of voting for an election.

Notification of Electors

- 4.
 - (1) The Returning Officer shall cause notice of alternative polling days to be published in a newspaper circulating in the municipality.
 - (2) The notice of alternative polling days shall:
 - (a) identify the alternative polling days for alternative voting; and

- (b) inform the elector that telephone voting and internet voting is permitted during alternative polling days.
- (3) The notice may include any other information the Returning Officer deems necessary.

Form of Telephone and Internet Ballots

- 5.
 - (1) A telephone ballot and internet ballot shall:
 - (a) identify the title "Election for Mayor" or "Election for Councillor" or "Election for School Board Member", as the case may be;
 - (b) identify the names or names by which they are commonly known of the candidates with given names followed by surnames, arranged alphabetically in order of their surnames and, where necessary, their given names, and
 - (c) warn the elector to "vote for one candidate only" or "vote for not more than (the number of candidates to be elected) candidates" as the case may be.
 - (2) No title, honour, decoration or degree shall be included with a candidate's name on an internet ballot or telephone ballot.

Oath

- 6. Any oath that is authorized or required shall be made:
 - (a) In the form specified by the procedures and forms, or
 - (b) If the form is not specified by the procedures and forms, in the form required by the Act.

Electors

- 7. No person shall vote by alternative voting unless:
 - (a) the person's name appears on the applicable list of electors; or
 - (b) the person is added to the applicable list of electors pursuant to section 36 of the Act or section 7A of the by-law.
- 7A (1) Notwithstanding sections 33 and 38 of the Act, in addition to section 36 of the Act, a person may apply for an amendment to any list of electors by telephone after the first notice of the preliminary lists of electors is given pursuant to section 34 of the Act and before the end of alternative polling days and such amendment may be made by a revising officer or the Returning Officer in accordance with subsection 2.

- (2) Notwithstanding subsection 36(2) of the Act, an application by telephone to be added to any list of electors shall be sufficiently detailed to allow the revising officer or Returning Officer to determine whether the information can be verified from other sources available to the revising officer or Returning Officer and, if the revising officer or Returning Officer determines that this is not possible, then the applicant shall be required to personally appear, at the location and time determined by the revising officer or Returning Officer, and make an application accompanied by a declaration under oath administered by the revising officer or the Returning Officer of the facts that support the application.

Polling Station for Alternative Voting

- 7B (1) If Council decides that voting by a telephone and by a personal computing device are the only means of voting for an election, the Returning Officer may establish at least one polling station for alternative voting and each polling station established shall be equipped with at least one device that is capable of casting either an internet ballot or telephone ballot.
- (2) Any polling station for alternative voting shall be:
- (a) available for electors who are voting with friend voters and for any other electors; and
 - (b) open on ordinary polling day and such other days and times as decided by the Returning Officer.
- (3) Despite s. 58(1) of the Act, the Returning Officer may appoint a Deputy Returning Officer and Poll Clerk for each polling station for alternative voting, but is not required to do so.

Proxy Voting

8. A proxy voter shall not vote for an elector by alternative voting.

Friend Voting

- 9.
- (1) A friend voter shall only vote for an elector by alternative voting if:
- (a) an elector is unable to vote because :
 - i. the elector is blind;
 - ii. the elector cannot read; or
 - iii. the elector has a physical disability that prevents him or her from voting by alternative voting.
 - (b) the elector and the friend appear, in person, before the Returning Officer or the Deputy Returning Officer and take the prescribed oaths.

- (2) A candidate shall not act as a friend voter unless the elector is a child, grandchild, brother, sister, parent, grandparent, or spouse of the candidate.
- (3) The elector shall take an oath in the form prescribed by the Act providing that he or she is incapable of voting without assistance.
- (4) The friend of the elector shall take an oath in the prescribed form to this by-law that:
 - (a) the friend has not previously acted as a friend for any other elector in the election other than an elector who is a child, grandchild, brother, sister, parent, grandparent, or spouse of the friend of the elector;
 - (b) the friend will mark the ballot as requested by the elector; and
 - (c) the friend will keep secret the choice of the elector.
- (5) Where the elector requests assistance, the Deputy Returning Officer or Returning Officer may act as a friend of the elector but shall not be required to take the oath referred to in subsections (1) and (4)
- (6) The Returning Officer or Deputy Returning Officer or Poll Clerk shall enter in the poll book:
 - (a) the reason why the elector is unable to vote;
 - (b) the name of the friend; and
 - (c) the fact that the oaths were taken.

System Elections Officer

- 9A (1) A System Elections Officer shall have access to the system prior to the commencement of alternative voting to verify the count for each candidate is zero.
- (2) Notwithstanding the day and time set for alternative voting, alternative voting shall not commence until the counts for each of the candidates is zero.
- 9B A System Elections Officer shall comply with the procedures and forms established by the Returning Officer pursuant to the subsection 146A (4) of the Act.

Voting

10.

- (1) The system shall put internet ballots and telephone ballots cast by an elector in the ballot box.

- Seal**
- (2) The system shall put spoiled ballots in the ballot box.

11.

- (1) Where alternative voting closes before the close of the polls on ordinary polling day, the system shall seal the ballot box until after the close of the poll on ordinary polling day.
- (2) The system shall seal the ballot box even where fewer than ten persons from any polling district voted for a candidate during alternative polling days.

List of persons who voted

12. Where alternative voting closes before the close of the polls on ordinary polling day, the system shall:

- (a) generate a list of all electors who voted by alternative voting; and
- (b) on the applicable list of electors cause a line to be drawn through the name of all the electors who voted during alternative polling days.

13.

- (1) A printed and electronic copy of the lists under section 12 shall be delivered to the Returning Officer within 24 hours of the close of alternative voting.
- (2) Where alternative voting closes at the close of the polls on ordinary polling day, the system shall generate a list of all electors who voted by alternative voting.

Counting

14.

- (1) At the close of ordinary polling day, the system shall generate a count of the telephone ballots and internet ballots in the ballot box that were cast for each candidate during alternative polling days.
- (2) In counting the votes that were cast for each candidate during alternative polling days, the system shall not count rejected ballots.

Tallying of Rejected Ballots

15. At the close of ordinary polling day, the system shall tally the number of rejected ballots that were cast during alternative polling days and the tally shall be delivered to the Returning Officer.

Recount by System

16. In the event of a recount, the system shall regenerate the election count and a printed copy of the regenerated count shall be given to the Returning Officer.

17. If the initial count and the regenerated count match, the regenerated count shall be the final count of the votes cast by alternative voting.

18.

- (1) If the regenerated count and the initial count do not match, the Returning Officer shall:
 - a) direct one final count be regenerated by the system of the votes cast by alternative voting, and
 - b) attend while the final count is being regenerated.
- (2) The regenerated final count pursuant to subsection (1) shall be the final count of the votes cast by alternative voting.

Recount by Court

19.

- (1) For a recount, the judge shall only consider the final count by the system, as determined by section 17 or 18, of the total number of votes that were cast by alternative voting for each candidate.
- (2) The final count by the system, as determined by section 17 or 18, of the total number of votes that were cast by alternative voting for each candidate shall be added to the judge's count of the number of votes for each candidate cast by non-alternative voting.
- (3) For elections for which there is no voting by paper ballot, there shall be no recount by a judge.

Secrecy

20. An election officer and System Elections Officer shall maintain and aid in maintaining the secrecy of the voting.

21. Every person in attendance at a polling station, or at the counting of the votes, shall maintain and aid in maintaining the secrecy of the voting.

Other Methods of Voting

22.

- (1) If voting via the Internet through the unsupervised use of a personal computing device is permitted during an election, voting shall be permitted by some other means on each alternative polling day.
- (2) Council may, by resolution, provide that voting by telephone and by personal computing device shall be the only means of voting for an election.

Severability

23. If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the by-law and it is hereby declared that the remainder of the by-law shall be valid and shall remain in force.

Prohibitions

24. No person shall:

- (a) use another person's PIN to vote or access the system unless the person is a friend voter;
- (b) take, seize, or deprive an elector of his or her PIN; or
- (c) sell, gift, transfer, assign or purchase a PIN.

25. No person shall:

- (a) interfere or attempt to interfere with an elector who is casting an internet ballot or telephone ballot;
- (b) interfere or attempt to interfere with alternative voting; or
- (c) attempt to ascertain the name of the candidate for whom an elector is about to vote or has voted.

26. No person shall, at any time, communicate or attempt to communicate any information relating to the candidate for whom an elector has voted.

- 26A No

- (a) candidate,
- (b) recognized agent, or
- (c) person acting on behalf of or in support of a candidate,

shall provide a person with a personal computing device or telephone for the purposes of casting an internet ballot or a telephone ballot.

Offences and Penalty

27. (1) A person who:

- (a) violates any provision of this by-law; or
- (b) makes a false statement in a declaration; or
- (c) permits anything to be done in violation of any provision of this by-law;

is guilty of an offence.

- (2) A person who contravenes subsection (1) of this section is guilty of an offence and is liable, on summary conviction, to a penalty of not less than five thousand

dollars and not more than ten thousand dollars and in default of payment, to imprisonment for a term of two years less a day, or both.

- (3) In determining a penalty under subsection (2), a judge shall take into account:**
- (a) the number of votes attempted to be interfered with;**
 - (b) the number of votes interfered with; and**
 - (c) any potential interference with the outcome of an election.**
- (4) Pursuant to section 146A of the Act:**
- (a) the limitation period for the prosecution of an offence under this by-law is two years from the later of the date of the commission of the offence and the date on which it was discovered that an offence had been committed; and**
 - (b) The Remission of Penalties Act, 1989 SNS c. 397, as amended, does not apply to a pecuniary penalty imposed by this by-law.**

MEMORANDUM

TO: TOWN COUNCIL

FROM: ARTHUR MACDONALD, HERITAGE MANAGER

DATE: JUNE 2, 2020

RE: LUNENBURG ACADEMY – SCHOOL BELL, HANDRAIL AND SIGNAGE

1. FACTS

Town staff and the Academy Foundation staff have been discussing the possibility of removing the school bell from the South East Tower and restoring the bell as a focal point of the new front plaza as envisioned in the Academy's Lot Development Plan. These discussions took place after the Lot Development Plan was completed so it was not part of the original Lot Development Plan.

Though Council may decide to maintain the bell in the tower, the bell cannot be rung anymore. The rope to ring the bell was located in the elevator entrance area on the 3rd floor, in LAMP's space which is not an ideal location for accessing the bell for ringing or for the noise it would generate. Over the years we have experienced a persistent leak around the rope which could not be fixed so the rope was removed long ago. The bell's removal and placement in the plaza allows the public to see the bell and provides a focal point for heritage plaques and foundation/alumni donor recognition.

The optimum time to remove the bell from the tower would be this summer when Schooner, the General Contractor for the exterior restoration project, has the scaffolding in place. The scaffolding will help stabilize the workers as well as the bell as it is removed from the tower and placed on a level surface so the boom can then be connected safely to the bell for lowering it down to the ground. The Foundation will cover the estimated costs of \$500 to rent the boom truck and with the help of Public Works, lower the bell to the ground to store in the Blue Building until we are ready to have it restored and placed in the plaza. We are seeking Council's permission to remove the school from the tower at this time. The Foundation will also cover the expenses associated with the bell's restoration and the design and installation of the bell's monument which is currently estimated at \$20,000.

2. ISSUES AND OPTIONS

There are basically two options for the bell:

- 1) To maintain the school bell in its current location (no additional costs); or
- 2) To agree with the concept of relocating the bell to the plaza.

It is recommended that the Town request from the Foundation a letter of financial support for Academy projects as outlined in the table below:

Cost-Sharing Proposal				
Item:	Estimated Costs:	Town's Share:	Foundation's Share:	Government & NGO's Funding Programs REVISED COST SHARING PROPOSAL IF SUCCESSFUL?:
1) Bell Monument	\$20,000	\$ 0 (0%)	\$ 20,000 (100%)	(Reduce Foundation's Contribution)
2) LA Sign*	\$ 4,000	\$ 2,000 (50%)	\$ 2,000 (50%)	(Reduce Contributions Equally)
3) Handrail**	\$10,000	\$ 5,000 (50%)	\$ 5,000 (50%)	(Reduce Contributions Equally)
4) Lot Development Plan***	\$1,000,000	\$200,000 (20%)	\$100,000 (10%)	\$700,000 (70%)
Total:	\$1,034,000	\$207,000	\$127,000	\$700,000 + -

* **Note:** The Lunenburg Academy Wall Sign was in very bad shape when it was removed. We are planning on erecting an old existing sign at no additional costs for this year 2020-21. However, if we wish to consider a new Lunenburg Academy Sign in 2021-22, we would like to request the Foundation's support.

** **Note:** As the South Entrance will become the primary entrance once the Lot Development Plan is completed, it is recommended to install a handrail similar to the handrails on the East Facade.

*** **Note:** The Lunenburg Academy Lot Development Plan was included in the Town's Budget Forecast for fiscal year 2021-22. However, due to COVID-19 financial impacts, we can anticipate this project being delayed. Once the economy recovers we can better assess the economic conditions to determine when this project can be revisited. Staff does require, at a minimum, one year notice to initiate funding applications to other levels of government and other NGO's.

3. **FINANCIAL IMPACT**

The Lunenburg Academy Foundation has agreed to cover the costs associated with removing the bell from the bell tower (\$500 est.) in this fiscal year. Therefore, there will be no impacts on the Town's 2020/21 fiscal year.

This memo is also intended to initiate Council's request for the Lunenburg Academy Foundation's financial support for Academy Projects as outlined in the table above.

4. **STRATEGIC PLAN RELEVANCE**

Moving forward on restoring the Lunenburg Academy follows Council's approved Future Use Business Plan I and II, and shares relevance to the Town's Strategic Plan:

Goal 3 A (d) Explore ways to market the Lunenburg Academy as a business development opportunity/economic driver; and

Goal 4 B (a) Use the National Historic status of the Lunenburg Academy to develop and revitalize the building.

5. **RECOMMENDATION AND DRAFT MOTION**

It is recommended Council approve a motion supporting the removal of the School Bell at the Lunenburg Academy and its placement in storage for possible future refurbishment and replacement on the grounds of the Academy.

Motion: Moved by ____, Seconded by ____ that council approves the removal of the Lunenburg Academy bell with the financial support of the Lunenburg Academy Foundation for storage until it can be refurbished and installed on the Academy grounds.

It is recommended Council approve a motion to have staff forward a letter of request to the Lunenburg Academy Foundation requesting their financial support for the Lot Development Plan, the Bell Monument, the “Lunenburg Academy” wall sign and the south entrance handrails in keeping with the following table:

Motion: Moved by ____, Seconded by ____ that staff write a letter of request to the Lunenburg Academy Foundation seeking their financial support for the Lunenburg Academy Lot Development Plan, the bell monument, wall sign and south entrance handrails as set out in the funding table below.

Cost-Sharing Proposal				
Item:	Estimated Costs:	Town's Share:	Foundation's Share:	Government & NGO's Funding Programs:
1) Bell Monument	\$20,000	\$ 0 (0%)	\$ 20,000 (100%)	(Reduce Foundation's Contribution)
2) LA Sign	\$ 4,000	\$ 2,000 (50%)	\$ 2,000 (50%)	(Reduce Contributions Equally)
3) Handrail	\$10,000	\$ 5,000 (50%)	\$ 5,000 (50%)	(Reduce Contributions Equally)
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Total:	\$1,034,000	\$207,000	\$127,000	\$700,000 + -

Attachments:

- A. Existing Proposed Lot Development Plan Site Plan
- B. Photos of School Bell
- C. Concept of Bell's Monument

Acknowledged only by:

Bea Renton
Town Manager/Clerk

LUNENBURG ACADEMY


LOT DEVELOPMENT PLAN



New Features Key

- ① Parking for 62 cars
- ② Bus drop off
- ③ Welcome plaza
- ④ Accessible ramp
- ⑤ Cafe terrace
- ⑥ Bespoke Lunenburg Academy interpretive signs
- ⑦ Pocket park / reading space
- ⑧ Garbage enclosure
- ⑨ Walking trail
- ⑩ Native pollinator planting beds
- ⑪ Rain gardens / sustainable urban drainage
- ⑫ 20' x 25' Basketball court

Materials Key

- New trees 
- Planting bed + seating walls 
- Permeable pavers 
- Concrete sidewalk 
- Asphalt 
- Bike racks 
- Light standards 
- Perspective View 

PLAN VIEW

ATTACHMENT B
School Bell Photos



Attachment C Concept of Bell's Monument



St. John's Anglican Church Bell – The Jessen Bell



Ann Covey

Subject: 6 Coun Jun 23 20 Planning Advisory Committee citizen membership applications

From: Jackson Strowbridge [<mailto:jackstrowbridge@gmail.com>]

Sent: June-13-20 3:38 PM

To: Ann Covey <ACovey@explorelunenburg.ca>

Subject: VOLUNTEER OPPORTUNITY: Planning Advisory Committee

Hey Ann,

I am very excited to be applying to the Lunenburg Planning Advisory Committee. Since studying community design at the Dalhousie School of Planning, this has literally been a dream of mine. I believe I would bring a unique perspective when it comes to future planning decisions for our town. I believe my social and business network within the town and my ability to utilize social media will strengthen community engagement. I am a fourth generation Lunenburger and have always dreamt of being able to make a difference in my favourite place in the world. I have do not have affiliations that would motivate my decisions. My focus would be on economic growth, environmental sustainability, sustainable development and heritage preservation.

Applicant Name: Jackson Joshua Strowbridge

Mailing and Civic Address: Old Blue Rocks Rd. Lunenburg, NS

What is the best way to contact you if we have questions about your application or require further information?

For any further information or if you would like to meet to discuss how I might be able to get involved, you can call or email me.

Please indicate the Committee(s) and/or Board(s) that you would like to serve on indicating your first, second, etc., choices:

Planning Advisory Board

Describe your relevant employment and/or volunteer experience.

I have a Bachelor Degree in Community Design from Dalhousie University School of Planning. I spent most of my time researching and promoting Lunenburg, Nova Scotia in hopes that one day I would be able to be apart of either the Planning Department or the Advisory Board. During this time, I worked with Federal, Provincial, Municipal and Community bylaws. I studied Environmental Law, Waste and Storm Water Management, renewable energy, sustainable growth and much more. I understand that design proposals are not completed until they are have passed the towns approval. I want to be apart of that, so I can represent my family and my community in future decisions.

I participated in the organization and operation of the Christmas by the Sea street market since its reboot in 2016. And last year, I helped with the Parade as well. I make an effort to be apart of the many charity events throughout the town in any way that I can.

I have spent the past three years working in sales and customer service jobs. This has enabled me to step out of

my comfort zone, approach people with a positive attitude and listen to the needs of others.

I believe, my knowledge of the history and community of Lunenburg would help be a good representative for the people of this town. This would be a great chance for me to find a place in the Lunenburg History books.

Are you available for monthly meetings, including daytime and nighttime meetings? Please explain.

I am available for monthly meetings, including both daytime and nighttime. If I were given the chance to be apart of the Planning Advisory Committee, I would make sure to work around all future meetings as best I can. From now until I retire I would be available.

MEMORANDUM

TO: TOWN COUNCIL

FROM: BEA RENTON, CAO

DATE: JUNE 17, 2020

**RE: BEE POPULATION AND CLIMATE CRISIS ACTION INITIATIVES
REPORT**

1. FACTS

At the February 11, 2020 Council meeting two independent, yet inter-related motions were approved by Council regarding positive climate and environmental action initiatives which this report addresses. First, in response to a request from Centre Scolaire de la Rive-Sud students the following motion was passed:

Motion: moved and to request a staff report about the students' recommended action items a) - e) regarding a declining bee population (schedule "A"). Motion carried.

Items a) – e) of the students' "pollinator action plan" include:

- a) *"Educating your citizens about the disappearance of bees through pamphlets and what families can do in their own backyard to help. We have with us a handout which we have sent home to all the families at our school.*
- b) *Banning pesticides that contain neonicotinoids. This is an important step as these pesticides are very dangerous to bees.*
- c) *Having more pollinator friendly places in public gardens with flowers that bees and other pollinators like.*
- d) *Installing bee hotels in public spaces. The type of bees which live in these hotels – mason bees - are solitary. The males do not have a stinger, and the females will only sting if trapped or squeezed. This makes them an ideal neighbor for the home garden, since they pose little to no threat of stinging.*
- e) *Having the recreation department organize information sessions about the disappearance of bees which include the construction of a bee hotel for the home."*

The next related motion of Council at that meeting was made in response to a request of Roy Gordon on behalf of Extinction Rebellion as follows:

Motion: moved and seconded that a staff report be prepared on the proposed “Climate Crisis Action Motion” (Schedule “C”) addressing current and potential Town initiatives. Motion carried.

Mr. Gordon asked Council to ...”declare a *Climate Emergency* and direct staff to prepare a report to be presented to Council on or before the end of 2020 outlining:

- *Steps the Town of Lunenburg could undertake in order to commit to further reduce and eliminate the Towns carbon footprint as per the urgency expressed in the IPCC Report and achieve net zero carbon emissions before 2050;*
- *Steps the Town of Lunenburg could undertake to develop an Integrated Community Sustainability Plan, which acknowledges the importance of incorporating social, environmental and economic considerations associated with climate change into its long-term strategic planning and budgeting; and,*
- *Steps the Town of Lunenburg could take to establish a ‘Climate Equity’ working group to provide guidance and support for the Town’s efforts to transition off of fossil fuels in ways that prioritize those most vulnerable to climate impacts and most in need of transitioning to renewable energy.”*

This report addresses both motions in a combined approach to bee and environmental action plans development and implementation noting the Town’s progress to date.

2. ISSUES AND OPTIONS ANALYSIS

The chart below provides an analysis of the initiatives outlined in these two motions, action taken to date and further efforts that should be made.

Requests	Action and Accomplishments
a) Bees - educate citizens about the disappearance of bees and distribute information from the students	The students’ information could be shared in Town Utilities’ mail outs, website and social media posts.

<p>b) Ban pesticides that contain neonicotinoids</p>	<ul style="list-style-type: none"> - Health Canada has cancelled the use of neonicotinoids on crops bees find attractive such as orchard trees. Health Canada is studying other applications to determine if additional bans will be imposed (link Update on the Neonicotinoids Pesticides (January 2020)). Council may want to ask the Federal government for an update on their efforts to eliminate the harmful impact of pesticides on bees and other pollinators such as butterflies and birds. - The Town does not use neonicotinoids. - Local retailers could be contacted to inquire if they sell products with neonicotinoids and encouraged to make pollinator friendly products available instead.
<p>c) Pollinator gardens in public places</p>	<ul style="list-style-type: none"> -A “pollinator garden” has been designed with the help of Coastal Action Foundation for the two stormwater retention traffic islands at the intersection of Brook Street and Victoria Road (see: plan attached). Provincial funding applied for to plant the gardens this year. Pollinator garden signage to encourage public interest and awareness is also planned. -The Town is the first NS “Communities in Bloom” national award winner and has many gardens and green spaces with pollinator plants to attract bees and butterflies.
<p>d) Install bee hotels in public places</p>	<ul style="list-style-type: none"> -Town to install bee hotels made at the workshop noted below and how-to information can be publically shared to encourage more property owners to do the same. -Lunenburg Community Garden and Lunenburg Garden Club members could also be asked to participate and raise awareness about this and other bee/pollinator friendly initiatives.

<p>e) Recreation Department information sessions about bee disappearance and how to construct a bee hotel</p>	<p>-Recreation Department has offered past environmental workshops to the public and could develop workshops focusing on bees and ways to attract them including making a “bee hotel”, pollinator gardening tips, bee keeping, discouraging the use of pesticides that can harm bees and other pollinators, etc.</p>
<p>Climate Crisis - plan to further reduce Town’s carbon footprint and achieve net zero emissions before 2050</p>	<p>-The Town Electric Utility electricity is generated from renewable energy which is expected to reach the 40% Provincial Electricity Act and Regulations target in the near future.</p> <p>-Street lights are being converted to LED as HPS units fail and photo cells are replaced as required to reduce electricity demands.</p> <p>- Interior Town building lighting is converted to energy efficient lighting options such as LED and motion sensors with Efficiency NS funding support.</p> <p>-Interior building heating programming controls have been updated as required to reduce fuel and electricity consumption.</p> <p>-Electric Utility/NSUARB approved alternative power production net metering customer rate approved to encourage the local production of renewable solar energy.</p> <p>-Town has applied for Provincial funding through their Solar Community Buildings project fund, but the program was oversubscribed.</p> <p>-Additional solar project opportunities will be recommended by staff for 2021/22 Capital budget development.</p> <p>-Town staff have notified NSPI of interest in electric vehicle charging station funding project preliminary consideration.</p> <p>-The Town’s Active Transportation Plan addresses a variety of initiatives Council has actioned to reduce the community’s carbon footprint.</p> <p>-Tree Plan Canada street tree planting projects have helped reduce carbon dioxide levels in the community.</p> <p>- Project Lunenburg has identified additional climate remediation community goals for implementation.</p>

<p>Develop an Integrated Community Sustainability Plan (ICSP)</p>	<ul style="list-style-type: none"> -The Town approved an ICSP and has achieved many of the projects identified in it including the construction of a new Water Treatment facility. -The Town’s Municipal Climate Change Action Plan was approved. -Additional work being done to address the impact of storm surges and resulting flooding on municipal infrastructure. This will provide an updated project map integrating climate change and asset management. -Waste Reduction Strategy Group is developing a working plan for Council consideration to further reduce community solid waste. -Project Lunenburg’s Comprehensive Community Plan will identify additional initiatives to enhance community environmental sustainability. -The Town’s Strategic Plan sets out multiple environmental objectives to protect the community’s natural environment the implementation of which is recorded in the Town’s annual Strategic Plan Progress Report. - The recently updated Town Source Water Protection Guide addresses active measures to sustain the integrity of natural water sources.
<p>Establish a “Climate Equity” working group for renewable energy transition</p>	<p>-The Town has a number of working groups tasked with an environmental component including the Waste Reduction Strategy Working Group, Project Lunenburg and the Active Transportation Sub-Committee described above tasked with designing strategies for climate and environmental awareness and activity.</p>

3. FINANCIAL IMPACT

The above initiatives have been achieved to date within approved budget amounts often with offset senior government funding to reduce municipal costs. As additional projects are developed, such as solar power production opportunities for Town buildings, Town budgets will be determined for Council approval and funding sought from senior levels of government and other funders as applicable. Newer initiatives can be undertaken within existing resources and external funding and other assistance as noted.

The Federation of Canadian Municipalities and other organizations provide free resources to help reduce greenhouse gas emissions and other environmental endeavours at the local level. This could be pursued when the Town completes some of the other projects noted in this report.

4. STRATEGIC PLAN RELEVANCE

The motions of Council address key components of the Town's Strategic Plan including to:

3. Champion opportunities for our community's health and well-being by:
 - a) Protecting our natural environment; and
 - b) Facilitating and encouraging healthy lifestyles.

5. RECOMMENDATION AND DRAFT MOTION

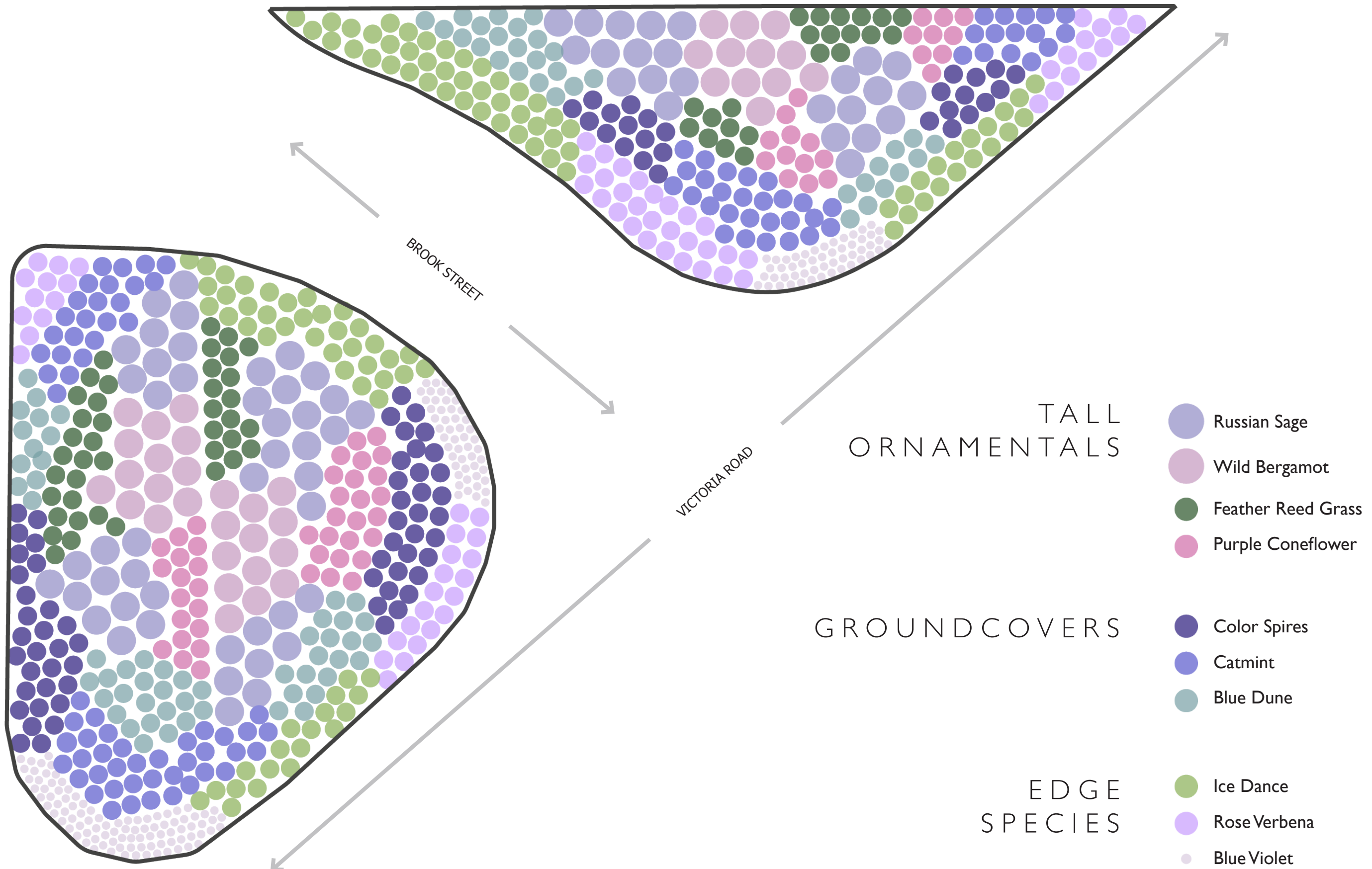
It is recommended that Council approve the pollinator action plan described above.

It is further recommended that Council consider whether it wishes to declare a climate crisis to reinforce the action already being taken by the Town and additional measures identified.

Motion: moved by ____, seconded by ____ that Council approves the pollinator action plan (and/or) declares a climate crisis.

Attachments: Pollinator Garden plan
Sample Climate Emergency resolution - Town of Mahone Bay

PLANTING PLAN



PLANTING DESCRIPTION

Plants have been selected to withstand quickly draining soils, full sun, road salt, high alkalinity, deer browsing, and periodic disturbance. Aesthetically the plant palette has been chosen for mid-height vegetation, pink and purple coloured blooms, and a variety of textures with late blooming species and colourful grasses for seasonal interest. Selected flowering species have a wide range of blooming times in order to provide forage for pollinators and aesthetic beauty throughout the year.

Many of the flowering species support pollinators by providing :

- Larval food for moth or butterfly caterpillars.
- Fruit for songbirds.
- Flowers that are frequented by beetles, flies, butterflies, hummingbirds, wasps and moths.
- An abiotic host, nectar, or pollen for a broad variety of bee species.

TALL ORNAMENTALS

Russian Sage
Perovskia atriplicifolia

Feather Reed Grass
Calamagrostis acutiflora

Purple Coneflower
Echinacea purpurea

Wild Bergamot
Monarda fistulosa

Blue Dune
Leymus arenarius

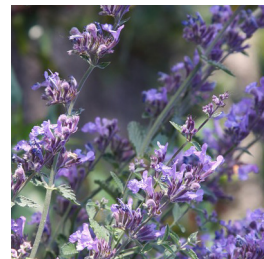
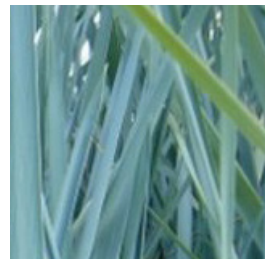
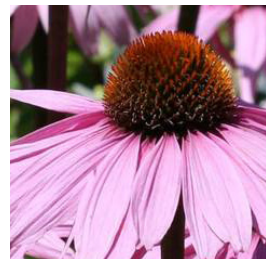
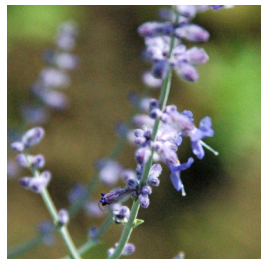
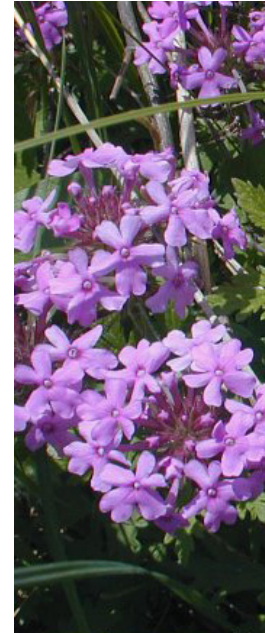
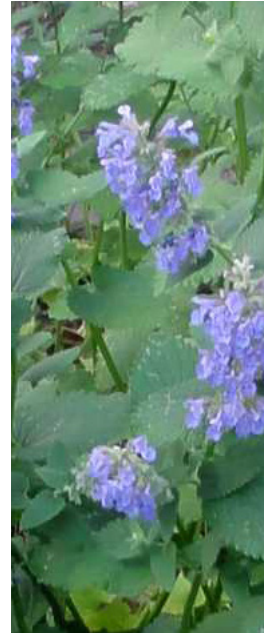
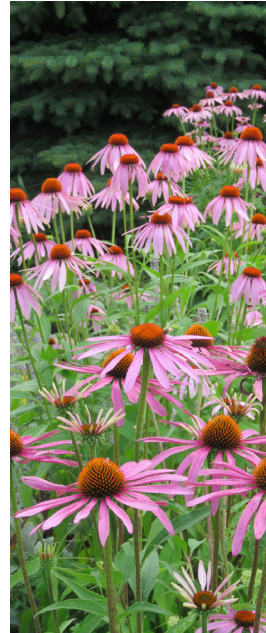
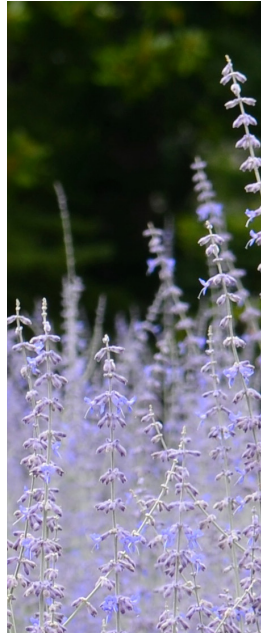
Catmint
Nepeta faassenii

Color Spires 'Violet Riot'
Salvia nemorosa

Ice Dance
Carex Morrowii

Blue Violet
Viola sororia

Rose Verbena
Glandularia canadensis





Town of Mahone Bay Recognition of Climate Change Emergency – February 12, 2019.

WHEREAS the Town of Mahone Bay is on track to meet all provincial targets in terms of renewable energy, and as such is a leader amongst town governments in Nova Scotia; and,

WHEREAS we - along with all residents of Planet Earth - are faced with a climate emergency, as recently recognized by the City of Halifax; and,

WHEREAS the IPCC has issued a special report on the impacts of global warming of 1.5 °C above pre- industrial levels *vis-à-vis* greenhouse gas emissions and which sets out foreseeable and preventable climate-change related outcomes of grave importance to coastal communities and thus enables the Town of Mahone Bay to prepare for and to take them into account as part of its decision-making process; and,

WHEREAS the Town of Mahone is currently considering several major capital projects and is presented with opportunities to institute climate-neutral building and long-term management practices; and,

WHEREAS the Town of Mahone Bay's electrical utility currently has the capacity to supply approximately 40% of the town's commercial and residential electricity requirements from clean sources and there is opportunity to expand on this success in order to decrease or eliminate the CO2 emissions related to major capital assets such as a fire hall and town hall and to provide clean, carbon-neutral energy sources to its residents; and,

WHEREAS the Town of Mahone Bay has, with its recently adopted Asset Management Policy, acknowledged the importance of incorporating climate change considerations into its long-term strategic planning and budgeting; and,

WHEREAS the Town of Mahone Bay is uniquely equipped to act as a role model and change leader for other small Canadian communities;

THEREFORE BE IT RESOLVED

THAT Council direct staff to prepare a report to be presented to Council on or before April 9th, 2019, outlining:

- Steps the Town of Mahone Bay could undertake in order to commit to further reduce or eliminate the Town's corporate carbon footprint as per the urgency expressed in the IPCC Report; and,
- Steps the Town of Mahone Bay could undertake in order to commit to further reduce or eliminate the community's carbon footprint; and,
- Related budgetary implications

MEMORANDUM

TO: TOWN COUNCIL

FROM: IAN TILLARD, P.ENG. TOWN ENGINEER CONSULTANT

DATE: JUNE 17, 2020

RE: REQUEST FOR 2020/21 TOWN CAPITAL BUDGET INCREASE FOR WASTEWATER LIFT STATIONS REPAIRS

1. FACTS

There are 10 lift stations which pump wastewater in the TOL collection and treatment system. They were constructed in 2002 or earlier, except for Tannery Road., built in 2010. These stations are in need of capital repairs due to the age and operating conditions, including significant storm surge events bringing with it increased salt water intrusion, gravels and other debris that is damaging to the pumps.

The pumping equipment in the lift stations is good quality equipment and according to pumping experts, it is well worth repairing rather than replacing.

The condition of the pumps was assessed via a contract with the manufacturer's representative who has done an internal examination of the equipment as part of the pre-approved 2020/21 wastewater treatment capital projects. The field work was done earlier this spring and the report has recently been issued to the Town. The recommendations in this memo are a result of the conclusions of that report.

It should be noted that all lift stations are currently operating and the work outlined below will ensure this continues to be the case.

2. ISSUES AND OPTIONS ANALYSIS

- a. Sansom Equipment examined 8 pumps in 6 lift stations and developed a list of repairs needed for one or both of the two pumps in each station. They examined the second pump in four lift stations that had already had a pump repaired in winter 2019-2020, and both pumps in two of the lift stations (Knickle and Fisherman's Wharf) that had not been examined or repaired before. See Table 1 showing the details of the work completed and proposed in the lift stations, each of which has two pumps. The proposed work is shown in bold.

Table 1: Completed and Proposed Work by Lift Station

Name	Size	Pump 1	Pump 2	Cost (net HST)
Effluent (WWTP)	10"	Rebuilt April 2020, cost \$23,000. Install new discharge check valve.	Replace rotating assembly, replace check valve assembly.	\$22,300
Brook St.	8"	Rebuilt Winter 2020	Rebuild rotating assembly, replace 4 valves.	\$16,000
Bluenose Dr.	6"	Rebuilt Winter 2020	Replaced 2018, working poorly. Undergoing troubleshooting.	Not confirmed, contingency \$15,000
Knickle Rd.	4"	Does not run. Rebuild rotating assembly, replace 2 valves.	Rebuild rotating assembly, replace 2 valves.	\$7,800
Fisherman's	4"	Rebuild rotating assembly, replace 4 valves.	Rebuild rotating assembly, replace 4 valves.	\$13,700
Starr St.	4"	Rebuilt Winter 2020	Rebuild rotating assembly, replace 2 valves.	\$4,300
Rous's Brook	3"	Rebuilt Winter 2020	Rebuild rotating assembly, replace 2 valves.	\$3,900
Tannery Rd.	3"	Not assessed	Not assessed	Not confirmed, contingency \$5,000
Young St.	3"	Not assessed	Not assessed	Not confirmed, contingency \$5,000
Back Harbour	4"	Rebuilt Winter 2020	Rebuilt Winter 2020	\$0

- b. The submersible pumps in the Tannery Rd and Young St stations were not examined because they could not be removed while following Sansom's social-distancing and safe work protocols at the time of the inspections. This will continue to be monitored and the inspections carried out when conditions allow. All four of these pumps are currently operating normally, however given the age of the pumps, and with salt water intrusion, the pumps do need to be included in the inspection and repair program. Council will be updated on the findings of these inspections.
- c. The second Bluenose Dr. pump was completely replaced in 2018 and was not examined at this time. There is a serious performance issue with this pump which is undergoing troubleshooting. The suction pipe was videoed in May 2020 to look for damage or blockages as part of this effort, but no evidence was found of a problem with the suction pipe. Staff, together with CBCL and Sansom, are now looking into the condition of the three way valve on the discharge pipework. This valve is difficult to isolate. An action plan will be prepared by PW to isolate and repair or replace this valve once it is confirmed that this is the problem. Council will be updated on the progress of troubleshooting.

- d. The pump inspections that were completed examined the pump internals as far as possible, but not all points are visible until the rotating assembly is actually removed. Therefore, it is not possible at this point to rule out damage to the pump casings on the pumps inspected in this round. Council will be updated on the condition of pump casings following rotating assembly removal.
- e. Considerable progress has been made to repair the issues identified in the previous year. The condition of the remaining pumps that require urgent work increases the risk of overflows to the harbour, which must be reported to the Federal Government. Normally, both pumps in each station should be in service, with one pump acting as duty and one as standby. If one pump is in poor condition then the Town has no reliable backup should the stronger pump fail.
- f. The Back Harbour lift station now has two fully repaired pumps in good condition, as seen in Table 1. The work recommended in this memo is intended to provide two pumps in confirmed good condition in all 10 lift stations, similar to the Back Harbour station with Tannery Road and Young Street lift stations yet to be assessed.
- g. PW is progressing with the implementation of an expanded lift station maintenance program, including carrying out and tracking all manufacturer-recommended weekly and monthly maintenance items, cleaning lift stations once a year and cleaning catch basins twice a year. A contract for twice-yearly inspections by Sansom, as pre-approved in the 2020/21 wastewater treatment operating budget, will provide a reliable way to identify potential mechanical issues early so that they can be included in the annual budgeting process. PW, other key Town staff, and CBCL meet every two weeks to discuss and address wastewater related issues that arise.

3. FINANCIAL IMPACT

- a. 6 lift stations that were assessed
 - i. Repair cost of the 8 pumps currently assessed in the 6 stations: \$65,700 plus net HST (\$68,000). Should be completed in the 2020/21 budget. \$55,000 (funding Gas Tax) was originally budgeted, and of this, \$32,000 remains following emergency repairs to Pump 1 in the Effluent Lift Station. To complete these repairs will require a budget increase of \$36,000.
- b. Submersible lift stations not yet assessed
 - i. Examination of the 2 stations, estimated cost \$1,500 to \$2,000. To be completed within the approved 2020/21 operating budget.
 - ii. Allowance for future repairs to these stations: \$10,000. Should be completed in 2020/21 budget.
- c. Bluenose Dr. repairs
 - i. Contingency for repairs to valve, if confirmed to be damaged, estimated cost \$15,000.

- d. Contingency for emergent pump casing repair requirements for 6 assessed lift stations
 - i. Recommended contingency \$30,000

The total estimated additional budget cost is \$91,000. As these additional repairs were unanticipated in the 2020/21 capital budget the options for their financing are either a withdrawal from the Town's general capital reserve (current balance \$243,000) or a capital borrowing. Staff are recommending a capital borrowing for this item, the interest and loan payment will be incorporated into future sewer rates.

4. STRATEGIC PLAN RELEVANCE

- 5) Operate the Town efficiently and effectively by:
 - A. Making best use of Town-owned buildings and land.
 - B. Continually and strategically maintaining and upgrading community infrastructure.

5. RECOMMENDATION AND DRAFT MOTION

It is recommended Council approve a motion increasing the 2020/21 capital budget for Lift Stations Capital Pump Repairs Project from \$55,000 to \$146,000 for fiscal 2020/21 with the financing to be the previously committed \$55,000 from Gas Tax Reserves and \$91,000 from a capital borrowing.

Kelly Jardine

From: jamiemyra@eastlink.ca [mailto:jamiemyra@eastlink.ca]

Sent: June 18, 2020 3:15 PM

To: Bea Renton <brenton@explorelunenburg.ca>

Subject: LBOT Proposal

Hey Bea,

Attached is the letter requesting the parking removal. Also they said that if you wanted to take those two stand alone spots they have marked on the other side of the loading zone and make one of them handicap and just take away the spots from the loading zone over they would be okay with that as well.

Thanks,
Jamie Myra
President LBOT

To the Lunenburg Board of Trade,

2020 has brought many new challenges to the residents and business owners of Lunenburg. As there have been significant restrictions on the hospitality industry many businesses are looking for ways to adjust and refocus some of their trade. One example, indoor seating has been reduced to a maximum capacity of 50% which will result in many relying heavily on the take out market.

Montague street is one the highest foot traffic locations in town. We business owners have concerns of increased congestion occurring on the sidewalks and streets as people try to self distance and abide by Public Health advisories.

We are writing to ask the LBoT to approach the town council with the idea of closing off a section the parking spaces on the south side of Montague street. These spaces could in turn be used as a secondary sidewalk to keep people at safe distances from each other while remaining safely off the street.

The spots we propose to remove consist of 9 spots between King Street and Duke Street. And two spots beyond the loading zone at the base of Duke Street. At the moment there is a disabled parking spot in this section. We ask that it be moved to the last spot before the loading zone so that it may be kept and limit confusion on its availability. The intention would then be to leave that one signed spot as well as the loading zone. This area is greater space for people at it is at the top of the large stairway to Bluenose Drive. We would ask that these 11 spaces be deemed as no parking 24hrs a day for the months of July and August, and potentially September.

This section of Montague street has the potential to become very congested with lines of guests waiting for limited tables and others looking for take out food. We are concerned that if there is heavy congestion this would lead to unsafe public practices. Such as, not social distancing, as well as, walking or standing off the sidewalk and in the street. Additionally, this could become be a major deterrent for residents, tourists, and potential customers to come to this area as it may feel unsafe to do so. The removal the mentioned parking spaces would allow room for social distancing for pedestrians, staff, and customers.

We acknowledge this will reduce access to parking on the street. Therefore, understand it will be prudent to encourage our staff to park in areas outside of Montague street so as to leave spots available to customers of our collective businesses.

Thank you for your time and efforts in working towards new ways to keep our beautiful town operational and safe during these new times.

Kindly,

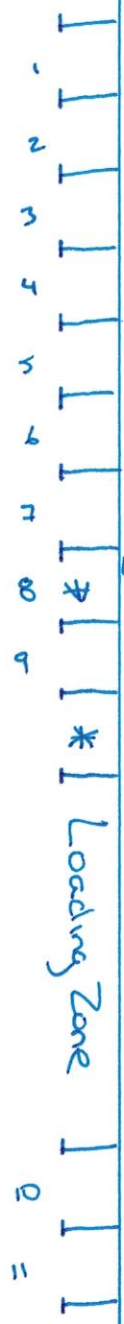
Katherine Eisenhauer, Martin and Sylvie Ruiz Salvador, Adam Bower, Melissa Shaw, and Mike Tanner

KING ST

CROSSWALK

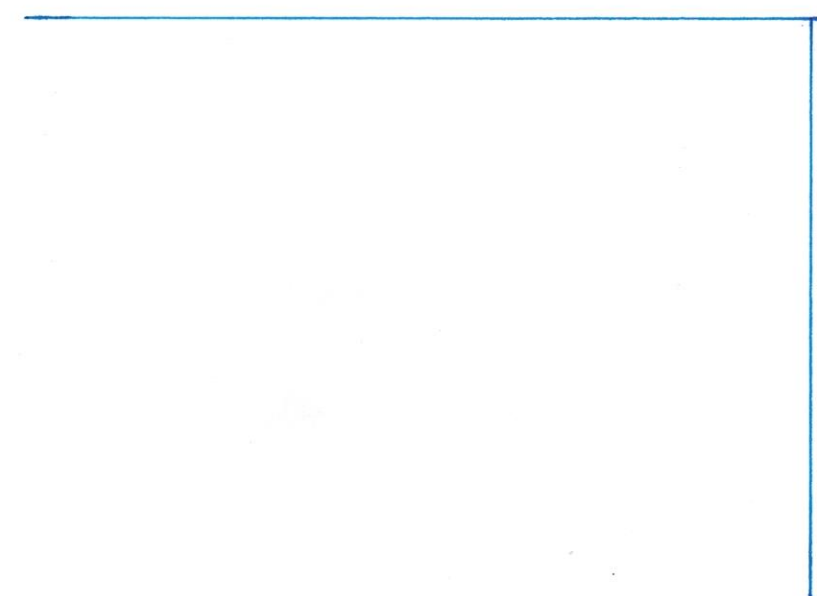
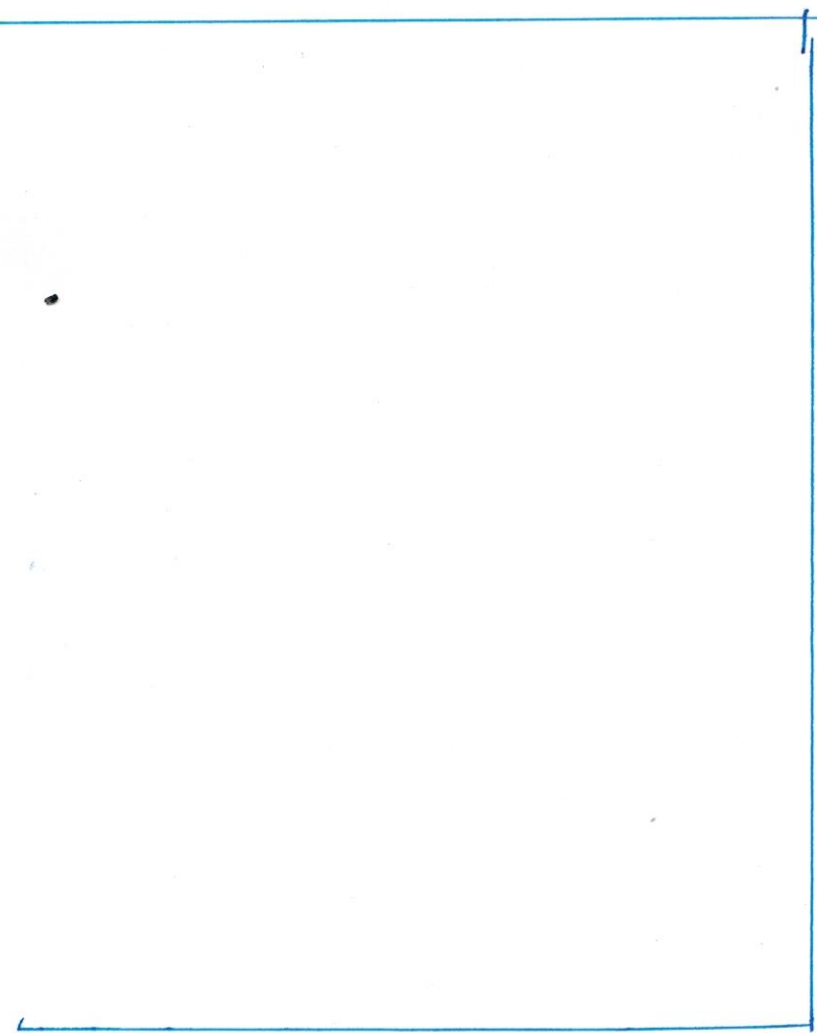
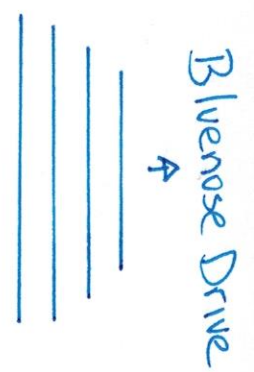
Montague St.

DUKE ST.



Current Disabled Space

"New" Disabled Space





**Burke,
Macdonald
& Luczak**
Barristers & Solicitors

Patrick A. Burke, QC
David K. Macdonald, BSc, LLB(Retired)
Piotr Luczak, BA, LLB*

May 29, 2020

Bea Renton
Manager/CAO
Town of Lunenburg

Hand Delivered

Dear Bea:

Re: Lunenburg Heritage Society

Enclosed herewith is a copy of the Indenture which is dated May 28, 2020 and signed by Lunenburg Heritage Society. Please have the Resolution attached hereto presented to Council in open session at your very earliest convenience.

Once passed by Council, the originals of the agreement should be signed.

Yours very truly,

BURKE, MACDONALD & LUCZAK

Patrick A. Burke, Q.C.

PAB/js

Encl.

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May 28, 2020.docx

THIS INDENTURE made this 28th day of May, 2020

BETWEEN:

LUNENBURG HERITAGE SOCIETY, a duly incorporated Society under the *Societies Act of Nova Scotia*,

(hereinafter called the "LHS")

- and -

TOWN OF LUNENBURG, a municipal body corporate,

(hereinafter called the "Town")

WHEREAS:

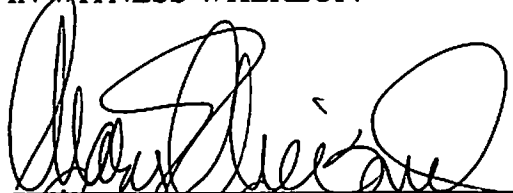
- A. LHS constructed a bandstand on property of the Town (between Cumberland Street and Townsend Street) adjacent to the war memorial.
- B. The Town granted LHS a lease of property on which the bandstand was located. This lease was for a term of 5 years commencing August 15, 1988 and was dated December 29, 1988 (the "lease").
- C. The lease provided that the bandstand was not a fixture and was the property of LHS.
- D. LHS has been overholding under the terms of the lease.
- E. The parties wish to terminate the lease and confirm that the Town shall have title to and ownership of the bandstand.

NOW THIS INDENTURE WITNESSETH that in consideration of the sum of \$1.00 paid by each party to the other, receipt of which is acknowledged, the parties agree as follows:

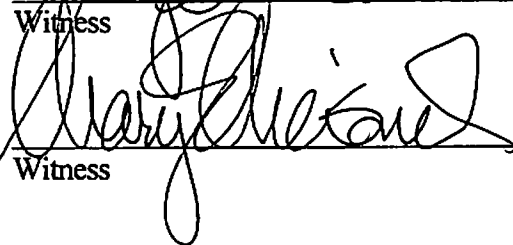
- 1. The lease shall be terminated effective upon the execution of this Indenture by the parties.

- 2. The Town shall be the sole owner of the bandstand, and LHS releases and conveys to the Town all of its interest in the bandstand effective upon the execution of this Indenture by the parties.
- 3. The Town shall honour any and all contracts and commitments made between LHS and third parties for the use of the bandstand for that period of time following the effective date of the Town's ownership, and LHS shall provide the Town with particulars regarding same. LHS agrees to transfer to the Town any deposit(s) that LHS has received from third parties with respect to those events taking place after the effective date of the Town's ownership.

IN WITNESS WHEREOF:

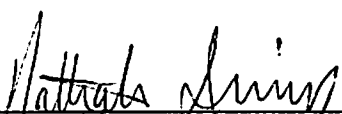


 Witness




 Witness

LUNENBURG HERITAGE SOCIETY



 Name: Nathalie Irving
 Title: Chair



 Title: Treasurer
 Name: OLIVER E. OSMOND

[Affix Corporate Seal]

TOWN OF LUNENBURG

Per: _____
 Name: _____
 Title: _____

 Witness

Per: _____
 Name: _____
 Title: _____

[Affix Municipal Seal]

AFFIDAVIT OF EXECUTION

PROVINCE OF NOVA SCOTIA
COUNTY OF LUNENBURG

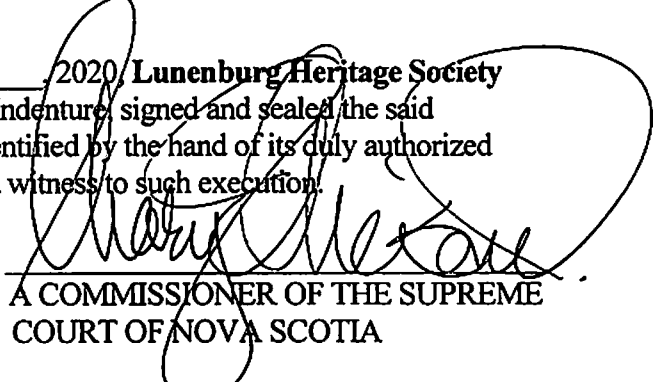
ON THIS 28th day of May, A.D., 2020, before me, the subscriber personally came and appeared _____ a subscribing witness to the foregoing Indenture, who having been by me duly sworn, made oath and said that **Lunenburg Heritage Society**, one of the parties thereto, duly executed the said Indenture by affixing its corporate seal thereto, identified by the hands of its duly authorized officer(s) in that behalf in h___ presence.

A COMMISSIONER OF THE
SUPREME COURT OF NOVA SCOTIA

CERTIFICATE OF EXECUTION

PROVINCE OF NOVA SCOTIA
COUNTY OF LUNENBURG

I certify that on this 28th day of May, 2020, **Lunenburg Heritage Society** one of the parties mentioned in the foregoing and annexed Indenture, signed and sealed the said Indenture in my presence by affixing its Corporate Seal, identified by the hand of its duly authorized officers in that behalf in my presence and I have signed as a witness to such execution.


A COMMISSIONER OF THE SUPREME
COURT OF NOVA SCOTIA

MARY E. MEISNER, Q.C.
A Barrister of the Supreme
Court of Nova Scotia

AFFIDAVIT OF EXECUTION

PROVINCE OF NOVA SCOTIA
COUNTY OF LUNENBURG

ON this _____ day of _____, 2020 before me, the subscriber personally came and appeared _____, a subscribing witness to the foregoing Indenture, who having been by me duly sworn, made oath and said that the **Town of Lunenburg**, therein named, duly executed the same in h_____ presence by affixing thereto its Municipal Seal, identified by the signatures of its Mayor and Manager/Clerk.

A COMMISSIONER OF THE SUPREME
COURT OF NOVA SCOTIA

CERTIFICATE OF EXECUTION

PROVINCE OF NOVA SCOTIA
COUNTY OF LUNENBURG

I certify that on this _____ day of _____, 2020, the **Town of Lunenburg** one of the parties mentioned in the foregoing and annexed Indenture, signed and sealed the said Indenture in my presence by affixing its Municipal Seal, identified by the signatures of its Mayor and Manager/Clerk.

A COMMISSIONER OF THE SUPREME
COURT OF NOVA SCOTIA

Resolution of Council

WHEREAS:

1. The Lunenburg Heritage Society constructed a bandstand on property of the Town of Lunenburg.
2. The Town of Lunenburg entered into a lease with the Lunenburg Heritage Society (LHS) dated December 29, 1988 for a period of 5 years commencing August 15, 1988 and the Lunenburg Heritage Society has been overholding under the terms of the lease.
3. The lease provides that the Bandstand shall remain the property of the Lunenburg Heritage Society and shall not be a fixture of the said land.
4. The parties wish to terminate the lease and transfer any interest in the bandstand to the Town of Lunenburg.
5. The Lunenburg Heritage Society has made commitments to the Lunenburg Folk Harbour Festival Society for use of the Bandstand at various times in June, July, August, and September and for a private wedding on Saturday September 5, 2020 and the LHS wishes to ensure that these commitments are honoured.

BE IT RESOLVED THAT:

- A. The Town shall enter into the indenture with the Lunenburg Heritage Society in the form attached hereto as "Schedule LHS2";
- B. The Town shall honour the commitments to the Lunenburg Folk Harbour Festival Society and the private wedding attached hereto a "Schedule LHS 3"; and
- C. The Mayor and Manager/Clerk are authorized to execute the indenture on behalf of the Town and to affix the municipal seal thereto.

THIS INDENTURE made this ____ day of _____, 2020

BETWEEN:

LUNENBURG HERITAGE SOCIETY, a duly incorporated
Society under the *Societies Act of Nova Scotia*,

(hereinafter called the "LHS")

- and -

TOWN OF LUNENBURG, a municipal body corporate,

(hereinafter called the "Town")

WHEREAS:

- A. LHS constructed a bandstand on property of the Town (between Cumberland Street and Townsend Street) adjacent to the war memorial.
- B. The Town granted LHS a lease of property on which the bandstand was located. This lease was for a term of 5 years commencing August 15, 1988 and was dated December 29, 1988 (the "lease").
- C. The lease provided that the bandstand was not a fixture and was the property of LHS.
- D. LHS has been overholding under the terms of the lease.
- E. The parties wish to terminate the lease and confirm that the Town shall have title to and ownership of the bandstand.

NOW THIS INDENTURE WITNESSETH that in consideration of the sum of \$1.00 paid by each party to the other, receipt of which is acknowledged, the parties agree as follows:

- 1. The lease shall be terminated effective upon the execution of this Indenture by the parties.

- 2. The Town shall be the sole owner of the bandstand, and LHS releases and conveys to the Town all of its interest in the bandstand effective upon the execution of this Indenture by the parties.
- 3. The Town shall honour any and all contracts and commitments made between LHS and third parties for the use of the bandstand for that period of time following the effective date of the Town's ownership, and LHS shall provide the Town with particulars regarding same. LHS agrees to transfer to the Town any deposit(s) that LHS has received from third parties with respect to those events taking place after the effective date of the Town's ownership.

IN WITNESS WHEREOF:

LUNENBURG HERITAGE SOCIETY

Witness

Name: _____
Title: _____

Witness

Title: _____
Name: _____

DRAFT

[Affix Corporate Seal]

TOWN OF LUNENBURG

Witness

Per: _____
Name: _____
Title: _____

Per: _____
Name: _____
Title: _____

DRAFT

[Affix Municipal Seal]

AFFIDAVIT OF EXECUTION

**PROVINCE OF NOVA SCOTIA
COUNTY OF LUNENBURG**

ON THIS _____ day of _____, A.D., 2020, before me, the subscriber personally came and appeared _____ a subscribing witness to the foregoing Indenture, who having been by me duly sworn, made oath and said that Lunenburg Heritage Society, one of the parties thereto, duly executed the said Indenture by affixing its corporate seal thereto, identified by the hands of its duly authorized officer(s) in that behalf in h___ presence.

**A COMMISSIONER OF THE
SUPREME COURT OF NOVA SCOTIA**

CERTIFICATE OF EXECUTION

**PROVINCE OF NOVA SCOTIA
COUNTY OF LUNENBURG**

I certify that on this _____ day of _____, 2020, Lunenburg Heritage Society one of the parties mentioned in the foregoing and annexed Indenture, signed and sealed the said Indenture in my presence by affixing its Corporate Seal, identified by the hand of its duly authorized officers in that behalf in my presence and I have signed as a witness to such execution.

**A COMMISSIONER OF THE SUPREME
COURT OF NOVA SCOTIA**

AFFIDAVIT OF EXECUTION

**PROVINCE OF NOVA SCOTIA
COUNTY OF LUNENBURG**

ON this _____ day of _____, 2020 before me, the subscriber personally came and appeared _____, a subscribing witness to the foregoing Indenture, who having been by me duly sworn, made oath and said that the Town of Lunenburg, therein named, duly executed the same in h_____ presence by affixing thereto its Municipal Seal, identified by the signatures of its Mayor and Manager/Clerk.

**A COMMISSIONER OF THE SUPREME
COURT OF NOVA SCOTIA**

CERTIFICATE OF EXECUTION

**PROVINCE OF NOVA SCOTIA
COUNTY OF LUNENBURG**

I certify that on this _____ day of _____, 2020, the Town of Lunenburg one of the parties mentioned in the foregoing and annexed Indenture, signed and sealed the said Indenture in my presence by affixing its Municipal Seal, identified by the signatures of its Mayor and Manager/Clerk.

**A COMMISSIONER OF THE SUPREME
COURT OF NOVA SCOTIA**

Booking Dates and Times for the Lunenburg Heritage Bandstand - 2020

Lunenburg Folk Harbour Festival Society

Please note: these dates are dependent on when public performances may again be possible and public events are not restricted due to the COVID-19 restrictions. The suggestion has been made by the Society that the agreement between Folk Harbour and Lunenburg Heritage not be signed until that becomes clear. The dates are fixed subject only to that.

**Sunday, June 14th
Sunday, June 21st
Sunday, June 28th
Sunday, July 5th
Sunday, July 12th
Sunday, July 19th
Sunday, July 26th
Sunday, August 2nd
Sunday, August 16th
Sunday, August 23rd
Sunday, August 30th
Sunday, September 6th
Sunday, September 13th**

The performing time on these dates shall be between 2 and 3 p.m., with the Bandstand being available for set-up from 12.30 p.m. and all use completed by 4 p.m.

And also on the following dates:

**Friday, August 7th
Saturday, August 8th
Sunday, August 9th**

The performing time on these dates shall be between 1 and 5.30 p.m., the Bandstand being available for set-up from 11.30 p.m. and all use completed by 6.30 p.m.

Private Wedding

Saturday, September 5, 2020, 2:30 to 5:30 – Fee of \$200 has been paid in full

No other bookings have been made past the end of September 2020.

This agreement is made between the Lunenburg Heritage Society and the Lunenburg Folk Harbour Festival Society to authorize the use of the Lunenburg Heritage Society Bandstand by the Lunenburg Folk Harbour Festival Society on the following dates and times during 2020:

**Sunday, June 14th
Sunday, June 21st
Sunday, June 28th
Sunday, July 5th
Sunday, July 12th
Sunday, July 19th
Sunday, July 26th
Sunday, August 2nd
Sunday, August 16th
Sunday, August 23rd
Sunday, August 30th
Sunday, September 6th
Sunday, September 13th**

The performing time on these dates shall be between 2 and 3 p.m., with the Bandstand being available for set-up from 12.30 p.m. and all use completed by 4 p.m.

And also on the following dates:

**Friday, August 7th
Saturday, August 8th
Sunday, August 9th**

The performing time on these dates shall be between 1 and 5.30 p.m., the Bandstand being available for set-up from 11.30 p.m. and all use completed by 6.30 p.m.

This use of the Bandstand by the Lunenburg Folk Harbour Festival Society is subject to the following conditions:

The payment of a rental fee to the Lunenburg Heritage Society of sixty dollars (\$60) for each of the Sunday afternoon concert dates above listed and two hundred and forty dollars (\$240) for each of August 7th, 8th and 9th. In the event that one or more of the Sunday afternoon concerts has to be moved indoors because of rain the rental fee for that day shall be reduced to thirty dollars (\$30), provided that the Treasurer of the Lunenburg Heritage Society has been informed by e-mail (oro@eastlink.ca) of such cancellation no later than 3 p.m. on the Tuesday following. Should some or all of the performing schedule on August 7th, 8th and 9th be disrupted by rain the rental fee shall be reduced by 50% for that portion of the scheduled program that has had to be moved indoors, provided full details of such disruption have been provided to the Treasurer of the Lunenburg Heritage Society by e-mail no later than 3 p.m. on Tuesday August 13th. Payment for the period June 14th to August 4th (\$480.00, less any deductions for cancellations) shall be due no later than August 15th, and payment for the remaining period August 7th to September 13th (\$1,020.00, less any deductions for cancellations) shall be due by September 18th.

The rental fee relates to use of the Bandstand only, together with the use of electric power for a sound system without additional charge. No furniture or other equipment such as music stands is provided by the Lunenburg Heritage Society.

The Lunenburg Folk Harbour Festival Society warrants that it has liability insurance in the amount of two million dollars in place to release the Lunenburg Heritage Society from any possible liability in connection with a claim for personal injury or other cause by any performer, audience member, or other person in connection with these performances at the Bandstand.

The Lunenburg Folk Harbour Festival Society is responsible for leaving the Bandstand in a clean and tidy condition at the conclusion of each rental period.

The Lunenburg Folk Harbour Festival Society assumes financial responsibility for any damage to the Bandstand, by whomsoever caused, during its period of use.

Signed on behalf of the Lunenburg Folk Harbour Festival Society

**Chris Anderson
Director; Site Chairperson**

and on behalf of the Lunenburg Heritage Society

Oliver Osmond, Treasurer

Dated: